

11/14/24

FINAL Full Council Striker

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| [E. Auzins, J. Ngo, J. Tracy] | Sponsor: <u>Perry</u> |
| | Proposed No.: <u>2023-0440.2</u> |

1 **STRIKING AMENDMENT TO PROPOSED ORDINANCE 2023-0440, VERSION**

2 **2**

3 On page 16, beginning on line 353, strike everything through page 677, line 13358, and
4 insert:

5 "BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

6 **SECTION 1. Findings:**

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

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

12 C. The GMA requires King County to take action not later than December 31,
13 2024, to review and, if needed, revise its comprehensive plan and development
14 regulations to ensure the plan and regulations comply with the requirements of the GMA.
15 This ordinance adopts the 2024 King County Comprehensive Plan ("2024 update"),
16 which is compliant with the GMA and completes the requirements for the update in RCW
17 36.70A.130. Additional work on critical areas regulations is ongoing, as allowed under

the reasonable progress exception in RCW 36.70A.130(7)(b) and as described in subsection D. of this section.

D. The GMA requires counties to include best available science ("BAS") in developing policies and development regulations to protect the functions and values of critical areas; give special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries; ensure no net loss of ecological functions and values; and consider critical areas regulations as part of the comprehensive plan review and evaluation required by RCW 36.70A.130. The county began the BAS and critical area regulatory review in 2022 in accordance with GMA requirements and state guidance and developed draft updates in consultation with Indian tribes, state and federal agencies, and community partners. Public notice of the potential areas of change was provided in May 2022, June 2022, January 2023, and June 2023. The county's current BAS review builds on the county's 2004 BAS review and was informed by GMA requirements and state guidance documents, updated BAS for critical areas developed by state natural resources agencies, supplemental scientific literature, county experience in implementing critical areas regulations since 2004, consideration of the county's unique land use context, and the need to meet sometimes competing GMA goals. A BAS and critical areas regulatory review progress report that summarized the current BAS requirements, BAS review approach, and identified regulatory changes under consideration was published in December 2023. An initial BAS report and proposed policy and code updates were published and transmitted to the Council in March 2024. The final environmental impact statement for the 2024 update, which included evaluation of potential changes to critical areas regulations, was published in November 2024. BAS

review was included in the identification and development of relevant critical areas and environmental policies for the 2024 update. The October 2024 Best Available Science Review and Updates to Critical Areas Protections report summarizes GMA requirements for review and inclusion of BAS in updates to comprehensive plan policies and codes, describes tribal consultation and community engagement, details the approach and scope for BAS review, reviews Comprehensive Plan considerations, and identifies regulatory updates and nonregulatory actions to strengthen protection and ensure no net loss of critical areas functions and values. Additional review and refinement of proposed critical areas regulations is ongoing. The county intends to complete the BAS review and updates to critical areas regulations in 2025 with additional opportunities for public input. Under the reasonable progress exception in RCW 36.70A.130(7)(b), the county has until December 2025 to complete this portion of the statutory update.

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

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

63 G. The Shoreline Management Act of 1971, chapter 90.58 RCW, requires King
64 County to develop and administer a shoreline master program. Ordinance 16985 and
65 Ordinance 17485 adopted a comprehensive update of King County's shoreline master
66 program as required by RCW 90.58.080(2). Ordinance 19034 adopted a periodic review
67 of King County's shoreline master program as required by RCW 90.58.080(4).

68 H. The changes included in this ordinance for the shoreline master program
69 constitute a locally initiated amendment allowed under WAC 173-26-090. Changes
70 include updates to shoreline policies and development regulations. Those changes are
71 required to be approved by the Washington state Department of Ecology before they
72 become effective.

73 I. The 2024 update was developed using early and continuous public
74 engagement, as required by the GMA and consistent with the scope of work for the
75 update, approved in 2022 via Motion 16142.

76 J. Ordinance 19384 directed the King County Growth Management Planning
77 Council ("the GMPC") to review the Four-to-One program in the Countywide Planning
78 Policies ("the CPPs"), Comprehensive Plan, and King County Code. The Four-to-One
79 program, Comprehensive Plan, and King County Code amendments adopted in the 2024
80 update are substantially consistent with the GMPC recommendations for the program and
81 the related changes in the CPPs.

82 K. Motion 16287 directed the executive to complete a code study related to
83 expanded multiunit developments in low- and medium-density urban residential zones,
84 also known as "middle housing." As required by the motion, a draft of the code study
85 was issued in June 2023 as part of the Public Review Draft of the 2024 update, and a

final report and associated recommended King County Code changes were included in the transmittal of the 2024 update.

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

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

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

O. Vashon-Maury Island Subarea Plan Workplan Action 1 adopted in Ordinance 18623, as amended, directs the executive to comprehensively review and update the

109 property-specific development conditions, which are also known as P-Suffixes, and
110 special district overlays, which are also known as SDOs, on Vashon-Maury Island.
111 Workplan Action 1 required a report and a proposed ordinance to implement the
112 recommendations in the report be transmitted to the council for consideration by June 30,
113 2022. Due to the COVID-19 pandemic, the timeline for completing the final evaluation
114 was delayed beyond the required date. In 2022, the scope of work for the 2024 update
115 directed inclusion of the report and King County Code changes as part of the 2024
116 update. As required by the subarea plan and scope of work, the report and associated
117 recommended King County Code changes were included in the transmittal of the 2024
118 update.

119 P. Ordinance 18623 adopted the Vashon Rural Town Affordable Housing Special
120 District Overlay ("the Vashon affordable housing overlay") and directed the executive to
121 complete a series of written evaluations assessing the efficacy of the scope and standards
122 of the Vashon affordable housing overlay. As required by Ordinance 18623, preliminary
123 evaluations were issued in 2018, 2019, and 2020. A draft of the fourth and final required
124 evaluation of the Vashon affordable housing overlay was required to be completed within
125 ninety days of the occurrence of one the following, whichever comes first: issuance of
126 the first permit necessary for construction that would result in a cumulative total of one
127 hundred twenty affordable housing units within the overlay; or four years after the
128 effective date of Ordinance 18623, which would have been December 26, 2021. No
129 permits have been issued up to now utilizing the Vashon affordable housing overlay.
130 Due to the COVID-19 pandemic, the timeline for completing the draft final evaluation
131 was delayed beyond four years and ninety days of the effective date of Ordinance 18623,

132 which would have been March 24, 2022. In 2022, the scope of work for the 2024 update
133 directed inclusion of a report on the fourth and final evaluation and any recommended
134 implementing zoning and King County Code changes as part of the 2024 update. As
135 required by Ordinance 18623 and the scope of work, the report and implementing zoning
136 and King County Code changes were included in the transmittal of the 2024 update.

137 Q. The GMA calls for "containing or otherwise controlling rural development,"
138 among other goals for the rural area. The Regional Growth Strategy anticipates rural
139 growth to be no more than one percent of all growth within King County. Policies in
140 chapter 3 of the Comprehensive Plan carryover those goals and apply them to the rural
141 unincorporated area. The GMA, VISION, and the Comprehensive Plan also have goals
142 for rural economic opportunity and lifestyle choices at low densities and intensities, and
143 at rural levels of service. The 2024 Comprehensive Plan adopts several provisions that
144 reduce or minimize growth in the rural area while also allowing for important cultural,
145 economic, and rural lifestyle opportunities, including, but not limited to:

- 146 1. Not expanding the Urban Growth Area boundary, or converting any RA
147 zoned land to a higher density zone;
- 148 2. Continuing a prohibition on new rural towns and rural neighborhood
149 commercial centers and maintaining policies that require limiting growth in the rural area
150 and natural resource lands;
- 151 3. Clarifying policies that:
 - 152 a. require agencies providing services in the rural area and natural resource
153 lands to establish standards that do not require substantial investment in public
154 infrastructure in these areas; and

155 b. scale site improvements for commercial and industrial developments to
156 protect rural character;

157 4. Calling for rural affordable housing strategies to allow for workforce housing,
158 aging in place, and provision of housing needed in the rural area, at an appropriate size
159 and scale that protects rural character;

160 5. Reducing the size of accessory dwelling units in the RA zone by removing an
161 allowance to use a TDR as a way to increase the allowable size, and reducing the
162 numbers of accessory dwelling units by adding a requirement that a detached accessory
163 dwelling unit be considered a primary unit when a lot is subdivided;

164 6. Lowering the residential density allowed in the rural NB zones by half, from
165 a maximum of eight units per acre to a maximum of four units per acre, and establishing
166 new size limits for nonresidential uses allowed in these areas;

167 7. Limiting new opportunities for workforce housing in the Snoqualmie Pass
168 Rural Town to a demonstration project, inclusionary housing, or to developments
169 purchasing TDRs;

170 8. Limiting the base density in the Vashon Rural Town to twelve units per acre
171 for the CB zone;

172 9. Removing barriers to developing in the urban area, including reducing
173 regulatory barriers to building housing, providing further incentives to build child
174 daycare facilities, and removing outdated development conditions that reduced feasibility
175 of building in the urban area; and

176 10. Placing further limits on the use of the Four-to-One Program and
177 strengthening the protections on the rural area portions of Four-to-One proposals.

178 R. The 2024 Comprehensive Plan includes changes to address housing and
179 service needs of all residents of King County. Where those uses, such as healthcare and
180 residential care services or daycares, are allowed in the rural area or natural resource
181 lands, they are allowed with a variety of size and scale conditions that protect rural
182 character. These conditions include minimum lot sizes, maximum floor areas,
183 operational limits such as hours of operation or restrictions on the number of customers
184 served, and protections for active agricultural production.

185 S. Further, changes proposed to the rural towns, including establishing consistent
186 R-4 zoning by removing small pockets of existing R-1 zoning, and clarifying that
187 minimum density does apply within the rural towns that have sewer service, both create
188 further clarity in the zoning administration and provide for workforce housing within two
189 communities with unique circumstances: Vashon Rural Town, which is only accessible
190 via boat or plane, and Snoqualmie Pass Rural Town, which is an employment base but far
191 from other population centers.

192 T. The 2016 King County Comprehensive Plan, as amended, included Work Plan
193 Action 17, which directed the executive to update the residential density incentive
194 program in K.C.C. chapter 21A.34 in the 2024 update, as recommended by the related
195 code study included in the transmittal of the 2020 update to the 2016 King County
196 Comprehensive Plan. As required by Work Plan Action 17, this ordinance adopts
197 updates to the residential density incentive program regulations, which repeals the
198 program and replaces it with updated regulations in the inclusionary housing program in
199 K.C.C. chapter 21A.48.

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

V. The King County Comprehensive Plan and King County Strategic Climate Action Plan call on the county to act with urgency in addressing the climate crisis. Increasing the generation of renewable energy and reducing greenhouse gas emissions

associated with waste are both critical to this effort. Specifically, the Comprehensive Plan calls on King County to:

1. Reduce greenhouse gas emissions from its operations and actions to meet ambitious emissions reduction targets (Policies E-202, E-203);
2. Achieve carbon neutrality within its solid waste division (Policy E-205);
3. Encourage the use of renewable energy and support its expansion through development regulations and incentive programs (Policy E-209);
4. Make properties it owns available for renewable energy production (Policy F-304);
5. Maximize the capture, use, and marketing of renewable energy at the Cedar Hills landfill (Policy F-507);
6. Provide leadership in, and foster the development and increased use of, clean, renewable, and alternative fuel and energy technologies, such as anaerobic digestion and co-digestion of organic material, with a particular emphasis on creating renewable natural gas (Policy F-508);
7. Work with industry partners to reduce energy and fossil fuel use and greenhouse gas emissions while promoting green jobs, products, and services (Policy E-241);
8. Encourage development of markets for reusable and recyclable materials (Policy F-442);
9. Allow for renewable energy technologies in the rural area (Policy R-332);
10. Allow for infrastructure in the rural area that requires a rural location or that provides or supports infrastructure for nearby residents (Policy R-323);

246 11. Allow for siting of green energy and distributed energy resources, while
247 considering appropriate use of land and associated impacts, including protection of
248 designated natural resource lands and open spaces (Policy F-517); and

249 12. Make land use decisions that consider the impacts of renewable energy
250 siting with open space, agriculture, and housing needs (Policy F-510).

251 W. The creation of a green energy overlay contributes to all of the goals in
252 subsection V. of this section by reducing permitting barriers to generating renewable
253 energy and reducing greenhouse gas emissions from waste. The green energy overlay is
254 appropriate for this chosen area because it is:

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

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

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

262 X. The GMA was amended by Chapter 228, Laws of Washington 2023, to
263 require a climate change and resiliency element as part of the next periodic update. For
264 King County, this includes an update to the transportation element and incorporate a
265 climate change and resiliency element into the King County Comprehensive Plan as part
266 of the 2029 midpoint update. The climate change and resiliency element will include
267 greenhouse gas emissions reduction and resiliency subelements. The transportation

element will include a multimodal level of service, which will align with provisions of VISION for a multimodal level of service standard.

Y. Within the White Center unincorporated activity center, there is a core street, along on 16th Avenue SW between SW Roxbury Street and SW 100th Street. This area, and the Top Hat area of North Highline subarea geography, as described in the Environmental Impact Statement ("EIS") for the 2024 Comprehensive Plan, as pre-war urban centers that are organized within a grid of streets, with compact rectangular lots centered around a main street with commercial buildings on both sides. The EIS states, "[m]ain street commercial buildings tend to be 1 or 2 stories high, sometimes with apartments above a commercial ground floor. They tend to be oriented towards the street or sidewalk and have large windows, creating an engaging pedestrian environment. Such buildings are often "zero lot line" buildings, meaning their side walls touch, and they typically have limited off-street parking. Relatively affordable rents in older commercial buildings are supportive of small, independent businesses and often serve as cultural anchors for local communities." This unique character of these areas is not found elsewhere in urban unincorporated King County.

Z. The North Highline Community Service Area Subarea Plan ("North Highline Plan") includes a guiding principle to "support a thriving and equitable economy, with racially and ethnically diverse, community-minded small business owners, entrepreneurs, and employers." The North Highline Plan supports the preservation of the unique and thriving White Center historic core. Several North Highline Plan policies call for preserving the small size and scale of existing businesses and allowing for new commercial spaces for small business needs, in the core of the White Center

unincorporated activity center. This core street character is an aspect of this geography that the County has taken steps to protect, including adoption of existing regulations on maximum tenant size, pedestrian-oriented design standards, and sign regulations.

AA. As part of the development of the North Highline design standards in Ordinance 19687, a consultant's report noted aspects of the existing character that the community valued included its "welcoming storefronts with weather protection and lighting," "color and signage add character to this business," "[l]ocal pride can be seen in this 'White Center' mural," and "[f]abric and scale of White Center main street," as examples. Existing businesses include small businesses that provide goods and services to the surrounding residents, and are a draw for the rest of the county and region. The consultant's report states that "[t]he North Highline Subarea has a distinctive character and neighborhood form composed of its buildings, public realm, landscape, natural environment, and the infrastructure that supports it. These guidelines are intended to preserve the desirable existing design characteristics and support future enhancements to meet the community's vision by accomplishing these specific goals." This includes, "traditional neighborhood-scale commercial pattern," "human scale," "visible cultural diversity," and "historic and traditional elements" in the neighborhood composition.

BB. As of November 2024, there are no formula businesses, as defined by this ordinance, in the Top Hat neighborhood, and only one formula business in the core street of the White Center unincorporated activity center.

CC. The Vashon Rural Town is an historical settlement that provides for more intensive commercial uses and has developed in a main street pattern similar to White Center and Top Hat. As described in Chapter 3 of the Comprehensive Plan, each of the

County's three "Rural Towns has unique features and needs, and therefore different standards may be appropriate for each, while meeting the purposes described above." "Vashon, accessible mainly by ferry and limited in terms of water supply, has natural constraints upon the type and intensity of development that can occur." Further, the Vashon-Maury Island Community Service Area Subarea Plan ("Vashon-Maury Island Plan") establishes a guiding principle to "[p]lan the Rural Town of Vashon as the mixed use and vibrant center of the community." The Vashon Rural Town includes the Town Core and Vashon Center, where most commercial businesses are located. Policy LU-3 in the Vashon-Maury Island Plan calls for development of these areas to "maintain rural character" and provide "compact, pedestrian-friendly development." Policy LU-5 also calls for reduced parking in the Vashon Town Core. The main street character of the Vashon Rural Town is an aspect of this geography that the County has taken steps to protect, including adoption of existing regulations on pedestrian-oriented design, height restrictions, and allowed uses.

DD. As of November 2024, in the Vashon Rural Town, there is only one eating and drinking formula business establishment, and two legally nonconforming gasoline service stations. The eating and drinking establishment recently located in the Vashon Rural Town, highlighting the need to protect the unique character of the Vashon Rural Town from any further formula businesses. Market conditions have changed and made it more feasible to locate formula businesses in these locations.

EE. This ordinance furthers the vision, guiding principles, and policies of the Comprehensive Plan, subarea plans, and adopted development regulations, by prohibiting formula businesses within these areas of North Highline and in the Vashon Rural Town.

This regulation on the location and design of formula business establishments is intended to maintain the existing main street character, the diversity of the each of these community's unique commercial areas, the breadth of commercial options available to residents, and the resiliency of the community's vibrant, small-scale, diversified commercial character, and to thereby protect and ensure the community's quality. Once multiple formula businesses locate in a community, that unique character is irreparably lost and cannot be recaptured. Small, independent businesses cannot compete with pricing and the marketing power of formula businesses, pushing them out, along with the distinctive character that comes with the individual design, product offerings, and marketing approaches made by small businesses.

SECTION 2.

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

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

C. The elements of the King County Shoreline Master Program in sections 48, 269, 271, 272, 273, 274, 275, 276, 277, 278, and 279 of this ordinance and in King County Comprehensive Plan chapter six of Attachment A to this ordinance are hereby amended to read as set forth in this ordinance and are incorporated herein by this reference.

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

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

364 F. The land use and zoning amendments in sections 324 through 335 of this
365 ordinance, sections 362 through 364 of this ordinance, section 377 of this ordinance, and
366 Attachment I to this ordinance are hereby adopted as amendments to Appendix A to
367 Ordinance 12824, as amended, and as the official land use and zoning controls for those
368 portions of unincorporated King County defined in those sections of this ordinance and
369 attachments to this ordinance.

370 G. The King County department of local services, permitting division, shall
371 update the geographic information system data layers accordingly to reflect enactment of
372 this ordinance, and update section numbers with the codified section of the King County
373 Code.

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

377 I. "Appendix H Natural Resources" in Technical Appendices Volume 2 to the
378 1994 King County Comprehensive Plan is hereby readopted as "Appendix E 1994
379 Natural Resource Lands."

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

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

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

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

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

3. Develop and implement programs and strategies that emphasize:

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

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

- c. improving the delivery, responsiveness, and quality of local services to the people, businesses, and communities of unincorporated King County through unified accountability;
- d. improving local services through robust employee engagement while embracing equity and racial and social justice and continuous improvement;
- e. strengthening unincorporated communities by supporting local planning and community initiatives; and
- f. pursuing innovative funding strategies.

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

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

- a. be based on a scope of work established with the community;
- b. establish a long-range vision, guiding principles, and policies to implement that vision. Policies in the subarea plan shall be consistent with and not redundant to policy direction in the Comprehensive Plan;
- c. establish performance metrics and monitoring for implementation of the subarea plan. The performance metrics and monitoring shall be:

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

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

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

431 d. use the tools and resources developed by the office of equity and racial and
432 social justice to develop the scope of work and to develop, review, amend, adopt, and
433 implement the subarea plan, including, but not limited to, community engagement,
434 language access, and equity impact review tools. The county shall use, at minimum, the
435 ~~((("County engages in dialogue" and))~~ "County and community work together" levels of
436 engagement as outlined in the office of equity and racial and social justice's Community
437 Engagement Guide for the scoping, development, review, amendment, adoption, and
438 implementation of the subarea plan. The county shall include as an appendix to the
439 subarea plan information detailing the community engagement completed during the
440 development of the subarea plan and how the community engagement meets the
441 requirements of this subsection B.2.d.;

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

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

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

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

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

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

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

2. Each community needs list shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

507 d. For each request from the initial catalog that is not advanced to the
508 community needs list, the executive shall state why the request was not advanced. The
509 county shall clearly communicate why the request was not advanced to the community.
510 For items that cannot be accomplished by the county because they are outside of the
511 scope of county operations, the county shall provide information on how noncounty

entities may be able to accomplish the item, including consideration of potential partnerships with noncounty entities; and

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

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

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

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

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

a. ~~((concurrent with the transmittal of the applicable subarea plan as required in subsection B. of this section;~~

~~b.)) concurrent with the executive's biennial budget transmittal((:~~

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

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

535 ~~((e-))~~ b. when identified by either the community service area work programs
536 and associated community engagement outlined in subsection D. of this section or the
537 services partnership agreements outlined in subsection ~~((E-))~~ E. of this section, or both.

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

544 D.1. The department shall also manage the community service area framework
545 adopted by Ordinance 17139, which shall be called the community service area program.
546 The community service area program shall develop and implement programs and services
547 to help all residents of unincorporated King County be more knowledgeable of, better
548 served by, and heard by King County departments and agencies. The community service
549 area program shall work with all county departments and agencies whose services,
550 programs, and projects are of interest to unincorporated area residents, to promote
551 successful public engagement.

552 2. A work program shall be, beginning in 2025, developed for each subarea
553 geography described in subsection B. of this section and shall:

554 a. be consistent with and implement the applicable subarea plan as described in
555 subsection B. of this section, the community needs list in subsection C. of this section,
556 and other county plans;

557 b. address the required elements in Ordinance 17139;

558 c. list potential action items for the area;
559 d. list known planning activities for the area;
560 e. identify public meetings for the area;
561 f. include the current adopted community needs list as required in subsection
562 C. of this section; and
563 g. establish an ongoing communications and community engagement plan
564 using tools and resources developed by the office of equity and racial and social justice,
565 including, but not limited to, community engagement, language access, and equity impact
566 review tools. The county shall use, at minimum, the (~~("County engages in dialogue"~~
567 ~~and~~)) "County and community work together" level(~~(s)~~) of engagement as outlined in the
568 office of equity and racial and social justice's Community Engagement Guide for the
569 development, review, amendment, adoption, and implementation of the community needs
570 list; and
571 h. establish performance metrics to monitor the implementation of the work
572 program.

573 3. The community service area program shall provide regular updates to the
574 councilmember or councilmembers who represent the subarea geography on the progress
575 of the work program throughout the year and shall publish regular reports on the work
576 program to its website(~~(s)~~) at least once per quarter.

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

578 E.1. The department of local services shall monitor and report on performance
579 metrics for subarea plans described in subsection B. of this section, for community needs

lists described in subsection C. of this section, and for the work program described in this subsection D. of this section.

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

a. for transmitting a report to the council:

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

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

b. for reporting outside of the timeframe in subsection E.2.a. of this section, reporting is required every year by the last business day of December, by posting the performance metrics and monitoring information on the department's website.

3. Performance monitoring shall be informed and monitored by the community and the council.

F.1. The department shall also establish service partnership agreements with each executive branch agency that provides programs, services, or facilities in the unincorporated area, including those agencies that provide regional services to unincorporated area residents and businesses. The service partnership agreements shall inform budget development for programs, services, or facilities in the unincorporated area.

2. Service partnerships agreements shall:

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

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

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

609 a. roles and responsibilities for the department of local services and the partner
610 agency;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

657 d. effective processing and timely review of land development proposals,
658 including zoning variances, ~~((and))~~ zoning reclassifications, master drainage plans,
659 variances from the ~~((s))~~ Surface ~~((w))~~ Water ~~((d))~~ Design ~~((m))~~ Manual and the King
660 County ~~((r))~~ Road Design and Construction ~~((s))~~ Standards, critical area, subdivision,
661 right-of-way use, ~~((urban-planned-development,))~~ clearing and grading, shoreline, special
662 use, and conditional use applications;

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

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

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

2. The permitting division manager shall be the:

a. county planning director;

b. zoning adjuster;

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

d. county building official; and

e. county fire marshal.

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

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

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

- 690 2. Designing, installing, and maintaining county traffic signs, markings, and
691 signals;
- 692 3. Designing, installing, and maintaining ~~((bicycle and pedestrian))~~ roadway
693 active transportation facilities;
- 694 4. Managing intergovernmental contracts or agreements for services related to
695 road maintenance and construction and to other transportation programs supporting the
696 transportation plan;
- 697 5. Inspecting utilities during construction and upon completion for compliance
698 with standards and specifications~~((; assuring))~~, and ensuring that public facilities
699 disturbed due to construction are restored;
- 700 6. Performing detailed project development of roads capital improvement
701 projects that are consistent with the transportation element of the county's Comprehensive
702 Plan, and coordinating such programming with other county departments and divisions
703 assigned responsibilities for Comprehensive Plan implementation;
- 704 7. Incorporating into the roads capital improvement program those projects
705 identified in the transportation needs report, ~~((community plans,))~~ related functional
706 plans, and elsewhere consistent with the county's Comprehensive Plan;
- 707 8. Preparing, maintaining, and administering the county road standards;
- 708 9. Preparing and administering multiyear roads maintenance and capital
709 construction plans and periodic updates;
- 710 10. Administering the transportation concurrency and mitigation payment
711 programs; and

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

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

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

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

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

735 1. King County recognizes that arts and heritage institutions and organizations,
736 and professional artists, heritage specialists, and historic preservationists, working in
737 partnership with the region's tourism industry, attract visitors and enhance the county's
738 national and international reputation as a cultural center.

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

742 3. King County recognizes that a healthy and well-balanced future ~~((citizenry))~~
743 is dependent upon the promotion of comprehensive cultural education programs for
744 today's youth and that cultural education, in the classroom and in the community, is an
745 integral part of building audiences, appreciation, and support for cultural programs.

746 4. King County recognizes that the loss or destruction of historic structures,
747 sites, and artifacts constitutes an irreplaceable loss to the quality of life and character of
748 King County.

749 5. King County recognizes that its support for the cultural community should be
750 distributed to major regional, mid-sized, emerging, and community-based organizations.

751 6. King County recognizes that support for the development of cultural
752 activities should be distributed throughout all parts of the county, including urban,
753 suburban, rural, and incorporated and unincorporated areas;

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

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

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

761 C. The county is committed to ensuring the success of cultural programs and
762 facilitating strong partnerships between the county, cultural development authority, and
763 cultural community. The executive shall ensure county departments and agencies
764 perform their duties related to cultural programs and fully cooperate with the cultural
765 development authority in its performance of its responsibilities.

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

768 SECTION 5. Ordinance 18326, Section 3, and K.C.C. 6.70.010 are hereby
769 amended to read as follows:

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

775 SECTION 6. Ordinance 18326, Section 4, and K.C.C. 6.70.020 are hereby
776 amended to read as follows:

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

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

SECTION 7. Ordinance 18326, Section 5, and K.C.C. 6.70.030 are hereby amended to read as follows:

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

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

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

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

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

804 SECTION 8. Ordinance 18326, Section 6, as amended, and K.C.C. 6.70.040 are
805 hereby amended to read as follows:

806 An applicant for a retail ((~~marijuana~~)) cannabis business license or renewal under
807 this chapter shall pay an application fee at the time of application submittal. The
808 nonrefundable application fee for a retail ((~~marijuana~~)) cannabis business license or
809 renewal is one thousand dollars. The nonrefundable application fee for a retail
810 ((~~marijuana~~)) cannabis business license or renewal shall be reduced by fifty percent if, at
811 the time of application, the applicant shows proof of a current medical ((~~marijuana~~))
812 cannabis endorsement issued by the Washington state Liquor and Cannabis Board.

813 SECTION 9. Ordinance 18326, Section 8, as amended, and K.C.C. 6.70.060 are
814 hereby amended to read as follows:

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

821 SECTION 10. Ordinance 18326, Section 9, and K.C.C. 6.70.070 are hereby
822 amended to read as follows:

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

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

SECTION 11. Ordinance 9163, Section 2, as amended, and K.C.C. 9.04.020 are hereby amended to read as follows:

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

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

B. "Applicant" means a property owner₁ ~~((or))~~ a public agency₂ or public or private utility that owns a right-of-way or other easement or has been adjudicated the right to such an easement ~~((under RCW 8.12.090))~~ in accordance with RCW 8.08.040, or any person or entity designated or named in writing by the property or easement owner to be the applicant, in an application for a development proposal, permit₂ or approval.

C. "Basin" means a geographic area that contains and drains to a stream or river named and noted on common maps, such as the Cedar river, Sammamish river, Green river, Snoqualmie river, Skykomish river₂ or White river, or a geographic area that drains to a nonflowing water body named and noted on common maps, such as Lake Washington or Puget Sound.

D. "Basin plan" means a plan and all implementing regulations and procedures including, but not limited to, capital projects, public education activities₂ and land use

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

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

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

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

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

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

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

873 J. "Department" means the department of natural resources and parks or its
874 successor.

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

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

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

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

889 O. "Drainage facility" means a constructed or engineered feature that collects,
890 conveys, stores, treats, or otherwise manages stormwater runoff or surface water.
891 "Drainage facility" includes, but is not limited to, a constructed or engineered stream,
892 lake, wetland or closed depression, or a pipe, channel, ditch, gutter, flow control facility,

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

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

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

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

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

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

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

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

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

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

932 2. Would result in seven thousand square feet or more of land disturbing
933 activity.

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

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

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

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

- a. an expected daily traffic count greater than one hundred vehicles per one thousand square feet of gross building area;
- b. petroleum storage or transfer in excess of one thousand five hundred gallons per year, not including routine heating oil storage or transfer at the end-user point of delivery; or
- c. use, storage, or maintenance of a fleet of twenty-five or more diesel or jet fuel vehicles each weighing over ten tons; or

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

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

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

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

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

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

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

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

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

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

984 ((3-)) 2. Has a project site of fifty acres or more within a critical aquifer
985 recharge area, as defined in K.C.C. Title 21A.

986 EE. "Licensed civil engineer" means a person registered with the state of
987 Washington as a professional engineer in civil engineering.

988 FF. "Maintenance" means those usual activities taken to prevent a decline, lapse,
989 or cessation in the use of currently serviceable structures, facilities, equipment, or
990 systems, if there is no expansion of the structure, facilities, equipment, or system and
991 there are no significant hydrologic impacts. "Maintenance" includes the repair or
992 replacement of nonfunctional facilities or the replacement of existing structures with
993 different types of structures, if the repair or replacement is required by one or more
994 environmental permits or to meet current engineering standards and the functioning
995 characteristics of the original facility or structure are not changed.

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

1000 HH. "Native vegetated surface" means a surface in which the soil conditions,
1001 ground cover, and species of vegetation are like those of the original native condition for
1002 the site, as more specifically ~~((set forth))~~ established in the Surface Water Design
1003 Manual.

1004 II. "Natural discharge location" means the location where runoff leaves the
1005 project site under existing site conditions as defined in the Surface Water Design Manual.

1006 JJ. "Natural hazard" means a condition in land or water, or both, that arises in
1007 whole or in part out of natural processes and that creates a threat of immediate and
1008 substantial harm. A "natural hazard" may include, but is not limited to, a beaver dam, a
1009 debris dam in a stream, severe erosion at the base of a steep slope, or a stream displaced
1010 from its original channel.

1011 KK. "New impervious surface" means the creation of impervious surface or the
1012 addition of a more compacted surface such as the paving of existing dirt or gravel.

1013 LL. "New pervious surface" means the conversion of a native vegetated surface
1014 or other native surface to a nonnative pervious surface, including, but not limited to,
1015 pasture land, grassland, cultivated land, lawn, landscaping, or bare soil, or any alteration
1016 of existing nonnative pervious surface that results in increased stormwater runoff as
1017 defined in the Surface Water Design Manual.

1018 MM. "Pollution-generating impervious surface" means an impervious surface
1019 considered to be a significant source of pollutants in stormwater runoff. "Pollution-
1020 generating impervious surface" includes: those surfaces subject to vehicular use;
1021 industrial activities; or storage of erodible or leachable materials, wastes, or chemicals
1022 and that receive direct rainfall or the run-on or blow-in of rainfall. A covered parking
1023 area would be included if runoff from uphill could regularly run through it or if rainfall
1024 could regularly blow in and wet the pavement surface. Metal roofs are also considered
1025 pollution-generating impervious surface unless they are treated to prevent leaching.
1026 Roofs exposed to the venting of significant amounts of dusts, mists, or fumes from
1027 manufacturing, commercial, or other indoor activities are also included, as are vegetated
1028 roofs exposed to pesticides, fertilizers, or loss of soil.

1029 NN. "Pollution-generating pervious surface" means a nonimpervious surface
1030 considered to be a significant source of pollutants in stormwater runoff. "Pollution-
1031 generating pervious surfaces" include: surfaces subject to vehicular use, industrial
1032 activities, storage of erodible or leachable materials, wastes or chemicals, and that receive
1033 direct rainfall or the run-on or blow-in of rainfall; or surfaces subject to the use of
1034 pesticides and fertilizers to the loss of soil. "Pollution-generating pervious surface"
1035 includes, but is not limited to, the lawn and landscaped areas of a residential, commercial,
1036 or industrial site or land use, golf course, park, sports field, and county-standard grassed
1037 modular grid pavement.

1038 OO. "Project" means any proposed action to alter or develop a site that may also
1039 require drainage review.

1040 PP. "Project site" means the portion of a site and any ~~((offsite))~~ off-site areas
1041 subject to proposed project activities, alterations, and improvements including those
1042 required by this chapter.

1043 QQ. "Redevelopment project" means a project that proposes to add, replace, or
1044 modify impervious surface for purposes other than a residential subdivision or
1045 maintenance on a site that:

- 1046 1. Is already substantially developed in a manner that is consistent with its
1047 current zoning or with a legal nonconforming use; or
1048 2. Has an existing impervious surface coverage of thirty-five percent or more.

1049 RR. "Replaced impervious surface" means an existing impervious surface
1050 proposed to be removed and reestablished as impervious surface, excluding impervious
1051 surface removed for the sole purpose of installing utilities or performing maintenance.

1052 For structures, "removed" means the removal of buildings down to the foundation. For
1053 other impervious surfaces, "removed" means the removal down to base course or bare
1054 soil. For purposes of this definition, "base course" means the layer of crushed rock that
1055 typically underlies an asphalt or concrete pavement.

1056 SS. "Salmon conservation plan" means a plan and all implementing regulations
1057 and procedures including, but not limited to, land use management adopted by ordinance,
1058 capital projects, public education activities, and enforcement programs for conservation
1059 and recovery of salmon within a water resource inventory area designated by the state
1060 under WAC 173-500-040.

1061 TT. "Shared facility" means a drainage facility designed to meet one or more of
1062 the requirements of K.C.C. 9.04.050 for two or more separate projects contained within a
1063 basin. "Shared facilities" usually include shared financial commitments for those
1064 drainage facilities.

1065 UU. "Simplified drainage review" means the drainage review for a proposed
1066 ~~((single-family))~~ single detached residential project or agricultural project that:

1067 1. Would result in impervious and new pervious surface insufficient to require a
1068 flow control or water quality facility as specified in K.C.C. 9.04.050 and the Surface
1069 Water Design Manual; and

1070 2. Meets the simplified drainage requirements and BMPs specified in the
1071 Surface Water Design Manual, including flow control BMPs, construction stormwater
1072 pollution prevention BMPs, and drainage plan submittal requirements.

1073 VV. "Site" means a single parcel, or either two or more contiguous parcels that
1074 are under common ownership or documented legal control, or a portion of single parcel

1075 under documented legal control separate from the remaining parcel, used as a single
1076 parcel for a proposed project for purposes of applying for authority from King County to
1077 carry out a proposed project. For projects located primarily within dedicated rights-of-
1078 way, "site" includes the entire width of right-of-way subject to improvements proposed
1079 by the project.

1080 WW. "Stormwater" means the water produced during precipitation or snowmelt,
1081 ~~((which))~~ that runs off, soaks into the ground, or is dissipated into the atmosphere.
1082 Stormwater that runs off or soaks into the ground ultimately becomes surface water or
1083 groundwater.

1084 XX. "Stormwater compliance plan" means a plan or study and all regulations and
1085 procedures that have been adopted by the county to implement the plan or study,
1086 including, but not limited to, capital projects, public education activities, and enforcement
1087 programs for managing stormwater quantity and quality discharged from the county's
1088 municipal separate storm sewer system in compliance with the National Pollutant
1089 Discharge Elimination System permit program under the Clean Water Act.

1090 YY. "Stormwater runoff" means stormwater that flows over, or just below, the
1091 surface where it fell or melted. "Stormwater runoff" contributes to and becomes surface
1092 water or groundwater.

1093 ZZ. "Subbasin" means a geographic area that:

- 1094 1. Drains to a stream or water body named and noted on common maps; and
1095 2. Is contained within the basin of the stream or water body.

1096 AAA. "Surface water" means the water that exists on land surfaces before,
1097 during, and after stormwater runoff occurs and includes, but is not limited to, the water

1098 found on ground surfaces and in drainage facilities, rivers, streams, springs, seeps, ponds,
1099 lakes, wetlands, and Puget Sound. ((#)) "Surface water" also includes shallow
1100 groundwater.

1101 BBB. "Surface Water Design Manual" means the manual, and supporting
1102 documentation referenced or incorporated in the manual, describing surface and
1103 stormwater design and analysis requirements, procedures, and guidance. The "Surface
1104 Water Design Manual" is formally adopted by rule under the procedures of K.C.C.
1105 chapter 2.98 and is available from the department of local services, permitting division,
1106 or the department of natural resources and parks, water and land resources division, or
1107 their successors.

1108 CCC. "Targeted drainage review" means an abbreviated evaluation required by
1109 K.C.C. 9.04.030 for certain types of proposed projects that are not subject to full or large
1110 project drainage review. Targeted drainage review may be required for some projects in
1111 simplified drainage review.

1112 DDD. "Water quality facility" means a drainage facility designed in accordance
1113 with the drainage requirements in this chapter to mitigate the impacts of increased
1114 pollutants in stormwater runoff generated by site development. A "water quality facility"
1115 uses processes that include, but are not limited to, settling, filtration, adsorption, and
1116 absorption to decrease pollutant concentrations and loadings in stormwater runoff.

1117 SECTION 12. Ordinance 9163, Section 5, as amended, and K.C.C. 9.04.060 are
1118 hereby amended to read as follows:

1119 A. A proposed project required to have drainage review by K.C.C. 9.04.030 must
1120 meet each of the following core requirements, which are described in detail in the Surface

1121 Water Design Manual. Projects subject only to simplified drainage review that meet the
1122 simplified drainage requirements and BMPs specified in the Surface Water Design
1123 Manual, including flow control BMPs, construction stormwater pollution prevention
1124 BMPs and drainage plan submittal requirements are deemed to comply with the
1125 following core requirements:

1126 1. Core requirement 1: Discharge at the natural location. All stormwater runoff
1127 and surface water from a project shall be discharged at the natural location so as not to be
1128 diverted onto, or away from, downstream properties. The manner in which stormwater
1129 runoff and surface water are discharged from the project site shall not create a significant
1130 adverse impact or significantly aggravate an existing adverse impact to downhill
1131 properties or drainage facilities as specified in the discharge requirements of the Surface
1132 Water Design Manual;

1133 2. Core requirement 2: Offsite analysis. The initial application submittal for
1134 proposed projects shall include an offsite analysis report that assesses potential offsite
1135 drainage and water quality impacts associated with development of the proposed site and
1136 proposes appropriate mitigations to those impacts. This initial submittal shall include, at
1137 minimum, a Level One downstream analysis as described in the Surface Water Design
1138 Manual. If impacts are identified, the proposed projects shall meet any applicable
1139 problem-specific requirements as specified in the Surface Water Design Manual;

1140 3. Core requirement 3: Flow control facilities. Proposed projects that would
1141 result in five thousand square feet or more of new plus replaced impervious surface or
1142 three quarters of an acre or more of new pervious surface shall provide flow control
1143 facilities to control stormwater runoff generated by new impervious surface, new

pervious surface, replaced impervious surface and any existing impervious surface added on or after January 8, 2001, as specified in the Surface Water Design Manual. Flow control facilities shall meet the area-specific flow control facility requirements and the flow control facility implementation requirements applicable to the project site as specified in the Surface Water Design Manual. Projects subject to area-specific flow control facility requirements shall meet one of the flow control facility performance criteria listed in a. through c. of this subsection A.3., as directed by the Surface Water Design Manual:

a. Level One shall match the predeveloped site's peak discharge rates for the two-year and ten-year return periods;

b. Level Two shall meet Level One criteria and also match the predeveloped site's discharge durations for the predeveloped peak discharge rates between the fifty percent of the two-year peak flow through the fifty-year peak flow; or

c. Level Three shall meet Level Two criteria and also match the predeveloped site's peak discharge rate for the one hundred-year return period;

4. Core requirement 4: Conveyance system. All engineered conveyance system elements for proposed projects shall be analyzed, designed and constructed to provide the minimum level of protection against overtopping, flooding, erosion and structural failure as specified by the conveyance requirements for new and existing systems and conveyance implementation requirements described in the Surface Water Design Manual;

5. Core requirement 5: Construction stormwater pollution prevention. All proposed projects that will conduct construction activities onsite or offsite or will clear, grade or otherwise disturb the site shall provide stormwater pollution prevention controls,

1167 spill controls, and erosion and sediment controls-to-prevent, reduce or eliminate the
1168 discharge of pollutants including sediment to onsite or adjacent drainage facilities,
1169 adjacent properties and surface water or groundwater. Erosion and sediment controls
1170 shall be applied in accordance with K.C.C. chapter 16.82 and as specified by the
1171 temporary erosion and sediment control measures and performance criteria and
1172 implementation requirements in the King County Surface Water Design Manual;

1173 6. Core requirement 6: Maintenance and operation. Maintenance of all
1174 drainage facilities in compliance with King County maintenance standards is the
1175 responsibility of the applicant or property owner as described in the Surface Water
1176 Design Manual, except those facilities for which King County assumes maintenance and
1177 operation as described in K.C.C. 9.04.115 and 9.04.120 and the Surface Water Design
1178 Manual;

1179 7. Core requirement 7: Financial guarantees and liability. All drainage
1180 facilities constructed or modified for projects, except downspout infiltration and
1181 dispersion systems for single family residential lots, must comply with the liability
1182 requirements of K.C.C. 9.04.100 and the financial guarantee requirements of K.C.C. Title
1183 27A;

1184 8. Core requirement 8: Water quality facilities. Proposed projects that would
1185 result in five thousand square feet or more of new plus replaced pollution generating
1186 impervious surface or three quarters of an acre or more of new pollution-generating
1187 pervious surface, or that are redevelopment projects that would result in a total of five
1188 thousand square feet or more of new and replaced pollution-generating impervious
1189 surface, shall provide water quality facilities to treat polluted stormwater runoff generated

1190 by new or replaced pollution-generating impervious surface, new pollution-generating
1191 pervious surface and any existing pollution-generating impervious surface added on or
1192 after January 8, 2001, as specified in the Surface Water Design Manual. However,
1193 pervious surfaces are specifically excluded if there is a good faith agreement with the
1194 King Conservation District to implement a farm management plan for agricultural uses,
1195 and pervious areas for other uses are specifically excluded if King County department of
1196 local services, permitting division, approves a landscape management plan that controls
1197 solids, pesticides, fertilizers and other erodible or leachable materials leaving the site.
1198 Water quality facilities shall meet the area-specific water quality facility requirements
1199 and the water quality implementation requirements applicable to the project site as
1200 specified in the Surface Water Design Manual. The facilities specified by these
1201 requirements are designed to reduce pollutant loads according to the applicable annual
1202 average performance goals listed in a. through d. of this subsection A.8. for ninety-five
1203 percent of the annual average runoff volume:

- 1204 a. for basic water quality: remove eighty percent of the total suspended solids;
- 1205 b. for enhanced basic water quality: remove sixty percent dissolved zinc and
1206 thirty percent of dissolved copper;
- 1207 c. for sensitive lake protection: remove fifty percent of the total phosphorus;
1208 and
- 1209 d. for sphagnum bog protection: remove fifty percent of the total phosphorus
1210 and forty percent of the total nitrate plus nitrite. The discharge shall maintain a pH of
1211 less than 6.5 and an alkalinity of less than ten milligrams per liter.

1212 9. Core requirement 9: Flow control BMPs. Proposed projects that would
1213 result in two thousand square feet or more of new plus replaced impervious surface or
1214 seven thousand square feet or more of land disturbing activity shall provide flow control
1215 BMPs that use processes such as infiltration, dispersion, storage, evaporation,
1216 transpiration, forest retention and reduced impervious surface footprint to mimic pre-
1217 developed hydrology and minimize stormwater runoff generated by new impervious
1218 surface, new pervious surface, replaced impervious surface and any existing impervious
1219 surface added on or after January 8, 2001, as specified in the Surface Water Design
1220 Manual. Flow control BMPs shall be applied to manage stormwater runoff from the
1221 aforementioned surfaces to the maximum extent feasible using lists of flow control BMPs
1222 specific to the project location, size and impervious coverage; or as required to
1223 demonstrate that developed discharge durations from the surfaces match predeveloped
1224 durations for those surfaces for the range of predeveloped discharge rates from eight
1225 percent of the two-year peak flow to fifty percent of the two-year peak flow as specified
1226 in the Surface Water Design Manual.

1227 B. A proposed project required by K.C.C. 9.04.030 to have drainage review shall
1228 meet any of the following special requirements that apply to the site and that are
1229 described in detail in the Surface Water Design Manual. The department performing
1230 drainage review as specified in K.C.C. 9.04.070 shall verify if a proposed project is
1231 subject to and must meet any of the following special requirements.

1232 1. Special requirement 1: Other adopted area-specific requirements. If a
1233 proposed project is in a designated critical drainage area, or is in an area included in an
1234 adopted master drainage plan, basin plan, salmon conservation plan, stormwater

1235 compliance plan, flood management plan, lake management plan or shared facility plan,
1236 then the proposed project shall meet the applicable drainage requirements of the critical
1237 drainage area, master drainage plan, basin plan, salmon conservation plan, stormwater
1238 compliance plan, flood management plan, lake management plan or shared facility plan;

1239 2. Special requirement 2: Floodplain/floodway delineation. If a proposed
1240 project contains or is adjacent to a stream, lake, wetland or closed depression, or if other
1241 King County regulations require study of flood hazards relating to the proposed project,
1242 the one hundred year floodplain boundaries and floodway shall be determined and
1243 delineated on the site improvement plans and profiles and any final maps prepared for the
1244 proposed project. The flood hazard study shall be prepared as specified in the Surface
1245 Water Design Manual;

1246 3. Special requirement 3: Flood protection facilities. If a proposed project
1247 contains or is adjacent to a stream that has an existing flood protection facility, such as a
1248 levee, revetment or berm, or proposes to either construct a new or modify an existing
1249 flood protection facility, then the flood protection facilities shall be analyzed and
1250 designed as specified in the Surface Water Design Manual;

1251 4. Special requirement 4: Source Control. If a proposed project requires a
1252 commercial building or commercial site development permit, then water quality source
1253 controls shall be applied to prevent rainfall and runoff from coming into contact with
1254 pollutants to the maximum extent practicable. Water quality source controls shall be
1255 applied in accordance with K.C.C. chapter 9.12, the King County stormwater pollution
1256 prevention manual and the Surface Water Design Manual. All structural source controls

1257 shall be identified on the site improvement plans and profiles or final maps prepared for
1258 the proposed project; and

1259 5. Special requirement 5: Oil control. If a proposed project is any of the
1260 following, then oil control shall be applied to all runoff from the high-use portion of a site
1261 as specified in the Surface Water Design Manual:

1262 a. a project that creates a high-use site;

1263 b. a redevelopment project proposing one hundred thousand dollars or more of
1264 improvements to an existing high-use site; or

1265 c. a redevelopment project that results in new plus replaced pollution-
1266 generating impervious surface of five thousand square feet or more or new pollution-
1267 generating pervious surface of three quarters of an acre or more.

1268 C.1. An adjustment to the requirements contained in this section or other
1269 requirements in the Surface Water Design Manual may be proposed. The resulting
1270 development shall be subject to all of the remaining terms and conditions of this chapter
1271 and the adjustment shall:

1272 a. produce a compensating or comparable result in the public interest; and

1273 b. meet this chapter's objectives of safety, function, appearance, environmental
1274 protection and maintainability based upon sound engineering judgment.

1275 2. If complying with subsection C.1.a. of this section will deny all reasonable
1276 use of a property, the best practicable alternative shall be obtained as determined by the
1277 department of local services permitting division manager or designee according to the
1278 adjustment process defined in the Surface Water Design Manual.

1279 3. Requests for adjustments that may conflict with the requirements of any other
1280 King County division shall require review and concurrence with that division. The
1281 director shall coordinate to resolve conflicts between adjustments to the Surface Water
1282 Design Manual and requirements of other divisions.

1283 4. A request for an adjustment is a Type 1 land use decision as provided for in
1284 K.C.C. 20.20.020 and shall be processed in accordance with the procedures specified in
1285 the Surface Water Design Manual.

1286 5. The county may require monitoring of experimental designs and technology
1287 or untested applications proposed by the applicant in order to determine compliance with
1288 subsection C.1. of this section and the approved plans and conditions.

1289 6. The applicant may appeal an adjustment decision by following the appeal
1290 procedures as specified in the Surface Water Design Manual.

1291 ~~((D. The drainage review requirements in this section and in the Surface Water
1292 Design Manual may be modified or waived under the procedures in K.C.C. 21A.55.060.))~~

1293 SECTION 13. Ordinance 13625, Section 22, as amended, and K.C.C. 13.24.035
1294 are hereby amended to read as follows:

1295 A. All development within the ((u))Urban ((g))Growth ((a))Area shall be served
1296 by public sewer service except on-site sewage systems may be allowed temporarily in
1297 some parts of the ((u))Urban ((g))Growth ((a))Area in accordance with K.C.C. 13.24.136.

1298 B.1. Public sewer service shall also be provided in rural towns when the service
1299 provision has been approved by King County. As of May 17, 2021, Vashon and
1300 Snoqualmie Pass are the only rural towns that have been approved for public sewer
1301 service.

1302 2. The boundary of the Vashon sewer local service area is the boundary of the
1303 rural town of Vashon as adopted in the King County Comprehensive Plan Land Use Map
1304 in Attachment ~~((A to Ordinance 19146))~~ A to this ordinance.

1305 3. The boundary of the Snoqualmie Pass sewer local service area is the
1306 boundary of the rural town of Snoqualmie Pass as adopted in the King County
1307 Comprehensive Plan Land Use Map in Attachment A to Ordinance 19146.

1308 C. Public sewer service shall not be provided outside the ~~((u))~~Urban ~~((g))~~Growth
1309 ~~((a))~~Area or any rural town designated to receive the service, except as described in
1310 K.C.C. 13.24.134.

1311 D. Sewer extensions under subsections A. and C. of this section shall be
1312 approved by the council, if it is determined that the extension meets the criteria in this
1313 section and is consistent with all other adopted King County policies and regulations.
1314 Decisions on sewer extensions in the rural area or natural resource ~~((areas))~~ lands shall be
1315 made by the council in the form of a sewer comprehensive plan or an amendment to a
1316 sewer comprehensive plan.

1317 E. The required elements of a sewerage general plan in RCW 36.94.010(3) are
1318 included in the 1994 King County Comprehensive Plan and its technical appendix, as
1319 adopted in K.C.C. Title 20.

1320 SECTION 14. Ordinance 1709, Section 7, as amended, and K.C.C. 13.24.090 are
1321 hereby amended to read as follows:

1322 A. The utilities technical review committee shall ensure that the provisions of
1323 K.C.C. 13.24.005 regarding the purposes of this chapter are carried out, and shall be

1324 responsible for providing the notification to tribal governments provided for in K.C.C.
1325 13.20.020 for actions under that section that fall within the authority of the committee.

1326 B. The utilities technical review committee shall:

1327 1. Review and make recommendations to the King County executive and the
1328 King County council on the adequacy of all sewer and water system comprehensive plans
1329 and related matters, and determine their consistency with the King County
1330 Comprehensive Plan;

1331 2. Have the authority to approve additions and betterments to council-approved
1332 sewer and water comprehensive plans without referral to the council in order to serve
1333 developments that have received preliminary approval from the King County council;

1334 3.a. Serve as the appeal body to hear all issues relating to the creation of new
1335 public water systems and the extension of existing public water service within the
1336 boundaries of a critical water supply service area ~~((as provided for in the utility service~~
1337 ~~review procedures contained in the coordinated water system plans))~~, based on whether
1338 an existing water purveyor can provide service in a timely and reasonable manner (WAC
1339 246-293-190).

1340 b. An appeal under subsection B.3.a. of this section is subject to all of the
1341 following:

1342 (1) A notice of appeal or request to find that water service is or is not
1343 available in a timely and reasonable manner shall be filed with the utilities technical
1344 review committee and shall be accompanied by a nonrefundable fee as prescribed in
1345 K.C.C. 4A.710.100;

1346 (2) Written materials from the appellant and the water purveyor and any
1347 interested parties may be submitted on forms developed by the utilities technical review
1348 committee. The committee shall evaluate such submittals and any other submitted
1349 written materials in light of applicable state laws, regulations, and policies. The
1350 committee shall issue a final written determination, including findings and conclusions,
1351 within thirty days of the date that the written record is complete;

1352 (3) The utilities technical review committee shall provide its written
1353 determination together with the procedures for administrative appeals, to the appellant, to
1354 the water purveyor, and to any person, who, before the determination, has requested
1355 notice of the determination; and

1356 (4) The written determination by the utilities technical review committee
1357 shall be the final county action, unless further appeal is made to the office of the hearing
1358 examiner, in accordance with K.C.C. 20.22.040 and 20.22.080. In such an appeal to the
1359 hearing examiner, the written determination shall constitute the department report for the
1360 purposes of K.C.C. 20.22.130.

1361 c. The utilities technical review committee is authorized to establish by rule the
1362 procedures and timeframes for submittal to the committee of any requests for an appeal
1363 as provided for under this chapter and K.C.C. chapter 13.28; and

1364 4. Issue the findings required under K.C.C. 13.24.132, 13.24.134, and 13.24.136
1365 relative to sewer expansion in the rural area and natural resource ~~((areas))~~ lands. The
1366 determination that sewer expansion in rural and resource areas is necessary shall be based
1367 on information concerning the feasibility of alternative treatment technologies as

1368 provided by ~~((the))~~ public health - Seattle~~((--))~~ & King County ~~((department of public~~
1369 ~~health))~~.

1370 SECTION 15. Ordinance 11616, Section 10, as amended, and K.C.C. 13.24.132
1371 are hereby amended to read as follows:

1372 New sewer facilities shall be allowed to cross ~~((the))~~ rural ~~((areas))~~ and natural
1373 resource lands only if the facilities are:

1374 A. Limited to serving areas within ~~((an))~~ the Urban Growth Area~~((, rural city))~~ or
1375 a rural town approved for public sewer service;

1376 B. Tightlined or otherwise subject to access restrictions precluding service to
1377 adjacent rural ~~((areas))~~ or natural resource lands; and

1378 C. Identified in a King County-approved comprehensive sewage system plan and
1379 upon a finding by the utilities technical review committee that it is technically necessary.

1380 NEW SECTION. SECTION 16. There is hereby added to K.C.C. chapter 13.28
1381 a new section to read as follows:

1382 In case of conflict or inconsistency between an adopted coordinated water system
1383 plan and the King County Comprehensive Plan, the King County Comprehensive Plan
1384 shall govern.

1385 NEW SECTION. SECTION 17. There is hereby added to K.C.C. chapter 14.01
1386 a new section to read as follows:

1387 "Active transportation" means pedestrian, bicycle, and equestrian travel including,
1388 but not limited to, the use of: wheelchairs and personal assistive mobility devices
1389 powered by electricity that are used by persons with physical impairments; skateboards
1390 and scooters; and micromobility devices, such as motorized foot scooters and electric

assisted bicycles. Any moped, motorcycle, or, except as otherwise provided for in this definition, personal assistive mobility device, is considered motorized transportation.

SECTION 18. Ordinance 18420, Section 37, and K.C.C. 14.01.360 are hereby amended to read as follows:

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

SECTION 19. Ordinance 18420, Section 61, as amended, and K.C.C. 14.40.0104 are hereby amended to read as follows:

A. Upon receipt of a petition, the county road engineer shall determine whether owners of the majority of the lineal footage of the frontage of the ~~((right-of-way))~~ right-of-way proposed for vacation have signed the petition. If the county road engineer determines the signatories of the petition own less than the majority of the lineal footage of the frontage of the ~~((right-of-way))~~ right-of-way proposed for vacation, the county road engineer shall notify the petitioners that the petition does not have sufficient signatories. The petitioners shall have thirty days from the date of that notice to supplement the petition by filing with the department of local services, road services division, a sufficient number of additional petition signatures to establish that a majority of owners of the lineal footage of the frontage of the ~~((right-of-way))~~ right-of-way proposed for vacation support the petition. Failure to include the signature of a majority of the owners of the lineal footage of the frontage of the ~~((right-of-way))~~ right-of-way proposed for vacation is grounds for the county road engineer to find that the petition is deficient. In that event,

1413 no further action will be taken on the petition and the county road engineer shall inform
1414 the petitioners of the determination.

1415 B. If either directed by the council in accordance with K.C.C. 14.40.010.A., or if
1416 under subsection A. of this section, the county road engineer determines that a petition is
1417 valid, then the county road engineer shall examine the ~~((right-of-way))~~ right-of-way
1418 proposed to be vacated and abandoned and complete a report that complies with the
1419 requirements in RCW 36.87.040, including the county road engineer's opinion of whether
1420 the ~~((right-of-way))~~ right-of-way should be vacated. The report should address:

1421 1. Whether the county ~~((right-of-way))~~ right-of-way should be vacated and
1422 abandoned;

1423 2. Whether the county ~~((right-of-way))~~ right-of-way is in use or has been in use;

1424 3. The condition of the ~~((right-of-way))~~ right-of-way;

1425 4. Whether it is advisable to preserve all or a portion of the ~~((right-of-way))~~
1426 right-of-way for the county transportation system of the future, including use as a public
1427 trail;

1428 5. Whether the public will be benefited by the vacation of the county ~~((right-of~~
1429 ~~way))~~ right-of-way;

1430 6. The appraised value of the county ~~((right-of-way))~~ right-of-way or portion
1431 thereof proposed for vacation as well as the county road engineer's recommendation for
1432 compensation to be determined in accordance with the factors listed in K.C.C.

1433 14.40.020.A.;

1434 7.a. Whether the proposed county (~~((right-of-way))~~) right-of-way to be vacated
1435 serves as access to property abutting the county (~~((right-of-way))~~) right-of-way that is
1436 subject of the vacation request; and

1437 b. a recommendation for requiring access easements for all abutting properties
1438 as a condition of granting the vacation;

1439 8.a. Whether the proposed county (~~((right-of-way))~~) right-of-way to be vacated
1440 contains utilities; and

1441 b. a recommendation for retaining an easement for the construction, repair, and
1442 maintenance of public utilities and services that are authorized at the time the ordinance
1443 is adopted or are physically located on a portion of the (~~((right-of-way))~~) right-of-way
1444 being vacated;

1445 9. Other matters that may be of interest, including any fees charged under
1446 K.C.C. 14.40.0106.B.;

1447 10. Whether the proposed area to be vacated abuts a body of salt or fresh water
1448 as (~~((set forth))~~) established in RCW 36.87.130;

1449 11. A list of the property owners whose property abuts the county (~~((right-of~~
1450 ~~way))~~) right-of-way or any portion thereof proposed for vacation who are not petitioners;
1451 and

1452 12. If not waived in accordance with K.C.C. 14.40.106.C., a list of all costs
1453 incurred in preparing the report.

1454 C. Upon completion of the report by the county road engineer, the executive shall
1455 transmit the report, any petition, and a proposed ordinance to the council. The hearing

examiner is appointed by the council to conduct the public hearing of any proposed vacation of a county ~~((right-of-way))~~ right-of-way.

SECTION 20. Ordinance 8421, Section 3, as amended, and K.C.C. 14.56.020 are hereby amended to read as follows:

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

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

B. Active transportation project needs contained in agency capital improvement programs; and

C. ~~((ø))~~Operational activities that:

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

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

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

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

1479 SECTION 21. Ordinance 8421, Section 4, as amended, and K.C.C. 14.56.030 are
1480 hereby amended to read as follows:

1481 The department of local services, in consultation with the department of natural
1482 resources of parks, shall:

1483 A. Implement the ~~((nonmotorized))~~ active transportation program;

1484 B. Provide support to any ad hoc ~~((nonmotorized))~~ active transportation advisory
1485 committee; and

1486 C. Work with other ~~((jurisdictions))~~ authorities and nongovernmental
1487 organizations to identify, develop, and promote programs that encourage the use of
1488 ~~((nonmotorized))~~ active modes of transportation.

1489 SECTION 22. Ordinance 1488, Section 5, as amended, and K.C.C. 16.82.020 are
1490 hereby amended to read as follows:

1491 ~~((Certain words and phrases used in this chapter, unless otherwise clearly~~
1492 ~~indicated by their context, mean as follows:))~~ The definitions in this section apply
1493 throughout this chapter unless the context clearly requires otherwise.

1494 A. "Applicant" means a property owner, ~~((or))~~ a public agency, or public or
1495 private utility that owns a right-of-way or other easement or has been adjudicated the
1496 right to such an easement in accordance with RCW ~~((8.12.090))~~ 8.08.040, or any person
1497 or entity designated or named in writing by the property or easement owner to be the
1498 applicant, in an application for a development proposal, permit, or approval.

1499 B. "Bench" means a relatively level step excavated or constructed on the face of a
1500 graded slope surface for drainage and maintenance purposes.

1501 C. "Civil engineer" means an engineer who is licensed as a professional engineer
1502 in the branch of civil engineering by the state of Washington.

1503 D. "Clearing" means the cutting, killing, grubbing, or removing of vegetation or
1504 other organic material by physical, mechanical, chemical, or any other similar means.

1505 E. "Clearing and grading permit" means the permit required by this chapter for
1506 grading and clearing activities, including temporary permits.

1507 F. "Compaction" means the densification of a fill by mechanical means.

1508 ~~((F.))~~ G. "Cutting" means the severing of the main trunk or stem of woody
1509 vegetation at any point.

1510 ~~((G.))~~ H. "Department" means the department of local services or its successor.

1511 ~~((H.))~~ I. "Director" means the department of local services permitting division
1512 manager or designee.

1513 ~~((I.))~~ J. "Earth material" means any rock~~((s))~~ or natural soil, or any combination
1514 thereof.

1515 ~~((J.))~~ K. "Erosion" means the wearing away of the ground surface as the result of
1516 the movement of wind, water, or ice.

1517 ~~((K.))~~ L. "Excavation" means the removal of earth material.

1518 ~~((L.))~~ M. "Fill" means a deposit of earth material or recycled or reprocessed
1519 waste material consisting primarily of organic or earthen materials, or any combination
1520 thereof, placed by mechanical means.

1521 ~~((M.))~~ N. "Geotechnical engineer" means an engineer who is licensed as a
1522 professional engineer by the state of Washington and who has at least four years of
1523 relevant professional employment.

1524 ~~((N.))~~ O.1. "Grade" means the elevation of the ground surface.

1525 ~~((1.))~~ 2. "Existing grade" means the grade before grading.

1526 ~~((2.))~~ 3. "Finish grade" means the final grade of the site that conforms to the

1527 approved plan as required in K.C.C. 16.82.060.

1528 ~~((3.))~~ 4. "Rough grade" means the stage at which the grade approximately

1529 conforms to the approved plan as required in K.C.C. 16.82.060.

1530 ~~((O.))~~ P. "Grading" means any excavating, filling, or land-disturbing activity, or

1531 combination thereof.

1532 ~~((P. "Grading and clearing permit" means the permit required by this chapter for~~

1533 ~~grading and clearing activities, including temporary permits.))~~

1534 Q. "Habitable space" means a space in a building for living, sleeping, eating, or

1535 cooking. Bathrooms, toilet rooms, closets, halls, storage, or utility spaces, and similar

1536 areas are not "habitable spaces."

1537 R. "Land disturbing activity" means an activity that results in a change in the

1538 existing soil cover, both vegetative and nonvegetative, or to the existing soil topography.

1539 ~~((R.))~~ S. "Pruning" means cutting or removal of branches and leaving at least

1540 two-thirds of the existing tree branch structure.

1541 T. "Reclamation" means the final grading and restoration of a site to establish the

1542 vegetative cover, soil surface water, and groundwater conditions appropriate to

1543 accommodate and sustain all ~~((permitted))~~ allowed uses of the proposed zone appropriate

1544 for the site.

1545 ~~((S.))~~ U. "Shorelines" means those lands defined as shorelines in the state

1546 Shoreline((s)) Management Act of 1971, chapter 90.58 RCW.

1547 ~~((F-))~~ V. "Site" means a single lot or parcel of land, or two or more contiguous
1548 lots that are under common ownership or documented legal control, used as a single
1549 parcel for a development proposal in order to calculate compliance with the standards and
1550 regulations of this chapter. For purposes of this definition:

1551 1. "Documented legal control" includes fee simple or leasehold rights, or an
1552 easement, or any combination thereof, that allows uses associated with the overall
1553 development proposal; and

1554 2. Lots that are separated only by a public road right-of-way shall be considered
1555 to be contiguous.

1556 ~~((U-))~~ W. "Slope" means inclined ground surface, the inclination of which is
1557 expressed as a ratio of horizontal distance to vertical distance.

1558 ~~((V-))~~ X. "Structural engineer" means an engineer who is licensed as a
1559 professional engineer in the branch of structural engineering by the state of Washington.

1560 ~~((W-))~~ Y. "Structure" means ~~((that which is built or constructed, an edifice or
1561 building of any kind, or any piece of work artificially built up or composed of parts
1562 jointed together in some definite manner))~~ anything permanently constructed in or on the
1563 ground, or over the water; excluding fences six feet or less in height, decks less than
1564 eighteen inches above grade, paved areas, and structural or non-structural fill.

1565 ~~((X-))~~ Z. "Tree" means a large woody perennial plant usually with a single main
1566 stem or trunk and generally over twelve feet tall at maturity.

1567 ~~((Y-))~~ AA. "Tree crown" means the primary and secondary branches growing out
1568 from the main stem, together with twigs and foliage.

1569 BB. "Understory" means the vegetation layer of a forest that includes shrubs,
1570 herbs, grasses, and grass-like plants, but excludes native trees.

1571 ~~((Z.))~~ CC. "Vegetation" means any organic plant life growing at, below, or above
1572 the soil surface.

1573 DD. "Wildfire risk assessment certification" means completion of a National Fire
1574 Protection Association Assessing Structure Ignition Potential training, a National Fire
1575 Protection Association Certified Wildfire Mitigation Specialist certification program, or a
1576 National Wildfire Coordinating Group S-215 training on Fire Operations in the Wildland
1577 Urban Interface.

1578 SECTION 23. Ordinance 15053, Section 3, as amended, and K.C.C. 16.82.051
1579 are hereby amended to read as follows:

1580 A. For the purposes of this section, the definitions in K.C.C. chapter 21A.06
1581 apply to the activities described in this section, if the terms are not defined in K.C.C.
1582 16.82.020. Where definitions in K.C.C. 16.82.020 differ from the definitions in K.C.C.
1583 chapter 21A.06, the definitions in K.C.C. 16.82.020 shall apply.

1584 B. The ~~((following))~~ activities in subsection D. of this section are ~~((exempted))~~
1585 exempted from the requirement of obtaining a clearing or grading permit ~~((before~~
1586 ~~undertaking forest practices or clearing or grading activities, as long as))~~ but only if those
1587 activities conducted in critical areas are in compliance with the standards in this chapter
1588 and in K.C.C. chapter 21A.24. Activities exempt from a clearing and grading permit are
1589 not exempt from other code requirements and may require other permits, including, but
1590 not limited to, a floodplain development permit.

1591 C. Clearing and grading permit requirement exemptions in the table in subsection

1592 D. of this section shall be interpreted as follows:

1593 1. The use of "NP" in a cell means that a clearing or grading permit is not
1594 required if the listed conditions are met;

1595 2. A number in a cell means the numbered condition in subsection E. of this
1596 section applies, and:

1597 a. where a series of numbers separated by commas are in a cell, each of the
1598 numbered conditions for that activity applies; and

1599 b. if more than one letter-number combination appears in a cell, the conditions
1600 of at least one letter-number combinations shall be met for a given exemption to apply;

1601 3. In cases where an activity may be included in more than one activity
1602 category, the most-specific description of the activity shall govern whether a permit is
1603 required((:));

1604 4. For activities involving more than one critical area, compliance with the
1605 conditions applicable to each critical area is required((:)); and

1606 5. Clearing and grading permits are required when a cell ((in this table)) is
1607 empty and for activities not listed on the table. ((Activities not requiring a clearing and
1608 grading permit may require other permits, including, but not limited to, a floodplain
1609 development permit.))

1610 D. Clearing and grading permit requirement exemptions.

| | | | | | | | | | | | | | |
|--|---|-------------------------|-----------------------|---------------------|--------------------------|------------------------------------|-----------------------|------------------------|--------------------------------------|---------------------------------------|---|---|--|
| <p>(("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. "Wildlife area and network" column applies to both Wildlife Habitat Conservation Area and Wildlife Habitat Network))</p> | <p>Out of Critical Area ((Land 4)) and Buffer</p> | <p>Coal Mine Hazard</p> | <p>Erosion Hazard</p> | <p>Flood Hazard</p> | <p>Channel Migration</p> | <p>Landslide Hazard and Buffer</p> | <p>Seismic Hazard</p> | <p>Volcanic Hazard</p> | <p>Steep Slope Hazard and Buffer</p> | <p>Critical Aquifer Recharge Area</p> | <p>Wetland and Buffer</p> | <p>Aquatic Area and Buffer</p> | <p>Wildlife Habitat Conservation Area, Wildlife Habitat Network and Buffer</p> |
| ACTIVITY | | | | | | | | | | | | | |
| Grading and Clearing | | | | | | | | | | | | | |
| 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 | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP |
| | | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 |
| Hazard tree removal | NP | NP | NP | NP | | | NP | NP | | NP | | | |
| | 25 | 25 | 25 | 25 | | | 25 | 25 | | 25 | | | |
| Removal of noxious weeds | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP |
| Removal of invasive vegetation | NP | NP | NP | NP | NP | | NP | NP | | NP | NP | NP | NP |
| | 7 | 7 | 7 | 7 | 7 | | 7 | 7 | | 7 | 8 | 8 | 8 |
| Forest management activity | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP |
| | 9 | 9 | 9 | 9 | 9 | 9 | 9 | 9 | 9 | 9 | 9 | 9 | 9 |
| Emergency action | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP |
| | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 |
| Roads | | | | | | | | | | | | | |
| Grading within the roadway | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | | | NP |
| | 11 | 11 | 11 | 11 | 11 | 11 | 11 | 11 | 11 | 11 | | | 11 |
| Clearing within the roadway | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP |
| | | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | | 12 | 12 | 12 |
| Maintenance of driveway or private access road | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP |
| | 13 | 13 | 13 | 13 | 13 | 13 | 13 | 13 | 13 | 13 | 13 | 13 | 13 |
| Maintenance of bridge or culvert | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP |
| | 13, | 13, | 13, | 13, | 13, | 13, | 13, | 13, | 13, | 13, | 13, | 13, | 13, |
| | 14, | 14, | 14, | 14, | 14, | 14, | 14, | 14, | 14, | 14, | 14, | 14, | 14, |
| | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 15 |
| Construction of farm field access drive | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP |
| | 16 | 16 | 16 | 16 | 16 | 16 | 16 | 16 | 16 | 16 | 16 | 16 | 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 |
| Utilities | | | | | | | | | | | | | |
| 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 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> | | 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 |
| 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 |
| 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 |
| Recreation areas | | | | | | | | | | | | | |

| | | | | | | | | | | | | | |
|---|------------|------------|------------|----------|----------|----------|------------|------------|----------|------------|----------|----------|----------|
| 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 |
| Habitat and science projects | | | | | | | | | | | | | |
| Habitat restoration or enhancement project | NP 21 | NP 21 | NP 21 | NP 21 | NP 21 | NP 21 | NP 21 | NP 21 | NP 21 | NP 21 | 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 |
| Agriculture | | | | | | | | | | | | | |
| 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 | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP |
| | 26 | 26 | 26 | 26 | 26 | 26 | 26 | 26 | 26 | 26 | 26 | 26 | 26 |
| Maintenance of farm pond, fish pond, livestock watering pond | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP |
| | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 15 |
| Other | | | | | | | | | | | | | |
| 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 | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP |
| | | 13 | 13 | | 13 | 13 | | | 13 | | 13 | 13 | 13 |
| Maintenance of lawn, landscaping, and gardening for personal consumption | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP |
| | | 13 | 13 | | 13 | 13 | | | 13 | | 13 | 13 | 13 |
| Maintenance of golf course | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP | NP |
| | 13 | 13 | 13 | 13 | 13 | 13 | | | 13 | 13 | 13 | 13 | 13 |

1611 ((C:)) E. The following conditions apply:

- 1612 1. Excavation less than five feet in vertical depth, or fill less than three feet in
- 1613 vertical depth that, cumulatively (~~(over time)~~) on a single site since January 1, 2005, does
- 1614 not involve more than one hundred cubic yards on a single site.
- 1615 2. Grading that produces less than two thousand square feet of new impervious
- 1616 surface on a single site added after January 1, 2005, or that produces less than two
- 1617 thousand square feet of replaced impervious surface or less than two thousand square feet
- 1618 of new plus replaced impervious surface after October 30, 2008. For purposes of this

1619 subsection ~~((C.))E.2.~~, "new impervious surface" and "replaced impervious surface" are
1620 defined in K.C.C. 9.04.020.

1621 3. Cumulative clearing ~~((of))~~ on a single site since January 1, 2005 shall be
1622 limited to less than seven thousand square feet, including, but not limited to, collection of
1623 firewood and removal of vegetation for fire safety. This ~~((exception))~~ exemption shall
1624 not apply to development proposals:

1625 a. regulated as a Class IV forest practice under chapter 76.09 RCW;

1626 b. in a critical drainage areas established by administrative rules;

1627 c. subject to clearing limits included in property-specific development
1628 standards and special district overlays under K.C.C. chapter 21A.38; or

1629 d. subject to ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area significant tree retention
1630 standards under K.C.C. 16.82.156 and K.C.C. Title 21A~~((38.230))~~.

1631 4. Cutting firewood for personal use in accordance with a forest management
1632 plan or rural stewardship plan approved under K.C.C. Title 21A. For the purpose of this
1633 condition, personal use shall not include the sale or other commercial use of the firewood.

1634 5. Limited to material at any solid waste facility operated by King County.

1635 6. Allowed to prevent imminent danger to persons or structures.

1636 7. Cumulative clearing of less than seven thousand square feet annually or
1637 conducted in accordance with an approved farm management plan, forest management
1638 plan, or rural stewardship plan.

1639 8. Cumulative clearing on a single site since January 1, 2005, of less than seven
1640 thousand square feet and either:

1641 a. conducted in accordance with a farm management plan, forest management
1642 plan, or a rural stewardship plan; or
1643 b. limited to removal with hand labor.

1644 9. When ~~((conducted))~~ conducted as a Class I, II, III or IV-S forest practice as
1645 defined in chapter 76.09 RCW and Title 222 WAC.

1646 10. If done in compliance with K.C.C. 16.82.065.

1647 11. Only when conducted by or at the direction of a government agency in
1648 accordance with the regional road maintenance guidelines and K.C.C. 9.04.050, creates
1649 less than two thousand square feet of new impervious surface on a single site added after
1650 January 1, 2005, and is not within or does not directly discharge to an aquatic area or
1651 wetland. For purposes of this subsection ~~((C.))~~ E.11., "new impervious surface" is
1652 defined in K.C.C. 9.04.020.

1653 12. Limited to clearing conducted by or at the direction of a government agency
1654 or by a private utility that does not involve:

1655 a. slope stabilization or vegetation removal on slopes; or
1656 b. ditches that are used by salmonids.

1657 13. In conjunction with normal and routine maintenance activities, if:

1658 a. there is no alteration of a ditch or aquatic area that is used by salmonids:
1659 b. the structure, condition, or site maintained was constructed or created in
1660 accordance with law; and
1661 c. the maintenance does not expand the roadway, lawn, landscaping, ditch,
1662 culvert, or other improved area being maintained.

1663 14. If a culvert is used by salmonids or conveys water used by salmonids and
1664 there is no adopted farm management plan, the maintenance is limited to removal of
1665 sediment and debris from the culvert and its inlet, invert, and outlet and the stabilization
1666 of the area within three feet of the culvert where the maintenance disturbed or damaged
1667 the bank or bed and does not involve the excavation of a new sediment trap adjacent to
1668 the inlet.

1669 15. If used by salmonids, only in compliance with an adopted farm plan in
1670 accordance with K.C.C. Title 21A and only if the maintenance activity is inspected by:

- 1671 a. The King Conservation District;
- 1672 b. King County department of natural resources and parks;
- 1673 c. King County department of local services, permitting division; or
- 1674 d. Washington state Department of Fish and Wildlife.

1675 16. Only if consistent with an adopted farm plan in accordance with K.C.C.
1676 Title 21A.

1677 17. Only if consistent with a farm plan.

1678 18. In accordance with a ((franchise)) right-of-way construction permit.

1679 19. Only within the roadway in accordance with a ((franchise)) right-of-way
1680 construction permit.

1681 20. When:

- 1682 a. conducted by a public agency;
- 1683 b. the height of the facility is not increased;
- 1684 c. the linear length of the facility is not increased;
- 1685 d. the footprint of the facility is not expanded waterward;

1686 e. done in accordance with the Regional Road Maintenance Guidelines;
1687 f. done in accordance with the adopted King County Flood Management Plan
1688 and the Integrated Streambank Protection Guidelines (Washington State Aquatic Habitat
1689 Guidelines Program, 2002); and
1690 g. monitoring is conducted for three years following maintenance or repair and
1691 an annual report is submitted to the department.

1692 21. Only if:

1693 a. the activity is not part of a mitigation plan associated with another
1694 development proposal or is not corrective action associated with a violation; and
1695 b. the activity is sponsored or ~~((co-sponsored))~~ cosponsored by a ~~((public))~~
1696 government agency that has natural resource management as its primary function ~~((or a~~
1697 ~~federally-recognized tribe;))~~ and the activity is limited to:

1698 (1) revegetation of the critical area and its buffer with native vegetation or the
1699 removal of noxious weeds or invasive vegetation;
1700 (2) placement of weirs, log controls, spawning gravel, woody debris, and
1701 other specific salmonid habitat improvements;
1702 (3) hand labor except:

1703 (a) the use of riding mower or light mechanical cultivating equipment and
1704 herbicides or biological control methods when prescribed by the King County noxious
1705 weed control board for the removal of noxious weeds or invasive vegetation; or
1706 (b) the use of helicopters or cranes if they have no contact with or otherwise
1707 disturb the critical area or its buffer.

1708 22. If done with hand equipment and does not involve any clearing.

1709 23. (~~limited to removal of vegetation for forest fire prevention purposes in~~
1710 ~~accordance with best management practices approved by the King County fire marshal~~))
1711 Clearing for the purposes of wildfire preparedness that does not otherwise require another
1712 permit and that is not subject to K.C.C. 16.82.156 or K.C.C. Title 21A, as follows:

- 1713 a. understory clearing within fifteen feet of a residential structure containing
1714 habitable space or an attached deck;
- 1715 b. understory clearing and tree removal and pruning within ten feet of an
1716 installed aboveground nonportable liquefied petroleum gas tank;
- 1717 c. within thirty feet of a residential structure containing habitable space,
1718 understory clearing and tree pruning underneath a tree crown to provide up to ten feet of
1719 vertical clearance from the ground to remove ladder fuels. Tree pruning shall not exceed
1720 one-third of the tree height;
- 1721 d. within thirty feet of a residential structure containing habitable space, tree
1722 removal and pruning to provide up to fifteen feet of vertical clearance over driveways and
1723 roads used for emergency vehicle access;
- 1724 e. within thirty feet of a residential structure containing habitable space, tree
1725 removal and pruning to provide up to eighteen feet between tree crowns;
- 1726 f. tree removal and pruning to provide up to ten feet between tree crowns and
1727 decks, chimneys, overhead communication cables and electrical wires, or other
1728 structures; and
- 1729 g. clearing may be allowed up to one hundred feet from a residential structure
1730 containing habitable space if advised by a wildfire risk assessment conducted by a
1731 professional holding a wildfire risk assessment certification or a forest stewardship plan

1732 approved by the department of natural resources and parks that includes best management
1733 practices to reduce wildfire risk. The removal and pruning of trees under this subsection
1734 to provide clearance between tree crowns is limited to:

1735 (1) twelve feet between tree crowns for trees between thirty and sixty feet
1736 from a residential structure containing habitable space; and

1737 (2) six feet between tree crowns for trees between sixty and one hundred feet
1738 from a residential structure containing habitable space.

1739 24. Limited to the removal of downed trees.

1740 25. Except on properties that are:

1741 a. subject to clearing limits included in property-specific development

1742 standards and special district overlays under K.C.C. chapter 21A.38; or

1743 b. subject to ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area significant tree retention

1744 standards under K.C.C. 16.82.156.

1745 26. Only if allowed under K.C.C. 21A.24.045.D.69. and if the maintenance
1746 activity is inspected by the:

1747 a. King Conservation District;

1748 b. department of natural resources and parks;

1749 c. department of local services, permitting division; or

1750 d. Washington state Department of Fish and Wildlife.

1751 27. Clearing for the purposes of wildfire preparedness that does not otherwise

1752 require another permit, that is not subject to K.C.C. 16.82.156 or K.C.C. Title 21A., and

1753 that maintains any require screening consistent with K.C.C. chapter 21A.16, as follows:

1754 a. tree pruning to provide up to ten feet of vertical clearance from overhead
1755 communication cables and electrical wire components of utility facilities, if:
1756 (1) all debris is removed following the pruning activity;
1757 (2) the activity is authorized by a right-of-way construction permit, if
1758 applicable; and
1759 (3) pruning activities do not extend fifteen feet beyond the right-of-way;
1760 b. understory clearing within fifteen feet of a utility facility structure; and
1761 c. within thirty feet of a utility facility structure, understory clearing and tree
1762 pruning underneath a tree crown to provide up to ten feet of vertical clearance from the
1763 ground to remove ladder fuels. Tree pruning shall not exceed one-third of the tree height;
1764 d. within thirty feet of a utility facility structure, tree removal and pruning to
1765 provide up to fifteen feet of vertical clearance over driveways and roads used for
1766 emergency vehicle access;
1767 e. within thirty feet of a utility facility structure, tree removal to provide up to
1768 eighteen feet between tree crowns;
1769 f. tree removal and pruning to provide up to ten feet between tree crowns and
1770 utility and facility structures; and
1771 g. clearing may be allowed up to one hundred feet from the utility facility
1772 structure if such clearing activity is advised by a wildfire risk assessment conducted by a
1773 professional holding a wildfire risk assessment certification or a forest stewardship plan
1774 approved by the department of natural resources and parks that includes best management
1775 practices to reduce wildfire risks. The removal and pruning of trees to provide clearance
1776 between tree crowns is limited to:

1777 (1) twelve feet between tree crowns for trees located between thirty and sixty
1778 feet from a utility facility structure; and

1779 (2) six feet between tree crowns for trees located between sixty and one
1780 hundred feet from a utility facility structure.

1781 SECTION 24. Ordinance 1488, Section 7, as amended, and K.C.C. 16.82.060 are
1782 hereby amended to read as follows:

1783 A. To obtain a permit, the applicant shall first file an application in writing on a
1784 form prescribed by the department that, in addition to the requirements of K.C.C.
1785 20.20.040, shall include, at a minimum:

1786 1. Identification and description of the work to be covered by the permit for
1787 which application is made;

1788 2. An estimate of the quantities of work involved by volume and the total area
1789 cleared or graded as a percentage of the total site area;

1790 3. An identification and description of:

1791 a. all critical areas on the site or visible from the boundaries of the site; and

1792 b. ~~((all clearing restrictions applicable to the site in K.C.C. 16.82.150,))~~ critical
1793 drainage areas requirements established by administrative rules or property-specific

1794 development standards and special district overlays under K.C.C. chapter 21A.38;

1795 4. Location of any ~~((open space))~~ natural area tracts or conservation easements
1796 if required under:

1797 a. ~~((K.C.C. 16.82.152;~~

1798 ~~b.))~~ K.C.C. chapter 21A.14;

1799 ~~((e.))~~ b. K.C.C. chapter 21A.37;

1800 ~~((c-))~~ c. critical drainage areas; or

1801 ~~((e-))~~ d. property-specific development standards or special district overlays

1802 under K.C.C. chapter 21A.38;

1803 5. Plans and specifications that, at a minimum, include:

1804 a. property boundaries, easements, and setbacks;

1805 b. a 1:2000 scale vicinity map with a north arrow;

1806 c. horizontal and vertical scale;

1807 d. size and location of existing improvements on and within fifty feet of the

1808 project, indicating which will remain and which will be removed;

1809 e. location of all proposed cleared areas;

1810 f. existing and proposed contours at maximum five foot intervals, and

1811 extending for one hundred feet beyond the project edge;

1812 g. at least two cross sections, one in each direction, showing existing and

1813 proposed contours and horizontal and vertical scales; and

1814 h. a proposed erosion and sediment control plan as required by K.C.C.

1815 16.82.095.

1816 B. Materials in addition to those required in subsection A. of this section may be

1817 necessary for the department to complete the review. The following materials shall be

1818 submitted when required by the department~~((-))~~;

1819 1. Higher accuracy contours and more details of existing terrain and area

1820 drainage, limiting dimensions, elevations or finished contours to be achieved by the

1821 grading, and proposed drainage channels and related construction;

1822 2. If applicable, all drainage plans and documentation consistent with the King
1823 County Surface Water Design Manual;
1824 3. Restoration plan if required under K.C.C. ~~((16.82.110))~~ 21A.22.081; and
1825 4. Studies prepared by qualified specialists, as necessary to substantiate any
1826 submitted materials and compliance with this chapter or other law, particularly if clearing
1827 or grading is proposed to take place in or adjacent to a critical area.

1828 C. Plans and specifications shall be prepared and signed by a civil engineer if
1829 they are prepared in conjunction with the proposed construction or placement of a
1830 structure, include permanent drainage facilities or, if required by the department, propose
1831 alterations in steep slope or landslide hazard areas.

1832 D. The department shall determine the number of copies of the required plans,
1833 specifications, and supporting materials necessary to expedite review and may require
1834 submittal of materials in alternative formats.

1835 E. The director may waive specific submittal requirements if they are determined
1836 to be unnecessary for the acceptance and subsequent review of an application.

1837 F. Any plans, specifications, or supporting materials that are returned as a result
1838 of permit denial or any other reason shall be returned to the applicant.

1839 SECTION 25. Ordinance 12560, Section 148, as amended, and K.C.C. 17.04.200
1840 are hereby amended to read as follows:

1841 Section 104.1 of the International Fire Code is not adopted and the following is
1842 substituted:

1843 **General (IFC 104.1).** The fire marshal is authorized to render interpretations of
1844 this code and make and enforce such rules and regulations, in accordance with K.C.C.

1845 chapters 2.98 and 2.100, for the prevention and control of fires and fire hazards as
1846 necessary to execute the application and the intent of this code, including but not limited
1847 to:

1848 1. Procedures to ensure that building permits for structures shall conform to the
1849 requirements of this code.

1850 2. Procedures to ensure that applicable standards of this code shall be reviewed as
1851 part of the subdivision, short subdivision, ~~((urban-planned development,))~~ rezone,
1852 conditional use, special use, site development permit, binding site plan, and building
1853 permit processes.

1854 3. Procedures to assure that the standard known as NFPA 13R shall be applied as
1855 a minimum standard to all R occupancies.

1856 4. Procedures to allow for relaxation of the hydrant spacing requirements by as
1857 much as 50 percent, except when such allowances would unreasonably reduce fire
1858 protection to the area or structures served.

1859 SECTION 26. Ordinance 12560, Section 149, as amended, and K.C.C. 17.04.280
1860 are hereby amended to read as follows:

1861 Section 104 of the International Fire Code is supplemented with the following:

1862 **Notice to fire districts (IFC 104.12).**

1863 A. ~~((Prior to))~~ Before submitting an application for a commercial building permit,
1864 site development permit, binding site plan, a preliminary subdivision or short subdivision
1865 approval, final ~~((subdivision))~~ plat or short ~~((subdivision))~~ plat, ~~((urban-planned development,))~~
1866 zoning reclassification, conditional use permit, and special use permit~~((s))~~
1867 to the department:

- 1868 1. the applicant shall submit a copy of the application to the fire district
1869 providing fire protection services to the proposed development;
- 1870 2. subdivisions and short subdivisions applied for and/or recorded before
1871 February 1, 1989, shall be submitted once to the applicable fire district for review at the
1872 time of the first building permit by the applicant for that building permit;
- 1873 3. it shall be the responsibility of the fire district to issue a receipt to the
1874 applicant the same day it receives a copy of a permit application. The receipt shall
1875 constitute proof to the director of the notification;
- 1876 4. the applicant shall include the fire district receipt with the permit application
1877 to the department;
- 1878 5. it shall be the responsibility of the fire district to notify the fire marshal of any
1879 comments within seven days of the receipt of an applied for permit.

1880 SECTION 27. Ordinance 16147, Section 2, as amended, and K.C.C. 18.17.010
1881 are hereby amended to read as follows:

1882 The definitions in this section apply throughout this chapter unless the context
1883 clearly requires otherwise.

1884 A. "Alternative green building rating system" means a third-party green building
1885 certification other than LEED or the King County Sustainable Infrastructure Scorecard.
1886 The following are accepted alternative green building rating systems, but the executive
1887 may also accept certification through other rating systems as appropriate:

- 1888 1. Built Green Four-Star, Built Green Five-Star, or Built Green Emerald Star, or
1889 any combination thereof;
- 1890 2. Envision;

1891 3. Evergreen Sustainable Development Standard;
1892 4. Fitwel;
1893 5. Greenroads;
1894 6. Living Building Challenge;
1895 7. Passive House;
1896 8. Salmon Safe;
1897 9. SITES; and
1898 10. WELL.

1899 B. "Built Green Four-Star," "Built Green Five-Star," and "Built Green Emerald
1900 Star" mean a third-party residential green building certification((;)) developed and
1901 administered by the Master Builders Association of King and Snohomish Counties.

1902 C. "Capital project" means capital project as defined in K.C.C. 4A.10.100.

1903 D. "Energy Star" means the energy certification rating system developed by the
1904 United States Environmental Protection Agency that focuses on energy efficiency.

1905 E. "Envision" means a voluntary sustainable infrastructure rating system
1906 administered by the Institute for Sustainable Infrastructure and developed by the Harvard
1907 University Graduate School of Design, American Public Works Association, American
1908 Society of Civil Engineers, and the American Council of Engineering Companies for
1909 assessing sustainability and resilience in infrastructure.

1910 F. "Equity" means equity as defined in K.C.C. 2.10.210.

1911 G. "Equity and social justice credits" means credits awarded through the
1912 Sustainable Infrastructure Scorecard for actions that identify and account for equity and
1913 social justice practices and outcomes throughout the capital project development

1914 lifecycle. The credits recognize project team efforts to advance process, distributional
1915 and cross-generational equity.

1916 H. "Evergreen Sustainable Development Standard" means a sustainable building
1917 program for affordable housing projects that receive housing trust funds, administered by
1918 the Washington state Department of Commerce according to RCW 39.35D.080.

1919 I. "Facility" means all or any portion of buildings, structures, infrastructure, sites,
1920 complexes, equipment, utilities, and conveyance lines.

1921 J. "Fitwel" means a third-party green building rating system administered by the
1922 Center for Active Design that provides a standard that supports health-promoting
1923 strategies in the built environment.

1924 K. "Green building team" means a group that includes representatives from
1925 county agencies with capital project or building management staff including, but not
1926 limited to, the Metro transit department, the department of natural resources and parks,
1927 the department of executive services, the department of local services, permitting and
1928 road services divisions, ~~((the department of))~~ public health – Seattle & King County, the
1929 historic preservation program, and the department of community and human services.

1930 The members represent staff with expertise in project management, construction
1931 management, architecture, landscape architecture, environmental planning, design,
1932 engineering, historic preservation and resource conservation, public health, building
1933 energy systems, building management, budget analysis, equity and racial and social
1934 justice, procurement, and other skills as needed. The green building team provides
1935 assistance and helps to disseminate information to project managers in all county
1936 agencies.

1937 L. "Greenroads" means the third-party green building rating system administered
1938 by the Greenroads International nonprofit organization to measure and manage
1939 sustainability on transportation projects.

1940 M. "GreenTools program" means the support team located within the solid waste
1941 division of the department of natural resources and parks that provides green building
1942 technical assistance to county divisions, cities, and the general public within the county.

1943 N. "Integrative process" means an approach to project design that seeks to
1944 achieve high performance on a wide variety of well-defined environmental and social
1945 goals while staying within budgetary and scheduling constraints. It relies on a
1946 multidisciplinary and collaborative team whose members make decisions together based
1947 on a shared vision and a holistic understanding of the project. It is an iterative process
1948 that follows the design through the entire project life, from predesign through operation.

1949 O. "Leadership in Energy and Environmental Design" or "LEED" means a
1950 voluntary, consensus-based national standard for developing high-performance,
1951 sustainable buildings, created by the United States Green Building Council.

1952 P. "LEED-eligible building" means any new construction or major remodel or
1953 renovation capital project with one thousand gross square feet or more of new,
1954 remodeled, or renovated floor area that is occupied or conditioned and that meets the
1955 minimum program requirements for LEED certifications.

1956 Q. "Living Building Challenge" means a voluntary green building rating system
1957 administered by the International Living Future Institute. The certification options are
1958 Full Living, Petal, CORE, Zero Energy, and Zero Carbon.

1959 R. "Major remodel or renovation" means work that demolishes space down to the

1960 shell structure and rebuilds it with new interior walls, ceilings, floor coverings, and
1961 systems, when the work affects more than twenty-five percent of a building's square
1962 footage and the affected space is one thousand square feet or larger.

1963 S. "Minor remodel or renovation" means any type of remodel or renovation that
1964 does not qualify as a major remodel or renovation.

1965 T. "New construction" means a new building or structure.

1966 U. "Passive House" means a voluntary passive building energy standard
1967 certification program through either the PHIUS+ certification administered by Passive
1968 House Institute United States or the Passive House certification administered by Passive
1969 House Institute.

1970 V. "Regional code collaboration" means interested jurisdictions across the Puget
1971 Sound region working together to develop building, energy, fire, residential, plumbing,
1972 mechanical, and zoning codes supporting the advancement of green building practices.

1973 W. "Retrocommissioning" means a detailed, systematic process for investigating
1974 an existing building's operations and identifying ways to improve performance. The
1975 primary focus is to identify operational improvements to obtain comfort and energy
1976 savings.

1977 X. "Salmon Safe" means a voluntary peer-reviewed certification program, linking
1978 site development land management practices with the protection of agricultural and urban
1979 watersheds, founded by the Stewardship Partners.

1980 Y. "SITES" means a voluntary sustainability-focused framework program
1981 administered by the Sustainable SITES Initiative and developed by the American Society
1982 of Landscape Architects, the Lady Bird Johnson Wildflower Center, and the United

1983 States Botanical Garden.

1984 Z. "Social cost of carbon" means social cost of carbon as defined in K.C.C.

1985 18.20.015.

1986 AA. "Social justice" means social justice as defined in K.C.C. 2.10.210.

1987 ((~~AA.~~) BB. "Strategic Climate Action Plan" means the King County Strategic

1988 Climate Action Plan adopted by Motion 15866, or any subsequent Strategic Climate

1989 Action Plan developed under K.C.C. chapter 18.25 and adopted by the council.

1990 ((~~BB.~~) CC. "Sustainable development practices" are also known as green

1991 building and means whole system approaches to the design, construction, and operation

1992 of buildings and infrastructure that help to mitigate the negative environmental,

1993 economic, health, and social impacts of construction, demolition, operation, and

1994 renovation while maximizing the facilities' positive fiscal, environmental, health, and

1995 functional contribution. Sustainable development practices recognize the relationship

1996 between natural and built environments and seek to minimize the use of energy, water,

1997 and other natural resources while providing maximum benefits and contribution to

1998 service levels to the system and the connecting infrastructures.

1999 ((~~CC.~~) DD. "Sustainable Infrastructure Scorecard" means a green building and

2000 sustainable development rating system developed by the green building team for capital

2001 projects that are not eligible for the LEED rating system.

2002 ((~~DD.~~) EE. "Transit-oriented development" means a capital project on King

2003 County-owned property that includes the development of housing, commercial space,

2004 services, or job opportunities in direct proximity to frequent public transportation and that

2005 is wholly or partially planned or wholly or partially financed by the Metro transit

2006 department.

2007 ~~((EE-))~~ FF. "WELL" means a third-party green building rating system
2008 administered by the International WELL Building Institute's collaboration with Green
2009 Business Certification, Inc.

2010 SECTION 28. Ordinance 19402, Section 8, and K.C.C. 18.17.050 are hereby
2011 amended to read as follows:

2012 A. Capital projects shall be subject to the following applicable green building
2013 standards and corresponding requirements; capital projects shall register with the
2014 applicable third-party rating system and achieve the appropriate certification. Small,
2015 related capital projects that are part of a program may be certified as a program rather
2016 than at the individual-project level:

2017 1. Affordable housing capital projects subject to RCW 39.35D.080 that receive
2018 moneys from the King County ~~((D))~~ department of ~~((C))~~ community and ~~((H))~~ human
2019 ~~((S))~~ services or that are part of transit-oriented development shall achieve either
2020 Evergreen Sustainable Development Standard requirements or the highest rating in an
2021 applicable alternative green building rating system certification, or both;

2022 2. Buildings owned or lease-to-own by King County, excluding those to which
2023 subsection A.1. of this section applies, shall achieve certification levels as follows:

2024 a. New construction of a LEED-eligible building shall achieve either LEED
2025 platinum certification or the Living Building Challenge certification, or both; and

2026 b. A major remodel or renovation of a LEED-eligible building shall achieve
2027 either LEED gold certification or the Living Building Challenge certification, or both;
2028 and

2029 3. Capital projects owned or lease-to-own by King County that are not subject
2030 to subsection A.1. or 2. of this section shall either achieve a platinum rating according to
2031 a King County or division-specific Sustainable Infrastructure Scorecard or achieve the
2032 highest certification through an applicable alternative green building rating system, or
2033 both.

2034 B. All capital projects to which subsection A. of this section applies:

2035 1. Shall meet King County Surface Water Design Manual requirements,
2036 regardless of jurisdiction location. If a project is located in a jurisdiction where the
2037 surface water design manual standards and requirements are different than King
2038 County's, the project shall implement the more stringent requirement;

2039 2. Shall achieve a minimum diversion rate of eighty percent for construction and
2040 demolition materials, achieve an eighty-five percent diversion rate beginning in 2025 and
2041 shall achieve zero waste of resources with economic value beginning in 2030;

2042 3. Shall achieve applicable King County equity and social justice credits for
2043 capital projects regardless of the rating system used; ~~((and))~~

2044 4. Should use the practice of integrative process to maximize green building,
2045 sustainable development, community benefit, and financial investment opportunities over
2046 the life of the asset; and

2047 5. Should use the social cost of carbon in life-cycle assessments and decision
2048 making related to facility construction and resource efficiency projects.

2049 C.1. For leases by a King County agency for King County operations at non-
2050 King-County-owned facilities, the agency shall seek to incorporate the latest green
2051 building and sustainable development practices in the county-occupied space.

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

D. As part of the county's green building program, the county shall preserve and restore the historic landmarks and properties eligible for landmark designation that are owned by the county, except in cases where a certificate of appropriateness is granted by the King County landmarks commission.

SECTION 29. Ordinance 17270, Section 2, as amended, and K.C.C. 18.25.010 are hereby amended to read as follows:

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

2075 K.C.C. 2.10.200, 2.10.210, 2.10.220, and 2.10.230. The strategic climate action plan
2076 shall include the following:

2077 a. the identification of specific goals, strategies, measures, targets, and priority
2078 actions for county services and operations to reduce emissions consistent with the
2079 countywide goal of reducing greenhouse gas emissions (~~((twenty-five percent by 2020,))~~)
2080 fifty percent by 2030, seventy-five percent by 2040, and ((eighty)) ninety-five percent by
2081 2050, with net-zero emissions through carbon sequestration and other strategies by that
2082 year, compared to a 2007 baseline. The strategic climate action plan should address five
2083 goal areas for reducing greenhouse gas emissions: transportation and land use; building
2084 and facilities energy; green building; consumption and materials management, including
2085 the environmental purchasing program; and forestry and agriculture. Each goal area shall
2086 address environmental justice and ensure that the strategies promote an equitable
2087 distribution of any environmental benefit. The strategic climate action plan should
2088 establish explicit and, whenever possible, quantifiable connections between the
2089 overarching climate goals and specific strategies and actions;

2090 b.(1) a green jobs strategy. For purposes of this subsection A., a "green job"
2091 means (~~((one that generates an income large enough to support a household in King~~
2092 ~~County and provides a benefit to the environment))~~) a living wage position providing
2093 environmental benefits, such as clean energy deployment, in high-demand industry
2094 sectors such as construction, manufacturing, transportation, and professional services.
2095 The intent of the green jobs strategy is to encourage the development of green jobs along
2096 the career spectrum.

2097 (2) the green jobs strategy shall be developed in consultation with members
2098 of the King County climate and equity community taskforce identified in subsection
2099 A.1.~~((b.(2)(f)))~~c. of this section, labor and workforce development organizations directed
2100 in subsection A.~~((7.))~~5. of this section, and representatives of an environmental justice
2101 and climate equity organization, education, business, building managers, utilities,
2102 scientists with knowledge of the latest research on strategies to reduce emissions, tribes,
2103 local governments, and regional groups such as the King County-Cities Climate
2104 Collaboration and the Puget Sound Regional Council, and shall include:

2105 (a) specific actions King County and its partners can take to increase the
2106 number of green jobs and apprenticeships throughout the region, including jobs in energy
2107 efficiency, renewable energy, green vehicles, and carbon sequestration, and King County
2108 administrative, executive, policy, and technical jobs;

2109 (b) a proposal for and budget to develop a green job pipeline that focuses
2110 especially on communities that have historically been underserved, and is informed by
2111 recommendations of the climate and equity community task force;

2112 (c) identification of the industry sectors and job types with high-demand
2113 green jobs in King County; and

2114 (d) actions King County can take to develop the green energy skills of King
2115 County's own workforce, such as collaboration on development of apprenticeship and
2116 pre-apprenticeship programs in sectors including energy efficiency, electrification,
2117 electric vehicle maintenance, the maintenance of electric vehicle infrastructure, and
2118 carbon sequestration technologies;~~((and~~

2119 ~~(e) an initial green jobs strategy in the 2020 Strategic Climate Action Plan~~
2120 ~~update, with findings and recommendations along with recommended next steps for~~
2121 ~~refining the green jobs strategy as part of plan implementation, biennial budgets and~~
2122 ~~future plan updates; and~~

2123 ~~((f.))~~ c. a community-driven strategy to achieve sustainable and resilient
2124 communities. In order to achieve a community driven strategy, the executive shall
2125 convene and partner with the King County climate and equity community task force to
2126 develop the sustainable and resilient community strategy. The King County climate and
2127 equity community task force shall be a racially and ethnically diverse group representing
2128 various communities in King County that are on the frontline of climate change. The task
2129 force shall develop goals and guide priority areas for climate action based on community
2130 values and concerns. The sustainable and resilient community strategy shall:

2131 ~~((i.))~~ (1) identify how climate change will impact communities of color, low-
2132 income communities, and those disproportionately impacted by climate change;

2133 ~~((ii.))~~ (2) identify opportunities to take actions to address those impacts that
2134 could include increasing the number of affordable housing units, developing pathways to
2135 green jobs, preventing neighborhood displacement, increasing access to green spaces,
2136 providing access to zero emissions mobility options, improving food security, reducing
2137 pollution, and addressing health disparities; and

2138 ~~((iii.))~~ (3) based on assessment of climate impacts and extreme weather
2139 events like heat waves on vulnerable communities, make recommendations for
2140 preparedness strategies and actions to include in county emergency response plans, the
2141 flood management plan, and the regional hazard mitigation plan;

2142 ((e-)) d. the current assessment of climate change impacts in King County and
2143 identification of goals, strategies, measures, targets, and priority actions within county
2144 services and county operations to address climate change impacts. Each goal and
2145 strategy shall address environmental justice and ensure that the strategies promote an
2146 equitable distribution of any environmental benefit;

2147 ((e-)) e. performance measures and related targets for both operational
2148 emissions and implementation of priority strategies, including the green job strategy, that
2149 advance the strategic climate action plan and provide for assessment of progress relative
2150 to overarching climate goals at the community scale; and

2151 ((e-)) f. an assessment of cost effectiveness for key county services and
2152 operations building on the pilot cost effectiveness assessment in the 2015 strategic
2153 climate action plan update.

2154 2. ~~((Consistent with the county's strategic planning cycle, updates will occur at
2155 least every five years, unless more frequent updates are needed to respond to changing
2156 information about emissions sources, performance relative to targets, new technologies,
2157 or a changing regulatory context.))~~ The executive shall transmit updates to the strategic
2158 climate action plan to the council for adoption by motion.

2159 3. In developing future updates to the strategic climate action plan, the
2160 executive shall continue to review climate change-related plans being developed by other
2161 municipalities, including the city of Seattle's climate action plan, and identify
2162 opportunities and strengthen recommendations for partnership with cities, businesses, and
2163 nonprofit organizations to advance actions to reduce greenhouse gas emissions and
2164 prepare for and respond to climate change impacts.

2165 4. ~~((The council recognizes that science related to climate change and successful~~
2166 ~~climate solutions is evolving, and each update to the strategic climate action plan should~~
2167 ~~build upon and refine the strategies, activities and performance targets in accordance with~~
2168 ~~best available science, practices and progress toward emissions reductions targets.~~

2169 5. ~~Future updates shall include the requirements of subsection A.1. of this~~
2170 ~~section.~~

2171 6)). Progress in achieving strategic climate action plan performance measure
2172 targets and accomplishment of priority actions identified in subsection A.1. of this
2173 section, as well as findings outlining recommendations for changes in policies, priorities,
2174 and capital investments, shall be reported and transmitted to council ~~((biennially))~~ with
2175 the update of the strategic climate action plan and at the midpoint between updates. The
2176 progress report shall be included as part of the report required in K.C.C. 18.50.010.

2177 ~~((7.))~~ 5. The executive shall convene a strategic climate action plan labor
2178 advisory council ~~((or))~~ and seek input from county labor and workforce development
2179 organizations, including the Martin Luther King, Jr. County Labor Council of
2180 Washington, the Seattle Building and Construction Trades Council, and the Workforce
2181 Development Council of Seattle-King County, on recommendations for policies,
2182 programs, and partnerships to strengthen pathways to local green jobs and to provide
2183 guidance on each update.

2184 6. The executive shall consult with Indian tribes, and shall collaborate with
2185 cities in King County through the King County-Cities Climate Collaboration, on each
2186 update to the strategic climate action plan.

2187 B. Future updates to climate-related objectives and strategies should be informed
2188 by the most-recently adopted strategic climate action plan.

2189 C. The executive (~~((must transmit))~~) shall electronically file the legislation and
2190 reports required (~~((to be submitted))~~) by this section (~~((in the form of a paper original and an~~
2191 ~~electronic copy))~~) with the clerk of the council, who shall retain (~~((the original))~~) an
2192 electronic copy and provide an electronic copy to all councilmembers, the council chief
2193 of staff, and the lead staff for the transportation, economy, and environment committee or
2194 its successor.

2195 SECTION 30. The following should constitute a new chapter in K.C.C. Title 18,
2196 to follow K.C.C. chapter 18.35:

2197 A. K.C.C. 28.30.010, as recodified by this ordinance;

2198 B. K.C.C. 28.30.020, as recodified by this ordinance; and

2199 C. K.C.C. 28.30.030, as recodified by this ordinance.

2200 SECTION 31. The following are hereby recodified as new sections in K.C.C.
2201 chapter 18.xx (the new chapter created in section 30 of this ordinance):

2202 A. K.C.C. 28.30.010;

2203 B. K.C.C. 28.30.020; and

2204 C. K.C.C. 28.30.030, as amended by this ordinance.

2205 SECTION 32. Ordinance 17971, Section 4, as amended, and K.C.C. 28.30.030
2206 are hereby amended to read as follows:

2207 A. The King County Metro transit carbon offset and environmental attributes
2208 program is hereby created and shall be administered by the Metro transit department.

2209 B. Transit carbon offsets shall be reviewed by an ~~((an))~~ independent third-party
2210 organization with proven experience in emission mitigation activities to ensure that
2211 transit carbon offsets meet the requirements of RCW 36.01.250.

2212 C. The Metro transit department shall make carbon offsets or environmental
2213 attributes available for purchase by individuals or public or private entities, if doing so is
2214 likely to be financially beneficial to the department.

2215 D. The wastewater treatment division and the solid waste division shall evaluate
2216 the purchase of Metro transit department carbon offsets, as necessary, to achieve the
2217 requirements of this chapter.

2218 E. When purchasing carbon offsets, the wastewater treatment division and the
2219 solid waste division shall ensure the offsets meet the requirements of RCW 36.01.250. In
2220 purchasing offsets, the wastewater treatment division and the solid waste divisions shall
2221 purchase offsets from the Metro transit department before purchasing carbon offsets from
2222 outside of the county if Metro transit department offsets are comparably priced.

2223 F. Revenue from the sale of carbon offsets or environmental attributes shall be
2224 used by the Metro transit department solely for the purposes of reducing greenhouse gas
2225 emissions through ~~((providing additional transit service hours))~~ mobility services or
2226 investments that reduce the greenhouse gas emissions from transit operations beyond
2227 standard operations, thereby achieving additionality.

2228 G. The executive shall ensure that transit carbon offsets or other environmental
2229 attributes are not double counted in calculating the greenhouse gas emissions for King
2230 County.

2231 SECTION 33. Ordinance 13694, Section 5, and K.C.C. 19A.04.030 are hereby
2232 amended to read as follows:

2233 Applicant: a property owner, ~~((or))~~ a public agency, or public or private utility that
2234 owns a right-of-way or other easement or has been adjudicated the right to such easement
2235 ~~((pursuant to))~~ in accordance with RCW ~~((8.12.090))~~ 8.08.040, or any person or entity
2236 designated or named in writing by the property or easement owner to be the applicant, in an
2237 application for a development proposal, permit, or approval.

2238 NEW SECTION. SECTION 34. There is hereby added to K.C.C. chapter
2239 19A.04 a new section to read as follows:

2240 Microsubdivision: a short subdivision involving a division or redivision of land
2241 into two lots, tracts, parcels, or sites for the purpose of the sale, lease, or transfer of
2242 ownership.

2243 SECTION 35. Ordinance 17841, Section 1, and K.C.C. 19A.04.205 are hereby
2244 amended to read as follows:

2245 "Large lot segregation" means the division of land into lots or tracts each one of
2246 which is one-sixteenth of a section of land or larger, or forty acres or larger if the land is
2247 not capable of description as a fraction of a section of land. However, for purposes of
2248 computing the size of a lot that borders on a street or road, the lot size shall be expanded
2249 to include that area that would be bounded by the center line of the road or street and the
2250 side lot lines of the lot running perpendicular to such center line. Also, within the
2251 resource zones, each lot or tract shall be of a size that meets the minimum lot size
2252 requirements of K.C.C. ~~((21A.12.040.A.))~~ Title 21A for the respective zone.

2253 SECTION 36. Ordinance 13694, as amended, and K.C.C. 19A.04.310 are hereby
2254 amended to read as follows:

2255 Short subdivision: inside the Urban Growth Area, a division or redivision of land
2256 into nine or fewer lots, tracts, parcels, or sites for the purpose of the sale, lease, or transfer
2257 of ownership. Outside the Urban Growth Area, a division or redivision of land into four
2258 or fewer lots, tracts, parcels, or sites for the purpose of sale, lease, or transfer of
2259 ownership. A microsubdivision is a type of short subdivision.

2260 SECTION 37. Ordinance 13694, Section 42, as amended, and K.C.C.
2261 19A.08.070 are hereby amended to read as follows:

2262 A. A property owner may request that the department determine whether a lot
2263 was legally created. The property owner shall demonstrate to the satisfaction of the
2264 department that a lot was created in compliance with applicable state and local land
2265 segregation statutes or codes in effect at the time the lot was created.

2266 B. A lot shall be recognized as a legal lot:

2267 1. If before October 1, 1972, it was:

2268 a. conveyed as an individually described parcel to separate, noncontiguous
2269 ownerships through a fee simple transfer or purchase; or

2270 b. recognized as a separate tax lot by the county assessor;

2271 2. If created by a recorded subdivision before June 9, 1937, and it was served by
2272 one of the following before January 1, 2000:

2273 a. an approved sewage disposal; or

2274 b. an approved water system; ~~((or~~

2275 ~~c. a road that was:~~

2276 (1) ~~accepted for maintenance by the King County department of~~
2277 ~~transportation; or~~

2278 (2) ~~located within an access easement for residential use or in a road right of~~
2279 ~~way and consists of a smooth driving surface, including, but not limited to, asphalt,~~
2280 ~~concrete, or compact gravel, that complied with the King County road standards in effect~~
2281 ~~at the time the road was constructed;))~~

2282 3. If created by an approved short subdivision, including engineers subdivisions;

2283 4. If created by a recorded subdivision on or after June 9, 1937; or

2284 5. If created through the following alternative means of lot segregation provided

2285 for by state statute or county code:

2286 a. at a size five acres or greater, created by a record of survey recorded

2287 between August 11, 1969, and October 1, 1972, and that did not contain a dedication;

2288 b. at a size twenty acres or greater, created by a record of survey recorded

2289 before January 1, 2000, and not subsequently merged into a larger lot;

2290 c. at a size forty acres or greater created through a larger lot segregation made

2291 in accordance with RCW 58.18.010, approved by King County and not subsequently

2292 merged into a larger lot. Within the F zone, each lot ~~((of))~~ or tract shall be of a size that

2293 meets the minimum lot size requirements of ~~((K.C.C. 21A.12.040.A))~~ section 228 of this

2294 ordinance;

2295 d. through testamentary provisions or the laws of descent after August 10,

2296 1969; or

2297 e. as a result of deeding land to a public body after April 3, 1977.

2298 C. In requesting a determination, the property owner shall submit evidence,
2299 deemed acceptable to the department, such as:

- 2300 1. Recorded subdivisions or division of land into four lots or less;
- 2301 2. King County documents indicating approval of a short subdivision;
- 2302 3. Recorded deeds or contracts describing the lot or lots either individually or as
2303 part of a conjunctive legal description (~~((e.g.)),~~ such as Lot 1 and Lot 2(~~(+)~~)); or
- 2304 4. Historic tax records or other similar evidence, describing the lot as an
2305 individual parcel. The department shall give great weight to the existence of historic tax
2306 records or tax parcels in making its determination.

2307 D. Once the department has determined that the lot was legally created, the
2308 department shall continue to acknowledge the lot as such, unless the property owner
2309 reaggregates or merges the lot with another lot or lots in order to:

- 2310 1. Create a parcel of land that would qualify as a building site, or
- 2311 2. Implement a deed restriction or condition, a covenant₂ or court decision.

2312 E. The department's determination shall not be construed as a guarantee that the
2313 lot constitutes a building site as defined in K.C.C. 19A.04.060. Testamentary lots created
2314 after December 31, 1999, and before January 1, 2019, are exempt from meeting the
2315 minimum lot area requirements in K.C.C. Title 21A(~~((12.030 and 21A.12.040))~~) for the
2316 applicable (~~((zoning district))~~) zone, if all other federal, state₂ and local statutes and
2317 regulations are met. All other testamentary lots shall be required to meet all federal,
2318 state₂ and local statutes and regulations, including minimum lot area requirements in
2319 K.C.C. Title 21A(~~((12.030 and 21A.12.040))~~).

2320 F. Reaggregation of lots after January 1, 2000, shall only be the result of a
2321 deliberate action by a property owner expressly requesting the department for a
2322 permanent merger of two or more lots through a boundary line adjustment under K.C.C.
2323 chapter 19A.28.

2324 SECTION 38. Ordinance 13694, Section 56, as amended, and K.C.C.
2325 19A.12.020 are hereby amended to read as follows:

2326 A. Preliminary subdivision approval shall be effective for a period of sixty
2327 months.

2328 B. Preliminary subdivision approval shall be considered the basis upon which the
2329 applicant may proceed toward development of the subdivision and preparation of the
2330 final plat subject to all the conditions of the preliminary approval.

2331 C. If the ((final plat)) subdivision is being developed in divisions, and final plats
2332 for all of the divisions have not been recorded within the time limits provided in this
2333 section, preliminary subdivision approval for all unrecorded divisions shall become void.
2334 The preliminary subdivision for any unrecorded divisions ((must again)) shall be
2335 submitted again to the department with a new application, subject to the fees and
2336 regulations applicable at the time of submittal.

2337 D. ~~((An urban planned development permit, fully contained community permit,~~
2338 ~~or development agreement approved pursuant to K.C.C. chapter 21A.39 may extend the~~
2339 ~~preliminary approval period beyond sixty months for any preliminary subdivision~~
2340 ~~approved simultaneous or subsequent to the urban planned development permit or fully~~
2341 ~~contained community permit. Such extensions may be made contingent upon satisfying~~
2342 ~~conditions set forth in the urban planned development permit, fully contained community~~

2343 ~~permit or development agreement. In no case shall the extended preliminary approval~~
2344 ~~period exceed the expected buildout time period of the urban planned development or~~
2345 ~~fully contained community as provided in the urban planned development permit, fully~~
2346 ~~contained community permit or development agreement. This section shall apply to any~~
2347 ~~approved urban planned development permit, fully contained community permit or~~
2348 ~~development agreement in existence on January 1, 2000, or approved subsequent to~~
2349 ~~January 1, 2000.~~

2350 ~~E. For any plat with more than four hundred lots that is also part of the county's~~
2351 ~~four to one program, the preliminary subdivision approval shall be effective for eighty-~~
2352 ~~four months. This subsection applies to any preliminary plat approved by either the~~
2353 ~~council or the hearing examiner, or both, on or after January 1, 1998, that relates to a four~~
2354 ~~to one program with proposed plats containing more than four hundred lots.~~

2355 ~~F. For any plat with more than fifty lots where fifty percent or more of those lots~~
2356 ~~will constitute affordable housing which is housing for those that have incomes of less~~
2357 ~~than eighty percent of median income for King County as periodically published by the~~
2358 ~~United States Department of Housing and Urban Development, or its successor agency,~~
2359 ~~and at least a portion of the funding for the project has been provided by federal, state or~~
2360 ~~county housing funds, the preliminary subdivision shall be effective for seventy two~~
2361 ~~months. This subsection applies to any plat that has received preliminary approval on or~~
2362 ~~after January 1, 1998.~~

2363 ~~G.1. For any plat that has received preliminary approval on or after December 1,~~
2364 ~~2003, the preliminary subdivision approval shall be valid for a period of eighty four~~

months. The department may make revisions to the fee estimate issued by the department under K.C.C. 27.02.065.

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

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

SECTION 39. Ordinance 13694, Section 57, as amended, and K.C.C 19A.12.030 are hereby amended as follows:

A. A request to revise a ((~~plat, short plat~~)) preliminary subdivision, preliminary short subdivision, or binding site plan that has received preliminary approval shall be submitted to the department.

B. Proposed revisions to a preliminary subdivision that would result in a substantial change, as determined by the department, shall be treated as a new application for purposes of vesting and transportation concurrency and shall be reviewed as Type 3 land use decision under K.C.C. 20.20.020.

2388 C. Proposed revisions to a preliminary short subdivision, or binding site plan that
2389 would result in a substantial change, as determined by the department, shall be treated as
2390 a new application for purposes of vesting and, where applicable, transportation
2391 concurrency, and shall be reviewed as Type 2 land use decision ~~((pursuant to))~~ under
2392 K.C.C. 20.20.020, except that a proposed revision to a microsubdivision in the urban area
2393 shall be reviewed as a Type I land use decision under K.C.C. 20.20.020.

2394 D. For the purpose of this section, a substantial change includes, but is not
2395 limited to:

- 2396 1. The creation of additional lots;
- 2397 2. The reduction or elimination of open space;
- 2398 3. A change in use;
- 2399 4. A change in points of ingress or egress; and
- 2400 5. A change to conditions of approval ~~((of an approved preliminary subdivision,~~
2401 ~~preliminary short subdivision or binding site plan))~~ that leads to environmental impacts
2402 that were not addressed in the original approval.

2403 E. Proposed changes to a preliminary subdivision, preliminary short subdivision,
2404 or binding site plan that do not result in a substantial change, as determined by the
2405 department, shall be treated as a minor changed and may be approved administratively by
2406 the department.

2407 F. For purposes of this section, minor changes include, but are not limited to:

- 2408 1. Changes to engineering design standards necessitated by changed
2409 circumstances, such as reconfiguration or reduction of lots;
- 2410 2. Changes in lot dimensions that are consistent with the underlying zone;

2411 3. A decrease in the number of lots to be created so long as the minimum lot
2412 size and minimum density of the underlying zone is maintained;
2413 4. Changes in timing of phased plans; and
2414 5. Changes to engineering design that reduce construction related impacts and
2415 do not eliminate off-site improvements specifically required as a condition of preliminary
2416 approval.

2417 SECTION 40. Ordinance 13694, Section 80, as amended, and K.C.C.
2418 19A.28.020 are hereby amended to read as follows:

2419 Adjustment of boundary lines between adjacent lots shall be consistent with the
2420 following review procedures and limitations:

2421 A. Applications for boundary line adjustments shall be reviewed as a Type 1
2422 permit as provided in K.C.C. chapter 20.20. The review shall include examination for
2423 consistency with the King County zoning code, K.C.C. Title 21A., shoreline master
2424 program regulations, ~~((K.C.C. chapter 21A.25,))~~ applicable board of health regulations,
2425 and, for developed lots, fire and building codes;

2426 B. A lot created through a large lot segregation shall be consistent with the
2427 underlying zoning and shall not be reduced to less than twenty acres within ten years of
2428 the large lot segregation approval unless it is subdivided in accordance with K.C.C.
2429 chapter 19A.12;

2430 C. ~~((Any adjustment of boundary lines must be approved by the department
2431 before the t))~~Transfer of property ownership between adjacent legal lots shall not occur
2432 until the boundary line adjustment is approved;

2433 D. A boundary line adjustment proposal shall not:

2434 1. Result in the creation of an additional lot; ~~((or))~~

2435 2. Result in the creation of more than one additional building site in the rural

2436 area and natural resource lands or two additional building sites in the urban area;

2437 3. Result in a lot that does not qualify as a building site ~~((pursuant to))~~ under

2438 this title;

2439 ~~((3.))~~ 4. Relocate an entire lot from one parent parcel into another parent parcel;

2440 ~~((4.))~~ 5. Reduce the overall area in a plat or short plat devoted to open space;

2441 ~~((5.))~~ 6. Be inconsistent with any restrictions or conditions of approval for a

2442 recorded plat or short plat;

2443 ~~((6.))~~ 7. Involve lots ~~((which))~~ that do not have a common boundary; ~~((or))~~

2444 ~~((7.))~~ 8. Circumvent the subdivision or short subdivision procedures ~~((set forth))~~

2445 in this title. Factors ~~((which))~~ that indicate that the boundary line adjustment process is

2446 being used in a manner inconsistent with statutory intent include: numerous and frequent

2447 adjustments to the existing lot boundary, a proposal to move a lot or building site to a

2448 different location, and a large number of lots being proposed for a boundary line

2449 adjustment; or

2450 9. Circumvent standards or procedures in K.C.C. Title 21A;

2451 E. The elimination of lines between two or more lots shall, in all cases, ~~((shall))~~

2452 be considered a minor adjustment of boundary lines and shall not be subject to the

2453 subdivision and short subdivision provisions of this title or to K.C.C. 19A.28.030. The

2454 format and requirements of a minor adjustment under this subsection shall be specified

2455 by the department;

2456 F. Recognized lots in an approved site plan for a conditional use permit, special
2457 use permit, (~~(urban planned development,)~~) or commercial site development permit shall
2458 be considered a single site and no lot lines on the site may be altered by a boundary line
2459 adjustment to transfer density or separate lots to another property not included in the
2460 original site plan of the subject development; and

2461 G. Lots that have been subject to a boundary line adjustment process that resulted
2462 in the qualification of an additional building site shall not be (~~(permitted)~~) allowed to
2463 utilize the boundary line adjustment process again for five years to create an additional
2464 building site.

2465 SECTION 41. Ordinance 18810, Section 3, and K.C.C. 20.08.037 are hereby
2466 amended to read as follows:

2467 "Area zoning and land use study" means a study that reviews the land use
2468 designations and zoning classifications for a specified set of properties. "Area zoning
2469 and land use studies" are typically focused on a (~~(broader set of policies than a subarea~~
2470 ~~study)~~) specific set of possible zoning and land use changes, and do not look at the larger
2471 range of issues that a subarea plan would include. "Area zoning and land use studies"
2472 consider specific potential changes to land use or zoning, or both, and analyze such
2473 requests based on surrounding land use and zoning, current infrastructure and potential
2474 future needs, and consistency with the King County Comprehensive Plan,
2475 ~~((e))~~Countywide ~~((p))~~Planning ~~((p))~~Policies, and the Growth Management Act, chapter
2476 36.70A RCW.

2477 SECTION 42. Ordinance 263, Art. 3 (part), and K.C.C. 20.08.060 are hereby
2478 amended to read as follows:

2479 "Subarea plan" means a detailed local land use plan that implements, is consistent
2480 with, and is an element of the Comprehensive Plan, containing specific policies,
2481 guidelines, and criteria adopted by the council to guide development and capital
2482 improvement decisions within specific subareas of the county. ~~((Subareas are))~~ Subarea
2483 plans are used for distinct communities, specific geographic areas, community service
2484 areas, potential annexation areas, or other types of districts having unified interests or
2485 similar characteristics within the county. ~~((Subarea plans may include community plans,~~
2486 ~~community service area subarea plans, neighborhood plans, basin plans and plans~~
2487 ~~addressing multiple areas having common interests. The relationship between the 1994~~
2488 ~~King County Comprehensive Plan and subarea plans is established by K.C.C.~~
2489 ~~20.12.015.))~~

2490 SECTION 43. Ordinance 263, Article 2, Section 1, as amended, and K.C.C.
2491 20.12.010 are hereby amended to read as follows:

2492 Under the King County Charter, the state Constitution, and the ~~((Washington~~
2493 ~~state))~~ the Growth Management Act, chapter 36.70A RCW, King County adopted the
2494 1994 King County Comprehensive Plan via Ordinance 11575 and declared it to be the
2495 Comprehensive Plan for King County until amended, repealed, or superseded. The
2496 Comprehensive Plan has been reviewed and amended multiple times since its adoption in
2497 1994. Amendments to the 1994 Comprehensive Plan to-date are currently reflected in the
2498 ~~((2016))~~ 2024 King County Comprehensive Plan, as adopted in ~~((Ordinance 18427 and as~~
2499 ~~amended by Ordinance 18623, Ordinance 18810, Ordinance 19034, Ordinance 19146 and~~
2500 ~~Ordinance 19555))~~ this ordinance. The Comprehensive Plan shall be the principal
2501 planning document for the orderly physical development of the county and shall be used

2502 to guide subarea plans, functional plans, provision of public facilities and services,
2503 review of proposed incorporations and annexations, development regulations, and land
2504 development decisions.

2505 SECTION 44. Ordinance 3692, Section 2, as amended, and K.C.C. 20.12.200 are
2506 hereby amended to read as follows:

2507 A. The King County shoreline master program consists of the following
2508 elements, enacted on or before ((October 4, 2024)) the date of enactment of this
2509 ordinance:

- 2510 1. The King County Comprehensive Plan chapter six;
- 2511 2. K.C.C. chapter 21A.25;
- 2512 3. The following sections of K.C.C. chapter 21A.24:
 - 2513 a. K.C.C. 21A.24.045;
 - 2514 b. K.C.C. 21A.24.051;
 - 2515 c. K.C.C. 21A.24.055;
 - 2516 d. K.C.C. 21A.24.070.A., B.2., C.2., D., and E.;
 - 2517 e. K.C.C. 21A.24.125;
 - 2518 f. K.C.C. 21A.24.130;
 - 2519 g. K.C.C. 21A.24.133;
 - 2520 h. K.C.C. 21A.24.200;
 - 2521 i. K.C.C. 21A.24.210;
 - 2522 j. K.C.C. 21A.24.220;
 - 2523 k. K.C.C. 21A.24.275;
 - 2524 l. K.C.C. 21A.24.280;

2525 m. K.C.C. 21A.24.290;

2526 n. K.C.C. 21A.24.300;

2527 o. K.C.C. 21A.24.310;

2528 p. K.C.C. 21A.24.316;

2529 q. K.C.C. 21A.24.318;

2530 r. K.C.C. 21A.24.325;

2531 s. K.C.C. 21A.24.335;

2532 t. K.C.C. 21A.24.340;

2533 u. K.C.C. 21A.24.355;

2534 v. K.C.C. 21A.24.358;

2535 w. K.C.C. 21A.24.365;

2536 x. K.C.C. 21A.24.380;

2537 y. K.C.C. 21A.24.382;

2538 z. K.C.C. 21A.24.386; and

2539 aa. K.C.C. 21A.24.388;

2540 4. The following:

2541 a. ~~((K.C.C. 20.18.040;~~

2542 ~~b.))~~ K.C.C. 20.18.050;

2543 ~~((e.))~~ b. K.C.C. 20.18.056;

2544 ~~((d.))~~ c. K.C.C. 20.18.057;

2545 ~~((e.))~~ d. K.C.C. 20.18.058;

2546 ~~((f.))~~ e. K.C.C. 20.22.160;

2547 ~~((g.))~~ f. K.C.C. 21A.32.045;

2548 ~~((h-))~~ g. K.C.C. 21A.44.090;
2549 ~~((i-))~~ h. K.C.C. 21A.44.100; and
2550 ~~((j-))~~ i. K.C.C. 21A.50.030; and

2551 5. The 2024 King County Flood Management Plan.

2552 B. The shoreline management goals and policies constitute the official policy of
2553 King County regarding areas of the county subject to shoreline ~~((management))~~
2554 jurisdiction under chapter 90.58 RCW. As provided by WAC 173-26-191(2)(a), King
2555 County's local administrative, enforcement, and permit review procedures shall conform
2556 to chapter 90.58 RCW but shall not be a part of the master program.

2557 C. Amendments to the shoreline master program do not apply to the shoreline
2558 jurisdiction until approved by the Washington state Department of Ecology as provided
2559 in RCW 90.58.090. The department of local services, permitting division, shall, within
2560 ten days after the date of the Department of Ecology's approval, file a copy of the
2561 Department of Ecology's approval, in the form of an electronic copy, with the clerk of the
2562 council, who shall retain the original and provide electronic copies to all
2563 councilmembers, the chief of staff, and the lead staff of the local services and land use
2564 committee~~((s))~~ or its successor.

2565 NEW SECTION. SECTION 45. There is hereby added to K.C.C. chapter 20.12
2566 a new section to read as follows:

2567 The Snoqualmie Valley/Northeast King County Subarea Plan, dated December
2568 2024, contained in Attachment J to this ordinance is adopted as an element of the King
2569 County Comprehensive Plan and, as such, constitutes official county policy for the
2570 geographic area of unincorporated King County defined in the plan.

2571 SECTION 46. Ordinance 13147, Section 19, as amended, and K.C.C. 20.18.030
2572 are hereby amended to read as follows:

2573 A. The King County Comprehensive Plan shall be amended in accordance with
2574 this chapter, which, in compliance with RCW 36.70A.130(2), establishes a public
2575 participation program whereby amendments are considered by the council no more
2576 frequently than once a year as part of the update schedule established in this chapter,
2577 except that the council may consider amendments more frequently to address:

2578 1. Emergencies, only after public notice and an opportunity for public
2579 testimony, commensurate with the nature of the emergency, in the same manner as an
2580 emergency ordinance under Section 230.30 of the King County Charter;

2581 2. An appeal of the plan filed with the Central Puget Sound Growth
2582 Management Hearings Board or with the court;

2583 3. The initial adoption of a subarea plan, which may amend the ~~((u))~~Urban
2584 ~~((g))~~Growth ~~((u))~~Area boundary only to redesignate land within a joint planning area;

2585 4. An amendment of the capital facilities element of the Comprehensive Plan
2586 that occurs in conjunction with the adoption of the county budget under K.C.C.
2587 4A.100.010; or

2588 5. The adoption or amendment of a shoreline master program under chapter
2589 90.58 RCW.

2590 B. Every year the Comprehensive Plan may be updated to address technical
2591 updates and corrections, to adopt ~~((community service area))~~ subarea plans, and to
2592 consider amendments that do not require substantive changes to the Comprehensive Plan
2593 or subarea plan policy language or do not require changes to the ~~((u))~~Urban ~~((g))~~Growth

2594 ((a))Area boundary, except as ((permitted in subsection B.9. and 11. Of this section))
2595 allowed in Comprehensive Plan chapter 12. The review may be referred to as the annual
2596 update. ~~((The Comprehensive Plan, including subarea plans, may be amended in the~~
2597 ~~annual update only to consider the following:~~

- 2598 1. ~~Technical amendments to policy, text, maps or shoreline environment~~
2599 ~~designations;~~
- 2600 2. ~~The annual capital improvement plan;~~
- 2601 3. ~~The transportation needs report;~~
- 2602 4. ~~School capital facility plans;~~
- 2603 5. ~~Changes required by existing Comprehensive Plan policies;~~
- 2604 6. ~~Changes to the technical appendices and any amendments required thereby;~~
- 2605 7. ~~Comprehensive updates of subarea plans initiated by motion;~~
- 2606 8. ~~Changes required by amendments to the Countywide Planning Policies or~~
2607 ~~state law;~~
- 2608 9. ~~Redesignation proposals under the four to one program as provided for in~~
2609 ~~this chapter;~~
- 2610 10. ~~Amendments necessary for the conservation of threatened and endangered~~
2611 ~~species;~~
- 2612 11. ~~Site specific land use map amendments that do not require substantive~~
2613 ~~change to Comprehensive Plan policy language and that do not alter the urban growth~~
2614 ~~area boundary, except to correct mapping errors;~~
- 2615 12. ~~Amendments resulting from subarea studies required by Comprehensive~~
2616 ~~Plan policy that do not require substantive change to Comprehensive Plan policy~~

language and that do not alter the urban growth area boundary, except to correct mapping errors;

~~13. Changes required to implement a study regarding the provision of wastewater services to a Rural Town. The amendments shall be limited to policy amendments and adjustment to the boundaries of the Rural Town as needed to implement the preferred option identified in the study;~~

~~14. Adoption of community service area subarea plans;~~

~~15. Amendments to the Comprehensive Plan update schedule that respond to adopted ordinances and improve alignment with the timing requirements in the Washington state Growth Management Act, chapter 36.70A RCW ("the GMA"), and alignment with multicounty and countywide planning activities; or~~

~~16. Amendments to the Comprehensive Plan Workplan to change deadlines.))~~

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

2640 D.1. At the midpoint of the ~~((eight))~~ ten-year update process, a limited update to
2641 the Comprehensive Plan to address time-sensitive issues before to the next ~~((eight))~~ ten-
2642 year update, may be authorized by motion. The update may be referred to as the
2643 midpoint update. The midpoint update may include those substantive changes to the
2644 Comprehensive Plan and amendments to the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area boundary
2645 that are identified in the scope of work. The midpoint update may also include additions
2646 or amendments to the Comprehensive Plan Workplan related to a topic identified in the
2647 scope of work.

2648 2. The motion shall specify the scope of the midpoint update, and identify that
2649 the resources necessary to accomplish the work are available. A fiscal note for the scope
2650 of the midpoint update shall be provided to the council by the executive within fifteen
2651 business days of introduction of the proposed motion. If the executive determines an
2652 additional appropriation is necessary to complete the midpoint update, the executive may
2653 transmit an ordinance requesting the additional appropriation.

2654 3. If the executive proposes a midpoint update, the executive shall transmit to
2655 the council by the last business day in ~~((June))~~ March two years before the midpoint year
2656 of the ~~((eight))~~ ten-year update schedule a proposed motion specifying the scope of work
2657 for the midpoint update. The council shall have until ~~((September 15))~~ June 30 of that
2658 year, to adopt a motion specifying the scope of work initiating a midpoint update, either
2659 as transmitted or amended, or as introduced or amended. If the motion is approved by
2660 ~~((September 15))~~ June 30, the scope shall proceed as established by the approved motion.
2661 In the absence of council approval by ~~((September 15))~~ June 30, the executive shall
2662 proceed to implement the scope as transmitted. If such a motion is adopted, the

executive shall transmit a midpoint update by the last business day of June of the following year after adoption of the motion. The council shall have until June 30 of the following year after transmittal to adopt a midpoint update.

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

E. The executive shall seek public comment on the Comprehensive Plan and any proposed Comprehensive Plan update in accordance with the procedures in K.C.C. 20.18.160 before making a recommendation, which shall include publishing a public review draft of the proposed Comprehensive Plan update, in addition to conducting the public review and comment procedures required by SEPA. The public shall be afforded

at least one official opportunity to record public comment before the transmittal of a recommendation by the executive to the council. County-sponsored councils and commissions may submit written position statements that shall be considered by the executive before transmittal and by the council before adoption, if they are received in a timely manner. The executive's recommendations for changes to policies(~~(, text and maps))~~) shall include the elements listed in Comprehensive Plan policy (~~(I-207 and analysis of their financial costs and public benefits, any of which may be included in environmental review documents))~~) I-108.

F. Proposed amendments to the Comprehensive Plan shall be accompanied by any development regulations or amendments to development regulations, including area zoning, necessary to implement the proposed amendments.

SECTION 47. Ordinance 13147, Section 20, as amended, and K.C.C. 20.18.040 are hereby amended to read as follows:

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

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

2707 1. ~~Amendments that do not require substantive change to Comprehensive Plan~~
2708 ~~policy language and that do not alter the urban growth area boundary, except to correct~~
2709 ~~mapping errors; and~~

2710 2. ~~Four to one proposals~~)).

2711 C. The following categories of site-specific land use map ~~((and shoreline master~~
2712 ~~program))~~ amendments may be initiated by either the county or a property owner for
2713 consideration in the ~~((eight))~~ ten-year update or midpoint update:

2714 1. Amendments that could be considered in the annual update;

2715 2. Amendments that require substantive change to Comprehensive Plan policy
2716 language; and

2717 3. Amendments to the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area boundary.

2718 SECTION 48. Ordinance 3688, Section 813, as amended, and K.C.C. 20.18.056
2719 are hereby amended to read as follows:

2720 A. Shoreline environments designated by the master program may be considered
2721 for redesignation during the annual, midpoint, or ~~((eight))~~ ten-year update ~~((or midpoint~~
2722 ~~update))~~).

2723 B. A redesignation shall follow the process in K.C.C. 20.18.050.

2724 SECTION 49. Ordinance 13147, Section 22, as amended, and K.C.C. 20.18.060
2725 are hereby amended to read as follows:

2726 A. Beginning in ~~((2022))~~ 2030, and every ~~((eight))~~ ten years thereafter, the
2727 executive shall initiate the ten-year update to the Comprehensive Plan required by K.C.C.
2728 20.18.030.C. The ten-year update process shall occur as follows:

2729 1.a. By September 15, 2031, and every ten years thereafter, the executive shall
2730 transmit to the council a proposed motion specifying the scope of work for the proposed
2731 ten-year update to the Comprehensive Plan ((that will occur in the following year under))
2732 in subsection ((B.)) A.2. of this section. ((1.)) The scoping motion shall include as an
2733 attachment to the motion the following:

2734 ((a.)) (1) topical areas relating to amendments to policies, the land use map,
2735 implementing development regulations, or any combination of those amendments that the
2736 executive intends to consider for recommendation to the council; and

2737 ((b. an attachment to the motion advising the council of)) (2) the work
2738 program the executive intends to follow to accomplish State Environmental Policy Act
2739 review and public participation.

2740 ((2.a. For the eight year update required by RCW 36.70A.130 to be completed
2741 in 2024, the executive shall transmit to the council the scoping motion required in
2742 subsection A. of this section by March 31, 2022. The council shall have until June 15,
2743 2022, to approve the motion.

2744 b. Beginning in 2030 and every eight years thereafter, the executive shall
2745 transmit to the council the scoping motion required in subsection A. of this section by the
2746 last business day of June.))

2747 b. The council shall have until ((September 15)) December 31 of that year to
2748 approve the motion. ((3.)) In the absence of council approval, the executive shall
2749 proceed to implement the scope of work as proposed in the motion transmitted by the
2750 executive. If the motion is approved, the scope of work shall proceed as established by
2751 the approved motion.

2752 ~~((B.))~~ 2. Except as otherwise provided in subsection ~~((C.))~~ B. of this section:

2753 ~~((1. For the eight-year update required by RCW 36.70A.130 to be completed in~~

2754 ~~2024, the executive shall transmit to the council by December 29, 2023, a proposed~~

2755 ~~ordinance updating the Comprehensive Plan. The transmittal shall be accompanied by a~~

2756 ~~public participation note, identifying the methods used by the executive to ensure early~~

2757 ~~and continuous public participation in the preparation of amendments. The council shall~~

2758 ~~have until December 31, 2024, to adopt the update to the Comprehensive Plan, in~~

2759 ~~accordance with RCW 36.70A.130; and~~

2760 ~~2. Beginning in 2030))~~ a. By June 30, 2033, and every ~~((eighth))~~ ten years

2761 thereafter, the executive shall transmit to the council ~~((by the last business day of June))~~ a

2762 proposed ordinance ~~((updating))~~ for the ten-year Comprehensive Plan update. All

2763 transmittals shall be accompanied by a public participation ~~((note))~~ summary, identifying

2764 the methods used by the executive to ensure early and continuous public participation in

2765 the preparation of amendments~~((.))~~; and

2766 b. The council shall have until June 30 ~~((of the following year)), 2034, and~~

2767 every ten years thereafter to adopt ~~((an))~~ the ten-year update to the Comprehensive Plan,

2768 in accordance with RCW 36.70A.130.

2769 ~~((C.))~~ B. Separate from ~~((the eight))~~ ten-year Comprehensive Plan updates

2770 required in subsection ~~((B.))~~ A. of this section:

2771 1. Except as otherwise provided in subsection B.2. of this section, ((F))in years

2772 ~~((where there is a biennial budget proposed))~~ when the fiscal period is biennial, the

2773 capital improvement program, an update or addendum where appropriate to the

2774 transportation needs report, and the school capital facility plans shall be:

2775 a. transmitted by the executive to the council no later than transmittal of the
 2776 biennial budget; and

2777 b. adopted by the council in conjunction with the biennial budget; ~~((and))~~

2778 2. Subsection B.1. of this section shall not apply to the transportation needs
 2779 report in years when a transmitted ten-year Comprehensive Plan update is being reviewed
 2780 by the council as required in subsection A.2. of this section; and

2781 3. In years when there is only a midbiennium review of the budget under K.C.C.
 2782 4A.100.010 or, under K.C.C. 4A.100.010.B., the fiscal period for some or all of the
 2783 county funds is on an annual basis, the capital improvement program and the school
 2784 capital facility plans shall be:

2785 a. transmitted by the executive to the council by October 1; and

2786 b. adopted by the council no later than adoption of the midbiennium review or
 2787 in conjunction with the annual budget.

2788 SECTION 50. Ordinance 13147, Section 23, as amended, and K.C.C. 20.18.070
 2789 are hereby amended to read as follows:

2790 A. The executive shall transmit to the council the annual update by the last
 2791 business day of June, except that the capital improvement program ~~((and the ordinances~~
 2792 ~~adopting updates to the))~~, transportation needs report, and the school capital facility plans
 2793 shall be transmitted ~~((no later than the biennial budget transmittal and shall be adopted in~~
 2794 ~~conjunction with the budget. However, in those years when there is only a midbiennium~~
 2795 ~~review of the budget, the ordinances adopting the capital improvement plan and the~~
 2796 ~~school capital facility plans shall be transmitted by October 1, and adopted no later than~~

2797 ~~the midbiennium review under K.C.C. 4A.100.010))~~ and adopted in accordance with the
2798 schedules in K.C.C. 20.18.060.B.

2799 B. ~~((All transmittals shall be accompanied by a public participation note,~~
2800 ~~identifying the methods used by the executive to assure early and continuous public~~
2801 ~~participation in the preparation of updates.~~

2802 C.)) Proposed amendments, including site-specific land use map amendments,
2803 that are found to require preparation of an environmental impact statement, shall be
2804 considered for inclusion in the next annual, midpoint, or ~~((eight))~~ ten-year update
2805 following completion of the appropriate environmental documents.

2806 SECTION 51. Ordinance 13147, Section 24, as amended, and K.C.C. 20.18.080
2807 are hereby amended to read as follows:

2808 ~~((A. Initial subarea plans may be adopted by ordinance at any time.~~

2809 B. ~~The schedule for adoption of or comprehensive updates to Community Service~~
2810 ~~Area-s))~~ Subarea plans for the community service area and potential annexation area
2811 geographies shall be adopted consistent with ((is)) the schedule established in the
2812 Comprehensive Plan.

2813 ~~((C. Adoption of comprehensive updates of existing, non-Community Service Area~~
2814 ~~subarea plans may occur during annual updates, as allowed in K.C.C. 20.18.030, if initiated~~
2815 ~~by motion. If initiated by motion, the motion shall specify the scope of the plan, identify~~
2816 ~~the completion date, and identify that the resources necessary to accomplish the work are~~
2817 ~~available. The executive shall determine if an additional appropriation is necessary to~~
2818 ~~complete the subarea plan, and may transmit an ordinance requesting the additional~~
2819 ~~appropriation. Amendments to or comprehensive updates not initiated by motion of~~

~~existing, non-Community Service Area subarea plans shall be considered in the same manner as amendments to the Comprehensive Plan and shall be classified in accordance with K.C.C. 20.18.030.))~~

SECTION 52. Ordinance 13147, Section 25, as amended, and K.C.C. 20.18.090 are hereby amended to read as follows:

~~((The department of local services, permitting division, shall prepare implementing development regulations to accompany any proposed comprehensive plan amendments. In addition, from time to time, t))~~The ((department of local services, permitting division,)) executive may propose development regulations to further implement the comprehensive plan, consistent with the requirements of the Washington State Growth Management Act. Notice of proposed amendments to development regulations shall be provided to the state and to the public pursuant to K.C.C. 20.18.150.

SECTION 53. Ordinance 13147, Section 27, and K.C.C. 20.18.110 are hereby amended to read as follows:

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

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

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

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

2843 b. mailed to affected property owners, appropriate to the scope of the proposal,
2844 whose names appear on the rolls of the King County assessor and shall at a minimum
2845 include owners of properties within five hundred feet of affected property, at least twenty
2846 property owners in the vicinity of the property, and to any individuals or organizations
2847 that have formally requested to the department of local services, permitting division,
2848 department of performance, strategy and budget, regional planning section, or council, to
2849 be kept informed of applications in an identified area. If the additional publication
2850 referenced in subsection A.2.a. of this section is not available, the mailing radius shall be
2851 extended to one thousand feet, and at least forty property owners in the vicinity of the
2852 property. The mail shall be postmarked at least thirty days before the hearing. If the
2853 county sends the mailed notice by bulk mail, the certificate of mailing shall qualify as a
2854 postmark. Failure to notify any specific property owner shall not invalidate an area
2855 zoning proceeding or any resulting reclassification of land; and

2856 c. posted on the county website.

2857 B. Notice for site-specific land use map amendments ((will)) shall also be
2858 provided ((pursuant)) in accordance with K.C.C. 20.18.050.

2859 C. The county shall endeavor to provide ((such)) notices required by this section
2860 in nontechnical language. The notice shall indicate how the detailed description of the
2861 ordinance required by K.C.C. 20.18.100 can be obtained by a member of the public.

2862 SECTION 54. Ordinance 13147, Section 30, as amended, and K.C.C. 20.18.140
2863 are hereby amended to read as follows:

2864 A. In accordance with RCW 36.70A.470, a docket containing written
2865 ((comments on)) requests for suggested Comprehensive ((p))Plan or development

regulation amendments shall be coordinated by the department. The docket is the means either to suggest a change or to identify a deficiency, or both, in the Comprehensive Plan or development regulation. For the purposes of this section, "deficiency" refers to the absence of required or potentially desirable contents of the Comprehensive Plan or development regulation and does not refer to whether a development regulation addressed a project's probable specific adverse environmental impacts that could be mitigated in the project review process. Any interested party, including permit applicants, ~~((citizens))~~ members of the public, and government agencies, may submit items to the docket.

B. ~~((All agencies of county government having responsibility for elements of the Comprehensive Plan or implementing development regulations))~~ 1. The department shall provide a means by which ~~((citizens))~~ members of the public may docket written comments on the plan or on development regulations. The department ~~((shall))~~ should use public participation methods identified in K.C.C. 20.18.160 to ~~((solicit public use of))~~ publicize the docket. The department shall provide a mechanism for docketing amendments ~~((through))~~ on the ~~((Internet))~~ county's website.

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

~~((2.))~~ 3. Docketed comments relating to development regulations shall be reviewed by the appropriate county agency. Those requiring a Comprehensive Plan amendment shall be forwarded to the department and considered for an amendment to the Comprehensive Plan. Those not requiring a Comprehensive Plan amendment shall be

2889 considered by the responsible county agency for amendments to the development
2890 regulations.

2891 4. The deadline for submitting docketed comments is December 31 for
2892 consideration in the update process for the following year.

2893 ~~((3.))~~ 5. Except as provided in subsection B.7. of this section:

2894 a. By the last business day of April, the department shall issue an executive
2895 response to all docketed comments. Responses shall include: a classification of the
2896 recommended changes as appropriate for the annual update, midpoint update ~~((or eight))~~,
2897 ten-year update, or standalone development regulations update; and an executive
2898 recommendation indicating whether ~~((or not))~~ the docketed items are to be included in
2899 the next executive-recommended Comprehensive Plan update or a future standalone
2900 development regulations update. If the docketed changes will not be included in the next
2901 executive transmittal, the department shall indicate the reasons why, and shall inform the
2902 proponent that they may petition the council during the legislative review process~~((:))~~;
2903 and

2904 ~~((4.))~~ b. By the last business day of April, the department shall forward to the
2905 council a report including all docketed amendments and comments with an executive
2906 response. The report shall include a statement indicating that the department has
2907 complied with the notification requirements in this section. The executive shall attach to
2908 the report copies of the docket requests and supporting materials submitted by the
2909 proponents and copies of the executive response that was issued to the proponents.

2910 ~~((5. Upon))~~ 6. The docket report shall be made available on the county's
2911 website.

2912 7.a For docket requests received between scoping and transmittal of midpoint
2913 and ten-year updates, the executive shall include, as a supplemental document with
2914 transmittal of the update, an analysis and recommendation for docket requests received;
2915 and

2916 b. For docket requests received between transmittal and adoption of midpoint
2917 and ten-year updates, that are not addressed in the update, the executive shall include
2918 those requests in the next year's docket report.

2919 8. After receipt of the docket report, during the next available Comprehensive
2920 Plan update, the council shall include all proponents of docketed requests in the mailing
2921 list for agendas to all committee meetings in which the Comprehensive Plan will be
2922 reviewed ((during the next available update. At the beginning of the committee review
2923 process, the council shall develop a committee review schedule with dates for committee
2924 meetings and any other opportunities for public testimony and for proponents to petition
2925 the council to consider docket changes that were not recommended by the executive and
2926 shall attach the review schedule to the agenda whenever the Comprehensive Plan is to be
2927 reviewed))). Docket proponents may petition the council to consider docket changes that
2928 were not recommended by the executive.

2929 ~~((6 Docketed comments relating to development regulations shall be reviewed~~
2930 ~~by the appropriate county agency. Those requiring a Comprehensive Plan amendment~~
2931 ~~shall be forwarded to the department and considered for an amendment to the~~
2932 ~~Comprehensive Plan. Those not requiring a Comprehensive Plan amendment shall be~~
2933 ~~considered by the responsible county agency for amendments to the development~~
2934 ~~regulations.~~

2935 7. ~~The docket report shall be made available through the Internet. The~~
2936 ~~department shall endeavor to make the docket report available within one week of~~
2937 ~~transmittal to the council.))~~

2938 C. In addition to the docket, the department shall provide opportunities for
2939 receiving general public comments ~~((both before the docketing deadline each year, and~~
2940 ~~during the executive's review periods before transmittal to the council. The opportunities~~
2941 ~~may include, but are not limited to, the use of the following: comment cards, electronic~~
2942 ~~or posted mail, Internet, public meetings with opportunities for discussion and feedback,~~
2943 ~~printed summaries of comments received and twenty-four-hour telephone hotlines. The~~
2944 ~~executive shall assure that the opportunities for public comment are provided as early as~~
2945 ~~possible for each stage of the process, to assure timely opportunity for public input.)) at~~
2946 any time, including as provided in K.C.C. 20.18.160.

2947 SECTION 55. Ordinance 13147, Section 31, and K.C.C. 20.18.150 are hereby
2948 amended to read as follows:

2949 A. Pursuant to RCW 36.70A.106 and WAC 365-195-620, the responsible
2950 department or the council sponsor of the amendment shall notify the state of its intent to
2951 adopt amendments to the ~~((e))~~Comprehensive ~~((p))~~Plan or to development regulations ~~((at~~
2952 ~~least sixty days prior to anticipated legislative action on the proposal except for regulations~~
2953 ~~or amendments which are procedural, ministerial or required to address an emergency)),~~
2954 consistent with RCW 36.70A.106. When the state is notified, the department or the council
2955 sponsor shall also provide notice to the public, using one or more methods provided in
2956 K.C.C. 20.18.160.B₂, of the intent to amend the ~~((e))~~Comprehensive ~~((p))~~Plan ~~((and/))~~or
2957 development regulations, if such notice has not already been provided. This information

will be posted on the internet. Internet posting of the information is supplemental to other required notice, and the county's failure in any particular case to provide notice via the internet shall not constitute a procedural violation.

B. Within ten days of ~~((adoption))~~ enactment, the clerk of the council shall transmit to the state any adopted plan, amendment to the ~~((e))~~Comprehensive ~~((p))~~Plan, or development regulation. Pursuant to RCW 36.70A.106, within ten days of ~~((adoption))~~ enactment, the clerk of the council shall provide published notice in ~~((the official county))~~ a newspaper of general circulation of adoption of or amendment to the ~~((e))~~Comprehensive ~~((p))~~Plan or any development regulation. The notice shall indicate how the detailed description of the ordinance required by K.C.C. 20.18.100 can be obtained by a member of the public.

SECTION 56. Ordinance 13147, Section 32, and K.C.C. 20.18.160 are hereby amended to read as follows:

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

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

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

2. ~~((Issuance of a citizen's guide to the comprehensive plan process that provides i))~~Information on ~~((citizen))~~ public participation in the ~~((e))~~Comprehensive ~~((p))~~Plan process, a description of the procedure and schedule for amending the

2981 ~~((e))~~Comprehensive ~~((p))~~Plan ~~((and/))~~or implementing development regulation~~((s))~~s,
2982 and ~~((a guide))~~ information on how to use the docket;

2983 3. Provision for broad dissemination of the proposal and alternatives appropriate
2984 to the scope and significance of the proposal. The county shall make available to the
2985 public printed and electronic information ~~((which))~~ that clearly defines and visually
2986 portrays, when possible, the range of options under consideration by the county. ~~((This))~~
2987 The information shall also include a description of any policy considerations, the
2988 schedule for deliberation, opportunities for public participation, information on the
2989 submittal and review procedures for written comments, and the name, email address, and
2990 telephone number of the responsible official~~((s))~~s. The methods employed to provide
2991 the information may include, but are not limited to, the use of the following: published
2992 notice in ~~((the official county newspaper))~~ a newspaper of general circulation and other
2993 appropriate publications~~((, news media notification))~~; press releases~~((, mailed))~~ notice to
2994 property owners and to ~~((citizens))~~ members of the public or groups with a known
2995 interest in the proposal~~((;))~~; public ~~((education and government channel electronic kiosks~~
2996 ~~and))~~ television; the internet~~((;))~~; transit advertising~~((;))~~; telephone ~~((and fax))~~
2997 information or comment lines~~((;))~~; public review documents ~~((and displays in public~~
2998 ~~facilities, speakers bureau, and printed or computerized graphics depicting the effect of~~
2999 ~~the proposal))~~; posters; agency newsletters and mailing list; and social media. The
3000 county shall endeavor to provide such notices in nontechnical language;

3001 4. Hosting, speaking at, or attending ~~((P))~~public meetings to obtain comments
3002 from the public or other agencies on a proposed plan, amendment to the
3003 ~~((e))~~Comprehensive ~~((p))~~Plan, or implementing development regulation. Public meeting

means an informal meeting, hearing, workshop, or other public gathering of people for the purpose of obtaining public comments and providing opportunities for open discussion. ~~((All public meetings associated with review of the comprehensive plan or development regulations shall provide a means for the public to submit items for the docket.))~~ County-hosted public meetings shall be appropriately noticed to the public and should be broadly disseminated at least one week advance, except that noticing of meetings held by the King County council are subject to council rules in K.C.C. chapter 1.24. A ~~((public))~~ publicly available record of each county-hosted public meeting should be maintained to include ~~((documentation of))~~ information about attendance, record of any mailed notice, and a ~~((record))~~ recording of the meeting or a summary of public comments ~~((not incorporated in the docket));~~

5. ~~((The county shall provide))~~ Other methods of public engagement to solicit feedback about the proposal, appropriate to the scope and significance of the proposal, such as surveys, focus groups, partnering with community-based organizations, and online engagement portals; and

6. County-provided mechanisms to enable public access to additional information. The county shall provide for publicly accessible ~~((and complete))~~ records of all ~~((applications,))~~ docketed amendment requests~~((;))~~ and related background information during normal business hours. The public may seek assistance from the office of ~~((citizen complaints))~~ the ombuds to obtain time sensitive information. ~~((Methods of disseminating information may include, but are not limited to, the following: published notice of location of public review documents, use of the public education and government channel, use of electronic kiosks and the internet, telephone~~

3027 ~~information lines with or without fax options, placement of documents in public libraries~~
3028 ~~and community centers, speakers bureau and public displays.))~~

3029 C. ~~((When technical matters are considered with regard to docketed issues, or to~~
3030 ~~evaluate public testimony, due consideration shall be given to technical testimony from~~
3031 ~~the public and third party analysis may be sought when appropriate.))~~ Along with any
3032 executive's proposed Comprehensive Plan update, the executive shall transmit to the
3033 council, as supplementary material:

3034 1. a public participation summary, identifying the methods used by the
3035 executive to assure early and continuous public participation in the preparation of update;
3036 and

3037 2. a summary of the proposal in non-technical language and translated into the
3038 top six languages spoken in King County other than English.

3039 D. At the beginning of the committee review process, the council shall develop a
3040 committee review schedule with dates for committee meetings and any other
3041 opportunities for public testimony and shall attach the review schedule to the agenda
3042 whenever the Comprehensive Plan is to be reviewed.

3043 E. Errors in exact compliance with the established procedures do not render the
3044 Comprehensive Plan or development regulations invalid if the intent of the procedures is
3045 met.

3046 F. Emergency Comprehensive Plan amendments, as authorized by K.C.C.
3047 20.18.030, are exempt from the requirements of this section but still require some public
3048 notice and an opportunity public testimony before adoption of the amendments.

3049 SECTION 57. Ordinance 14047, Section 9, and K.C.C. 20.18.170 are hereby
3050 amended to read as follows:

3051 A. ~~((The total area added to the urban growth area as a result of this program~~
3052 ~~shall not exceed four thousand acres. The department shall keep a cumulative total for all~~
3053 ~~parcels added under this section. The total shall be updated annually through the plan~~
3054 ~~amendment process.))~~ The purpose of the four-to-one program is to create a contiguous
3055 band of natural area to the regional open space system adjacent to the original Urban
3056 Growth Area boundary, which was adopted in the 1994 King County Comprehensive
3057 Plan.

3058 B. Proposals under the four-to-one program:

3059 1. ~~((s))~~Shall be proposed via the docket process in K.C.C. 20.18.140, a scoping
3060 motion for a midpoint or ten-year Comprehensive Plan update, or an area zoning and land
3061 use study included in the public review draft of a Comprehensive Plan update; and

3062 2. ~~((p))~~Processed as land use amendments to the Comprehensive Plan ((and may
3063 ~~be considered in the annual update, midpoint update or eight year update. Site suitability~~
3064 ~~and development conditions for both the urban and rural portions of the proposal shall be~~
3065 ~~established through the preliminary formal plat approval process)).~~

3066 C. A triparty agreement between the county, property owner, and city or town
3067 affiliated for future annexation shall be required for all proposals. The triparty agreement
3068 shall:

3069 1. Be approved by ordinance by the legislative bodies of the county and the city
3070 or town;

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

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

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

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

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

3093 ~~((D-))~~ F. Before taking legislative action on the land use map amendment,
3094 ~~((P))~~proposals adjacent to incorporated area or potential annexation areas shall be
3095 referred to the following entities for recommendations: the affected city ~~((and))~~ or town;
3096 Indian tribes; special purpose districts ~~((for recommendations))~~, such as sewer, water, and
3097 school districts, as applicable; and state agencies, as applicable.

3098 G. For proposals adjacent to an incorporated area, conditions on the land use map
3099 amendment and triparty agreement shall prohibit development proposals or activities
3100 until the land is annexed into the adjacent city or town.

3101 SECTION 58. Ordinance 14047, Section 10, and K.C.C. 20.18.180 are hereby
3102 amended to read as follows:

3103 Rural area land may be added to the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area in
3104 accordance with the following criteria:

3105 A. A proposal to add land to the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area under this
3106 program shall meet the following criteria:

3107 1. ~~((A permanent dedication to the King County open space system of four acres~~
3108 ~~of open space is required for every one acre of land added to the urban growth area;~~

3109 2. ~~The land shall not be zoned agriculture (A);~~

3110 3. ~~The~~1) Land added to the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area shall~~((a. be~~
3111 ~~physically contiguous to urban growth area as adopted in 1994, unless the director~~
3112 ~~determines that the land directly adjacent to the urban growth area contains critical areas~~
3113 ~~that would be substantially harmed by development directly adjacent to the urban growth~~
3114 ~~area and that all other criteria can be met; and~~

3115 b.)) not ~~((be in an area where))~~ interrupt an existing contiguous band of public
3116 open space, parks, or watersheds ~~((already exists))~~ along the ~~((u))~~Urban ~~((g))~~Growth
3117 ~~((a))~~Area boundary;
3118 ~~((4. The land added to the urban growth area shall be able to be served by~~
3119 ~~sewers and other urban services;~~
3120 5.)) 2. A road serving the land added to the urban area shall not be counted as
3121 part of the required ~~((open space))~~ natural area;
3122 ~~((6. All urban facilities shall be provided directly from the urban area and shall~~
3123 ~~not cross the open space or rural area and be located in the urban area except as permitted~~
3124 ~~in subsection E of this section;~~
3125 ~~7. Open space areas shall retain a rural designation;~~
3126 8.)) 3. Land added to the Urban Growth Area for drainage facilities in support
3127 of its development shall not require dedication of natural area;
3128 4. The minimum depth of the ~~((open space buffer))~~ natural area shall be ~~((one~~
3129 ~~half of the property width, unless the director determines that a smaller buffer of))~~;
3130 a. no less than two hundred feet, unless the county determines that a smaller
3131 depth is warranted due to the topography and critical areas on the site~~((, shall))~~;
3132 b. generally parallel the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area boundary; and
3133 c. ~~((shall be))~~ configured in such a way as to connect with open space on
3134 adjacent properties;
3135 ~~((9.))~~ 5. The on-site natural area shall include a fifty-foot landscaped buffer to
3136 surround the new urban area. The buffer shall include a mix of trees, shrubs, and
3137 groundcover that are native to the area and that create a visual barrier or separator to the

new urban area. The county may determine that a larger buffer or different vegetation is warranted in order to restore the natural area or habitat or would better protect natural resources and functions and land use compatibility in the area;

6. The minimum size of the property to be considered is twenty acres. Smaller parcels may be combined to meet the twenty-acre minimum;

~~((10. Urban development under this section shall be limited to residential development and shall be at a minimum density of four dwelling units per acre;))~~ and

~~((11.))~~ 7. The land to be retained ~~((in open space))~~ as natural area is not needed for any facilities necessary to support the urban development; and

B. ~~((A proposal that adds two hundred acres or more to the urban growth area shall also meet the following criteria:~~

~~1. The proposal shall include a mix of housing types including thirty percent below market rate units affordable to low, moderate and median income households;~~

~~2. In a proposal in which the thirty percent requirement in subsection B.1 of this section is exceeded, the required open space dedication shall be reduced to three and one-half acres of open space for every one acre added to the urban growth area;~~

C. ~~A proposal that adds less than two hundred acres to the urban growth area and that meets the affordable housing criteria in subsection B.1. of this section shall be subject to a reduced open space dedication requirement of three and one-half acres of open space for every one acre added to the urban growth area;~~

~~D. Requests for redesignation))~~ Proposals shall be evaluated to determine those that are the highest quality, including, but not limited to, consideration of the following:

3160 1. Preservation of fish and wildlife habitat, including wildlife habitat networks,
 3161 and habitat for endangered and threatened species;
 3162 2. Provision of regional open space connections;
 3163 3. Protection of wetlands, stream corridors, ~~((ground-water))~~ groundwater, and
 3164 water bodies;
 3165 4. Preservation of unique natural, biological, cultural, historical, or
 3166 archeological resources;
 3167 5. The size of ~~((open-space))~~ natural area dedication and connection to other
 3168 open space ~~((dedications))~~ along the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area boundary; and
 3169 6. The ability to provide extensions of urban services to the redesignated urban
 3170 areas; and
 3171 ~~((E-))~~ C. The ~~((open-space-acquired))~~ land dedicated through ~~((this))~~ the four-to-
 3172 one program shall be preserved primarily as natural areas. ~~((p))~~ Passive recreation, ~~((sites~~
 3173 ~~or resource lands for))~~ farming, ~~((and))~~ or forestry may also be allowed as an alternative
 3174 to natural area. The following additional uses may be allowed only if located on a small
 3175 portion of the ~~((open-space))~~ natural area and ~~((provided that))~~ only if these uses are
 3176 found to be compatible with the site's ~~((natural-open-space))~~ values and functions:
 3177 1. Trails;
 3178 2. Compensatory mitigation of wetland losses on the urban ~~((designated))~~
 3179 portion of the ~~((project))~~ proposal, consistent with the ~~((King County))~~ Comprehensive
 3180 Plan and K.C.C. chapter 21A.24; and
 3181 3. Active recreation uses not to exceed five percent of the total ~~((open-space))~~
 3182 natural area, including any off-site natural area dedicated for the proposal. ~~((The~~

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

NEW SECTION. SECTION 59. There is hereby added to K.C.C. chapter 20.18 a new section to read as follows:

- For a four-to-one proposal that adds ten or more dwelling units:
- A.1. Thirty percent of the total number of dwelling units shall be affordable units.
2. For proposals that include only owner-occupied market rate dwelling units, all affordable dwelling units shall be:
- a. owner-occupied dwelling units;
 - b. affordable to residents earning up to eighty percent of area median income;
- and
- c. affordable for at least fifty years from the date of initial occupancy.
3. For proposals that include only rental dwelling units, all affordable dwelling units shall be:
- a. rental dwelling units;
 - b. affordable to residents earning up to sixty percent of area median income;
- and
- c. affordable for the life of the project.
4. For proposals that include both homeownership and rental dwelling units:

3206 a. the proportion of affordable rental dwelling units to affordable owner-
3207 occupied dwelling units shall be identical to the proportion of market rate rental dwelling
3208 units to market rate owner-occupied dwelling units; and

3209 b. meet the applicable affordability levels in subsections A.2. and A.3. of this
3210 section.

3211 B. Accessory dwelling units shall not be used to meet the requirements of this
3212 section.

3213 C. Developments subject to this section shall be subject to K.C.C. 21A.48.060
3214 and K.C.C. 21A.48.080. The county may modify or waive the standards in these sections
3215 if the county determines them to not be applicable to a four-to-one proposal.

3216 NEW SECTION. SECTION 60. There is hereby added to K.C.C. chapter 20.18
3217 a new section to read as follows:

3218 A. The effective date of an amendment that adds land to the Urban Growth Area,
3219 removes land from the agricultural production district or forest production district, or
3220 removes land from the mineral resources map shall be after the following:

3221 1. Sixty-one days after the date of publication of notice of adoption of the
3222 Comprehensive Plan; and

3223 2. If a petition for review to the growth management hearings board is timely
3224 filed, upon issuance of the board's final order.

3225 B. The effective date required in subsection A. of this section, and language
3226 direction notification to the clerk of the council, shall be specified in the ordinance
3227 adopting the amendments.

3228 SECTION 61. Ordinance 12196, Section 9, as amended, and K.C.C. 20.20.020
3229 are hereby amended to read as follows:

3230 A. Land use permit decisions are classified into four types, based on who makes
3231 the decision, whether public notice is required, whether a public hearing is required
3232 before a decision is made, and whether administrative appeals are provided. The types of
3233 land use decisions are listed in subsection E. of this section.

3234 1. Type 1 decisions are made by the permitting division manager or designee
3235 ("the director") of the department of local services ("the department"). Type 1 decisions
3236 are nonappealable administrative decisions.

3237 2. Type 2 decisions are made by the director. Type 2 decisions are discretionary
3238 decisions that are subject to administrative appeal.

3239 3. Type 3 decisions are quasi-judicial decisions made by the hearing examiner
3240 following an open record hearing.

3241 4. Type 4 decisions are quasi-judicial decisions made by the council based on
3242 the record established by the hearing examiner.

3243 B. Except as provided in K.C.C. 20.44.120.A.7. and K.C.C. 25.32.080, or unless
3244 otherwise agreed to by the applicant, all Type 2, 3, and 4 decisions included in
3245 consolidated permit applications that would require more than one type of land use
3246 decision process may be processed and decided together, including any administrative
3247 appeals, using the highest-numbered land use decision type applicable to the project
3248 application.

3249 C. Certain development proposals are subject to additional procedural
3250 requirements beyond the standard procedures established in this chapter.

3251 D. Land use permits that are categorically exempt from review under SEPA do
 3252 not require a threshold determination (determination of nonsignificance ["DNS"] or
 3253 determination of significance ["DS"]). For all other projects, the SEPA review
 3254 procedures in K.C.C. chapter 20.44 are supplemental to the procedures in this chapter.

3255 E. Land use decision types are classified as follows:

| | | |
|--------|--|--|
| TYPE 1 | (Decision by director, no administrative appeal) | Temporary use permit for a homeless encampment <u>or</u> <u>temporary microshelter village</u> under K.C.C. chapter 21A.45, <u>except as required by K.C.C. 21A.45.100</u> ; 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; boundary line adjustment; ((right-of-way)) <u>right-of-way permit</u> ; variance from K.C.C. chapter 9.04; shoreline exemption; 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; decisions to approve, condition, or deny nonresidential elevation and dry floodproofing variances for agricultural buildings that do not equal or exceed a maximum assessed value of sixty-five thousand dollars under K.C.C. chapter 21A.24; approval of a |
|--------|--|--|

| | | |
|---------------------------------|--|--|
| | | <p>conversion-option harvest plan; 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; approvals for agricultural activities and agricultural support services authorized under K.C.C. 21A.42.300; <u>in the urban area:</u> <u>microsubdivision, microsubdivision revision, microsubdivision alteration, or microsubdivision vacation;</u> final short plat; final plat; critical area determination.</p> |
| <p>TYPE 2^{1,2}</p> | <p>(Decision by director appealable to hearing examiner, no further administrative appeal)</p> | <p><u>Except those classified as microsubdivisions in the urban area, ((S))short ((plat)) subdivision, short ((plat)) subdivision revision, short ((plat)) subdivision alteration, or short ((plat)) subdivision vacation;</u> zoning variance; conditional use permit; temporary use permit under K.C.C. chapter 21A.32; temporary use permit for a homeless encampment <u>or temporary microshelter village</u> under K.C.C. 21A.45.100; shoreline substantial development permit³; building permit, site development permit, or clearing and grading permit for which the department has issued a determination of significance; reuse of public schools; reasonable use exceptions under K.C.C. 21A.24.070.B.; preliminary determinations under</p> |

| | | |
|-----------------------|--|---|
| | | K.C.C. 20.20.030.B.; decisions to approve, condition, or deny alteration exceptions or variances to floodplain development regulations under K.C.C. chapter 21A.24; extractive operations under K.C.C. 21A.22.050; binding site plan; waivers from the moratorium provisions of K.C.C. 16.82.140 based upon a finding of special circumstances; sea level rise risk area variance adopted in K.C.C. chapter 21A.23. |
| TYPE 3 ¹ | (Recommendation by director, hearing and decision by hearing examiner, no further administrative appeal) | Preliminary ((plat)) <u>subdivision</u> ; plat alterations; preliminary ((plat)) <u>subdivision</u> revisions; plat vacations; special use. |
| TYPE 4 ^{1,4} | (Recommendation by director, hearing and recommendation by hearing examiner, decision by county council on the record) | Zone reclassifications; shoreline environment redesignation; ((urban planned development)) amendment or deletion of P suffix conditions; deletion of special district overlay. |

3256 ¹ See K.C.C. 20.44.120.C. for provisions governing procedural and substantive SEPA
3257 appeals and appeals of Type 2, 3, and 4 decisions.

3258 ² When an application for a Type 2 decision is combined with other permits requiring
3259 Type 3 or 4 land use decisions under this chapter, the examiner, not the director, makes
3260 the decision.

3261 ³ A shoreline permit, including a shoreline variance or conditional use, is appealable to
3262 the state Shorelines Hearings Board and not to the hearing examiner.

3263 ⁴ Approvals that are consistent with the Comprehensive Plan may be considered by the
3264 council at any time. Zone reclassifications that are not consistent with the
3265 Comprehensive Plan require a site-specific land use map amendment and the council's
3266 hearing and consideration shall be scheduled with the amendment to the Comprehensive
3267 Plan under K.C.C. 20.18.040 and 20.18.060.

3268 F. The definitions in K.C.C. 21A.45.020 apply to this section.

3269 SECTION 62. Ordinance 16950, Section 10, as amended, and K.C.C. 20.20.035
3270 are hereby amended to read as follows:

3271 When an applicant is required by K.C.C. ~~((chapter))~~ Title 21A((-08)) to conduct a
3272 community meeting, under this section, before filing of an application, notice of the
3273 meeting shall be given and the meeting shall be conducted as follows:

3274 A. At least two weeks in advance, the applicant shall:

3275 1. Publish notice of the meeting in the local paper and mail and email to the
3276 department; and

3277 2. Mail notice of the meeting to all property owners within five hundred feet or
3278 at least twenty of the nearest property owners, whichever is greater, as provided in
3279 K.C.C. 21A.26.170 of any potential sites, identified by the applicant for possible
3280 development, to be discussed at the community meeting. The mailed notice shall, at a
3281 minimum, contain a brief description and purpose of the proposal, approximate location
3282 noted on an assessor map with address and parcel number, photograph or sketch of any
3283 existing or proposed structures, a statement that alternative sites proposed by ~~((citizens))~~

3284 the public can be presented at the meeting that will be considered by the applicant, a
3285 contact name and telephone number to obtain additional information, and other
3286 information deemed necessary by the department of local services, permitting division.
3287 Because the purpose of the community meeting is to promote early discussion, applicants
3288 shall ~~((to))~~ note any changes to the conceptual information presented in the mailed
3289 notices when they submit ~~((an))~~ applications;

3290 B. At the community meeting at which at least one employee of the department
3291 of local services, permitting division, assigned by the permitting division manager or
3292 designee, shall be in attendance, the applicant shall provide information relative to the
3293 proposal and any modifications proposed to existing structures or any new structures and
3294 how the proposal is compatible with the character of the surrounding neighborhood.

3295 ~~((An))~~ C. At time of application, the applicant shall ~~((also))~~ provide ~~((with the~~
3296 ~~applicant's application))~~ a list of meeting attendees~~((;))~~ and those receiving mailed notice
3297 of the meeting and a record of the published meeting notice; and

3298 ~~((C.))~~ D. The applicant shall, in the notice required under subsection A.2. of this
3299 section, and at the community meeting required under subsection B. of this section,
3300 advise that persons interested in the applicant's proposal may monitor the progress of the
3301 permitting of that proposal by contacting the department or by viewing the department's
3302 website, the address of which will be provided in the notice and at the community
3303 meeting.

3304 SECTION 63. Ordinance 12196, Section 16, as amended, and K.C.C. 20.20.090
3305 are hereby amended to read as follows:

3306 A. In accordance with K.C.C. 20.20.100, the department shall provide notice of:

3307 1. ~~((It is))~~Final Type 1 decisions subject to SEPA, including the threshold
3308 determination, if any;

3309 2. ~~((It is))~~ Type 2 decisions; and

3310 3. ~~((It is))~~ Type 3 and 4 recommendations.

3311 B. The notice shall include the applicable procedures for either an administrative
3312 appeal to, or further consideration by, the examiner.

3313 C. The notice shall be provided to:

3314 1. The applicant;

3315 2. If required by SEPA, the Department of Ecology and to agencies with
3316 jurisdiction as defined in chapter 197-11 WAC;

3317 3. If required by chapter 90.58 RCW, the Department of Ecology and the
3318 Attorney General;

3319 4. Any person who, before the decision or recommendation, had requested
3320 notice of the decision or recommendation from, or submitted comments to, the
3321 department; and

3322 5. Owners of record of property in an area within five hundred feet of the site.
3323 The area shall be expanded when the department determines it is necessary to send
3324 mailed notices to at least twenty different property owners.

3325 D. Except for decisions regarding shoreline substantial development permits,
3326 shoreline variances and shoreline conditional uses, which are only appealable to the state
3327 Shorelines Hearings Board, any administrative appeal or further consideration by the
3328 examiner is subject to K.C.C. chapter 20.22.

3329 SECTION 64. Ordinance 12196, Section 17, as amended, and K.C.C. 20.20.100

3330 are hereby amended to read as follows:

3331 A. The department shall issue its Type 3 or Type 4 recommendation to the office
3332 of the hearing examiner within one hundred fifty days from the date the department
3333 notifies the applicant that the application is complete. The periods for action by the
3334 examiner shall be governed by K.C.C. chapter 20.22 and the rules for conducting the
3335 examiner process adopted under K.C.C. 20.22.230.

3336 B.1. Except as otherwise provided in subsection B.2. of this section, the
3337 department shall issue its final decision on a Type 1 or Type 2 decision within one
3338 hundred twenty days from the date the department notified the applicant that the
3339 application is complete.

3340 2. The following periods apply to the type of land use permit indicated:

- | | | |
|----|--|---------|
| a. | New residential building permits | 90 days |
| b. | Residential remodels | 40 days |
| c. | Residential appurtenances, such as decks and garages | 15 days |
| d. | Residential appurtenances, such as decks and garages that require substantial review | 40 days |
| e. | Clearing and grading | 90 days |
| f. | ((Department of P)) Public health - <u>Seattle & King</u> <u>County</u> review | 40 days |
| g. | Type 1 temporary use permit for a homeless encampment | 30 days |

h. Type 2 temporary use permit for a homeless 40 days
encampment

3341 C. The following periods shall be excluded from the times specified in
3342 subsections A., B., and H. of this section:

3343 1.a. Any period during which the applicant has been requested by the
3344 department, the hearing examiner, or the council to correct plans, perform required
3345 studies, or provide additional information, including road variances and ~~((variances))~~
3346 adjustments required under K.C.C. chapter 9.04. The period shall be calculated from the
3347 date of notice to the applicant of the need for additional information until the earlier of
3348 the date the county advises the applicant that the additional information satisfies the
3349 county's request or fourteen days after the date the information has been provided. If the
3350 county determines that corrections, studies, or other information submitted by the
3351 applicant is insufficient, it shall notify the applicant of the deficiencies and the procedures
3352 of this section shall apply as if a new request for information had been made.

3353 ~~((a-))~~ b. The department shall set a reasonable deadline for the submittal of
3354 corrections, studies, or other information, and shall provide written notification to the
3355 applicant. The department may extend the deadline upon receipt of a written request
3356 from an applicant providing satisfactory justification for an extension.

3357 ~~((b-))~~ c. When granting a request for a deadline extension, the department shall
3358 give consideration to the number of days between the department receiving the request
3359 for a deadline extension and the department ~~((mailing))~~ providing electronic notice of its
3360 decision regarding that request;

3361 2. The period during which an environmental impact statement is being
3362 prepared following a determination of significance under chapter 43.21C RCW, as ((set
3363 forth)) established in K.C.C. 20.44.050;

3364 3. The period during which an appeal is pending that prohibits issuing the
3365 permit;

3366 4. Any period during which an applicant fails to post the property, if required by
3367 this chapter, following the date notice is required until an affidavit of posting is provided
3368 to the department by the applicant;

3369 5. Any time extension mutually agreed upon by the applicant and the
3370 department; and

3371 6. Any time during which there is an outstanding fee balance that is sixty days
3372 or more past due.

3373 D. Failure by the applicant to submit corrections, studies, or other information
3374 acceptable to the department after two written requests under subsection C. of this section
3375 shall be cause for the department to cancel or deny the application.

3376 E. The time limits established in this section shall not apply if a proposed
3377 development:

3378 1. Requires either: an amendment to the Comprehensive Plan or a development
3379 regulation; or modification or waiver of a development regulation as part of a
3380 demonstration project;

3381 2. ~~((Requires approval of a new fully contained community as provided in RCW~~
3382 ~~36.70A.350, master planned resort as provided in RCW 36.70A.360, or the siting of)) Is~~
3383 an essential public facility as provided in RCW 36.70A.200; or

3. Is revised by the applicant, when the revisions will result in a substantial change in a project's review requirements, as determined by the department, in which case the period shall start from the date at which the revised project application is determined to be complete.

F. The time limits established in this section may be exceeded on more complex projects. If the department is unable to issue its Type 1 or Type 2 decision or its Type 3 or Type 4 recommendation within the time limits established by this section, it shall provide written notice of this fact to the applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date for issuance of the notice of a Type 1 or Type 2 decision or a Type 3 or Type 4 recommendation.

G. The department shall require that all plats, short plats, building permits, clearing and grading permits, conditional use permits, special use permits, site development permits, shoreline substantial development permits, or binding site plans(~~urban planned development permits, or fully contained community permits~~)), issued for development activities on or within five hundred feet of designated agricultural lands, forest lands, or mineral resource lands, contain a notice that the subject property is within or near designated agricultural lands, forest lands, or mineral resource lands, on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration.

H. To the greatest extent practicable, the department shall make a final determination on all permits required for a Washington state Department of Transportation project on a state highway as defined in RCW 46.04.560 with an

3406 estimated cost of less than five hundred million dollars no later than ninety days after
3407 receipt of a complete permit application.

3408 SECTION 65. Ordinance 12196, Section 19, as amended, and K.C.C. 20.20.120
3409 are hereby amended to read as follows:

3410 The ~~((director))~~ department shall ~~((issue a citizens guide to))~~ produce guides
3411 describing permit processing, including making an appeal or participating in a hearing.
3412 The department shall make them available to the public and shall post them to its website.

3413 SECTION 66. Ordinance 4461, Section 10, as amended, and K.C.C. 20.22.150
3414 are hereby amended to read as follows:

3415 Examiner recommendations on an application for a zone reclassification shall
3416 include findings on whether the application meets ~~((both of))~~ the following:

3417 A. The proposed rezone is consistent with the King County Comprehensive Plan,
3418 including, but not limited to, policies, narrative, maps, and land use designations; ((and))

3419 B.1.a. The property is potentially zoned under K.C.C. 21A.04.170 for the
3420 reclassification being requested; or

3421 ~~((2-))~~ b. An adopted subarea plan~~((, subarea study,))~~ or an area zoning and land
3422 use study specifies that the property shall be subsequently considered through an
3423 individual reclassification application; or

3424 ~~((3-))~~ 2. The requested reclassification is based on ~~((changed))~~ a substantial
3425 change in unincorporated area conditions, including but not limited to:

3426 a. the availability of public facilities or infrastructure;

3427 b. development patterns on surrounding parcels; or

3428 c. the quantity or quality of critical areas, not caused by actions of the
3429 applicant; and

3430 C. That the classification would not harm or diminish the surrounding area.

3431 SECTION 67. Ordinance 9544, Section 16, as amended, and K.C.C. 20.22.180
3432 are hereby amended to read as follows:

3433 For a proposed preliminary (~~(plat)~~) subdivision, the examiner decision shall
3434 include findings as to whether:

3435 A. Appropriate provisions are made for the public health, safety, and general
3436 welfare and for such open spaces, drainage ways, streets or roads, alleys, other public
3437 ways, transit stops, potable water supplies, sanitary wastes, parks and recreation,
3438 playgrounds, schools, and school grounds, and all other relevant facts, including
3439 sidewalks and other planning features that assure safe walking conditions for students
3440 who walk to and from school; (~~(and)~~)

3441 B. The public use and interest will be served by platting the subdivision and
3442 dedication; and

3443 C. When a subdivision uses transfer of development rights to exceed base
3444 density, the additional density does not create unmitigated impacts beyond those created
3445 by development at base density.

3446 SECTION 68. Ordinance 10511, Section 7, as amended, and K.C.C. 20.36.100
3447 are hereby amended to read as follows:

3448 A. The definitions in this section apply throughout this section, as well as in
3449 K.C.C. 20.36.040 and K.C.C. (~~(20.30.190)~~) 20.36.190, unless the context clearly requires
3450 otherwise.

3451 B. To be eligible for open space classification under the public benefit rating
3452 system, a property (~~((must))~~) shall contain one or more qualifying open space resources
3453 and have at least five points as determined under this section. The department shall
3454 review each application and recommend award of credit for current use of the property.
3455 In making the recommendation, the department shall utilize the point system described in
3456 subsections C. and D. of this section.

3457 C. The following open space resources are each eligible for the points indicated:

3458 1. Active trail linkage - fifteen or twenty-five points. "Active trail linkage"
3459 means land in private ownership through which the owner agrees to allow
3460 (~~((nonmotorized))~~) public passage for active transportation, as defined in section 17 of this
3461 ordinance, for the purpose of providing a connection between trails within the county's
3462 regional trails system and local or regional attractions or points of interest, for trail users
3463 including equestrians, pedestrians, bicyclists, and other users. "Local or regional
3464 attractions or points of interest" include other trails, parks, waterways, or other
3465 recreational and open space attractions, retail centers, arts and cultural facilities,
3466 transportation facilities, residential concentrations, or similar destinations. The linkage
3467 (~~((must))~~) shall be open to passage by the general public and the property owner shall enter
3468 into an agreement with the county consistent with applicable parks and recreation
3469 division policies to grant public access. To receive twenty-five points, the property
3470 owner shall enter into an agreement with the county regarding improvement of the trail,
3471 including trail pavement and maintenance. To receive fifteen points, the property owner
3472 shall agree to allow a soft-surface, nonpaved trail. The parks and recreation division is

authorized to develop criteria for determining the highest priority linkages for which it will enter into agreements with property owners;

2. Aquifer protection area - five points. "Aquifer protection area" means property that has a plant community in which native plants are dominant and that includes an area designated as a critical aquifer recharge area under K.C.C. chapter 21A.24 or applicable city critical aquifer recharge area regulations. At least fifty percent of the enrolling open space area or a minimum of one acre of open space shall be designated as a critical aquifer recharge area. If the enrolling open space area does not have a plant community in which native plants are dominant, ~~((a plan for))~~ revegetation ~~((must be submitted))~~ shall occur subject to a revegetation plan reviewed and approved by the department ~~((, and must be implemented according to the plan's proposed schedule of activities))~~;

3. Buffer to public or current use classified land - three points. "Buffer to public or current use classified land" means land that has a plant community in which native plants are dominant or has other natural features, such as streams or wetlands, and that is abutting and provides a buffer to a publicly owned park, trail, or forest, to land legally required to remain in a natural state, to a state or federal highway, or to a property participating in a current use taxation program under chapters 84.33 or 84.34 RCW. The buffer ~~((must))~~ shall be at least fifty feet long and fifty feet in wide. Public roads may separate the public land, or land in private ownership classified under chapters 84.33 or 84.34 RCW, from the buffering land, if the entire buffer is at least as wide and long as the adjacent section of the road easement. Landscaping or other nonnative vegetation may not separate the public land or land enrolled under chapters 84.33 or 84.34 RCW from the

3496 native vegetation buffer. The department may grant an exception to the native vegetation
3497 requirement for property along parkways with historic designation, upon review and
3498 recommendation of the historic preservation officer of King County or the local
3499 jurisdiction in which the property is located. Eligibility for this exception does not
3500 extend to a property where plantings are required or existing plant communities are
3501 protected under local zoning codes, development mitigation requirements, or other local
3502 regulations;

3503 4. Ecological enhancement land – eighteen points. "Ecological enhancement
3504 land" means open space lands undergoing recovery of significantly degraded or lost
3505 ecological function or processes. The following requirements shall be met:

3506 a. A jurisdiction, natural resource agency, or appropriate organization has
3507 committed to sponsoring the ecological enhancement project, with secured funding in
3508 place before the application's public hearing;

3509 b. The ecological enhancement project (~~((must))~~) shall include removing
3510 significant human-made structures, alterations, or impediments such as shoreline
3511 armoring, roads, culverts, and wetland fill that are detrimental to significant wildlife or
3512 salmonid habitat. The intent of the removal (~~((must))~~) shall be to reestablish natural
3513 function or processes to the project area;

3514 c. The owner is responsible for providing and implementing an ecological
3515 enhancement plan for the proposed project. The approved enhancement plan (~~((must))~~)
3516 shall include at least a statement of purpose, detailed description of work to be done, site
3517 map of the project area, and specific timeline for the enhancement activities to be

3518 completed ~~((and must be approved))~~. The enhancement plan is subject to approval by the
3519 department; and

3520 d. The owner shall annually provide to the department a monitoring report
3521 detailing the enhancement efforts' success for five years following enrollment. The
3522 owner shall also provide any additional monitoring reports required by K.C.C. 20.36.190.
3523 The monitoring report ~~((must))~~ shall describe the progress and success of the
3524 enhancement project and ~~((must))~~ shall include photographs to document the success.
3525 Land receiving credit for this category may not receive credit for the rural stewardship
3526 land or resource restoration categories;

3527 5. Equestrian-pedestrian-bicycle trail linkage - thirty-five points. "Equestrian-
3528 pedestrian-bicycle trail linkage" means land in private ownership that the property owner
3529 allows the public to use as an off-road trail linkage for equestrian, pedestrian, or other
3530 ~~((nonmotorized))~~ active transportation, as defined in section 17 of this ordinance, uses, or
3531 that provides a trail link from a public right-of-way to a trail system. Use of motorized
3532 vehicles is prohibited on trails receiving a tax reduction for this category, except for
3533 maintenance or for medical, public safety, or police emergencies. Public access is
3534 required only on that portion of the property containing the trail. The landowner may
3535 impose reasonable restrictions on access that are mutually agreed to by the landowner
3536 and the department, such as limiting use to daylight hours. To be eligible as an
3537 equestrian-pedestrian-bicycle trail linkage, the owner shall provide a trail easement to an
3538 appropriate public or private entity acceptable to the department. The easement shall be
3539 recorded with the King County recorder's office or its successor. In addition to the area
3540 covered by the trail easement, adjacent land used as pasture, barn, or stable area and any

3541 corral or paddock may be included, if an approved and implemented farm management
3542 plan is provided. Land necessary to provide a buffer from the trail to other nonequestrian
3543 uses, land that contributes to the aesthetics of the trail, such as a forest, and land set aside
3544 and marked for off road parking for trail users may also be included as land eligible for
3545 current use taxation. Those portions of private roads, driveways, or sidewalks open to the
3546 public for this purpose may also qualify. Fencing and gates are not allowed in the trail
3547 easement area, except those that are parallel to the trail or linkage;

3548 6. Farm and agricultural conservation land - five points. "Farm and agricultural
3549 conservation land" means land previously classified as farm and agricultural land under
3550 RCW 84.34.020 that no longer meets the criteria of farm and agricultural land, or
3551 traditional farmland not classified under chapter 84.34 RCW that has not been
3552 irrevocably devoted to a use inconsistent with agricultural uses and has a high potential
3553 for returning to commercial agriculture. The property (~~((must))~~) shall be used for farm and
3554 agricultural activities or have a high probability of returning to agriculture and the
3555 property owner (~~((must))~~) shall commit to returning the property to farm or agricultural
3556 activities by implementing a farm management plan. An applicant (~~((must))~~) shall have an
3557 approved farm management plan in accordance with K.C.C. 21A.24.051 that is
3558 acceptable to the department and that is being implemented according to its proposed
3559 schedule of activities before receiving credit for this category. Farm and agricultural
3560 activities (~~((must))~~) shall occur on at least one acre of the property. Eligible land (~~((must))~~)
3561 shall be zoned to allow agricultural uses and be owned by the same owner or held under
3562 the same ownership. Land receiving credit for this category may not receive credit for
3563 the contiguous parcels under separate ownership category;

3564 7. Forest stewardship land - five points. "Forest stewardship land" means
3565 property that is managed according to an approved forest stewardship plan and that is not
3566 enrolled in the designated forestland program under chapter 84.33 RCW. The property
3567 ~~((must))~~ shall contain at least four acres of contiguous forestland, which may include land
3568 undergoing reforestation, according to the approved plan. The owner shall have and
3569 implement a forest stewardship plan approved by the department. The forest stewardship
3570 plan may emphasize forest retention, harvesting, or a combination of both. Land
3571 receiving credit for this category may not receive credit for the resource restoration or
3572 rural stewardship land categories;

3573 8. Historic landmark or archeological site: buffer to a designated site - three
3574 points. "Historic landmark or archaeological site: buffer to a designated site" means
3575 property adjacent to land constituting or containing a designated county or local historic
3576 landmark or archeological site, as determined by King County's historic preservation
3577 officer or by a manager of a certified local government program in the jurisdiction in
3578 which the property is located. A property ~~((must))~~ shall have a plant community in which
3579 native plants are dominant and provide a significant buffer for a designated landmark or
3580 archaeological site listed on the county or other certified local government list or register
3581 of historic places or landmarks. "Significant buffer" means land and plant communities
3582 that provide physical, visual, noise, or other barriers and separation from adverse effects
3583 to the historic resources due to adjacent land use;

3584 9. Historic landmark or archeological site: designated site – five points.
3585 "Historic landmark or archaeological site: designated site" means land that constitutes or
3586 contains a historic landmark designated by King County or other certified local

3587 government program in the jurisdiction in which the property is located. Historic
3588 landmarks include buildings, structures, districts, or sites of significance in the county's
3589 historic or prehistoric heritage, such as Native American settlements, trails, pioneer
3590 settlements, farmsteads, roads, industrial works, bridges, burial sites, prehistoric and
3591 historic archaeological sites, or traditional cultural properties. A property (~~(must)~~) shall
3592 be listed on a county or other certified local government list or register of historic places
3593 or landmarks for which there is local regulatory protection. Eligible property may
3594 include property that contributes to the historic character within designated historic
3595 districts, as defined by the historic preservation officer of King County or other certified
3596 local government jurisdiction. The King County historic preservation officer shall make
3597 the determination on eligibility;

3598 10. Historic landmark or archeological site: eligible site - three points.
3599 "Historic landmark or archaeological site: eligible site" means land that constitutes or
3600 contains a historic property that has the potential of being designated by a certified local
3601 government jurisdiction, including buildings, structures, districts, or sites of significance
3602 in the county's historic or prehistoric heritage, such as Native American settlements,
3603 pioneer settlements, farmsteads, roads, industrial works, bridges, burial sites, prehistoric
3604 and historic archaeological sites, or traditional cultural properties. To be eligible, the
3605 historic preservation officer of King County or other certified local government program
3606 in the jurisdiction in which the property is located shall determine the property meets the
3607 jurisdiction's criteria for designation and listing on the county or other local register of
3608 historic places or landmarks for which there is local regulatory protection. Eligible
3609 property may include contributing property within designated historic districts. Property

3610 listed ~~((on))~~ in the state or national Registers of Historic Places may qualify under this
3611 category;

3612 11. Public recreation area - five points. "Public recreation area" means land
3613 devoted to providing active or passive recreation use or that complements or substitutes
3614 for recreation facilities characteristically provided by public agencies. Use of motorized
3615 vehicles is prohibited, except for golf carts on golf courses, for maintenance, or for
3616 medical, public safety, or police emergencies. The facilities ~~((must))~~ shall be open to the
3617 general public or to specific public user groups, such as youth, seniors ~~((citizens))~~, or
3618 people with disabilities. A property ~~((must))~~ shall be identified by the responsible agency
3619 within whose jurisdiction the property is located as meeting the definition of public
3620 recreation area. The property owner ~~((must))~~ shall use any best practices defined in
3621 K.C.C. chapter 21A.06. If a fee is charged for use, it ~~((must))~~ shall be comparable to the
3622 fee charged by a similar public facility;

3623 12. Rural open space - five points. "Rural open space" means an area of ten or
3624 more contiguous acres of open space located outside of the ~~((u))~~Urban ~~((g))~~Growth
3625 ~~((a))~~Area as identified in the King County Comprehensive Plan that:

3626 a. has a plant community in which native plants are dominant; or
3627 b. is former open farmland, woodlots, scrublands, or other lands that are in the
3628 process of being replanted with native vegetation and for which the property owner is
3629 implementing an approved farm management, ecological enhancement, forest
3630 stewardship, rural stewardship, or resource restoration plan acceptable to the department;

3631 13. Rural stewardship land - five points. "Rural stewardship land" means land
3632 zoned RA (rural area), A (agricultural), or F (forest), that has an implemented rural

3633 stewardship plan under K.C.C. chapter 21A.24 acceptable to the department. On RA-
3634 zoned properties, the approved rural stewardship plan ((~~must~~)) shall meet the goals and
3635 standards of K.C.C. 21A.24.055. On A- and F-zoned properties, credit for this category
3636 is allowed if the plan meets the goals of K.C.C. 21A.24.055. A rural stewardship plan
3637 includes, but is not limited to, identification of critical areas, location of structures and
3638 significant features, site-specific best management practices, a schedule for
3639 implementation, and a plan for monitoring as provided in K.C.C. 21A.24.055. To be
3640 eligible as rural stewardship land, the open space ((~~must~~)) shall be at least one acre and
3641 feature a plant community in which native plants are dominant or be in the process of
3642 native vegetation restoration, reforestation, or enhancement. Land receiving credit for
3643 this category may not receive credit for the ecological enhancement land, resource
3644 restoration, or forest stewardship land categories;

3645 14. Scenic resource, viewpoint or view corridor – five points.

3646 a. "Scenic resource" means an area of natural or recognized cultural features
3647 visually significant to the aesthetic character of the county. The site ((~~must~~)) shall be
3648 significant to the identity of the local area, ((~~must~~)) be visible to a significant number of
3649 the general public from public rights-of-way, ((~~must~~)) be of sufficient size to
3650 substantially preserve the scenic resource value, and ((~~must~~)) enroll at least ten acres of
3651 open space.

3652 b. A "viewpoint" means a property that provides a view of an area visually
3653 significant to the aesthetic character of the county. A site ((~~must~~)) shall provide a view of
3654 a scenic natural or recognized cultural resource in King County or other visually

significant area, ~~((must))~~ allow unlimited public access, and ~~((must))~~ be identified by a permanent sign readily visible from a road or other public right-of-way.

c. A "view corridor" means a property that contributes to the aesthetics of a recognized view corridor critical to maintaining a public view of a visually significant scenic natural or recognized cultural resource. The site ~~((must))~~ shall contain at least one acre of open space that contributes to a view corridor visible to the public and that provides views of a scenic natural resource area or recognized cultural resource significant to the local area. The ~~((King County historic preservation officer or officer of another certified local government program in the jurisdiction in which the property is located must find the recognized))~~ site shall have a significant cultural areas ~~((to be significant and must find that the site))~~ and contain~~((s))~~ significant inventoried or designated historic properties, as determined by the King County historic preservation officer or officer of another certified local government program in the jurisdiction in which the property is located in. Eligibility is subject to determination by the department or applicable jurisdiction;

15. Significant plant or ecological site - five points. "Significant plant or ecological site" means an area that meets the criteria for Element Occurrence established under the Washington Natural Heritage Program authorized by chapter 79.70 RCW. An Element Occurrence is a particular, on-the-ground observation of a rare species or ecosystem. An eligible site ~~((must))~~ shall be listed as an Element Occurrence by the Washington Natural Heritage Program or be identified as a property that meets the criteria for an Element Occurrence. The identification ~~((must))~~ shall be confirmed by a qualified expert acceptable to the department in order to qualify. The department shall

3678 notify the Washington Natural Heritage Program of any verified Element Occurrence on
3679 an enrolling property. Commercial nurseries, arboretums, or other maintained garden
3680 sites with native or nonnative plantings are ineligible for this category;

3681 16. Significant wildlife or salmonid habitat - five points.

3682 a. "Significant wildlife or salmonid habitat" means:

3683 (1) an area used by animal species listed as endangered, threatened, sensitive,
3684 or candidate by the Washington state Department of Fish and Wildlife or Department of
3685 Natural Resources or used by species of local significance that are listed by the King
3686 County Comprehensive Plan or a local jurisdiction;

3687 (2) an area where the species listed in subsection C.16.a.(1) of this section are
3688 potentially found with sufficient frequency for critical ecological processes, such as
3689 reproduction, nesting, rearing, wintering, feeding, or resting, to occur;

3690 (3) a site that meets the criteria for priority habitats as defined by the
3691 Washington state Department of Fish and Wildlife and that is so listed by the King
3692 County Comprehensive Plan or by the local jurisdiction in which the property is located;
3693 or

3694 (4) a site that meets criteria for a wildlife habitat conservation area as defined
3695 by the department or a local jurisdiction.

3696 b. To be eligible, the department, by its own determination or by expert
3697 determination acceptable to the department, ~~((must))~~ shall verify that qualified species are
3698 present on the property or that the land fulfills the functions described in subsection
3699 C.16.a. of this section. To receive credit for salmonid habitat, the owner shall provide a
3700 buffer at least fifteen percent greater in width than required by any applicable regulation.

3701 Property consisting mainly of disturbed or fragmented open space determined by the
3702 department as having minimal wildlife habitat significance is ineligible;

3703 17. Special animal site - three points. "Special animal site" means a site that
3704 includes a wildlife habitat network identified by the King County Comprehensive Plan or
3705 individual jurisdictions through the Growth Management Act, chapter 36.70A RCW, or a
3706 biodiversity area and corridor identified by the Washington state Department of Fish and
3707 Wildlife's priority habitats and species project as of the date of the application(~~(-The~~
3708 ~~property must be~~)) as identified by King County or local or state jurisdiction or by expert
3709 verification acceptable to the department or local jurisdiction. Property consisting mainly
3710 of disturbed or fragmented open space determined by the department to have minimal
3711 wildlife habitat significance is ineligible for this category;

3712 18. Surface water quality buffer – five, eight₂ or ten total points. "Surface water
3713 quality buffer" means an undisturbed area that has a plant community in which native
3714 plants are dominant abutting a lake, pond, stream, shoreline, wetland₂ or marine waters on
3715 or abutting the property, that provides buffers beyond that required by any applicable
3716 regulation. To receive five points, the buffer (~~((must))~~) shall be at least fifty percent wider
3717 than the buffer required by any applicable regulation. To receive eight points, the buffer
3718 (~~((must))~~) shall be at least two times the required width. To receive ten points, the buffer
3719 (~~((must))~~) shall be at least three times the required width. The qualifying buffer (~~((must))~~)
3720 shall be longer than twenty-five feet and (~~((must))~~) shall be preserved from clearing or
3721 maintenance, unless this area is part of a department-approved ecological enhancement,
3722 farm management, forest stewardship, rural stewardship₂ or resource restoration plan.
3723 Grazing use by livestock on such land is prohibited;

3724 19. Urban open space - five points.

3725 a. "Urban open space" means land located within the boundaries of a city or
3726 within the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area that has a plant community in which native
3727 plants are dominant and that under the applicable zoning is eligible for more-intensive
3728 development or use. The enrolling area ~~((must))~~ shall be at least one acre, or be at least
3729 one-half acre if the land meets one of the following criteria:

3730 (1) the land conserves and enhances natural or scenic resources;

3731 (2) the land protects streams or water supply;

3732 (3) the land promotes conservation of soils, wetlands, beaches, or tidal
3733 marshes;

3734 (4) the land enhances the value to the public of adjacent parks, forests,
3735 wildlife preserves, nature reservations or sanctuaries, or other open space;

3736 (5) the land enhances recreation opportunities for the general public; or

3737 (6) the land preserves visual quality along highways, roads, and streets or
3738 scenic vistas.

3739 b. Owners of noncontiguous properties that together meet the minimum
3740 acreage requirement may jointly apply under this category if each property is closer than
3741 seventy-five feet to one other property in the application and if each property contains an
3742 enrolling open space area at least as large as the minimum zoned lot size; and

3743 20. Watershed protection area - five points. "Watershed protection area" means
3744 property contributing to the forest cover that provides run-off reduction and groundwater
3745 protection. The property ~~((must))~~ shall consist of contiguous native forest or be in the
3746 process of reforestation. The enrolling forested area ~~((must))~~ shall consist of additional

forest cover beyond that required by county or applicable local government regulation and ~~((must))~~ shall be at least one acre or sixty-five percent of the property acreage, whichever is greater. If reforestation or improvements to the forest health are necessary, the property owner shall provide and implement an ecological enhancement, a forest stewardship, resource restoration, or rural stewardship plan that addresses this need and is acceptable to the department.

D. Property qualifying for an open space category in subsection C. of this section may receive credit for additional points as follows:

1. Conservation easement or historic preservation easement - eighteen points.

"Conservation easement or historic preservation easement" means land on which an easement is voluntarily placed that restricts, in perpetuity, further potential development or other uses of the property. The easement ~~((must be approved))~~ is subject to approval by the department and shall be recorded with the King County recorder's office or its successor. The easement ~~((must))~~ shall be conveyed to the county or to an organization acceptable to the department, such as a land trust or conservancy. Historic preservation easements ~~((must also be approved))~~ are subject to approval by the historic preservation officer of King County or of the local government jurisdiction in which the property is located. An easement required by zoning, subdivision conditions, or other land use regulation is not eligible unless an additional substantive easement area is provided beyond that otherwise required;

2. Contiguous parcels under separate ownership - two points.

a. "Contiguous parcels under separate ownership" means at least two or more parcels under different ownership where either:

3770 (1) the enrolling parcels and open space acreage abut each other without a
3771 significant human-made barrier separating them; or

3772 (2) the enrolling parcels do not abut each other, but abut a publicly owned
3773 open space, without a significant human-made barrier separating the publicly owned open
3774 space and the open space portion of the parcels seeking open space classification.

3775 b. Award of this category requires a single application by multiple owners and
3776 parcels with identical qualifying public benefit rating system resources. Only a single
3777 application fee is required.

3778 c. Contiguous parcels of land with the same qualifying public benefit rating
3779 system resources are eligible for treatment as a single parcel if open space classification
3780 is sought under the same application except as otherwise prohibited by the farm and
3781 agricultural conservation land category. Each parcel need not meet the minimum acreage
3782 requirements for a resource category so long as the total area of all enrolling land
3783 combined meets any required minimum acreage requirements. The owners of each
3784 parcel included in the application (~~((must))~~) shall agree to identical terms and conditions
3785 for enrollment in the program.

3786 d. Individual parcels or portions of parcels may be withdrawn or removed from
3787 open space classification, consistent with all applicable rules and regulations. The
3788 continued eligibility of all parcels and associated acreage remaining in open space
3789 classification accepted under the same application is dependent upon the continued
3790 qualification for a resource category or categories.

3791 e. Points are awarded for each participating owner above one owner and accrue
3792 to all owners of a single application. The withdrawal or removal of all enrolled acreage
3793 associated with an owner results in the loss of two points for each remaining owner;

3794 3. Easement and access – thirty-five points. "Easement and access" means that
3795 the property has at least one qualifying open space resource, unlimited public access or
3796 limited public access due to resource sensitivity, and a conservation easement or historic
3797 preservation easement in perpetuity in a form and with conditions acceptable to the
3798 department. ~~((To be eligible, a))~~ A property ~~((must))~~ shall only be eligible in this category
3799 if it receives credit for an open space category and for the conservation easement or
3800 historic easement in perpetuity category. The owner ~~((must))~~ shall agree to allow public
3801 access to the portion of the property designated for public access in the easement. An
3802 easement required by zoning, subdivision conditions, or other land use regulation is not
3803 eligible, unless there is additional easement area beyond that required. Credit for this
3804 category may not overlap with the equestrian-pedestrian-bicycle trail linkage;

3805 4. Public access - points depend on type and frequency of access allowed.
3806 "Public access " means the general public is allowed access on an ongoing basis for uses
3807 such as recreation, education, or training. Access ~~((must))~~ shall be allowed on the portion
3808 of the property that is designated for public access. The landowner may impose
3809 reasonable restrictions on access, such as limiting use to daylight hours, agreed to by the
3810 department. No physical barriers may limit reasonable public access or negatively affect
3811 an open space resource. A property owner shall demonstrate that the property is open to
3812 public access and is used by the public. Award of public access points for historic
3813 properties is subject to approval by ~~((F))~~ the historic preservation officer of King County

3814 or a certified officer of another local government jurisdiction in which the property is
3815 located (~~((must approve the award of public access points for historic properties))~~). The
3816 property owner may be required to furnish and maintain signage according to county
3817 specifications.

3818 a. Unlimited public access - five points. Year-round access by the general
3819 public is allowed without special arrangements with the property owner.

3820 b. Limited public access because of resource sensitivity - five points. Access
3821 may be reasonably limited by the property owner due to the sensitive nature of the
3822 resource, with access provided only to appropriate user groups. The access allowed
3823 should generally be for an educational, scientific, or research purpose and may require
3824 special arrangements with the owner.

3825 c. Seasonally limited public access - three points. Access by the public is
3826 allowed only for part of the year due to seasonal conditions, as mutually agreed to
3827 by the landowner and the department.

3828 d. Environmental education access - three points. The landowner enters into
3829 an agreement with a school, with an organization with 26 U.S.C. Sec. 501(c)(3) tax
3830 status, or, with the agreement of the department, with another community organization
3831 that allows membership by the general public to provide environmental education to its
3832 members or the public at large. The department (~~((must agree))~~) shall verify that the
3833 enrolled portion of the property has value for environmental education purposes.

3834 e. None or members-only - zero points. No public access is allowed or the
3835 access is allowed only by members of the organization using or owning the land; and

3836 5. Resource restoration – five points. "Resource restoration" means restoration
3837 of an enrolling area of property benefiting an area in an open space resource category.
3838 Emphasis is placed on the restoration of native vegetation associated with anadromous
3839 fish rearing habitat, riparian zones, migration corridors and wildlife, forest, stream, and
3840 wetland habitats. The owner shall provide and implement a restoration plan approved by
3841 the department. The plan may be developed in cooperation with a natural resource expert
3842 or agency. The approved restoration plan (~~((must))~~) shall, at a minimum, include a purpose
3843 statement, a description of restoration work to be done, a detailed site map of the area to
3844 be restored, a specific timeline for the restoration activities to be completed and a
3845 monitoring schedule for the restoration project's first five years. Historic resource
3846 restoration (~~((must be approved))~~) is subject to approval by the King County historic
3847 preservation officer or officer of another certified local government in the jurisdiction in
3848 which the property is located and (~~((must))~~) shall be accompanied by a long-term
3849 maintenance plan. The owner shall also provide to the department a yearly monitoring
3850 report for at least five years following enrollment in the public benefit rating system
3851 program. The report (~~((must))~~) shall describe the progress and success of the restoration
3852 project and (~~((must))~~) shall include photographs to document the success. Land receiving
3853 credit for this category may not receive credit for the ecological enhancement land, forest
3854 stewardship land, or rural stewardship land categories.

3855 SECTION 69. Ordinance 15137, Section 10, as amended, and K.C.C. 20.36.190
3856 are hereby amended to read as follows:

3857 A. (~~((The definitions in K.C.C. 20.36.100 apply to this section.~~

3858 ~~B.~~) A property may achieve a maximum ninety-percent reduction in appraised
3859 value for that portion of the land enrolled in the public benefit rating system. A plant
3860 community where native plants are dominant that does not independently contain a
3861 qualifying open space resource can participate if it is contiguous to and provides a benefit
3862 to a portion of the property being awarded credit for a qualifying open space priority
3863 resource. The department shall evaluate the property for the presence of open space
3864 resource categories. Abutting parcels of land with the same open space resources, owned
3865 by one or more landowners, may be eligible for consideration as a single parcel if open
3866 space classification is sought under the same application; however, property pursuing
3867 credit for the farm and agricultural conservation land category, which (~~(must)~~) shall be
3868 owned by the same owner or held under the same ownership. For buffer measurements
3869 under this chapter, the width is the distance perpendicular to the edge of the resource and
3870 the length of the buffer is parallel to the resource. The entire buffer width may be
3871 averaged to qualify for a resource category.

3872 ~~(C.)~~ B. The presence or occurrence of an eligible open space resource may be
3873 verified by:

- 3874 1. Reference to a recognized source, such as:
- 3875 a. the natural heritage data base;
- 3876 b. the state office of historic preservation;
- 3877 c. state, national, county, or city registers of historic places;
- 3878 d. the Washington state recreation and conservation office inventory of dry
3879 accretion beach and shoreline features;
- 3880 e. a shoreline master program;

3881 f. parks and recreation studies; or
3882 g. studies by the state Department of Fish and Wildlife or Department of
3883 Natural Resources;
3884 2. Reference to a map developed by the county or other recognized authority;
3885 or
3886 3. Using the best available source, such as a recognized expert in the particular
3887 resource being reviewed.
3888 ~~((D.))~~ C. When more than one reasonable interpretation can be supported by the
3889 text of this chapter, the department may make a determination relating to the open space
3890 resource definitions and eligibility standards in accordance with the purpose and intent of
3891 this chapter. The department may calculate the appropriate area of land to receive credit
3892 for a particular priority resource to support the assessor's determination of the
3893 accompanying tax reduction for each priority resource.
3894 ~~((E.))~~ D. Management or preservation of the open space resources is a condition
3895 for acceptance into the program. Each open space resource ~~((must))~~ shall be maintained
3896 in the same or better condition as it was when approved for enrollment. The property
3897 owner shall not engage in any activity that reduces the value of the open space resource,
3898 unless that activity is required for public safety and is conducted lawfully under
3899 appropriate permits. As a condition of enrollment into the program, the department may
3900 require the owner to develop a plan acceptable to the department to restore any property
3901 whose open space resources are degraded. In addition, if an existing approved plan for
3902 farm and agricultural conservation land, ecological enhancement land, forest stewardship
3903 land, rural stewardship land, or resource restoration category has a management schedule

3904 or management goals that are out of date or otherwise require change, the owner is
3905 responsible for revising the plan. Plan revisions are subject to review and approval by
3906 ~~((F))~~the department ~~((must review and accept any plan revisions))~~.

3907 ~~((F-))~~ E. The county may base acceptance of property into the public benefit
3908 rating system on specific conditions or requirements being met, including, but not limited
3909 to, granting easements.

3910 ~~((G-))~~ F. Except as otherwise provided in this chapter, the following properties or
3911 areas are not eligible for open space classification:

- 3912 1. Improvements or structures on eligible open space land;
- 3913 2. Properties that do not contain a qualifying open space resource;
- 3914 3. Open space areas protected by a native growth, forest retention₁ or other
3915 covenant that is required as part of a development process or subdivision, or required by
3916 zoning or other land use regulations; however, such an area is eligible as ecological
3917 enhancement, or forest stewardship or rural stewardship land if implementation of the
3918 associated plan provides resource improvements within the enrolling open space. Such
3919 an area is also eligible as public recreation area, equestrian-pedestrian-bicycle₁ or active
3920 trail linkage due to the public's use and benefit. Additionally:

- 3921 a. Enrollment of at least ten percent additional open space acres, beyond that
3922 restricted or required by applicable covenant or regulation, is necessary to qualify for
3923 additional resource categories not referenced in this subsection ~~((G))~~F.3. but not
3924 including those additional resource categories referenced in subsection ~~((G))~~F.3.b. of this
3925 section; and

3926 b. ~~((:))~~ The minimum ten percent additional open space acres provided ~~((must~~
3927 ~~be acceptable))~~ shall, to the satisfaction of the department ~~((and))~~, feature a plant
3928 community where native plants are dominant or should be dominant after implementing
3929 an approved farm management, ecological enhancement, forest stewardship, resource
3930 restoration, or rural stewardship plan associated with the approved open space resource or
3931 bonus category;

3932 4. Any portion of a property dominated by or whose resource value is
3933 compromised by invasive plant species, unless the department has received a resource
3934 restoration, rural stewardship, ecological enhancement, farm management, or forest
3935 stewardship plan and determined that the plan adequately addresses the invasive plant
3936 species concern and is being implemented; and

3937 5. Homesite and other areas developed for residential or personal use, such as
3938 garden, landscaping and driveway, except for historic resources.

3939 ~~((H:))~~ G. The department may monitor the participating portion of the property to
3940 evaluate its current use and continuing compliance with the conditions of enrollment.

3941 1. Monitoring may include scheduled, physical inspections of the property and
3942 in-office review using aerial photography, mapping software, or other available
3943 technologies.

3944 2. Program staff may require an owner of enrolled property to submit a
3945 monitoring report on an annual or less frequent basis. The report ~~((must))~~ shall include a
3946 brief description of how the property still qualifies for each awarded resource category,
3947 photographs from established points on the property, and any owner observations by the
3948 owner. The owner ~~((must))~~ shall submit this report to the department by email, the

3949 program's website, or by other mutually agreed upon method. An environmental
3950 consultant need not prepare this report.

3951 3. An owner of property receiving credit for farm and agricultural conservation
3952 land, ecological enhancement land, forest stewardship land, or rural stewardship land, all
3953 of which require a stewardship or management plan, shall annually provide a monitoring
3954 report that describes progress in implementing the plan and includes a brief description of
3955 activities taken to implement the plan and photographs from established points on the
3956 property. The owner shall submit this report to the department by email or by other
3957 mutually agreed upon method. An environmental consultant need not prepare this report.

3958 ~~((F))~~ H. Failure by the owner to meet the conditions of the approval or to
3959 maintain the uses of the property that were the basis for the original approval is grounds
3960 for the department to reevaluate the property under the public benefit rating system. If
3961 the reevaluation shows the property or a portion of the property is no longer eligible to
3962 participate in the program, the county shall take action to remove the current use
3963 classification and determine the amount of deferred taxes, interest, and penalty owed by
3964 the landowner. If the reevaluation shows the property or a portion thereof is no longer
3965 eligible as approved but that the property still qualifies for one or more public benefit
3966 rating system resource categories, then the overall credit award shall be adjusted to reflect
3967 the reevaluation. The new credit award may result in a current use assessment at a lower
3968 percentage of appraised value than was originally approved. A landowner may appeal a
3969 determination under this subsection by following K.C.C. 20.36.130.B.

3970 SECTION 70. Ordinance 6949, Section 7, as amended, and K.C.C. 20.44.050 are
3971 hereby amended to read as follows:

3972 The procedures and standards for preparation of environmental impact statements
3973 and other environmental documents pursuant to WAC 197-11-400 through 197-11-460 and
3974 197-11-600 through 197-11-640 are adopted, subject to the following:

3975 A. Pursuant to WAC 197-11-408(2)(a), all comments on determinations of
3976 significance and scoping notices shall be in writing, except where a public meeting on EIS
3977 scoping occurs pursuant to WAC 197-11-410(1)(b).

3978 B. Pursuant to WAC 197-11-420, 197-11-620, and 197-11-625, the county
3979 department acting as lead agency shall be responsible for preparation and content of an EIS
3980 and other environmental documents. The department shall contract with consultants as
3981 necessary for the preparation of environmental documents. The department may consider
3982 the opinion of the applicant regarding the qualifications of the consultant but the
3983 department shall retain sole authority for selecting persons or firms to author, co-author,
3984 provide special services or otherwise participate in the preparation of required
3985 environmental documents.

3986 C. Consultants or subconsultants selected by King County to prepare
3987 environmental documents for a private development project proposal shall not: act as
3988 agents for the applicant in preparation or acquisition of associated underlying permits; have
3989 a financial interest in the proposal for which the environmental document is being
3990 prepared; or perform any work or provide any services for the applicant in connection with
3991 or related to the proposal.

3992 D. The department shall establish and maintain one or more lists of qualified
3993 consultants who are eligible to receive contracts for preparation of environmental
3994 documents for project proposals. Separate lists may be maintained to reflect specialized

3995 qualifications or expertise. When the department requires consultant services to prepare
3996 environmental documents for project proposals, the department shall select a consultant
3997 from the lists and negotiate a contract for such services. The department director may
3998 waive these requirements as provided for in rules adopted to implement this section.
3999 ~~((Subject to K.C.C. 20.44.145 and p))~~Pursuant to K.C.C. chapter 2.98, the department of
4000 local services shall adopt public rules that establish processes to: create and maintain a
4001 qualified consultant list; select consultants from the list; remove consultants from the list;
4002 provide a method by which applicants may request a reconsideration of selected
4003 consultants based upon costs, qualifications or timely production of the environmental
4004 document; and waive the consultant selection requirements of this chapter on any basis
4005 provided by K.C.C. chapter 2.93.

4006 E. All costs of preparing the environment document shall be borne by the
4007 applicant. ~~((Subject to K.C.C. 20.44.145 and p))~~Pursuant to K.C.C. chapter 2.98, the
4008 department of local services shall promulgate administrative rules that establish a trust fund
4009 for consultant payment purposes, define consultant payment schedules, prescribe
4010 procedures for treating interest from deposited funds, and develop other procedures
4011 necessary to implement this chapter.

4012 F. In the event an applicant decides to suspend or abandon the project, the
4013 applicant must provide formal written notice to the department and consultant. The
4014 applicant shall continue to be responsible for all ~~((monies))~~ moneys expended by the
4015 division or consultants to the point of receipt of notification to suspend or abandon, or other
4016 obligations or penalties under the terms of any contract let for preparation of the
4017 environmental documents.

4018 G. The department shall only publish an EIS when it believes that the EIS
4019 adequately disclose: the significant direct, indirect, and cumulative adverse impacts of the
4020 proposal and its alternatives; mitigation measures proposed and committed to by the
4021 applicant, and their effectiveness in significantly mitigating impacts; mitigation measures
4022 that could be implemented or required; and unavoidable significant adverse impacts.
4023 Unless otherwise agreed to by the applicant, a final environmental impact statement shall
4024 be issued by the department within two hundred seventy days following the issuance of a
4025 DS for the proposal, except for public projects and nonproject actions, unless the
4026 department determines at the time of issuance of the DS that a longer period will be
4027 required because of the extraordinary size of the proposal or the scope of the environmental
4028 impacts resulting therefrom; (~~provided that~~) the additional time shall not exceed ninety
4029 days unless agreed to by the applicant.

4030 H. The following periods shall be excluded from the two-hundred-seventy-day
4031 period for issuing a final environmental impact statement:

4032 1. Any period during which the applicant has failed to pay required environmental
4033 review fees to the department;

4034 2. Any period during which the applicant has been requested to provide additional
4035 information required for preparation of the environmental impact statement, and

4036 3. Any period during which the applicant has not authorized the department to
4037 proceed with preparation of the environmental impact statement.

4038 SECTION 71. Ordinance 6949, Section 10, as amended, and K.C.C. 20.44.080
4039 are hereby amended to read as follows:

4040 A. The procedures and standards of WAC 197-11-650 through 197-11-660
4041 regarding substantive authority and mitigation, and WAC 197-11-158, regarding reliance
4042 on existing plans, laws and regulations, are adopted.

4043 B. For the purposes of RCW 43.21C.060 and WAC 197-11-660, the following
4044 policies, plans, rules, and regulations, and all amendments thereto, are designated as
4045 potential bases for the exercise of King County's substantive authority under SEPA,
4046 subject to RCW 43.21C.240 (~~(and subsection C of this section)~~):

4047 1. The policies of the state Environmental Policy Act(~~(;)~~) under RCW
4048 43.21C.020(~~(;)~~);

4049 2. (~~((As specified in K.C.C. chapter 20.12, t))~~)The King County Comprehensive
4050 Plan, its addenda and revisions, (~~((and community and))~~) subarea plans and (~~((housing~~
4051 ~~report, and as specified in K.C.C. chapter 20.14, surface water management program~~
4052 ~~basin))~~) functional plans (~~(;)~~);

4053 3. The King County Zoning Code(~~(, as adopted in)~~) under K.C.C. Title 21A(~~(;)~~);

4054 4. (~~((The King County Agricultural Lands Policy, as adopted in K.C.C. Title 26.~~

4055 ~~5.))~~) The King County (~~(Landmarks)~~) Protection and Preservation of Landmarks,

4056 Landmark Sites and Districts Preservation Code(~~(, as adopted in)~~) under K.C.C. chapter

4057 20.62(~~(;)~~);

4058 (~~((6.))~~) 5. The King County Shoreline (~~((Management))~~) Master (~~((Plan))~~) Program(~~(;~~

4059 ~~as adopted in)~~) under K.C.C. (~~((Title 25.))~~) 20.12.200;

4060 (~~((7.))~~) 6. The King County Surface Water, Stormwater and Groundwater

4061 Management Code (~~((Runoff Policy, as adopted in)~~) under K.C.C. (~~((chapter 9.04,~~

4062 including the Covington Master Drainage Plan, as adopted in K.C.C. chapter 20.14,))
 4063 Title 9;
 4064 ((8.)) 7. The King County Roads and Bridges Code ((Standards, as adopted in))
 4065 under K.C.C. ((chapter 14.42.)) Title 14;
 4066 ((9.)) 8. The ((Comprehensive Plan for Transportation adopted by Resolution
 4067 No. 6617 of the council of the Municipality of Metropolitan Seattle and readopted and
 4068 ratified by the county council in K.C.C. 28.01.030.)) King County Metro Strategic Plan
 4069 for Public Transportation 2021-2031, Metro Connects, and the King County Metro
 4070 Service Guidelines;
 4071 9. The King County Open Space Plan;
 4072 10. The Strategic Plan for Roads;
 4073 11. The Comprehensive Sewerage Disposal Plan adopted by Resolution No. 23
 4074 of the council of the Municipality of Metropolitan Seattle and readopted and ratified by
 4075 the county council in K.C.C. 28.01.030((-);
 4076 ((11.)) 12. The rules and regulations for construction and use of local sewage
 4077 facilities set forth in K.C.C. chapters 28.81 through 28.84((-
 4078 12. The rules and regulations on the consistency of sewer projects with local
 4079 land use plans and policies set forth in Ordinance 11034, as amended.
 4080 13. The rules and regulations for the disposal of industrial waste into the
 4081 sewerage system set forth in Ordinance 11034, as amended.
 4082 14. The Duwamish Clean Water Plan adopted by the council of the Municipality
 4083 of Metropolitan Seattle and readopted and ratified by the county council by Ordinance
 4084 11032, Section 28, as amended.

4085 ~~15. The Washington Department of Ecology's Best Management Practices for~~
4086 ~~the Use of Municipal Sludge.))~~;

4087 13. Noise requirements under K.C.C. chapter 12.86;

4088 14. Water and Sewer Systems Code under K.C.C. Title 13;

4089 15. Building and Construction Standards Code under K.C.C. Title 16;

4090 16. Fire Code under K.C.C. Title 17;

4091 17. Land Segregation Code under K.C.C. Title 19A; and

4092 18. The King County Board of Health Code.

4093 C. ~~((Within the urban growth area, substantive SEPA authority to condition or~~
4094 ~~deny new development proposals or other actions shall be used only in cases where~~
4095 ~~specific adverse environmental impacts are not addressed by regulations as set forth~~
4096 ~~below or unusual circumstances exist. In cases where the county has adopted the~~
4097 ~~following regulations to systematically avoid or mitigate adverse impacts, those standards~~
4098 ~~and regulations will normally constitute adequate mitigation of the impacts of new~~
4099 ~~development: K.C.C. chapter 9.04, Surface Water Runoff Policy, K.C.C. chapter 9.08,~~
4100 ~~Surface Water Management Program, K.C.C. chapter 9.12, Water Quality, K.C.C.~~
4101 ~~chapter 14.42, King County Road Standards, K.C.C. chapter 16.82, Clearing and~~
4102 ~~Grading, K.C.C. chapter 21A.12, Development Standards—Density and Dimensions,~~
4103 ~~K.C.C. chapter 21A.14, Development Standards—Design Requirements, K.C.C. chapter~~
4104 ~~21A.16, Development Standards—Landscaping and Water Use, K.C.C. chapter 21A.18,~~
4105 ~~Development Standards—Parking and Circulation, K.C.C. chapter 21A.20, Development~~
4106 ~~Standards—Signs, K.C.C. chapter 21A.22, Development Standards—Mineral Extraction,~~
4107 ~~K.C.C. chapter 21A.24, Critical Areas, K.C.C. chapter 21A.26, Development Standards—~~

Communication Facilities, K.C.C. chapter 21A.28, Development Standards—Adequacy of Public Facilities and Services. Unusual circumstances related to a site or to a proposal, as well as environmental impacts not mitigated by the regulations listed in this subsection, will be subject to site-specific or project-specific SEPA mitigation.

This subsection shall not apply if the county's development regulations cited in this subsection are amended after April 22, 1996, unless the amending ordinance contains a finding, supported by documentation, that the requirements for environmental analysis, protections, and mitigation measures in this chapter, provide adequate analysis of and mitigation for the specific adverse environmental impacts to which the requirements apply.

D. Outside the urban growth area, in the course of project review, including any required environmental analysis, the responsible official may determine that requirements for environmental analysis, protection, and mitigation measures in the county's development regulations or comprehensive plans adopted under chapter 36.70A RCW and in other applicable local, state, or federal laws and rules provide adequate analysis and mitigation for specific adverse environmental impacts of the project, if the following criteria are met:

1. In the course of project review, the responsible official shall identify and consider the specific probable adverse environmental impacts of the proposed action and then make a determination whether these specific impacts are adequately addressed by the development regulations. If they are not, the responsible official shall apply mitigation consistent with the applicable requirements of the comprehensive plan,

4130 subarea plan element of the comprehensive plan, or other local, state, or federal rules or
4131 laws; and

4132 ~~2. The responsible official bases or conditions its approval on compliance with~~
4133 ~~these requirements or mitigation measures.~~

4134 E.)) Any decision to approve, deny, or approve with conditions pursuant to RCW
4135 43.21C.060 shall be contained in the responsible official's decision document. The
4136 written decision shall contain facts and conclusions based on the proposal's specific
4137 adverse environmental impacts, or lack thereof, as identified in an environmental
4138 checklist, EIS, threshold determination, other environmental document including an
4139 executive department's staff report and recommendation to a decision maker, or findings
4140 made pursuant to a public hearing authorized or required by law or ordinance. The
4141 decision document shall state the specific plan, policy, or regulation that supports the
4142 SEPA decision and, if mitigation beyond existing development regulations is required,
4143 the specific adverse environmental impacts and the reasons why additional mitigation is
4144 needed to comply with SEPA.

4145 ((F.)) D. This chapter shall not be construed as a limitation on the authority of
4146 King County to approve, deny, or condition a proposal for reasons based upon other
4147 statutes, ordinances, or regulations.

4148 SECTION 72. Ordinance 4828, Section 2, as amended, and K.C.C. 20.62.020 are
4149 hereby amended to read as follows:

4150 The following words and terms shall, when used in this chapter, be defined as
4151 follows unless a different meaning clearly appears from the context:

4152 A. "Alteration" is any construction, demolition, removal, modification,
4153 excavation, restoration, or remodeling of a landmark.

4154 B. "Building" is a structure created to shelter any form of human activity, such as
4155 a ~~((house))~~ residence, barn, ~~((church))~~ religious facility, hotel, or similar structure.
4156 Building may refer to a historically related complex, such as a courthouse and jail or a
4157 ~~((house))~~ residence and barn.

4158 C. "Certificate of appropriateness" is written authorization issued by the
4159 commission or its designee permitting an alteration to a significant feature of a
4160 designated landmark.

4161 D. "Commission" is the landmarks commission created by this chapter.

4162 E. "Community landmark" is an historic resource which has been designated
4163 pursuant to K.C.C. 20.62.040 but which may be altered or changed without application
4164 for or approval of a certificate of appropriateness.

4165 F. "Designation" is the act of the commission determining that an historic
4166 resource meets the criteria established by this chapter.

4167 G. "Designation report" is a report issued by the commission after a public
4168 hearing setting forth its determination to designate a landmark and specifying the
4169 significant feature or features thereof.

4170 H. "Director" is the director of the King County department of local services
4171 permitting division manager or designee.

4172 I. "District" is a geographically definable area, urban ~~((or))~~, rural, or natural
4173 resource lands, possessing a significant concentration, linkage, or continuity of sites,
4174 buildings, structures, or objects united by past events or aesthetically by plan or physical

4175 development. A district may also comprise individual elements separated geographically
4176 but linked by association or history.

4177 J. "Heritage" is a discipline relating to historic preservation and archaeology,
4178 history, ethnic history, traditional cultures, and folklore.

4179 K. "Historic preservation officer" is the King County historic preservation officer
4180 or designee.

4181 L. "Historic resource" is a district, site, building, structure, or object significant in
4182 national, state or local history, architecture, archaeology, and culture.

4183 M. "Historic resource inventory" is an organized compilation of information on
4184 historic resources considered to be significant according to the criteria listed in K.C.C.
4185 20.62.040.A. The historic resource inventory is kept on file by the historic preservation
4186 officer and is updated from time to time to include newly eligible resources and to reflect
4187 changes to resources.

4188 N. "Incentives" are such compensation, rights, or privileges, or combination
4189 thereof, which the council, or other local, state, or federal public body or agency, by
4190 virtue of applicable present or future legislation, may be authorized to grant to or obtain
4191 for the owner or owners of designated landmarks. Examples of economic incentives
4192 include but are not limited to tax relief, conditional use permits, rezoning, street vacation,
4193 ~~((planned-unit-development,))~~ transfer of development rights, facade easements, gifts,
4194 preferential leasing policies, private or public grants in aid, beneficial placement of public
4195 improvements, or amenities, or the like.

4196 O. "Interested person of record" is any individual, corporation, partnership₂ or
4197 association that notifies the commission or the council in writing of its interest in any
4198 matter before the commission.

4199 P. "Landmark" is an historic resource designated as a landmark pursuant to
4200 K.C.C. 20.62.070.

4201 Q. "Nomination" is a proposal that an historic resource be designated a landmark.

4202 R. "Object" is a material thing of functional, aesthetic, cultural, historical, or
4203 scientific value that may be, by nature or design, movable yet related to a specific setting
4204 or environment.

4205 S. "Owner" is a person having a fee simple interest, a substantial beneficial
4206 interest of record or a substantial beneficial interest known to the commission in an
4207 historic resource. Where the owner is a public agency or government, that agency shall
4208 specify the person or persons to receive notices under this chapter.

4209 T. "Person" is any individual, partnership, corporation, group₂ or association.

4210 U. "Person in charge" is the person or persons in possession of a landmark
4211 including, but not limited to, a mortgagee or vendee in possession, an assignee of rents, a
4212 receiver, executor, trustee, lessee, tenant, agent, or any other person directly or indirectly
4213 in control of the landmark.

4214 V. "Preliminary determination" is a decision of the commission determining that
4215 an historic resource which has been nominated for designation is of significant value and
4216 is likely to satisfy the criteria for designation.

4217 W. "Significant feature" is any element of a landmark which the commission has
4218 designated pursuant to this chapter as of importance to the historic, architectural or
4219 archaeological value of the landmark.

4220 X. "Site" is the location of a significant event, a prehistoric or historic occupation
4221 or activity, or a building or structure, whether standing, ruined, or vanished, where the
4222 location itself maintains an historical or archaeological value regardless of the value of
4223 any existing structures.

4224 Y. "Structure" is any functional construction made usually for purposes other
4225 than creating human shelter.

4226 SECTION 73. Ordinance 4828, Section 4, as amended, and K.C.C. 20.62.040 are
4227 hereby amended to read as follows:

4228 A. An historic resource may be designated as a King County landmark if it is
4229 more than forty years old or, in the case of a landmark district, contains resources that are
4230 more than forty years old, and possesses integrity of location, design, setting, materials,
4231 quality of work, feeling, or association, or any combination of the foregoing aspects of
4232 integrity, sufficient to convey its historic character, and:

4233 1. Is associated with events that have made a significant contribution to the
4234 broad patterns of national, state, or local history;

4235 2. Is associated with the lives of persons significant in national, state, or local
4236 history;

4237 3. Embodies the distinctive characteristics of a type, period, style, or method of
4238 design or construction, or that represents a significant and distinguishable entity whose
4239 components may lack individual distinction;

4240 4. Has yielded, or may be likely to yield, information important in prehistory or
4241 history; or

4242 5. Is an outstanding work of a designer or builder who has made a substantial
4243 contribution to the art.

4244 B. An historic resource may be designated a community landmark because it is
4245 an easily identifiable visual feature of a neighborhood or the county and contributes to the
4246 distinctive quality or identity of such a neighborhood or county or because of its
4247 association with significant historical events or historic themes, association with
4248 important or prominent persons in the community or county, or recognition by local
4249 ~~((citizens))~~ individuals for substantial contribution to the neighborhood or community.

4250 An improvement or site qualifying for designation solely by virtue of satisfying criteria
4251 set out in this section shall be designated a community landmark and shall not be subject
4252 to K.C.C. 20.62.080.

4253 C. Cemeteries, birthplaces, or graves of historical figures, properties owned by
4254 religious institutions or used for religious purposes, structures that have been moved from
4255 their original locations, reconstructed historic buildings, properties primarily
4256 commemorative in nature, and properties that have achieved significance within the past
4257 forty years shall not be considered eligible for designation. However, such ~~((a property))~~
4258 properties shall be eligible for designation if they are(~~:~~

4259 ~~1. A))~~ an integral part of districts that meet the criteria set out in subsection A. of
4260 this section or if ~~((it is))~~ they are:

4261 ~~((2. A))~~ 1. ((~~(f)~~) Religious ~~((property))~~ properties deriving primary significance
4262 from architectural or artistic distinction or historical importance;

4263 ~~((3.-A))~~ 2. ((b))Buildings or structures removed from ~~((its))~~ their original
4264 locations but that ~~((is))~~ are significant primarily for ~~((its))~~ their architectural value, or
4265 ~~((which is))~~ that are the surviving structure most importantly associated with ~~((a))~~ historic
4266 persons or events;

4267 ~~((4.-A))~~ 3. ((b))Birthplaces, graves, or residences of ~~((a))~~ historical figures of
4268 outstanding importance if there ~~((is))~~ are no other appropriate sites or buildings directly
4269 associated with the historical ~~((figure's))~~ figures' productive ~~((life))~~ lives;

4270 ~~((5.-A cemetery))~~ 4. Cemeteries that derive~~((s-its))~~ their primary significances
4271 from graves of persons of transcendent importance, from age, from distinctive design
4272 features, or from association with historic events;

4273 ~~((6.-A))~~ 5. ((f))Reconstructed buildings when accurately executed in a suitable
4274 environment and presented in a dignified manner or as part of ~~((a))~~ restoration master
4275 plans, and when no other buildings or structures with the same association ~~((has))~~ have
4276 survived;

4277 ~~((7.-A property))~~ 6. Properties commemorative in intent if design, age,
4278 tradition, or symbolic value ~~((has))~~ have invested ~~((it))~~ them with ~~((its))~~ their own
4279 historical significance; or

4280 ~~((8.-A property))~~ 7. Properties achieving significance within the past forty years
4281 if ~~((it is))~~ they are of exceptional importance.

4282 SECTION 74. Ordinance 11620, Section 12, as amended, and K.C.C. 20.62.150
4283 are hereby amended to read as follows:

4284 A. King County shall not approve any development proposal or otherwise issue
4285 any authorization to alter, demolish, or relocate any historic resource identified in the

4286 King County Historic Resource Inventory, pursuant to the requirements of this chapter.
4287 The dimensional standards of the underlying zone contained in K.C.C. (~~(chapter)~~) Title
4288 21A((12, Development Standards—Density and Dimensions)) and K.C.C. chapter
4289 21A.16((5, Development Standards—Landscaping and Water Use)) shall be expanded,
4290 when necessary, to preserve the aesthetic, visual and historic integrity of the historic
4291 resource from the impacts of development on adjacent properties.

4292 B. Upon receipt of an application for a development proposal located on or
4293 adjacent to a historic resource listed in the King County Historic Resource Inventory, the
4294 director shall follow the following procedure:

4295 1. The development proposal application shall be circulated to the King County
4296 historic preservation officer for comment on the impact of the project on historic
4297 resources and for recommendation on mitigation. This includes all permits for alterations
4298 to historic buildings, alteration to landscape elements, new construction on the same or
4299 abutting lots, or any other action requiring a permit (~~(which)~~) that might affect the
4300 historic character of the resource. Information required for a complete permit application
4301 to be circulated to the historic preservation officer shall include:

- 4302 a. a vicinity map;
- 4303 b. a site plan showing the location of all buildings, structures, and landscape
4304 features;
- 4305 c. a brief description of the proposed project together with architectural
4306 drawings showing the existing condition of all buildings, structures, landscape features,
4307 and any proposed alteration to them;

4308 d. photographs of all buildings, structures, or landscape features on the site;
4309 and
4310 e. an environmental checklist, except where categorically exempt under King
4311 County SEPA guidelines.

4312 2. Upon request, the historic preservation officer shall provide information
4313 about available grant assistance and tax incentives for historic preservation. The officer
4314 may also provide the owner, developer, or other interested party with examples of
4315 comparable projects where historic resources have been restored or rehabilitated.

4316 3. In the event of a conflict between the development proposal and preservation
4317 of an historic resource, the historic preservation officer shall:

4318 a. suggest appropriate alternatives to the owner/developer which achieve the
4319 goals of historic preservation;

4320 b. recommend approval, or approval with conditions to the director; or

4321 c. propose that a resource be nominated for county landmark designation
4322 according to procedures established in the landmarks preservation ordinance ((~~the~~) under
4323 K.C.C. chapter 20.62(~~the~~)).

4324 4. The director may continue to process the development proposal application,
4325 but shall not issue any development permits or issue a SEPA threshold determination
4326 until receiving a recommendation from the historic preservation officer. In no event shall
4327 review of the proposal by the historic preservation officer delay permit processing
4328 beyond any period required by law. Permit applications for changes to landmark
4329 properties shall not be considered complete unless accompanied by a certificate of
4330 appropriateness pursuant to K.C.C. 20.62.080.

4331 5. On known archaeological sites, before any disturbance of the site, including,
4332 but not limited to test boring, site clearing, construction, grading or revegetation, the
4333 ~~((S))~~state ~~((Office))~~ Department of Archaeology and Historic Preservation ~~((OAH))~~,
4334 and the King County historic preservation officer, and appropriate ~~((Native American))~~
4335 Indian tribal organizations must be notified and state permits obtained, if required by law.
4336 The officer may require that a professional archaeological survey be conducted to
4337 identify site boundaries, resources, and mitigation alternatives prior to any site
4338 disturbance and that a technical report be provided to the officer, ~~((OAH))~~ the state
4339 Department of Archaeology and Historic Preservation, and appropriate Indian tribal
4340 organizations. The officer may approve, disapprove or require permits conditions,
4341 including professional archeological surveys, to mitigate adverse impacts to known
4342 archeological sites.

4343 C. Upon receipt of an application for a development proposal ~~((which))~~ that
4344 affects a King County landmark or an historic resource that has received a preliminary
4345 determination of significance as defined by K.C.C. 20.62.020_V., the application
4346 circulated to the King County historic preservation officer shall be deemed an application
4347 for a certificate of appropriateness pursuant to K.C.C. 20.62.080 if accompanied by the
4348 additional information required to apply for such certificate.

4349 SECTION 75. Ordinance 10870, Section 17, as amended, and K.C.C.
4350 21A.02.070 are hereby amended to read as follows:

4351 A. All references to the Standard Industrial Classification (SIC) are to the titles
4352 and descriptions found in the Standard Industrial Classification Manual, 1987 edition,
4353 prepared by United States Office of Management and Budget, which is hereby adopted

4354 by reference. The ~~((f))~~SIC~~((g))~~ is used, with modifications to suit the purposes of this
4355 title, to list and define land uses authorized to be located in the various zones consistent
4356 with the ~~((comprehensive plan))~~ land use map.

4357 B. The SIC categorizes each land use under a general two-digit major group
4358 number, or under a more specific three- or four-digit industry group or industry number.
4359 A use shown on a land use table with a two-digit number includes all uses listed in the
4360 SIC for that major group. A use shown with a three-digit or four-digit number includes
4361 only the uses listed in the SIC number for that industry group or industry.

4362 C. An asterisk ~~((f))~~, shown as "~~((g))~~" in the SIC number column of a land use
4363 table means that the SIC definition for the specific land use identified has been modified
4364 by this title. The definition may include one or more SIC ~~((subclassification))~~ numbers,
4365 or may define the use without reference to the SIC.

4366 D. The ~~((D))~~director shall determine whether a proposed land use not specifically
4367 listed in a land use table or specifically included within a SIC ~~((classification))~~ number is
4368 allowed in a zone. The director's determination shall be based on whether ~~((or not))~~
4369 permitting the proposed use in a particular zone is consistent with the purposes of this
4370 title and the zone's purpose ~~((as set forth))~~ established in K.C.C. chapter 21A.04, by
4371 considering the following factors:

4372 1. The physical characteristics of the use and its supporting structures, including
4373 but not limited to scale, traffic, and other impacts, and hours of operation;

4374 2. Whether ~~((or not))~~ the use complements or is compatible with other uses
4375 ~~((permitted))~~ allowed in the zone; and

4376 3. The SIC (~~((classification))~~) number, if any, assigned to the business or other
4377 entity that will carry on the primary activities of the proposed use.

4378 E. If a proposed land use subject to subsection D. of this section is an essential
4379 public facility under the Growth Management Act, it shall be evaluated using the special
4380 use permit process.

4381 SECTION 76. Ordinance 10870, Section 27, as amended, and K.C.C.
4382 21A.04.060 are hereby amended to read as follows:

4383 A. The purpose of the rural zone (RA) is to provide for an area-wide long-term
4384 rural character and to minimize land use conflicts with nearby agricultural or forest
4385 production districts or mineral extraction sites. These purposes are accomplished by:

4386 1. Limiting residential densities and (~~((permitted))~~) allowed uses to those that are
4387 compatible with rural character and nearby resource production districts and sites and are
4388 able to be adequately supported by rural service levels;

4389 2. Allowing small-scale farming and forestry activities and tourism and
4390 recreation uses that can be supported by rural service levels and that are compatible with
4391 rural character;

4392 3. Increasing required setbacks to minimize conflicts with adjacent agriculture,
4393 forest, or mineral zones; and

4394 4. Requiring tracts created through clustering (~~((development))~~) to be designated
4395 as permanent (~~((open space))~~) natural area or as permanent resource use.

4396 B. Use of this zone is appropriate in the rural area(~~((s))~~) designated by the
4397 Comprehensive Plan as follows:

4398 1. RA-2.5 in the rural area((s)) where the predominant lot pattern is below five
4399 acres in size for lots established ~~((prior to))~~ before the adoption of the 1994
4400 Comprehensive Plan;

4401 2. RA-5 in the rural area((s)) where ~~((the predominant lot pattern is five acres or~~
4402 ~~greater but less than ten acres in size and the area is generally environmentally~~
4403 ~~unconstrained;))~~;

4404 a. the land is more than a quarter mile from designated natural resource lands;
4405 b. the land is physically suitable for development with minimal critical areas;
4406 and
4407 c. the density would not harm or diminish the surrounding area, burden
4408 infrastructure, increase development pressure, or be inconsistent with the development
4409 patterns promoted by the Comprehensive Plan;

4410 3.a. RA-10 in the rural area((s)) where ~~((the predominant lot pattern is ten acres~~
4411 ~~or greater but less than twenty acres in size. RA-10 is also applied on land that is~~
4412 ~~generally environmentally constrained, as defined by county, state or federal law, to~~
4413 ~~protect critical habitat and regionally significant resource areas (RSRAs). The RA-10~~
4414 ~~zone is also applied to lands within one-quarter mile of a forest or agricultural production~~
4415 ~~district or an approved long-term mineral extraction site.))~~;

4416 (1) the land is adjacent to or within one-quarter mile of designated natural
4417 resource lands;
4418 (2) the land contains moderate or significant critical areas; or

(3) a density of one dwelling unit per five acres would harm or diminish the surrounding area, burden infrastructure, increase development pressure, or be inconsistent with the development patterns promoted by the Comprehensive Plan; and

b. On Vashon-Maury Island, RA-10 zoning shall be maintained on areas zoned RA-10 as of 1994 and on areas with a predominant lot size of ten acres or greater that are identified on the Areas Highly Susceptible to Groundwater Contamination map; and

4. RA-20 in Rural Forest Focus (~~((Districts))~~) Areas designated by the King County Comprehensive Plan. This level of density should also be considered when a larger parcel with an agricultural, forestry, or mineral land use designation is redesignated to a rural area land use designation.

SECTION 77. Ordinance 10870, Section 28, as amended, and K.C.C. 21A.04.070 are hereby amended to read as follows:

A. The purposes of the urban reserve zone (UR) are to: phase growth and demand for urban services, and to reserve large tracts of land for possible future growth in portions of King County designated by the Comprehensive Plan for future urban growth while allowing reasonable interim uses of property; or to reflect designation by the Comprehensive Plan of a property or area as part of the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area when a detailed plan for urban uses and densities has not been completed, or where adequate public facilities and services are not available or yet needed. These purposes are accomplished by:

1. Allowing for rural, agricultural, and other low-density uses;
2. Allowing for limited residential growth, either contiguous to existing urban public facilities~~((;))~~ or at a density supportable by existing rural public service levels; and

4442 3. Requiring ~~((clustered residential developments))~~ clustering where feasible, to
4443 prevent establishment of uses and lot patterns ~~((which))~~ that may foreclose future
4444 alternatives and impede efficient later development at urban densities.

4445 B. Use of this zone is appropriate in ~~((urban areas, rural towns or in rural city
4446 expansion areas))~~ the Urban Growth Area for Cities in the Rural Area designated by the
4447 Comprehensive Plan~~((, when such areas do not have adequate public facilities and
4448 services or are not yet needed to accommodate planned growth, do not yet have detailed
4449 land use plans for urban uses and densities, or are designated as sites for a potential urban
4450 planned development or new fully contained communities))~~.

4451 SECTION 78. Ordinance 10870, Section 29, as amended, and K.C.C.
4452 21A.04.080 are hereby amended to read as follows:

4453 A. The purpose of the urban residential zone (R) is to implement
4454 ~~((e))~~Comprehensive ~~((p))~~Plan goals and policies for housing quality, diversity, and
4455 affordability, and to efficiently use urban residential land, public services, and ~~((energy))~~
4456 utilities. These purposes are accomplished by:

4457 1. Providing, in the R-1 zone, predominantly single detached residences at a
4458 relatively low residential density;

4459 2. Providing, in the R-4 through R-8 zones, for a mix of ~~((predominantly))~~
4460 single detached ~~((dwelling units))~~ residences, duplexes, houseplexes, and other
4461 development types, with a variety of densities and sizes in locations appropriate for
4462 ~~((urban))~~ lower or moderate residential densities;

4463 ~~((2-))~~ 3. Providing, in the R-12 through R-48 zones, for a mix of predominantly
4464 apartments and townhouses ~~((dwelling units))~~, mixed-use, and other development types,

4465 with a variety of densities and sizes in locations appropriate for ~~((urban))~~ moderate to
4466 higher residential densities;

4467 ~~((3-))~~ 4. Allowing only those accessory and complementary nonresidential uses
4468 that are compatible with urban residential communities; and

4469 ~~((4-))~~ 5. Establishing density designations to facilitate advanced area-wide
4470 planning for public facilities and services, and to protect ~~((environmentally sensitive~~
4471 ~~sites))~~ critical areas from over~~((-))~~development.

4472 B. Use of ~~((this))~~ these zones is appropriate in urban areas, ~~((activity))~~ centers, or
4473 ~~((R))~~rural ~~((T))~~towns designated by the Comprehensive Plan as follows:

4474 1. The R-1 zone;

4475 a. on or adjacent to lands with area-wide environmental constraints where
4476 ~~((development))~~ clustering is required ~~((to cluster))~~ away from ~~((sensitive))~~ critical
4477 areas~~((;))~~;

4478 b. on lands designated as urban separators ~~((or))~~, wildlife habitat network
4479 ~~((where development is required to cluster away from the axis of the corridor on))~~, or
4480 critical aquifer recharge areas~~((, and on Regionally and Locally Significant Resource~~
4481 ~~Areas (RSRAs/LSRAs)))~~; or

4482 c. in well-established subdivisions of the same density~~((, which))~~ that are
4483 served at the time of development by public or private facilities and services adequate to
4484 support planned densities;

4485 2. The R-4 through R-8 zones on ~~((urban))~~ lands that are predominantly
4486 environmentally unconstrained and are served at the time of development~~((;))~~ by

4487 adequate public sewers, water supply, roads, and other needed public facilities and
4488 services; and

4489 3. The R-12 through R-48 zones on lands in and next to ~~((U))~~unincorporated
4490 ~~((A))~~activity ~~((C))~~centers, in ~~((C))~~community business centers, or ~~((N))~~neighborhood
4491 ~~((B))~~business ~~((C))~~centers, in mixed-use development, on small, scattered lots integrated
4492 into existing residential areas, or in ~~((R))~~rural ~~((T))~~towns, that are served at the time of
4493 development by adequate public sewers, water supply, roads, and other needed public
4494 facilities and services.

4495 SECTION 79. Ordinance 10870, Section 30, as amended, and K.C.C.
4496 21A.04.090 are hereby amended to read as follows:

4497 A. The purpose of the neighborhood business zone (NB) is to provide convenient
4498 daily retail and personal services for a limited service area and to minimize impacts of
4499 commercial activities on nearby properties and ~~((in urban areas on properties with the~~
4500 ~~land use designation of commercial outside of center,))~~ to provide for limited residential
4501 development. These purposes are accomplished by:

4502 1. Limiting nonresidential uses to those retail or personal services ~~((which))~~ that
4503 can serve the everyday needs of a surrounding urban or rural residential area;

4504 2. Allowing for ~~((mixed use (housing and retail/service)))~~ mixed-use
4505 developments to provide workforce housing ~~((and))~~;

4506 3. Allowing for townhouse developments as a sole use on properties in the
4507 urban area with the land use designation of commercial outside of center; and

4508 ~~((3-))~~ 4. Excluding industrial and community/regional business-scaled uses.

4509 B. Use of this zone is appropriate in ~~((urban))~~ unincorporated activity centers,
4510 community business centers, neighborhood business centers, commercial outside of
4511 centers, rural towns, or rural neighborhood commercial centers designated by the
4512 ~~((e))~~Comprehensive ~~((p))~~Plan, on sites ~~((which))~~ that are served at the time of
4513 development by adequate public sewers when located in urban areas or adequate on-site
4514 sewage disposal when located in rural areas, water supply, roads, and other needed public
4515 facilities and services.

4516 SECTION 80. Ordinance 10870, Section 31, as amended, and K.C.C.
4517 21A.04.100 are hereby amended to read as follows:

4518 A. The purpose of the community business zone (CB) is to provide convenience
4519 and comparison retail and personal services for local service areas ~~((which))~~ that exceed
4520 the daily convenience needs of adjacent neighborhoods but ~~((which))~~ that cannot be
4521 served conveniently by larger unincorporated activity centers, and to provide retail and
4522 personal services in locations within unincorporated activity centers that are not
4523 appropriate for extensive outdoor storage or ~~((auto))~~ vehicle-related and industrial uses.
4524 These purposes are accomplished by:

4525 1. Providing for limited small-scale offices as well as a wider range of the retail,
4526 professional, governmental, and personal services than are found in neighborhood
4527 business areas;

4528 2. Allowing for ~~((mixed-use (housing and retail/service)))~~ mixed-use
4529 developments; and

4530 3. Excluding commercial uses with extensive outdoor storage or auto related
4531 and industrial uses.

4532 B. Use of this zone is appropriate in (~~urban and~~) unincorporated activity
4533 centers, community business centers, commercial outside of centers, or rural towns that
4534 are designated by the Comprehensive Plan (~~and community plans~~) and that are served at
4535 the time of development by adequate public sewers, water supply, roads, and other
4536 needed public facilities and services.

4537 SECTION 81. Ordinance 10870, Section 32, as amended, and K.C.C.
4538 21A.04.110 are hereby amended to read as follows:

4539 A. The purpose of the regional business zone (RB) is to provide for the broadest
4540 mix of comparison retail, wholesale, service, and (~~recreation~~) recreational and cultural
4541 uses with compatible storage and fabrication uses, serving regional market areas and
4542 offering significant employment opportunities. These purposes are accomplished by:

4543 1. Encouraging compact development that is supportive of transit and pedestrian
4544 travel, through higher nonresidential building heights and floor area ratios than those
4545 found in community business centers;

4546 2. Allowing for outdoor sales and storage, regional shopping areas, and limited
4547 fabrication uses; (~~and~~)

4548 3. Concentrating large-scale commercial and office uses to facilitate the
4549 efficient provision of public facilities and services; and

4550 4. Allowing for mixed-use developments in urban areas.

4551 B. Use of this zone is appropriate in (~~urban activity centers or rural towns~~)
4552 commercial outside of centers that are designated by the Comprehensive Plan (~~and~~
4553 ~~community plans~~) that are served at the time of development by adequate public sewers,
4554 water supply, roads, and other needed public facilities and services.

4555 SECTION 82. Ordinance 10870, Section 33, and K.C.C. 21A.04.120 are hereby
4556 amended to read as follows:

4557 A. The purpose of the office zone (O) is to provide for pedestrian and transit-
4558 oriented high-density employment uses together with limited complementary retail and
4559 urban density residential development in locations ~~((within activity centers))~~ where the
4560 full range of commercial activities is not desirable. These purposes are accomplished by:

4561 1. Allowing for uses that will take advantage of pedestrian-oriented site and
4562 street improvement standards;

4563 2. Providing for higher building heights and floor area ratios than those found in
4564 community business centers;

4565 3. Reducing the ratio of required parking to building floor area;

4566 4. Allowing for on-site convenient daily retail and personal services for
4567 employees and residences; ~~((and))~~

4568 5. Excluding ~~((auto))~~ vehicle-oriented, outdoor, or other retail sales and services
4569 ~~((which))~~ that do not provide for the daily convenience needs of on-site and nearby
4570 employees or residents; and

4571 6. Allowing for mixed-use developments.

4572 B. Use of this zone is appropriate in unincorporated activity centers, community
4573 business centers, neighborhood business centers, commercial outside of centers, or rural
4574 towns designated by the Comprehensive Plan ~~((and community plans which))~~ that are
4575 served at the time of development by adequate public sewers, water supply, roads, and
4576 other needed public facilities and services.

4577 SECTION 83. Ordinance 10870, Section 44, as amended, and K.C.C.

4578 21A.06.020 are hereby amended to read as follows:

4579 Accessory use, residential: an accessory use to a residential use, including, but

4580 not limited to:

4581 A. Accessory living quarters and dwellings;

4582 B. Fallout or bomb shelters;

4583 C. Keeping household pets or operating a hobby cattery, ~~((or))~~ hobby kennel, or

4584 home-based animal shelter;

4585 D. On-site rental office;

4586 E. Pools, private docks or piers;

4587 F. Antennae for private telecommunication services;

4588 G. Storage of yard maintenance equipment;

4589 H. Storage of private vehicles, such as motor vehicles, boats, trailers or planes;

4590 I. Greenhouses;

4591 J. Recreation space and play areas required under K.C.C. 21A.14.180 ~~((and play~~

4592 ~~areas required under K.C.C. 21A.14.190))~~);

4593 K. Home occupations and home industries under K.C.C. chapter 21A.30;

4594 L. Consumer-scale renewable energy systems; and

4595 M. Battery energy storage systems meeting the requirements of K.C.C.

4596 21A.08.030.B.7.

4597 NEW SECTION. SECTION 84. There is hereby added to K.C.C. chapter

4598 21A.06 a new section to read as follows:

4599 Adult family home: a residence in which a person or persons provide personal
4600 care, special care, room, and board to more than one but not more than six adults who are
4601 not related by blood or marriage to the person or persons providing the services. An adult
4602 family home may provide services to up to eight adults upon approval from the
4603 department of social and health services under RCW 70.128.066.

4604 SECTION 85. Ordinance 10870, Section 48, as amended, and K.C.C.
4605 21A.06.040 are hereby amended to read as follows:

4606 Agricultural product sales: the retail sale of items resulting from the practice of
4607 agriculture, including primary horticulture products such as fruits, vegetables, grains,
4608 seed, feed, and plants, primary animal products such as eggs, milk, and meat, or
4609 secondary and value-added products resulting from processing, sorting, or packaging of
4610 primary agricultural products such as jams, cheeses, dried herbs, or similar items.
4611 Agricultural product sales do not include ((~~marijuana~~)) cannabis, usable ((~~marijuana~~))
4612 cannabis, or ((~~marijuana~~)) cannabis-infused products.

4613 NEW SECTION. SECTION 86. There is hereby added to K.C.C. chapter
4614 21A.06 a new section to read as follows:

4615 Anaerobic digester: an airtight, oxygen-free container that is fed animal manure
4616 or other solid waste and that uses a biological process to stabilize organic matter and
4617 produce methane gas for energy generation or other beneficial use.

4618 SECTION 87. K.C.C. 21A.06.355, as amended by this ordinance, is hereby
4619 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.067.

4620 SECTION 88. Ordinance 10870, Section 5, and K.C.C. 21A.06.355 are hereby
4621 amended to read as follows:

4622 ~~((Dwelling unit, a))~~Apartment: ~~((a dwelling unit contained in))~~ a building
4623 consisting of ~~((two))~~ ten or more dwelling units ~~((which may be stacked, or one or more~~
4624 ~~dwelling with nonresidential uses))~~ sharing a common roof, wall, or floor. A houseplex
4625 with one or more accessory dwelling units is not considered an apartment.

4626 SECTION 89. Ordinance 10870, Section 54, as amended, and K.C.C.
4627 21A.06.070 are hereby amended to read as follows:

4628 Applicant: a property owner, a public agency, or a public or private utility that
4629 owns a right-of-way or other easement or has been adjudicated the right to such an
4630 easement ~~((under))~~ in accordance with RCW 8.08.040, or any person or entity designated
4631 or named in writing by the property or easement owner to be the applicant, in an
4632 application for a development proposal, permit, or approval.

4633 NEW SECTION. SECTION 90. There is hereby added to K.C.C. chapter
4634 21A.06 a new section to read as follows:

4635 At imminent risk of becoming homeless: a household that will lose their primary
4636 nighttime residence as follows:

4637 A. The residence will be lost within fourteen days of the date of application for
4638 homeless assistance;

4639 B. No subsequent residence has been identified; and

4640 C. The household lacks the resources or support networks needed to obtain other
4641 permanent housing, such as family, friends, or faith-based or other social networks.

4642 NEW SECTION. SECTION 91. There is hereby added to K.C.C. chapter
4643 21A.06 a new section to read as follows:

4644 At risk of chronic homelessness: a household that includes at least one adult:

4645 A. With a developmental, physical, or behavioral health disability;
4646 B. That is currently experiencing homelessness for at least ten months in the
4647 previous three years, or has experienced homelessness for a cumulative total of twelve
4648 months within the previous five years; and
4649 C. That has been incarcerated within the previous five years in a jail or prison,
4650 has been detained or involuntarily committed under chapter 71.05 RCW, or identifies as a
4651 member of a population that is demographically overrepresented among persons
4652 experiencing homelessness in King County.

4653 SECTION 92. K.C.C. 21A.06.7341, as amended by this ordinance, is hereby
4654 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.162.

4655 SECTION 93. Ordinance 17710, Section 2, and K.C.C. 21A.06.7341 are hereby
4656 amended to read as follows:

4657 ~~((Marijuana))~~ Cannabis: all parts of the plant cannabis, whether growing or not,
4658 with a percentage concentration of delta-9 tetrahydrocannabinol content per dry weight of
4659 any part of the plant cannabis, or per volume or weight of ~~((marijuana))~~ cannabis product
4660 greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from
4661 any part of the plant; and every compound, manufacture, salt, derivative, mixture, or
4662 preparation of the plant, its seeds, or resin. ~~((Marijuana))~~ Cannabis does not include the
4663 mature stalks of the plant, fiber produced from the stalks, oil, or cake made from the
4664 seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or
4665 preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake,
4666 or the sterilized seed of the plant ~~((which))~~ that is incapable of germination.

4667 SECTION 94. K.C.C. 21A.06.7342, as amended by this ordinance, is hereby
4668 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.7341, as
4669 recodified by this ordinance.

4670 SECTION 95. Ordinance 17710, Section 3, and K.C.C. 21A.06.7342 are hereby
4671 amended to read as follows:

4672 ((~~Marijuana~~)) Cannabis greenhouse: a structure with a glass or rigid plastic roof
4673 and glass or rigid plastic walls designed and used to create an artificial climate for the
4674 growing of ((~~marijuana~~)) cannabis as licensed by the Washington state Liquor ((~~Control~~))
4675 and Cannabis Board for the ((~~marijuana~~)) cannabis production that is of sufficient
4676 strength and stability to comply with the structural design load requirements of the
4677 building code and that is not used as a place for human habitation or by the general
4678 public.

4679 SECTION 96. K.C.C. 21A.06.7344, as amended by this ordinance, is hereby
4680 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.7342, as
4681 recodified by this ordinance.

4682 SECTION 97. Ordinance 17710, Section 4, as amended, and K.C.C.
4683 21A.06.7344 are hereby amended to read as follows:

4684 ((~~Marijuana~~)) Cannabis processor: a facility licensed by the Washington state
4685 Liquor and Cannabis Board to process ((~~marijuana~~)) cannabis into useable ((~~marijuana~~))
4686 cannabis and ((~~marijuana~~)) cannabis-infused products, package, and label useable
4687 ((~~marijuana~~)) cannabis and ((~~marijuana~~)) cannabis-infused products for sale in retail
4688 outlets, and sell useable ((~~marijuana~~)) cannabis and ((~~marijuana~~)) cannabis-infused

4689 products at wholesale to ((~~marijuana~~)) cannabis retailers. ((~~Marijuana~~)) Cannabis
4690 processors are classified as follows:

4691 A. ((~~Marijuana~~)) Cannabis processor I -- processing that is limited to:

4692 1. Drying, curing, and trimming; and

4693 2. Packaging.

4694 B. ((~~Marijuana~~)) Cannabis process-- II -- all elements of processing including:

4695 1. All ((~~marijuana~~)) Cannabis processor I activities;

4696 2. Extracting concentrates and infusing products;

4697 3. Mechanical and chemical processing; and

4698 4. Packaging.

4699 SECTION 98. K.C.C. 21A.06.7346, as amended by this ordinance, is hereby
4700 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.7344, as
4701 recodified by this ordinance.

4702 SECTION 99. Ordinance 17710, Section 5, as amended, and K.C.C.

4703 21A.06.7346 are hereby amended to read as follows:

4704 ((~~Marijuana~~)) Cannabis producer: a facility licensed by the Washington state
4705 Liquor and Cannabis Board for the production and sale at wholesale of ((~~marijuana~~))
4706 cannabis to ((~~marijuana~~)) cannabis processors and other ((~~marijuana~~)) cannabis
4707 producers.

4708 SECTION 100. K.C.C. 21A.06.7348, as amended by this ordinance, is hereby
4709 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.7346, as
4710 recodified by this ordinance.

4711 SECTION 101. Ordinance 17710, Section 6, as amended, and K.C.C.
4712 21A.06.7348 hereby amended to read as follows:

4713 ~~((Marijuana))~~ Cannabis retailer: a facility licensed by the Washington state
4714 Liquor and Cannabis Board where useable ~~((marijuana))~~ cannabis and ~~((marijuana))~~
4715 cannabis-infused products may be sold at retail.

4716 SECTION 102. Ordinance 10870, Section 84, and K.C.C. 21A.06.220 are hereby
4717 amended to read as follows:

4718 Community residential facility ("CRF"): living quarters meeting applicable
4719 federal and state standards that function as a single ~~((housekeeping unit))~~ household and
4720 provide supportive services, including but not limited to counseling, rehabilitation, and
4721 medical supervision~~((;))~~. It does not include ~~((excluding))~~ drug and alcohol
4722 detoxification, which is classified ~~((in K.C.C. 21A.08.050))~~ as health care services and
4723 residential care services in section 162 of this ordinance, ~~((and))~~ or ~~((excluding))~~ a secure
4724 community transition facility as defined in ~~((R.C.W.))~~ RCW 71.09.020 and in this
4725 chapter. For purposes of domestic violence shelters, minors living with a parent shall not
4726 be counted as part of the maximum number of residents. Community Residential
4727 Facilities are further classified as follows:

4728 A. Community Residential Facility - I -- Nine to ten residents and staff;
4729 B. Community Residential Facility - II -- Eleven or more residents and staff.

4730 If staffed by nonresident staff, each twenty-four staff hours per day equals one full-time
4731 residing staff member for purposes of subclassifying CRFs.

4732 SECTION 103. Ordinance 12243, Section 4, and K.C.C. 21A.06.247 are hereby
4733 amended to read as follows:

4734 Construction and trade~~((s))~~: establishments that provide services related to
4735 construction of buildings and infrastructure, and other improvements to property. Such
4736 establishments include~~((s))~~ SIC Major ~~((group no.'s))~~ Groups 15-17~~((s))~~ and SIC Industry
4737 ~~((group no.))~~ Group 078-~~((f))~~Landscape and Horticultural Services~~((g))~~.

4738 SECTION 104. K.C.C. 21A.06.358, as amended by this ordinance, is hereby
4739 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.252.

4740 SECTION 105. Ordinance 15032, Section 4, and K.C.C. 21A.06.358 are hereby
4741 amended to read as follows:

4742 ~~((Dwelling unit, e))~~Cottage housing: ~~((a))~~ three or more small single detached
4743 ~~((single family dwelling unit located on a commonly owned parcel with common open~~
4744 ~~space))~~ residences sited around a central common space on a commonly owned parcel.

4745 SECTION 106. Ordinance 15606, Section 5, and K.C.C. 21A.06.196 are hereby
4746 amended to read as follows:

4747 Clustering: development of a subdivision at the existing zoned density that
4748 reduces the size of individual lots and creates one or more natural ~~((open space))~~ area
4749 tracts for the preservation of critical areas~~((s parks and permanent open space or as a~~
4750 ~~reserve for future development))~~ or resource land tracts for forestry or agriculture.

4751 NEW SECTION. SECTION 107. There is hereby added to K.C.C. chapter
4752 21A.06 a new section to read as follows:

4753 Community center: An establishment owned by a public agency or private
4754 nonprofit entity that provides cultural, recreational, athletic, civic, social, health, or
4755 educational activities as its primary function. A community center is open to the general
4756 public on equal basis and serves the subarea geography in which it is located. A

4757 community center may include meeting areas, senior centers, day cares, teen centers,
4758 gymnasiums, dance studios, pools, exercise rooms, meals, counseling services, classes,
4759 community programs, social gatherings, or health services such as mobile clinics or
4760 vaccination events. A community center may include other accessory uses or activities,
4761 outdoor or indoor recreation, community gardens, commercial kitchens and food
4762 processing, craft work and maker spaces, cafes, galleries, coworking spaces, health
4763 clinics, office spaces, and retail sales of food and goods. A community center does not
4764 include a private community clubhouse, or a civil or fraternal association.

4765 NEW SECTION. SECTION 108. There is hereby added to K.C.C. chapter
4766 21A.06 a new section to read as follows:

4767 Congregate residence: a building that contains sleeping units or dwelling units, or
4768 both, with communal facilities such as sanitation facilities, kitchen facilities, recreation
4769 space, or lounges.

4770 NEW SECTION. SECTION 109. There is hereby added to K.C.C. chapter
4771 21A.06 a new section to read as follows:

4772 Crisis care center: a facility that provides same-day access to crisis stabilization
4773 services for people in behavioral health crisis including walk-in behavioral health urgent
4774 care clinic, a twenty-three-hour observation unit or similar facility, a crisis stabilization
4775 unit for up to fourteen days of care, and post-crisis support services.

4776 SECTION 110. Ordinance 10870, Section 92, as amended, and K.C.C.
4777 21A.06.260 are hereby amended to read as follows:

4778 Critical facility: a facility necessary to protect the public health, safety, and
4779 welfare including, but not limited to, a facility defined under the occupancy categories of

4780 "essential facilities," "hazardous facilities," and "special occupancy structures" in the
4781 structural ~~((forces))~~ design chapter ~~((or succeeding chapter))~~ in K.C.C. Title 16. Critical
4782 facilities also include nursing and personal care facilities, schools, senior ~~((citizen))~~
4783 assisted housing, ~~((public roadway))~~ county-owned bridges, and sites that produce, use,
4784 or store hazardous substances or hazardous waste, not including the temporary storage of
4785 consumer products containing hazardous substances or hazardous waste intended for
4786 household use or for retail sale on the site.

4787 SECTION 111. Ordinance 10870, Section 98, and K.C.C. 21A.06.290 are hereby
4788 amended to read as follows:

4789 Destination resort: an establishment for outdoor resource-based recreation and
4790 intended to utilize and provide access to outdoor recreational opportunities~~((, including~~
4791 ~~related))~~. Accessory services, such as ~~((food))~~ retail, eating and drinking places,
4792 ~~((overnight))~~ temporary lodging, recreation equipment rentals, entertainment, and ~~((other~~
4793 ~~conveniences for guests of the resort))~~ personal services are allowed as part of a
4794 destination resort.

4795 SECTION 112. Ordinance 10870, Section 101, as amended, and K.C.C.
4796 21A.06.305 are hereby amended to read as follows:

4797 Development agreement:

4798 ~~((A. A recorded agreement between a UPD applicant and King County which~~
4799 ~~incorporates the site plans, development standards, and other features of an Urban Plan~~
4800 ~~Development as described in K.C.C. chapter 21A.39; or~~

4801 ~~B.))~~ An agreement authorized under RCW 36.70B.170 through 36.70B.210.

4802 SECTION 113. Ordinance 15051, Section 31, and K.C.C. 21A.06.333 are hereby
4803 amended to read as follows:

4804 Drainage subbasin: ~~((a drainage area identified as a drainage subbasin in a~~
4805 ~~county-approved basin plan or, if not identified, a drainage))~~ an area that drains to a body
4806 of water that is named and mapped and contained within a ~~((drainage))~~ larger basin.

4807 NEW SECTION. SECTION 114. There is hereby added to K.C.C. chapter
4808 21A.06 a new section to read as follows:

4809 Duplex: a building containing two dwelling units designed sharing a common
4810 roof, wall, or floor. Individual units may be side-by-side or stacked one on top of the
4811 other. A single detached residence with accessory dwelling unit is not considered a
4812 duplex.

4813 SECTION 115. Ordinance 10870, Section 109, and K.C.C. 21A.06.345 are
4814 hereby amended to read as follows:

4815 Dwelling unit: one or more rooms designed for occupancy by a ~~((person or~~
4816 ~~family))~~ household for living and sleeping purposes, containing kitchen facilities and
4817 rooms with internal accessibility, for use solely by the dwelling's occupants~~((;d))~~.

4818 Dwelling units include ~~((but are not limited to bachelor, efficiency and))~~ studio
4819 apartments, factory-built housing, and manufactured and mobile homes.

4820 NEW SECTION. SECTION 116. There is hereby added to K.C.C. chapter
4821 21A.06 a new section to read as follows:

4822 Emergency shelter: a facility providing short-term overnight accommodations.

4823 Day, cooling, or warming center services may be offered.

4824 NEW SECTION. SECTION 117. There is hereby added to K.C.C. chapter
4825 21A.06 a new section to read as follows:

4826 Emergency supportive housing: housing where persons experiencing chronic
4827 homelessness or at risk of chronic homelessness can reside temporarily, and that offers
4828 housing-oriented services, case management, and other support or assistance services.

4829 NEW SECTION. SECTION 118. There is hereby added to K.C.C. chapter
4830 21A.06 a new section to read as follows:

4831 Experiencing chronic homelessness: a household that includes at least one adult
4832 with a disability, that is currently experiencing homelessness for at least twelve
4833 consecutive months or has experienced multiple episodes homelessness for a cumulative
4834 twelve months within the previous three years.

4835 SECTION 119. Ordinance 10870, Section 125, as amended, and K.C.C.
4836 21A.06.425 are hereby amended to read as follows:

4837 Examiner: the ~~((zoning and subdivision))~~ office of the hearing examiner as
4838 established by K.C.C. chapter 20.22.

4839 NEW SECTION. SECTION 120. There is hereby added to K.C.C. chapter
4840 21A.06 a new section to read as follows:

4841 Floor area ratio (FAR): the proportion of total amount of usable floor area within
4842 a building, excluding basement or underground areas, and the total area of the site. This
4843 ratio is determined by dividing the total usable floor area by the site area.

4844 SECTION 121. Ordinance 10870, Section 144, as amended, and K.C.C.
4845 21A.06.520 are hereby amended to read as follows:

4846 Forest practice: any forest practice as defined in RCW ~~((79.06.020))~~ 76.09.020.

4847 NEW SECTION. SECTION 122. There is hereby added to K.C.C. chapter
4848 21A.06 a new section to read as follows:

4849 Formula business: a type of nonresidential land use which is under common
4850 ownership or control or is a franchise, and is one of thirty or more other businesses or
4851 establishments worldwide maintaining two or more of the following features:

4852 A. Standardized menu or standardized array of merchandise with fifty percent or
4853 more of in-stock merchandise from a single distributor bearing uniform markings;

4854 B. Trademark or service mark, defined as a word, phrase, symbol, or design, or a
4855 combination thereof, that identifies and distinguishes the source of the goods from one
4856 party from those of others, on products or as part of store design, such as cups, napkins,
4857 bags, boxes, wrappers, straws, store signs, or advertising devices;

4858 C. Standardized color scheme used throughout the interior or exterior of the
4859 establishment, including, but not limited to, graphics, awnings, or signage, visible from
4860 the exterior of the structure;

4861 D. Standardized interior decor, including, but not limited to, style of furniture,
4862 wall coverings, permanent fixtures, displays, or window treatments; and

4863 E. Standardized uniform, including but not limited to aprons, pants, shirts,
4864 smocks or dresses, hats, and pins, but excluding name tags.

4865 SECTION 123. Ordinance 10870, Section 148, and K.C.C. 21A.06.540 are
4866 hereby amended to read as follows:

4867 General business service: an establishment engaged in providing services to
4868 businesses or individuals, with no outdoor storage or fabrication, including only uses
4869 located in SIC Major Groups ~~((Nos-))~~ and Industry Groups:

4870 A. 60-Depository Institutions;
4871 B. 61-Nondepository Credit Institutions;
4872 C. 62-Security and Commodity Brokers, Dealers, Exchanges, and Services;
4873 D. 63-Insurance Carriers;
4874 E. 65-Real Estate, except 653-~~((f))~~Real Estate Agents and Directors~~((g))~~;
4875 F. 67-Holding and Other Investment Offices;
4876 G. 7299-Miscellaneous Personal Services, not elsewhere classified;
4877 H. 73-Business Services, except ~~((Industry Group and Industry Nos.:~~
4878 ~~I.))~~ 7312-Outdoor Advertising Services; and
4879 J. 86-Membership Organizations, including administrative offices of organized
4880 religions found in 8661, but excluding ~~((churches and places of worship))~~ religious
4881 facilities.

4882 SECTION 124. Ordinance 10870, Section 153, and K.C.C. 21A.06.565 are
4883 hereby amended to read as follows:

4884 Grading: any excavation, filling, ~~((removing the duff layer))~~ or land disturbing
4885 activity, or ~~((any))~~ combination thereof.

4886 NEW SECTION. SECTION 125. There is hereby added to K.C.C. chapter
4887 21A.06 a new section to read as follows:

4888 Home-based animal shelter: A single-detached residence where a nonprofit
4889 animal welfare organization takes custody of small animals for interim care or to find
4890 permanent adoptive homes for them.

4891 NEW SECTION. SECTION 126. There is hereby added to K.C.C. chapter
4892 21A.06 a new section to read as follows:

4893 Household: one or more persons living together as a single housekeeping unit.

4894 NEW SECTION. SECTION 127. There is hereby added to K.C.C. chapter

4895 21A.06 a new section to read as follows:

4896 Houseplex: a building containing between three and nine dwelling units sharing a
4897 common roof, wall, or floor. A single detached residence or duplex with one or more
4898 accessory dwelling units is not considered a houseplex.

4899 NEW SECTION. SECTION 128. There is hereby added to K.C.C. chapter

4900 21A.06 a new section to read as follows:

4901 Industrial use: An industrial use is one that primarily involves the manufacturing,
4902 assembly, fabrication, or processing of raw or previously prepared materials; bulk
4903 handling and storage; research facilities; warehousing; or heavy trucking.

4904 SECTION 129. Ordinance 10870, Section 172, and K.C.C. 21A.06.660 are
4905 hereby amended to read as follows:

4906 Kennel, commercial: an establishment or facility where four or more dogs are
4907 kept for commercial purposes, including, but not limited to, boarding, breeding, and
4908 training. A commercial kennel does not include a dog daycare facility.

4909 SECTION 130. Ordinance 15051, Section 74, and K.C.C. 21A.06.732 are hereby
4910 amended to read as follows:

4911 Manufactured home: ~~((or mobile home: a structure, transportable in one or more~~
4912 ~~sections, that in the traveling mode is eight body feet or more in width or thirty-two body~~
4913 ~~feet or more in length; or when erected on site, is three hundred square feet or more in~~
4914 ~~area; which is built on a permanent chassis and is designated for use with or without a~~
4915 ~~permanent foundation when attached to the required utilities; which contains plumbing,~~

4916 ~~heating, air conditioning and electrical systems; and shall include any structure that meets~~
4917 ~~all the requirements of this section, or of chapter 296-150M WAC, except the size~~
4918 ~~requirements for which the manufacturer voluntarily complies with the standards and~~
4919 ~~files the certification required by the federal Department of Housing and Urban~~
4920 ~~Development.)) A factory-built dwelling built in accordance with regulations adopted~~
4921 ~~under the National Manufactured Housing Construction and Safety Standards Act of~~
4922 ~~1974. ((The term "m"))Manufactured home(("or "mobile home")) does not include a~~
4923 ~~(("))recreational vehicle.(("))~~

4924 NEW SECTION. SECTION 131. There is hereby added to K.C.C. chapter
4925 21A.06 a new section to read as follows:

4926 Manufactured home community: a development with two or more pads or spaces
4927 designed to accommodate manufactured homes or mobile homes. Manufactured home
4928 communities may include utilities, parking, common spaces, and other shared amenities.

4929 NEW SECTION. SECTION 132. There is hereby added to K.C.C. chapter
4930 21A.06 a new section to read as follows:

4931 Microshelter: a structure that is less than two hundred square feet and designed
4932 for people to temporarily reside.

4933 NEW SECTION. SECTION 133. There is hereby added to K.C.C. chapter
4934 21A.06 a new section to read as follows:

4935 Microshelter village: a permanent site containing multiple microshelters and may
4936 provide cooking facilities or meals, hygiene facilities, including restrooms and showers,
4937 and a shared gathering space.

4938 NEW SECTION. SECTION 134. There is hereby added to K.C.C. chapter
4939 21A.06 a new section to read as follows:

4940 Mixed-use: a site containing one or more dwelling units and nonresidential uses.

4941 SECTION 135. Ordinance 10870, Section 191, and K.C.C. 21A.06.755 are
4942 hereby amended to read as follows:

4943 ~~((See manufactured home.))~~ Mobile home: a factory-built dwelling built prior to
4944 June 15, 1976, to standards other than the United States department of housing and urban
4945 development code, and acceptable under applicable state codes in effect at the time of
4946 construction or introduction of the home into the state. Mobile home does not include a
4947 recreational vehicle.

4948 SECTION 136. Ordinance 10870, Section 195, and K.C.C. 21A.06.775 are
4949 hereby amended to read as follows:

4950 Motor vehicle, boat, and mobile home dealer: an establishment engaged in the retail
4951 sale of new and/or used automobiles, motor homes, motorcycles, trailers, boats, or mobile
4952 homes, including only uses located in SIC ~~((Major Group and Industry Group Nos.))~~
4953 Industries:

4954 A. ~~5511-((Automotive))~~ Motor Vehicle Dealers ~~((and Gasoline Service Stations~~
4955 ~~except:))~~ (New and Used);

4956 ~~((1. 553-Auto and Home Supply Stores;~~
4957 ~~2. 554-Gasoline Service Stations; and))~~

4958 B. ~~((Aircraft dealers found in 5599:))~~ 5521-Motor Vehicle Dealers (Used Only);

4959 C. 5551-Boat Dealers;

4960 D. 5561-Recreational Vehicle Dealers;

4961 E. 5571-Motorcycle Dealers;

4962 F. 5599, Automotive Dealers, Not Elsewhere Classified, except Aircraft Dealers;

4963 ~~((1-))~~ G. 5271-Mobile Home Dealers; and

4964 ~~((2-))~~ H. 7389, limited to Yacht brokers ~~((found in 7389))~~.

4965 NEW SECTION. SECTION 137. There is hereby added to K.C.C. chapter

4966 21A.06 a new section to read as follows:

4967 Natural area: Properties or tracts whose primary purpose is to conserve and

4968 restore ecological value. They may not be completely natural and undisturbed but may

4969 be important in preserving rare or vanishing flora, fauna, geological sites, or features of

4970 scientific, traditional, cultural, or educational value. These sites may allow public use in

4971 ways that avoid and minimize harm to the ecological resources of the site to the

4972 maximum extent feasible.

4973 NEW SECTION. SECTION 138. There is hereby added to K.C.C. chapter

4974 21A.06 a new section to read as follows:

4975 Outdoor resource-based recreation: recreational activities that rely upon their

4976 setting in or near natural resource lands for their enjoyment, including but not limited to,

4977 hiking, rafting, biking, skiing, horseback riding, fishing, climbing, or similar activities

4978 necessitating an outdoor setting.

4979 NEW SECTION. SECTION 139. There is hereby added to K.C.C. chapter

4980 21A.06 a new section to read as follows:

4981 Permanent supportive housing: subsidized housing with comprehensive support

4982 services, such as healthcare, treatment, or employment services, and that is designed for

persons experiencing homelessness and living with a complex and disabling behavioral or physical health condition.

SECTION 140. Ordinance 15051, Section 87, and K.C.C. 21A.06.957 are hereby amended to read as follows:

Reclamation: the final grading and restoration of a site to ~~((re))~~establish the vegetative cover, soil ~~((stability and))~~ surface water, and groundwater conditions appropriate to accommodate and sustain all ~~((permitted))~~ allowed uses of the proposed zone appropriate for the site ~~((and to prevent and mitigate future environmental degradation))~~.

NEW SECTION. SECTION 141. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Recuperative housing: housing that is designed for persons experiencing homelessness who require continued treatment or medical care but do not require hospitalization.

SECTION 142. K.C.C. 21A.06.185, as amended by this ordinance, is hereby recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.980.

SECTION 143. Ordinance 10870, Section 77, and K.C.C. 21A.06.185 hereby amended to read as follows:

~~((Church, synagogue or temple))~~ Religious facility: a place where religious services are conducted, including a church, synagogue, temple, or mosque. Religious facilities includes those uses located in SIC Industry ~~((No-))~~ Group 866 and ~~((including))~~ accessory uses in the primary or accessory buildings, such as religious education

5005 facilities, reading rooms, assembly rooms, and residences for nuns and clergy. (~~This~~
5006 ~~definition~~)) Religious facilities do not include facilities for training of religious orders.

5007 SECTION 144. Ordinance 14045, Section 7, and K.C.C. 21A.06.1013 are hereby
5008 amended to read as follows:

5009 Rural equestrian community trail: an existing trail (~~within the Equestrian~~
5010 ~~Community~~)) located in the A, F, or RA zones that has historically been used by the
5011 public for riding horses, and that may also have historically been used by or is suitable
5012 for use by other (~~(non-motorized)~~) active transportation, as defined in section 17 of this
5013 ordinance, trail users.

5014 NEW SECTION. SECTION 145. There is hereby added to K.C.C. chapter
5015 21A.06 a new section to read as follows:

5016 Safe parking: a site designated for unsheltered people to reside in a recreational
5017 vehicle or vehicle and may provide on-site services and utilities.

5018 SECTION 146. Ordinance 10870, Section 252, as amended, and K.C.C.
5019 21A.06.1060 are hereby amended to read as follows:

5020 Senior (~~(citizen)~~): a person aged (~~(62)~~) sixty-two years or older.

5021 SECTION 147. Ordinance 10870, Section 634 (part), as amended, and K.C.C.
5022 21A.06.1062 are hereby amended to read as follows:

5023 Senior (~~(citizen)~~) assisted housing: (~~(housing in)~~) a building consisting of two or
5024 more dwelling units or sleeping units restricted to occupancy by (~~(at least one senior~~
5025 ~~citizen per unit)~~) seniors, and may include the following support services(~~(, as deemed~~
5026 ~~necessary)~~):

5027 A. Food preparation and dining areas;

- 5028 B. Group activity areas;
5029 C. Medical supervision; and
5030 D. Similar activities.

5031 SECTION 148. Ordinance 3688, Section 251, as amended, and K.C.C.

5032 21A.06.1082C are hereby amended to read as follows:

5033 Shoreline stabilization: a structure ~~((or))~~, device, ~~((including, but not limited to,~~
5034 ~~breakwaters, bulkheads, jetties, groins and riprap, that is placed so as to prevent))~~ or
5035 action used to address erosion impacts or to alter ~~((the))~~ normal currents, wave actions, or
5036 other natural forces or actions of a waterbody. Shoreline stabilization falls on a spectrum
5037 of measures from nonstructural, soft structural, and hard, including, but not limited to,
5038 relocation of structures, building setbacks, upland drainage control, revegetation, beach
5039 nourishment, drift log placement, riprap, groins, revetments, bulkheads, and seawalls.

5040 Shoreline stabilization does not include flood protection facilities.

5041 NEW SECTION. SECTION 149. There is hereby added to K.C.C. chapter

5042 21A.06 a new section to read as follows:

5043 Sign, Heritage Trail: A sign that provides information, guidance, or educational
5044 content regarding sites of historical, cultural, or natural importance along a specific route
5045 identified by a special purpose district, chamber of commerce, historical society, or
5046 similar entity, regardless of whether the route or individual sites are designated historic
5047 sites.

5048 SECTION 150. Ordinance 11922, Section 2, and K.C.C. 21A.06.1170 are hereby
5049 amended to read as follows:

5050 Site: A single lot or parcel of land, or two or more contiguous lots that are under
5051 common ownership or documented legal control, used as a single parcel for a development
5052 proposal in order to calculate compliance with the standards and regulations of this title.

5053 NEW SECTION. SECTION 151. There is hereby added to K.C.C. chapter
5054 21A.06 a new section to read as follows:

5055 Sleeping unit: A room designed for occupancy by a household for living and
5056 sleeping purposes, and may contain a sanitation facility or kitchen facility, but not both.
5057 Such rooms that are also part of a dwelling unit are not sleeping units.

5058 NEW SECTION. SECTION 152. There is hereby added to K.C.C. chapter
5059 21A.06 a new section to read as follows:

5060 Social services: An establishment providing social services and rehabilitation
5061 services, including only uses located in SIC Industry Groups:

- 5062 A. 832-Individual and Family Social Services;
5063 B. 833-Job Training and Vocational Rehabilitation Services; and
5064 C. 839-Social Services, Not Elsewhere Classified.

5065 SECTION 153. Ordinance 10870, Section 292, as amended, and K.C.C.
5066 21A.06.1260 are hereby amended to read as follows:

5067 Student factor: the number derived by a school district to describe how many
5068 students of each grade span are expected to be generated by a dwelling unit. Student
5069 factors shall be based on district records of average actual student generated rates for new
5070 developments constructed over a period of not more than five years prior to the date of the
5071 fee calculation; if such information is not available in the district, data from adjacent
5072 districts, districts with similar demographics, or county wide averages (~~((must))~~) shall be

5073 used. Student factors ~~((must))~~ shall be separately determined for single ~~((family and~~
5074 ~~multifamily))~~ detached and multiunit dwelling units, and for grade spans.

5075 SECTION 154. Ordinance 13733, Section 5, as amended, and K.C.C.

5076 21A.06.1273B are hereby amended to read as follows:

5077 TDR bank fund: the fund established under K.C.C. ~~((4.08.327))~~ 4A.200.730.

5078 SECTION 155. K.C.C. 21A.06.370, as amended by this ordinance, is hereby
5079 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.1280.

5080 SECTION 156. Ordinance 10870, Section 114, and K.C.C. 21A.06.370 are
5081 hereby amended to read as follows:

5082 ~~((Dwelling unit, t))~~ Townhouse: a site with one or more buildings containing
5083 ~~((one))~~ a total of ten or more dwelling units that ((occupies)) occupy space from the
5084 ground to the roof((;)) and ((is attached to one or more other townhouse dwellings by))
5085 that share common walls with one or more dwelling units. A houseplex with one or more
5086 accessory dwelling units is not considered a townhouse.

5087 SECTION 157. Ordinance 10870, Section 297, as amended, and K.C.C.

5088 21A.06.1285 are hereby amended to read as follows:

5089 Trails: human-made pathways, including elevated boardwalks, bridges, and
5090 stairs, designed and intended for ~~((use by pedestrians, bicyclists, equestrians and other~~
5091 ~~nonmotorized recreational users))~~ one or more forms of active transportation, as defined
5092 in section 17 of this ordinance.

5093 NEW SECTION. SECTION 158. There is hereby added to K.C.C. chapter
5094 21A.06 a new section to read as follows:

5095 Unsheltered person: An individual sleeping in a place not meant for human
5096 habitation.

5097 SECTION 159. Ordinance 10870, Section 315, as amended, and K.C.C.

5098 21A.06.1375 are hereby amended to read as follows:

5099 Warehousing and wholesale trade: establishments involved in the storage
5100 ~~((and/))~~ or sale of bulk goods for resale or assembly, excluding establishments offering
5101 the sale of bulk goods to the general public which is classified as a retail use in K.C.C.
5102 21A.08.070 and excluding local distribution gas storage tanks. These establishments
5103 shall include only SIC Major Groups ~~((Nos.))~~ 50 and 51 and SIC Industry Groups
5104 ~~((Nos.))~~ 422 and 423, excluding fossil fuels and fossil fuel facilities.

5105 SECTION 160. Ordinance 10870, Section 330, as amended, and K.C.C.

5106 21A.08.030 are hereby amended to read as follows:

5107 A. Residential land uses.

| ((P-Permitted Use C-Conditional Use S-Special Use | | RESOURCE | | | R U R A L | RESIDENTIAL | | | | COMMERCIAL/INDUSTRIAL)) | | | | |
|---|---|----------|---|---|-----------------------|-------------|------------|------------------|-----------|-------------------------|----|----|---|---|
| SIC # | SPECIFIC LAND USE | A | F | M | RA | UR | <u>R-1</u> | ((R-1 | R-2 | NB | CB | RB | O | I |
| | | | | | | | | -8)) | 12 = | | | | | |
| | | | | | | | | <u>R-4</u> | <u>R-</u> | | | | | |
| | | | | | | | | <u>-R-</u> | 48 | | | | | |
| | | | | | | | | <u>8</u> | | | | | | |
| | ((DWELLING UNITS,)) <u>HOUSING</u> TYPES: | | | | | | | | | | | | | |

| | | | | | | | | | | | | | | |
|---|---|---|----|--|------------------------------|------------------------------|-----------|---|------------------------------|--------------------------|---------------|---------------|-----------------|--|
| * | Single Detached <u>Residence</u> | P <u>17</u> ((C 12)) | P2 | | P ((C 12)) | P ((C 12)) | <u>P</u> | P ((C 12)) | P ((C 12)) | P((4 5)) <u>16</u> | | | | |
| * | <u>Duplex</u> | | | | <u>C4</u> | <u>C4</u> | <u>P</u> | <u>P12</u> | <u>P12</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((4 + C12) | P | P3 | P3 | P3 | P3 | |
| * | Apartment | | | | C4 | C4 | | P((5 C5)) | P | P3 | P3 | P3 | P3 | |
| * | ((Mobile)) <u>Manufactured Home</u> ((Park)) <u>Community</u> | | | | S13 | | | ((C8) <u>P</u> | P | | | | | |
| * | Cottage Housing | | | | | | | P15 | <u>P15</u> | | | | | |
| | ((GROUP RESIDENCES: | | | | | | | | | | | | | |
| * | Community Residential Facility I | | | | C | C | | P14. a C | P | P3 | P3 | P3 | P3 | |
| * | Community Residential Facility II | | | | | | | P14. b | P | P3 | P3 | P3 | P3)) | |
| * | ((Dormitory)) <u>Congregate Residence</u> | | | | C6 | C6 | <u>C6</u> | C6 | <u>P10</u> | <u>P11</u> | <u>P11</u> | <u>P11</u> | <u>P11</u> | |
| * | Senior ((Citizen)) Assisted Housing | | | | | P4 | <u>P4</u> | P((4) | P | P3 | P3 | P3 | P3 | |
| | ACCESSORY USES: | | | | | | | | | | | | | |

| | | | | | | | | | | | | | | |
|------|--|---------------|-----|--|---------------|---------------|---------------|---------------|---------------|---------------|----------------|----------------|-----|--|
| * | Residential Accessory Uses | P7 | P7 | | P7 | P7 | <u>P7</u> | P7 | P7 | P7 | P7 | P7 | P7 | |
| * | Home Occupation | P18 | P18 | | P18 | P18 | <u>P18</u> | P18 | P18 | P18 | P18 | P18 | P18 | |
| * | Home Industry | C | | | C | C | <u>C</u> | C | | | | | | |
| | ((TEMPORARY LODGING: | | | | | | | | | | | | | |
| 7011 | Hotel/Motel (1) | | | | | | | | | | P | P | P | |
| * | Bed and Breakfast Guesthouse | P9 | | | P9 | P9 | P9 | P9 | P9 | P9 | P10 | P10 | | |
| 7041 | Organization Hotel/Lodging Houses | | | | | | | P17 | | | | P)) | | |

5108 B. Development conditions.

5109 1. ~~((Except bed and breakfast guesthouses.))~~ Repealed.

5110 2. In the forest production district, the following conditions apply:

5111 a. Site disturbance associated with development of any new residence shall be
5112 limited to three acres. Site disturbance shall mean all land alterations including, but not
5113 limited to, grading, utility installation, landscaping, clearing for crops, on-site sewage
5114 disposal systems, and driveways. Additional site disturbance for agriculture, including
5115 raising livestock, up to the smaller of thirty-five percent of the lot or seven acres, may be
5116 approved only if a farm management plan is prepared in accordance with K.C.C. chapter
5117 21A.30. Animal densities shall be based on the area devoted to animal care and not the
5118 total area of the lot;

5119 b. A forest management plan shall be required for any new residence in the
5120 forest production district, that shall be reviewed and approved by the King County
5121 department of natural resources and parks before building permit issuance; and

c. The forest management plan shall incorporate a fire protection element that includes fire safety best management practices developed by the department.

3. Only as part of a mixed-use development subject to the conditions of K.C.C. chapter 21A.14, except that:

a. in the NB zone on properties with a land use designation of commercial outside of center ~~((C-C))~~ in the urban areas, stand~~((--))~~alone townhouse developments are ~~((permitted))~~ allowed subject to K.C.C. ~~((21A.12.040, 21A.14.030, 21A.14.060, and 21A.14.180))~~ section 174 of this ordinance, section 199 of this ordinance, and section 206 of this ordinance, and K.C.C. chapter 21A.14; and

b. in the rural area outside of rural towns on historic properties listed in the National Register of Historic Places or designated as a King County landmark, mixed-use is not required.

4. Only in a building listed ~~((on))~~ in the National Register ~~((as an historic site))~~ of Historic Places or designated as a King County landmark ~~((subject to K.C.C. chapter 21A.32))~~.

5.a. ~~((In the R-1 zone, apartment units are permitted, if:~~

~~(1) At least fifty percent of the site is constrained by unbuildable critical areas. For purposes of this subsection, unbuildable critical areas includes wetlands, aquatic areas and slopes forty percent or steeper and associated buffers; and~~

~~(2) The density does not exceed a density of eighteen units per acre of net buildable area.~~

b. ~~In the R-4 through R-8 zones, apartment units are permitted if the density does not exceed a density of eighteen units per acre of net buildable area.~~

5145 e. ~~If the proposal will exceed base density for the zone in which it is proposed,~~
5146 ~~a conditional use permit is required.))~~ Repealed.

5147 6. Only as accessory to a school, college, university, or ~~((church))~~ religious
5148 facility.

5149 7.a. Accessory dwelling units are subject to the following standards:

5150 (1) ~~((Only one accessory dwelling per primary single detached dwelling or~~
5151 ~~townhouse unit;~~

5152 (2) ~~Only allowed in the same building as the primary dwelling unit, except~~
5153 ~~that detached accessory dwelling units are allowed when there is no more than one~~
5154 ~~primary dwelling unit on the lot, and the following conditions are met:~~

5155 (a) ~~the lot must be three thousand two hundred square feet or greater if~~
5156 ~~located in the urban area or a rural town; or~~

5157 (b) ~~the lot must meet the minimum lot area for the applicable zone if located~~
5158 ~~in the rural area but not in a rural town, except that if one transferable development right~~
5159 ~~is purchased from the Rural Area or Natural Resource Lands under K.C.C. chapter~~
5160 ~~21A.37, a detached accessory dwelling unit is allowed on a RA-5 zoned lot that is two~~
5161 ~~and one-half acres or greater;~~

5162 (3)) The accessory dwelling unit shall not exceed one thousand square feet
5163 of heated floor area and one thousand square feet of unheated floor area except:

5164 (a) when the accessory dwelling unit is wholly contained within a basement
5165 or attic of the primary dwelling unit, this limitation does not apply;

5166 (b) for detached accessory dwelling units, the floor area contained in a
5167 basement does not count toward the floor area maximum; ~~((or))~~ and

(c) ~~((on a site zoned RA if one transferable development right is purchased from the Rural Area or Natural Resource Lands under K.C.C. chapter 21A.37, the accessory dwelling unit is permitted a maximum heated floor area of one thousand five hundred square feet and one thousand five hundred square feet of unheated floor area;))~~
in the urban area, accessory dwelling units that do not provide the maximum amount of unheated floor area allowed in subsection B.7.a.(1) of this section may increase their heated floor area by one square foot for each square foot of allowed unheated floor area not provided, up to a maximum of one thousand five hundred square feet of heated floor area. For example, an accessory dwelling unit could include one thousand two hundred fifty square feet of heated floor space if only seven hundred fifty square feet of unheated floor space was included.

~~((4))~~ (2) Accessory dwelling units that are not wholly contained within an existing dwelling unit shall not exceed the base height for the applicable zone as established ~~((in 21A.12.030))~~ by this title;

~~((5) When the primary and accessory dwelling units are located in the same building, or in multiple buildings connected by a breezeway or other structure, only one entrance may front a street;~~

~~((6))~~ (3) Attached accessory dwelling units shall have at least one common wall with the primary dwelling unit and appear to be contained within one structure. Connection through a breezeway or covered pathway shall not constitute an attached accessory dwelling unit unless the breezeway or covered pathway is:

(a) is less than ten feet in length;

5190 (b) shares a common wall with both the accessory dwelling unit and primary
5191 residence;

5192 (c) is completely enclosed; and

5193 (d) is heated space;

5194 (4) No additional off-street parking spaces are required for accessory
5195 dwelling units;

5196 ~~((7)) The primary dwelling unit or the accessory dwelling unit shall be~~
5197 ~~occupied either by the owner of the primary dwelling unit or by an immediate family~~
5198 ~~member of the owner. Immediate family members are limited to spouses, siblings,~~
5199 ~~parents, grandparents, children and grandchildren, either by blood, adoption or marriage,~~
5200 ~~of the owner. The accessory dwelling unit shall be converted to another permitted use or~~
5201 ~~shall be removed if neither dwelling unit is occupied by the owner or an immediate~~
5202 ~~family member;~~

5203 ~~(8))~~ (5) An applicant seeking to build an accessory dwelling unit shall file a
5204 notice approved by the department of executive services, records and licensing services
5205 division, that identifies the dwelling unit as accessory. The notice shall run with the land.
5206 The applicant shall submit proof that the notice was filed before the department approves
5207 any permit for the construction of the accessory dwelling unit. The required contents and
5208 form of the notice shall be ~~((set forth))~~ established in administrative rules;

5209 ~~((9))~~ (6) Accessory dwelling units are ~~((not allowed))~~ prohibited in the F
5210 zone;

5211 (7) For lots in the urban area:

5212 (a) Two accessory dwelling units are allowed per lot in the following
5213 configurations:

5214 (i) one attached accessory dwelling unit and one detached accessory
5215 dwelling unit;

5216 (ii) two attached accessory dwelling units; or

5217 (iii) two detached accessory dwelling units, which may be either one or
5218 two detached structures;

5219 (b) Accessory dwelling units may be converted from existing structures,
5220 including but not limited to garages, even if the existing structure is legally
5221 nonconforming with respect to setbacks or maximum impervious surface percentage; and

5222 (c) No public street improvements are required for accessory dwelling units;
5223 and

5224 (8) For lots in the rural area or on natural resource lands:

5225 (a) One accessory dwelling unit is allowed per lot;

5226 (b) Only allowed in the same building as the primary dwelling unit, except
5227 that detached accessory dwelling units are allowed when:

5228 (i) there is no more than one primary dwelling unit on the lot; and

5229 (ii) the lot is three thousand two hundred square feet or greater if located in
5230 a rural town or meets the minimum lot area for the applicable zone if located in the rural
5231 area but not in a rural town or on natural resource lands;

5232 (c) When the primary and accessory dwelling unit are located in the same
5233 building, or in multiple buildings connected by a breezeway or covered pathway, only
5234 one entrance may front a street;

5235 ~~((10))~~ (d) Accessory dwelling units should be designed to be compatible
5236 with the primary dwelling unit and the surrounding properties, including material, colors,
5237 and building forms; ~~((and))~~

5238 ~~((11))~~ (e) The applicant should consider a siting alternatives study that
5239 analyzes placement options of the accessory dwelling unit on the property to minimize
5240 impacts to privacy and views for surrounding property owners; and

5241 (f) Accessory dwelling units in structures detached from the primary
5242 dwelling unit shall be counted as a separate dwelling unit for the purpose of lot
5243 calculations in place at the time of a proposed subdivision. If an accessory dwelling unit
5244 in a detached building in the RA zone is subsequently converted to a primary unit on a
5245 separate lot, neither the original lot nor the new lot may have an additional detached
5246 accessory dwelling unit constructed unless the lot is at least twice the minimum lot area
5247 required by the applicable zone as established by this title.

5248 b. Accessory living quarters:

5249 (1) are limited to one per lot;

5250 (2) are allowed only on lots of three thousand two hundred square feet or
5251 greater when located in the urban area or a rural town;

5252 (3) shall not exceed the base height for the applicable zone as established ~~((in~~
5253 ~~K.C.C. 21A.12.030))~~ by this title;

5254 (4) shall not exceed one thousand square feet of heated floor area and one
5255 thousand square feet of unheated floor area; and

5256 (5) are ~~((not allowed))~~ prohibited in the F zone.

5257 c. One single or twin engine, noncommercial aircraft shall be ~~((permitted))~~
5258 allowed only on lots that abut, or have a legal access that is not a county right-of-way, to
5259 a waterbody or landing field, but only if there are:

5260 (1) no aircraft sales, service, repair, charter, or rental; and
5261 (2) no storage of aviation fuel except that contained in the tank or tanks of the
5262 aircraft.

5263 d. Battery energy storage systems are considered a residential accessory use
5264 when the total system capacity is two megawatts or less, and:

5265 (1) the system provides electricity for on-site use only, with "on-site use"
5266 including net metering as well as charging of vehicles on-site or in the right-of-way
5267 immediately adjacent to the site; or

5268 (2) the system is intended primarily for on-site use, but also participates in
5269 load sharing or another grid-connected electricity-sharing arrangement.

5270 e. Hobby kennels, hobby catteries, and home-based animal shelters are subject
5271 to K.C.C. 21A.30.020.

5272 f. Buildings for residential accessory uses in the RA and A zone shall not
5273 exceed five thousand square feet of gross floor area, except for buildings related to
5274 agriculture or forestry.

5275 8. ~~((Mobile home parks shall not be permitted in the R-1 zones.))~~ Repealed.
5276 9. ~~((Only as accessory to the permanent residence of the operator, and:~~
5277 ~~a. Serving meals shall be limited to paying guests; and~~
5278 ~~b. The number of persons accommodated per night shall not exceed five,~~
5279 ~~except that a structure that satisfies the standards of the International Building Code as~~

5280 ~~adopted by King County for R-1 occupancies may accommodate up to ten persons per~~
5281 ~~night.)) Repealed.~~

5282 10. ~~((Only if part of a mixed use development, and subject to the conditions of~~
5283 ~~subsection B.9. of this section.)) Allowed when meeting the provisions in section 244 of~~
5284 ~~this ordinance.~~

5285 11. ~~((Townhouses are permitted, but shall be subject to a conditional use permit~~
5286 ~~if exceeding base density.)) Allowed as part of a mixed-use development and meeting~~
5287 ~~provisions in section 244 of this ordinance.~~

5288 12. ~~((Required before approving more than one dwelling on individual lots,~~
5289 ~~except on lots in subdivisions, short subdivisions or binding site plans approved for~~
5290 ~~multiple unit lots, and except as provided for accessory dwelling units in subsection B.7.~~
5291 ~~of this section.)) A duplex is allowed if meeting the density requirements established in~~
5292 ~~this title. A duplex is also allowed on a lot that is four thousand five hundred square feet~~
5293 ~~or greater, despite base density requirement for the applicable zone as established in this~~
5294 ~~title, if under K.C.C. chapter 21A.37:~~

5295 a. The lot is located in Snoqualmie Pass Rural Town and one transferable
5296 development right is purchased from the rural area or natural resource lands; or

5297 b. The lot is located in the urban area and one-half transferable development
5298 right is purchased from the rural area or natural resource lands, or one transfer of
5299 development right is purchased from the urban area.

5300 13. No new ~~((mobile))~~ manufactured home ~~((parks))~~ communities are allowed
5301 in ~~((a rural))~~ the RA zone.

5302 14. ~~((a. Limited to domestic violence shelter facilities.~~

b. ~~Limited to domestic violence shelter facilities with no more than eighteen residents or staff.))~~ Repealed.

15. ~~((Only in the R4-R8 zones s))~~ Subject to the following standards:

a. Developments shall contain only cottage housing units with no fewer than three units. If the site contains an existing ~~((home))~~ residence that is not being demolished, the existing ~~((house))~~ residence is not required to comply with the height limitation ~~((in K.C.C. 21A.12.020.B.25.))~~ or the floor area and footprint limits in K.C.C. 21A.14.025.B.; and

b. Cottage housing developments should consider including a variety of housing sizes, such as units with a range of bedroom sizes or total floor area~~((; and~~

~~e. Before filing an application with the department, the applicant shall hold a community meeting in accordance with K.C.C. 20.20.035)).~~

16. The development for a single detached ~~((single-family))~~ residence shall be consistent with the following:

a. The lot ~~((must have))~~ legally existed before March 1, 2005;

b. The lot has a Comprehensive Plan land use designation of ~~((Rural Neighborhood Commercial Center or Rural Area))~~ rural neighborhood commercial center or rural area; and

c. The dimensional standards of this title for the RA-5 zone shall apply to the single detached residences.

17.a. ~~((Only in the R-1 zone as an accessory to a golf facility and consistent with K.C.C. 21A.08.040.))~~ Only farm residences, accessory to active, ongoing use of the site for agriculture, are allowed, except as provided for farm worker housing in K.C.C.

5326 21A.08.090. The property owner shall file with the department of executive services,
5327 records and licensing services division, a notice approved by the department identifying
5328 the residence as a farm residence and stating that the housing shall be occupied only by
5329 the owner or operator of the commercial agriculture operation, their families, and their
5330 employees while employed on-site by the owner. The notice shall run with the land.

5331 b. Farm residences shall be located on portions of agricultural lands that are
5332 unsuitable for agricultural purposes, such as areas within the already developed portion of
5333 such agricultural lands that are not available for direct agricultural production or areas
5334 without prime agricultural soils.

5335 18. Allowed if consistent with K.C.C. chapter 21A.30.

5336 SECTION 161. Ordinance 10870, Section 331, as amended, and K.C.C.

5337 21A.08.040 are hereby amended to read as follows:

5338 A. Recreational(~~(/)~~) and cultural land uses.

| ((P-Permitted Use C-Conditional Use S-Special Use | | RESOURCE | | | R U R A L | RESIDENTIAL | | | | COMMERCIAL/INDUSTRIAL)) | | | | |
|--|-------------------------|----------|----|----|-----------------------|-------------|-----------|--|----------------|-------------------------|----|----|---|-----|
| SIC # | SPECIFIC LAND USE | A | F | M | RA (18) | UR | R-1 | ((R-4 -8)) R-4 -R- 8 | R-12 = R-48 | NB | CB | RB | O | I |
| | PARK/RECREATION: | | | | | | | | | | | | | |
| * | Park | P1 | P1 | P1 | P1 | P1 | <u>P1</u> | P1 | P1 | P | P | P | P | P13 |
| * | Trails | P | P | P | P | P | <u>P</u> | P | P | P | P | P | P | P |

| | | | | | | | | | | | | | | |
|----------|--------------------------------------|--|-----------------|-----|------------------------------------|-----------------|----|------------|-------------|----|----|-------|----|-----------------|
| * | Campgrounds | | P16 C16 a | P16 | P16 C16 a | P16 C16 a | | | | | | | | P16 C16 a |
| * | Destination Resorts | | S17 | | S((4 8))1 7 | ((€)) | | | | | | ((€)) | | |
| * | Marina | | C3 | | C((4))5 | C((4))5 | C5 | C((4)5 | C((4))5 | P5 | P | P | P | P |
| * | Recreational Vehicle Park | | P19 | P19 | C2 ((an d 18)) P19 | C2 P19 | | | | | | | | |
| ((± | Sports Club (17) | | | | €4 and 18 | €4 | | €4 | €4 | € | P | P)) | | |
| * | Ski Area | | S | | S((4 8)) | | | | | | | | | |
| * | Recreational Camp | | C | | P24 C | | | | | | | | | |
| * — | <u>Golf Course Facility</u> | | | | C7 | P7 | P7 | P7 | P7 | | | | | |
| | AMUSEMENT/ENTER TAINMENT: | | | | | | | | | | | | | |
| * | Adult Entertainment Business | | | | | | | | | | P6 | P6 | P6 | |
| * | Theater | | | | | | | | | | P | P | P | P25 |
| 783 3 | Theater, Drive-in | | | | | | | | | | | C | | |
| 793 | Bowling Center | | | | | | | | | | P | P | | P |

| | | | | | | | | | | | | | | |
|------------------|--------------------------------------|---------|-----|-----|---------------------------------------|-------------------------|---|-------------------------|-------------------------|------------|----------|----------|------------|------------|
| ((* | Golf Facility | | | | C7 and 18 | P7 | | P7 | P7)) | | | | | |
| 799 9 (14) | Amusement and Recreation Services | | P21 | P21 | P8 P21 C15 ((an d 18)) | P8 P21 P22 C15 | <u>P8</u> <u>P21</u> <u>P22</u> <u>C15</u> | P8 P21 P22 C15 | P8 P21 P22 C15 | P21 P22 | P P | P P | P21 P21 | P21 P21 |
| * | Indoor Paintball Range | | | | | | | | | | P26 | P26 | | P26 |
| * | Outdoor Paintball Range | | | | C27 | C27 | | | | | | | | |
| * | Shooting Range | | C9 | | C9 ((an d 18)) | | | | | | | C10 | | P10 |
| * | Amusement Arcades | | | | | | | | | | P | P | | |
| 799 6 | Amusement Park | | | | | | | | | | | C | | |
| * | Outdoor Performance Center | | S | | C12 S((4 8)) | | <u>P20</u> | P20 | P20 | | | S | | |
| | CULTURAL: | | | | | | | | | | | | | |
| 823 | Library | | | | P11 | P11 C | <u>P11</u> <u>C</u> | P11 C | P28 | P | P | P | P | |
| 841 | Museum | C2 3 | C23 | | P11 | P11 C | <u>P11</u> <u>C</u> | P11 C | P28 | P | P | P | P | P |
| 842 | Arboretum | P | P | | P | P | <u>P</u> | P | P | P | P | P | P | |
| * | Conference Center | | | | P29 C12 | P29 C12 | <u>P29</u> <u>C</u> | P29 C | P29 C | P | P | P | P | |
| * - | <u>Community Center</u> | | | | <u>P4</u> | | <u>P4</u> | <u>P4</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | |

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| | | | | | <u>C</u> | | <u>C</u> | <u>C</u> | | | | | | |
|--|--|--|--|--|----------|--|----------|----------|--|--|--|--|--|--|

5339 B. Development conditions.

5340 1. The following conditions and limitations shall apply, where appropriate:

5341 a. No stadiums on sites less than ten acres;

5342 b. Lighting for structures and fields shall be directed away from ~~((rural area~~
5343 ~~and residential))~~ RA, UR, and R zones;

5344 c. Structures or service yards shall maintain a minimum distance of fifty feet
5345 from property lines adjoining ~~((rural area and residential))~~ RA, UR, and R zones, except
5346 for fences and mesh backstops;

5347 d. Facilities in the A zone shall be limited to trails and trailheads, including
5348 related accessory uses such as parking and sanitary facilities; and

5349 e. Overnight camping is allowed only in an approved campground.

5350 2. Recreational vehicle parks are subject to the following conditions and
5351 limitations:

5352 a. The maximum length of stay of any vehicle shall not exceed one hundred
5353 eighty days during a three-hundred-sixty-five-day period;

5354 b. The minimum distance between recreational vehicle pads shall be no less
5355 than ten feet; and

5356 c. Sewage shall be disposed in a system approved by ~~((the))~~ public health -
5357 Seattle((-)) & King County ~~((health department))~~.

5358 3. Limited to day moorage. The marina shall not create a need for off-site
5359 public services beyond those already available before the date of application.

5360 4. ~~((Not permitted in the RA 10 or RA 20 zones. Limited to recreation~~
5361 ~~facilities subject to the following conditions and limitations:~~

5362 a. ~~The bulk and scale shall be compatible with residential or rural character of~~
5363 ~~the area;~~

5364 b. ~~For sports clubs, the gross floor area shall not exceed ten thousand square~~
5365 ~~feet unless the building is on the same site or adjacent to a site where a public facility is~~
5366 ~~located; or unless the building is a nonprofit facility located in the urban area; and~~

5367 e. ~~Use is limited to residents of a specified residential development or to sports~~
5368 ~~clubs providing supervised instructional or athletic programs)) Only as:~~

5369 a. a reuse of a public school facility or surplus nonresidential facility subject to
5370 K.C.C. chapter 21A.32; or

5371 b. accessory to publicly owned park.

5372 5. Limited to day moorage.

5373 6.a. Adult entertainment businesses shall be prohibited within three hundred
5374 thirty feet of any property zoned RA, UR₂ or R or containing schools, licensed daycare
5375 centers, public parks or trails, community centers, public libraries, or ~~((churches))~~
5376 religious facilities. In addition, adult entertainment businesses shall not be located closer
5377 than three thousand feet to any other adult entertainment business. These distances shall
5378 be measured from the property line of the parcel or parcels proposed to contain the adult
5379 entertainment business to the property line of the parcels zoned RA, UR₂ or R or that
5380 contain the uses identified in this subsection B.6.a.

5381 b. Adult entertainment businesses shall not be ~~((permitted))~~ allowed within an
5382 area likely to be annexed to a city subject to an executed interlocal agreement between
5383 King County and a city declaring that the city will provide opportunities for the location

of adult businesses to serve the area. The areas include those identified in the maps attached to Ordinance 13546.

7.a. Clubhouses, maintenance buildings, equipment storage areas, and driving range tees shall be at least fifty feet from ~~((rural area and residential))~~ RA, UR, and R zoned property lines.

b. Lighting for practice greens and driving range ball impact areas shall be directed away from adjoining ~~((rural area and residential))~~ RA, UR, and R zones.

c. Applications shall comply with adopted best management practices for golf course development.

d. Within the RA zone, those facilities shall be ~~((permitted))~~ allowed only in the RA-5 and RA-2.5 zones.

e. Not ~~((permitted))~~ allowed in designated rural forest focus area~~((, regionally significant resource areas or locally significant resource areas))~~.

f. Ancillary facilities associated with a golf course are limited to practice putting greens, maintenance buildings, and other structures housing administrative offices or activities that provide convenience services to players. These convenience services are limited to a pro shop, food services, and dressing facilities and shall occupy a total of no more than ten thousand square feet.

g. ~~((Furthermore, t))~~ The residential density that is otherwise ((permitted)) allowed by the zone shall not be used on other portions of the site through clustering or on other sites through the transfer of density provision. This ~~((residential density))~~ clustering or transfer limitation shall be reflected in a deed restriction that is recorded at the time applicable permits for the development of the golf course are issued; and

5407 ((b))h. In addition to ancillary facilities, an organizational hotel/lodging house
5408 shall be allowed as an accessory use, subject to the following:

5409 (1) only allowed in the R-1 zone;

5410 (2) only allowed with a privately owned golf course facility that legally
5411 existed as of January 1, 2019;

5412 (3) only allowed as an incidental or subordinate use to a principal golf course
5413 facility use;

5414 (4) a maximum of twenty-four sleeping units is allowed; and

5415 (5) shall be connected to and served by public sewer.

5416 8. Limited to golf driving ranges, only as:

5417 a. accessory to golf courses; or

5418 b. accessory to a recreation or multiuse park.

5419 9.a. New structures and outdoor ranges shall maintain a minimum distance of
5420 fifty feet from property lines adjoining (~~((rural area and residential))~~) RA, UR, and R
5421 zones, but existing facilities shall be exempt.

5422 b. Ranges shall be designed to prevent stray or ricocheting projectiles, pellets,
5423 or arrows from leaving the property.

5424 c. Site plans shall include: safety features of the range; provisions for reducing
5425 sound produced on the firing line; elevations of the range showing target area, backdrops,
5426 or butts; and approximate locations of buildings on adjoining properties.

5427 d. Subject to the licensing provisions of K.C.C. Title 6.

5428 10.a. Only in an enclosed building, and subject to the licensing provisions of
5429 K.C.C. Title 6;

5430 b. Indoor ranges shall be designed and operated so as to provide a healthful
5431 environment for users and operators by:

5432 (1) installing ventilation systems that provide sufficient clean air in the user's
5433 breathing zone, and

5434 (2) adopting appropriate procedures and policies that monitor and control
5435 exposure time to airborne lead for individual users.

5436 11. Only as accessory to a park or in a building listed ~~((on))~~ in the National
5437 Register of Historic Places as an historic site or designated as a King County landmark
5438 subject to K.C.C. chapter 21A.32.

5439 12.~~((a:))~~ Only as accessory to a nonresidential use established through a
5440 discretionary permit process, if the scale is limited to ensure compatibility with
5441 surrounding neighborhoods~~((; and~~

5442 b. ~~In the UR zone, only if the property is located within a designated~~
5443 ~~unincorporated rural town))~~.

5444 13. Subject to the following:

5445 a. The park shall abut an existing park on one or more sides, intervening roads
5446 notwithstanding;

5447 b. No bleachers or stadiums are ~~((permitted))~~ allowed if the site is less than ten
5448 acres, and no public amusement devices for hire are ~~((permitted))~~ allowed;

5449 c. Any lights provided to illuminate any building or recreational area shall be
5450 so arranged as to reflect the light away from any premises upon which a dwelling unit is
5451 located; and

5452 d. All buildings or structures or service yards on the site shall maintain a
5453 distance not less than fifty feet from any property line and from any public street.

5454 14.a. Excluding amusement and recreational uses classified elsewhere in this
5455 chapter.

5456 b. Fireworks display services, also known as public displays of fireworks, are
5457 allowed in all zones, subject to the requirements of K.C.C. chapter 17.11.

5458 15. For amusement and recreation services not otherwise provided for in this
5459 chapter:

5460 a. In the RA zones, not subject to regulation under K.C.C. Title 6 and only on
5461 sites at least five acres or larger;

5462 b. Retail sales are limited to incidental sales to patrons of the amusement or
5463 recreation service; and

5464 c. Does not involve the operation of motor vehicles or off-road vehicles,
5465 including, but not limited to, motorcycles and gocarts.

5466 16. Subject to the following conditions:

5467 a. The length of stay per party in campgrounds shall not exceed one hundred
5468 eighty days during a three-hundred-sixty-five-day period; and

5469 b. Only for campgrounds that are part of a proposed or existing county park,
5470 that are subject to review and public meetings through the department of natural
5471 resources and parks.

5472 17. ~~((Only for stand-alone sports clubs that are not part of a park.))~~ Before
5473 submitting an application, the applicant shall hold a community meeting consistent with
5474 K.C.C. 20.20.035.

5475 b. Except for trails, residential and recreational structures and facilities shall be
5476 setback at least one hundred feet from adjacent roadways and access easements; and at
5477 least three hundred feet from F, M, A, RA, UR, and R zoned properties.

5478 c. The site area shall be a minimum of ten acres and shall be at least five miles
5479 from the Urban Growth Area boundary;

5480 d. Temporary lodging units shall:

5481 (1) not exceed two units per acre and one hundred units total;

5482 (2) be proportionately scaled and limited based on developed site area,
5483 availability of recreation opportunities, and distance to urban area zones allowing for
5484 temporary lodging;

5485 e. The site shall be within ten miles of at least three off-site, outdoor resource-
5486 based recreation activities;

5487 f. The destination resort shall provide at least two on-site outdoor resource-
5488 based recreation activities;

5489 g. Applications shall identify all aspects of the proposal, including residential,
5490 commercial, and recreational uses;

5491 h. Accessory on-site uses shall be at a size and scale to serve primarily the
5492 guests of the destination resort;

5493 i. When occurring in the forest zone, forest production district, or rural forest
5494 focus areas, the proposal shall demonstrate that the predominate land area will remain
5495 viable for forest resource-based uses or preservation of forestry resources, or both; and

5496 j. When occurring in the forest production district, only allowed if compatible
5497 with long-term forestry, protection of Indian tribal cultural resources, and other resource
5498 management goals of the Comprehensive Plan.

5499 18. Subject to review and approval of conditions to comply with trail corridor
5500 provisions of K.C.C. chapter 21A.14 (~~when located in an RA zone~~)).

5501 19. Only as an accessory to a recreation or multiuse park.

5502 20. Only as an accessory to a recreation or multiuse park of at least twenty acres
5503 located within the urban (~~growth~~) area, or on a site immediately adjacent to the
5504 (~~U~~)Urban (~~G~~)Growth (~~A~~)Area boundary with the floor area of an individual outdoor
5505 performance center stage limited to three thousand square feet.

5506 21. Limited to rentals of sports and recreation equipment with a total floor area
5507 of no more than seven hundred fifty square feet and only as accessory to a park, or, in the
5508 RA zones, to a recreation or multiuse park.

5509 22. Only as accessory to a large active recreation and multiuse park and limited
5510 to:

- 5511 a. water slides, wave pools, and associated water recreation facilities; and
5512 b. rentals of sports and recreation equipment.

5513 23. Limited to natural resource and heritage museums and only allowed in a
5514 farm or forestry structure, including, but not limited to, barns or sawmills, existing as of
5515 December 31, 2003.

5516 24. Use is (~~permitted~~) allowed without a conditional use permit only when in
5517 compliance with all of the following conditions:

5518 a. The use is limited to camps for youths or for persons with special needs due
5519 to a disability, as defined by the American With Disabilities Act of 1990, or due to a
5520 medical condition and including training for leaders for those who use the camp;

5521 b. Active recreational activities shall not involve the use of motorized vehicles
5522 such as cross-country motorcycles or all-terrain vehicles or the use of firearms. The
5523 prohibition on motorized vehicles does not apply to such vehicles that may be necessary
5524 for operation and maintenance of the facility or to a client-specific vehicle used as a
5525 personal mobility device;

5526 c.(1) Except as provided in subsection B.24.c.(2)(b) of this section, the number
5527 of overnight campers, not including camp personnel, in a new camp shall not exceed:

5528 (a) one hundred and fifty for a camp between twenty and forty acres; or
5529 (b) for a camp greater than forty acres, but less than two hundred and fifty
5530 acres, the number of users allowed by the design capacity of a water system and on-site
5531 sewage disposal system approved by ~~((the department of))~~ public health~~((;))~~ ~~= Seattle~~~~((/))~~
5532 & King County, up to a maximum of three hundred and fifty; and

5533 (2) Existing camps shall be subject to the following:

5534 (a) For a camp established before August 11, 2005, with a conditional use
5535 permit and that is forty acres or larger, but less than one hundred and sixty acres, the
5536 number of overnight campers, not including camp personnel, may be up to one hundred
5537 ~~((and))~~ fifty campers over the limit established by subsection B.24.c.(1)(b) of this section.

5538 (b) For a camp established before August 11, 2005, with a conditional use
5539 permit and that is one hundred ~~((and))~~ sixty acres or larger, but less than two hundred
5540 acres, the number of overnight campers, not including camp personnel, may be up to

5541 three hundred ~~((and))~~ fifty campers over the limit established by subsection B.24.c.(1)(b)
5542 of this section. The camp may terminate operations at its existing site and establish a
5543 new camp if the area of the camp is greater than two hundred ~~((and))~~ fifty acres and the
5544 number of overnight campers, not including camp personnel, shall not exceed seven
5545 hundred.

5546 d. The length of stay for any individual overnight camper, not including camp
5547 personnel, shall not exceed ninety days during a three-hundred-sixty-five-day period;

5548 e. The camp facilities, such as a medical station, food service hall, and activity
5549 rooms, shall be of a scale to serve overnight camp users;

5550 f. The minimum size of parcel for such use shall be twenty acres;

5551 g. Except for any permanent caretaker residence, all new structures where
5552 camp users will be housed, fed, or assembled shall be no less than fifty feet from
5553 properties not related to the camp;

5554 h. In order to reduce the visual impacts of parking areas, sports and activity
5555 fields, or new structures where campers will be housed, fed, or assembled, the applicant
5556 shall provide a Type 3 landscape buffer no less than twenty feet wide between the nearest
5557 property line and such parking area, field, or structures, by retaining existing vegetation
5558 or augmenting as necessary to achieve the required level of screening;

5559 i. If the site is adjacent to an arterial roadway, access to the site shall be
5560 directly onto ~~((said))~~ the arterial unless direct access is unsafe due inadequate sight
5561 distance or extreme grade separation between the roadway and the site;

5562 j. If direct access to the site is via local access streets, transportation demand
5563 management measures, such as use of carpools, buses, or vans to bring in campers, shall
5564 be used to minimize traffic impacts;

5565 k. Any lights provided to illuminate any building or recreational area shall be
5566 so arranged as to reflect the light away from any adjacent property; and

5567 l. A community meeting shall be convened by the applicant before submittal of
5568 an application for permits to establish a camp, or to expand the number of camp users on
5569 an existing camp site as provided in subsection B.24.c.(2)(b) of this section. Notice of
5570 the meeting shall be provided at least two weeks in advance to all property owners within
5571 five hundred feet, or at least twenty of the nearest property owners, whichever is greater.
5572 The notice shall at a minimum contain a brief description of the project and the location,
5573 as well as((;)) contact persons and numbers.

5574 25. Limited to theaters primarily for live productions located within a ((R))rural
5575 ((F))town designated by the King County Comprehensive Plan.

5576 26.a. Only in an enclosed building; and

5577 b. A copy of the current liability policy of not less than one million dollars for
5578 bodily injury or death shall be maintained in the department.

5579 27. Minimum standards for outdoor paintball recreation fields:

5580 a. The minimum site area is twenty-five acres;

5581 b. Structure shall be no closer than one hundred feet from any lot line adjacent
5582 to a ((~~rural area or residential~~)) RA, UR, and R zoned property;

5583 c. The area where paintballs are discharged shall be located more than three
5584 hundred feet of any lot line and more than five hundred feet from the lot line of any

adjoining (~~rural area or residential~~) RA, UR, and R zoned property. The department may allow for a lesser setback if it determines through the conditional use permit review that the lesser setback in combination with other elements of the site design provides adequate protection to adjoining properties and rights-of-way(s);

d. A twenty-foot high nylon mesh screen shall be installed around all play areas and shall be removed at the end of each day when the play area is not being used. The department may allow for the height of the screen to be lowered to no less than ten feet if it determines through the conditional use permit review that the lower screen in combination with other elements of the site design provides adequate protection from discharged paintballs;

e. All parking and spectator areas, structures, and play areas shall be screened from adjoining (~~rural area or residential~~) RA, UR, and R zoned property and public (~~rights-of-way~~) rights-of-way with Type 1 landscaping at least ten feet wide;

f. Any retail sales conducted on the property shall be accessory and incidental to the (~~permitted~~) allowed activity and conducted only for the participants of the site;

g. A plan of operations specifying days and hours of operation, number of participants and employees, types of equipment to be used by users of the site, safety procedures, type of compressed air fuel to be used on the site, and storage and maintenance procedures for the compressed air fuel shall be provided for review in conjunction with the conditional use permit application. All safety procedures shall be reviewed and approved by department of public safety before submittal of the conditional use permit application. All activities shall be in compliance with National Paintball League standards;

5608 h. The hours of operation shall be limited to Saturdays and Sundays and
5609 statutory holidays from 8:30 ~~((A.M.))~~ a.m. to 8:30 ~~((P.M.))~~ p.m., and further restricted as
5610 applicable to daylight hours;

5611 i. No more than one hundred paintball players shall be allowed on the site at
5612 any one time;

5613 j. ~~((No-))~~Outdoor lights or amplified sounds ~~((shall be permitted))~~ are
5614 prohibited;

5615 k. The facility shall have direct access to a road designated as a major collector
5616 (or higher) in the Comprehensive Plan unless the department determines through the
5617 conditional use permit review that the type and amount of traffic generated by the facility
5618 is such that it will not cause an undue impact on the neighbors or adversely affect safety
5619 of road usage;

5620 l. The facility shall be secured at the close of business each day;

5621 m. All equipment and objects used in the paintball activities shall be removed
5622 from the site within ninety days of the discontinuance of the paintball use; and

5623 n. A copy of the current liability policy of not less than one million dollars for
5624 bodily injury or death shall be submitted with the conditional use permit application and
5625 shall be maintained in the department.

5626 28. Before filing an application with the department, the applicant shall hold a
5627 community meeting in accordance with K.C.C. 20.20.035.

5628 29. Only as accessory to a recreation or multiuse park of least twenty acres
5629 located within the urban ~~((growth))~~ area or on a site immediately adjacent to the
5630 ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area boundary or in a building listed ~~((en))~~ in the National

5631 Register of Historic Places as an historic site or designated as a King County landmark

5632 subject to K.C.C. chapter 21A.32.

5633 NEW SECTION. SECTION 162. There is hereby added to K.C.C. chapter

5634 21A.08 a new section to read as follows:

5635 A. Health care services and residential care services land uses.

| SIC # | SPECIFIC LAND USE | A | F | M | RA (19) | UR | R-1 | R-4 – R- 8 | R- 12 – R- 48 | NB | CB | RB | O | I |
|--------|---|---|---|---|------------|----------|----------------------|---------------------|---------------------------|----|----|----|----|----|
| | HEALTH CARE SERVICES | | | | | | | | | | | | | |
| 801-04 | Doctor's Office/Outpatient Clinic | | | | C1 | P1 C | | P1 C | P | P | 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 and 2 C4 | P1 and 2 C | P2 | P2 | P2 | P2 | P2 | P7 |
| | RESIDENTIAL CARE SERVICES | | | | | | | | | | | | | |
| 805 | Nursing and Personal Care Facilities | | | | | | | P1 C | P | P | P | P | P | |

| | | | | | | | | | | | | | | |
|-----|--------------------------------------|---|---------|--|---|---|-----------|-----------|-----|-----|-----|-----|-----|--|
| * | Adult Family Home | P | P1 5 | | 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 | P10 | P10 | P10 | P10 | P10 | |
| * | Recuperative Housing | | | | | | | C11 | P11 | P11 | P11 | P11 | P11 | |
| * | Emergency Supportive Housing | | | | | | | C11 | P11 | P11 | P11 | P11 | P11 | |
| * | Emergency Shelter | | | | | | | C11 | P11 | P11 | P11 | P11 | P11 | |
| * | Microshelter Villages | | | | | | | C12 | P12 | P12 | P12 | P12 | P12 | |
| * | Safe Parking | | | | | | | C13 | P13 | P13 | P13 | P13 | P13 | |
| 836 | Other Residential Care (14) | | | | | | | C | P | P | P | P | P | |

5636 B. Development conditions.

5637 1. Only as a reuse of a public school facility or surplus nonresidential facility

5638 subject to K.C.C. chapter 21A.32.

5639 2. Not allowed outside the urban area.

5640 3. The maximum on-site parking ratio shall be two spaces per one thousand

5641 square feet and required parking shall not be located between the building and the street.

5642 4.a. Not allowed in the RA-2.5, RA-10, or RA-20 zone;

5643 b. Only allowed on lots of at least four and one-half acres;

5644 c. Located within one mile of an interstate highway; and

5645 d. Limited to sixteen beds.

5646 5. Only as part of a mixed-use development subject to the conditions of K.C.C.
5647 chapter 21A.14, except in the rural area outside of rural towns on historic properties listed
5648 in the National Register of Historic Places or designated as a King County landmark.

5649 6. Only in the R-24 and R-48 zones, and limited to SIC Industries 8063-
5650 Psychiatric Hospitals and 8069-Specialty Hospitals, Except Psychiatric.

5651 7. Only allowed in the Preston Industrial Area.

5652 8.a. Limited to domestic violence shelter facilities.

5653 b. Limited to domestic violence shelter facilities with no more than eighteen
5654 residents and staff.

5655 9. Subject to the following standards:

5656 a. Allowed only in the urban area;

5657 b. Located on the same site as a religious facility, public agency, or social
5658 services use; and

5659 c. Exempt from bicycle parking requirements in K.C.C. 21A.18.030.E. and
5660 electric vehicle parking infrastructure requirements in K.C.C. 21A.18.140.

5661 10. Subject to the following standards:

5662 a. Allowed only in the urban area;

5663 b. Only as part of a mixed-use development subject to the conditions of K.C.C.
5664 chapter 21A.14, except in the rural area outside of rural towns on historic properties listed
5665 in the National Register of Historic Places or designated as a King County landmark; and

5666 c. Exempt from bicycle parking requirements in K.C.C. 21A.18.030.E. and
5667 electric vehicle parking infrastructure requirements in K.C.C. 21A.18.140.

5668 11. Subject to the following standards:

5669 a. Allowed only in the urban area;

5670 b. In the R-4 through R-8 zones, only when located on the same site as a

5671 religious facility, public agency, or social service use;

5672 c. Exempt from bicycle parking requirements in K.C.C. 21A.18.030.E, and

5673 electric vehicle parking infrastructure requirements in K.C.C. 21A.18.140; and

5674 d. The application shall include:

5675 (1) A description of the staffing and operational characteristics, including

5676 sanitation and basic safety measures required for the facility;

5677 (2) Occupancy policies, including a description of the population to be served

5678 and a code of conduct that includes, at a minimum, a prohibition of threatening or unsafe

5679 behavior;

5680 (3) A plan for managing the exterior appearance of the site, including keeping

5681 the site litter free;

5682 (4) A plan for addressing reported concerns and making this information

5683 publicly available, including a phone number, email, and point of contact at the site of the

5684 facility for the community to report concerns;

5685 (5) A plan for outreach with surrounding property owners and residents

5686 addressing items such as noise, smoking areas, parking, security procedures, and litter;

5687 and

5688 (6) Plans and narrative documenting compliance with all applicable codes,

5689 including:

5690 (a) an elevation of the building or buildings to be occupied;

5691 (b) a floor plan that describes the capacities of the buildings for the uses

5692 intended, room dimensions, and a designation of the rooms to be used for nonambulatory
5693 residents, if any; and

5694 (c) a site plan showing property lines, buildings, driveways, parking, fences,
5695 storage areas, gardens, recreation areas, and site improvements.

5696 12. Subject to the following standards:

5697 a. Allowed in the urban area;

5698 b. In the R-4 through R-8 zones, only when located on the same site as a
5699 religious facility, public agency, or social service use;

5700 c. Exempt from landscaping requirements in K.C.C. chapter 21A.16 except as
5701 required by this section, bicycle parking requirements in K.C.C. 21A.18.030.E., and
5702 electric vehicle parking infrastructure requirements in K.C.C. 21A.18.140;

5703 d. The application shall include:

5704 (1) A description of the staffing and operational characteristics, including
5705 sanitation and basic safety measures required for the facility;

5706 (2) Occupancy policies, including a description of the population to be served
5707 and a code of conduct that includes, at a minimum, a prohibition of threatening or unsafe
5708 behavior;

5709 (3) A plan for managing the exterior appearance of the site, including keeping
5710 the site litter free;

5711 (4) A plan for addressing reported concerns and making this information
5712 publicly available, including a phone number, email, and point of contact at the site of the
5713 facility for the community to report concerns;

5714 (5) A plan for outreach with surrounding property owners and residents

5715 addressing items such as noise, smoking areas, parking, security procedures, and litter;
5716 and

5717 (6) Plans and narrative documenting compliance with all applicable codes,
5718 including:

5719 (a) an elevation of the building or buildings to be occupied;

5720 (b) a floor plan that describes the capacities of the buildings for the uses
5721 intended, room dimensions, and a designation of the rooms to be used for nonambulatory
5722 residents, if any; and

5723 (c) a site plan showing property lines, buildings, driveways, parking, fences,
5724 storage areas, gardens, recreation areas, and site improvements;

5725 e. A setback of ten feet shall be along any property line adjoining a UR or R
5726 zone; and

5727 f. The use shall be buffered with:

5728 (1) ten feet of Type II landscaping consistent with K.C.C. 21A.16.040; or
5729 (2) a six-foot high, view-obscuring fence.

5730 13. Subject to the following standards:

5731 a. Allowed in the urban area;

5732 b. In the R-4 through R-8 zones, only when located on the same site as a
5733 religious facility, public agency, or social services use;

5734 c. Exempt from landscaping requirements in K.C.C. chapter 21A.16 except as
5735 required by this section, bicycle parking requirements in K.C.C. 21A.18.030.E., and
5736 electric vehicle parking infrastructure requirements in K.C.C. 21A.18.140;

5737 d. The application shall include:

5738 (1) A description of the staffing and operational characteristics, including
5739 sanitation and basic safety measures required for the facility;

5740 (2) Occupancy policies, including a description of the population to be served
5741 and a code of conduct that includes, at a minimum, a prohibition of threatening or unsafe
5742 behavior;

5743 (3) A plan for managing the exterior appearance of the site, including keeping
5744 the site litter free;

5745 (4) A plan for addressing reported concerns and making this information
5746 publicly available, including a phone number, email, and point of contact at the site of the
5747 facility for the community to report concerns;

5748 (5) A plan for outreach with surrounding property owners and residents
5749 addressing items such as noise, smoking areas, parking, security procedures, and litter;
5750 and

5751 (6) Plans and narrative documenting compliance with all applicable codes,
5752 including:

5753 (a) an elevation of the building or buildings to be occupied;

5754 (b) a floor plan that describes the capacities of the buildings for the uses
5755 intended, room dimensions, and a designation of the rooms to be used for nonambulatory
5756 residents, if any; and

5757 (c) a site plan showing property lines, buildings, driveways, parking, fences,
5758 storage areas, gardens, recreation areas, and site improvements;

5759 e. A setback of ten feet shall be along any property line adjoining a UR or R
5760 zone;

5761 f. The use shall be buffered with:

5762 (1) ten feet of Type II landscaping consistent with K.C.C. 21A.16.040; or

5763 (2) a six-foot high, view-obscuring fence;

5764 g. When safe parking is located on a site with an established primary use, the

5765 director may reduce the minimum number of on-site parking spaces consistent with

5766 K.C.C. chapter 21A.18;

5767 h. A safe parking site shall provide restroom and potable water access within

5768 the buildings or portable facilities and handwashing stations on the property; and

5769 i. If recreational vehicles are hosted at the safe parking site, provision shall be

5770 made for potable water and for proper disposal of grey water and black water waste from

5771 the vehicles.

5772 14. Excluding residential care uses classified elsewhere in this chapter.

5773 15. In the forest production district, the following conditions apply:

5774 a. Site disturbance shall be limited to three acres. Site disturbance shall mean

5775 all land alterations including, but not limited to, grading, utility installation, landscaping,

5776 clearing for crops, on-site sewage disposal systems, and driveways. Additional site

5777 disturbance for agriculture, including raising livestock, up to the smaller of thirty-five

5778 percent of the lot or seven acres, may be approved only if a farm management plan is

5779 prepared in accordance with K.C.C. chapter 21A.30. Animal densities shall be based on

5780 the area devoted to animal care and not the total area of the lot;

5781 b. A forest management plan shall be required in the forest production district,

5782 that shall be reviewed and approved by the King County department of natural resources

5783 and parks before building permit issuance; and

5784 c. The forest management plan shall incorporate a fire protection element that
5785 includes fire safety best management practices developed by the department.

5786 19. Subject to review and approval of conditions to comply with trail corridor
5787 provisions of K.C.C. chapter 21A.14.

5788 SECTION 163. Ordinance 10870, Section 332, as amended, and K.C.C.
5789 21A.08.050 are hereby amended to read as follows:

5790 A. ~~((General services))~~ Personal services and lodging land uses.

| ((P-Permitted Use C-Conditional Use S-Special Use | | RESOURCE | | | R U R A L | RESIDENTIAL | | | | COMMERCIAL/INDUSTRIAL)) | | | | |
|---|---|----------|----------------|---|--------------------------|--------------------------|--------------------------|--|------------------------------------|-------------------------|--------|--------|------------|---------|
| SIC# | SPECIFIC LAND USE | A | F | M | RA (31) | UR | <u>R-1</u> | ((R-1-8) <u>R-4</u> <u>-R-</u> 8 | <u>R-12</u> <u>-R-48</u> | N B | CB | RB | O | I |
| | PERSONAL SERVICES: | | | | | | | | | | | | | |
| ((72 | General Personal Service | | | | | | | C-25 C-37 | C-25 C-37 | P P | P P | P P | P3 P3 | P3) |
| * - | <u>Sports Club</u> (8) | | | | <u>C3</u> | <u>P6</u> <u>C7</u> | <u>P6</u> <u>C7</u> | <u>P6</u> <u>C7</u> | <u>P6</u> <u>C7</u> | <u>P6</u> <u>C</u> | P P | P P | | |
| * - | <u>Specialized</u> <u>Instruction</u> <u>School</u> | | <u>P1</u> 8 | | <u>P19</u> <u>C20</u> | <u>P19</u> <u>C20</u> | <u>P19</u> <u>C20</u> | <u>P19</u> <u>C20</u> | <u>P19</u> <u>C20</u> | P P | P P | P P | <u>P17</u> | P 38 |

| | | | | | | | | | | | | | |
|----------------|-----------------------|-----------|--|--|-----------|-----------|------------|------------|-----------|----------|----------|----------|-------------|
| <u>7231</u> | <u>Beauty and</u> | | | | | | <u>P6</u> | <u>P25</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| <u>7241</u> | <u>Barber Shops</u> | | | | | | | | | | | | |
| <u>7251</u> | <u>Shoe Repair</u> | | | | | | <u>P6</u> | <u>P25</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| | <u>Shops</u> | | | | | | | | | | | | |
| <u>7211</u> | <u>Laundry,</u> | | | | | | <u>P6</u> | <u>P25</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| <u>7213</u> | <u>Cleaning, and</u> | | | | | | | | | | | | |
| <u>7215</u> | <u>Garment</u> | | | | | | | | | | | | |
| <u>7219</u> | <u>Services</u> | | | | | | | | | | | | |
| <u>7212</u> | <u>Drycleaner and</u> | | | | | | <u>P6</u> | <u>P25</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| | <u>Garment</u> | | | | | | | | | | | | |
| | <u>Pressing</u> | | | | | | | | | | | | |
| ((<u>7216</u> | <u>Drycleaning</u> | | | | | | | | | | | | <u>P</u>)) |
| | <u>Plants</u> | | | | | | | | | | | | |
| <u>7217</u> | <u>Carpet and</u> | | | | | | | | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| | <u>Upholstery</u> | | | | | | | | | | | | |
| | <u>Cleaning</u> | | | | | | | | | | | | |
| ((<u>7218</u> | <u>Industrial</u> | | | | | | | | | | | | <u>P</u>)) |
| | <u>Launderers</u> | | | | | | | | | | | | |
| 7261 | Funeral | | | | C4 | <u>C4</u> | C4 | C4 | | P | P | | |
| | Home/Cremat | | | | | | | | | | | | |
| | ory | | | | | | | | | | | | |
| * | Cemetery, | | | | P24 | P24 | <u>P24</u> | P24 | P24 | P2 | P24 | P24 | P24 |
| | Columbarium | | | | C((5 | C((5 | <u>C</u> | C((5 | C((5)) | 4 | | C((5 | |
| | or Mausoleum | | | | and |) |) |) | | | |) | |
| | (5) | | | | 31)) | | | | | | | | |
| * | ((<u>Day Care</u>)) | P((| | | P((6))3 | P((6) | <u>P</u> | P((6) | P | P | P | P | P((7 |
| | <u>Daycare I and</u> | 6)) | | | 2 |) |) |) | | | | |)) |
| | <u>II</u> | <u>40</u> | | | | | | | | | | | 7)) |
| ((<u>7</u> | <u>Day Care II</u> | | | | <u>P8</u> | <u>P8</u> | | <u>P8</u> | <u>P8</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P7</u> |
| | | | | | € | € | | € | € | | | | <u>P7</u> |

| | | | | | | | | | | | | | | |
|------------------------------|---|---|--|--|--|--|------------------------|--|--|-------------------------------|----------------|----------------|----------------|----------------|
| 074 | Veterinary Clinic | P9 | | | P9 C10 and 31 | P9 C10 | | | | P1 0 | P10 | P10 | | P)) |
| 753 | Automotive Repair (1) | | | | | | | | | P1 1 | P | P | | P |
| 754 | Automotive Service | | | | | | | | | P1 1 | P | P | | P |
| 76 | Miscellaneous Repair (44) | | | | P32 | P32 | <u>P32</u> | P32 | P32 | P3 2 | P | P | | P |
| ((866)) * _ | ((Church, Synagogue, Temple)) <u>Religious</u> <u>Facility</u> | | | | P12 C27 ((and 31)) | P12 C | <u>P12</u> <u>C</u> | P12 C | P12 C | P | P | P | P | |
| ((83 | Social Services (2) | | | | P12 P13 C31 | P12 P13 C | | P12 P13 C | P12 P13 C | P | P | P | P)) | |
| <u>074</u> | <u>Veterinary</u> <u>Clinic</u> | <u>P9</u> | | | <u>P9</u> <u>C10</u> | <u>P9</u> <u>C10</u> | | | | <u>P1</u> <u>0</u> | <u>P10</u> | <u>P10</u> | | <u>P</u> |
| 0752 | Animal ((s)) Specialty ((s)) Services | | | | C P35 P36 | C | | | | P | P | P | P | P |
| ((* | Stable | P1 4 C | | | P14 C31 | P14 C | | P14 C)) | | | | | | |
| * | Commercial Kennel or Commercial Cattery | P4 2 | | | C43 | C43 | | | | | C43 | P43 | | |
| * _ | <u>Dog Training</u> <u>Facility</u> | <u>C3</u> <u>4</u> | | | <u>C34</u> | <u>C34</u> | | | | <u>P</u> | <u>P</u> | <u>P</u> | | <u>P</u> |

| | | | | | | | | | | | | | | |
|--------|---|---------------------|--|--|-------------------------|-------------------------|------------|---------------------------------|---------------------------------|---------|-----|-------|-----|---|
| ((# | Theatrical Production Services | | | | | | | | | | P30 | P28)) | | |
| 7221 | <u>Portrait Photographic Studios</u> | | | | | | | P6 | P25 | P | P | P | P | |
| * | Artist Studios | | | | P28 | P28 | <u>P28</u> | P28 | P28 | P | P | P | P29 | P |
| * | Interim Recycling Facility | | | | P21 | P21 | <u>P21</u> | P21 | P21 | P2 2 | P22 | P | P21 | P |
| ((# | Dog training facility | C3 4 | | | C34 | C34 | | | | P | P | P | | P |
| | HEALTH SERVICES: | | | | | | | | | | | | | |
| 801-04 | Office/Outpati ent Clinic | | | | P12 C13a | P12 C13a | | P12 C13a C37 | P12 C13a C37 | P | P | P | P | P |
| 805 | Nursing and Personal Care Facilities | | | | | | | | C | | P | P | | |
| 806 | Hospital | | | | | | | C13a | C13a | | P | P | C | |
| 807 | Medical/Denta l Lab | | | | | | | | | | P | P | P | P |
| 808-09 | Miscellaneous Health | | | | | | | | | | P | P | P)) | |
| | <u>TEMPORAR Y LODGING:</u> | | | | | | | | | | | | | |
| 7011 | <u>Hotel/Motel (14)</u> | | | | | | | | | | P | P | P | |

| | | | | | | | | | | | | | | |
|------|--|---------|---------|--|--------------------------------|------------|-----|------------|------------|---------|------------|------------|------------|----------|
| * | Bed and Breakfast Guesthouse | P1 5 | | | P15 | P15 | P15 | P15 | P15 | P1 5 | P16 | P16 | | |
| 7041 | Organization Hotel/Lodging Houses | | | | | | P23 | | | | | P | | |
| | ((EDUCATION N SERVICES: | | | | | | | | | | | | | |
| * | Elementary School | | | | P39 P40 | P | | P | P | | P16 P40 | P16 P40 | P16 P40 | |
| * | Middle/Junior High School | | | | P40 C39 and 31 | P | | P | P | | P16 C40 | P16 C40 | P16 C40 | |
| * | Secondary or High School | | | | C39 and 31 C41 and 31 | P26 | | P26 | P26 | | P16 C15 | P16 C15 | P16 | |
| * | Vocational School | | | | | P13a C | | P13a C | P13a C | | | P15 | P17 | P |
| * | Specialized Instruction School | | P1 8 | | P19 C20 and 31 | P19 C20 | | P19 C20 | P19 C20 | P P | P P | P P | P17 | P 38 |
| * | School District Support Facility | | | | | P23 C | | P23 C | P23 C | C1 5 | P15 | P15 | P15 | P15) |

5791 B. Development conditions.

5792 1. Except SIC Industry ((No.)) 7534-Tire Retreading((~~see manufacturing~~
5793 ~~permitted use table~~)).

5794 2. Except SIC Industry Groups ((Nos.)):

5795 a. 835-Day Care Services, and

5796 b. Community residential facilities.

5797 3. ~~((Limited to SIC Industry Group and Industry Nos.:~~

5798 ~~a. 723-Beauty Shops;~~

5799 ~~b. 724-Barber Shops;~~

5800 ~~c. 725-Shoe Repair Shops and Shoeshine Parlors;~~

5801 ~~d. 7212-Garment Pressing and Agents for Laundries and Drycleaners; and~~

5802 ~~e. 217-Carpet and Upholstery Cleaning.))~~ Subject to the following:

5803 ~~a. Not ((permitted))~~ allowed in the RA-10 or RA-20 zones. ~~((Limited to~~

5804 ~~recreation facilities subject to the following conditions and limitations:))~~

5805 ~~((a.))~~ b. The bulk and scale shall be compatible with ~~((residential or))~~ the rural

5806 character of the area;

5807 ~~((b. For sports clubs, t))~~ c. The gross floor area shall not exceed ten thousand

5808 square feet unless the building is on the same site or adjacent to a site where a public

5809 facility is located; ~~((or unless the building is a nonprofit facility located in the urban area;~~

5810 ~~and~~

5811 ~~e.))~~ d. Use is limited to residents of a specified residential development or to

5812 sports clubs providing supervised instructional or athletic programs;

5813 e. Outdoor amplified noise is not allowed; and

5814 f. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

5815 4. Only as accessory to a cemetery~~((, and prohibited from the UR zone only if~~

5816 ~~the property is located within a designated unincorporated Rural Town)).~~

5817 5. Structures shall maintain a minimum distance of one hundred feet from
5818 property lines adjoining (~~((rural area and residential))~~) RA, UR, and R zones.

5819 6. (~~((Only as accessory to residential use, and:~~

5820 a. ~~Outdoor play areas shall be completely enclosed by a solid wall or fence,~~
5821 ~~with no openings except for gates, and have a minimum height of six feet; and~~

5822 b. ~~Outdoor play equipment shall maintain a minimum distance of twenty feet~~
5823 ~~from property lines adjoining rural area and residential zones:))~~ Subject to the following:

5824 a. Limited to a maximum of two thousand five hundred square feet of gross
5825 floor area;

5826 b. Amplified noise is prohibited;

5827 c. The maximum on-site parking ratio shall be two spaces per one thousand
5828 square feet and required parking shall not be located between the building and the street;
5829 and

5830 d. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

5831 7. (~~((Permitted as an accessory use. See commercial/industrial accessory, K.C.C.~~
5832 ~~21A.08.060.A-))~~) Subject to the following:

5833 a. Amplified noise is prohibited;

5834 b. Limited to a maximum of ten thousand square feet of gross floor area unless
5835 the building either is on the same site or adjacent to a site where a public facility is
5836 located or is nonprofit facility located in the urban area; and

5837 c. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

5838 8. Only ~~((as a reuse of a public school facility subject to K.C.C. chapter 21A.32,~~
5839 ~~or an accessory use to a school, church, park, sport club or public housing administered~~
5840 ~~by a public agency, and:~~

5841 a. ~~Outdoor play areas shall be completely enclosed by a solid wall or fence,~~
5842 ~~with no openings except for gates and have a minimum height of six feet;~~

5843 b. ~~Outdoor play equipment shall maintain a minimum distance of twenty feet~~
5844 ~~from property lines adjoining rural area and residential zones;~~

5845 c. ~~Direct access to a developed arterial street shall be required in any~~
5846 ~~residential zone; and~~

5847 d. ~~Hours of operation may be restricted to assure compatibility with~~
5848 ~~surrounding development)) for standalone sports clubs that are not part of a park.~~

5849 9. As a home occupation only, but the square footage limitations in K.C.C.
5850 chapter 21A.30 for home occupations apply only to the office space for the veterinary
5851 clinic, and:

5852 a. Boarding or overnight stay of animals is allowed only on sites of five acres
5853 or more;

5854 b. No burning of refuse or dead animals is allowed;

5855 c. The portion of the building or structure in which animals are kept or treated
5856 shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be
5857 surrounded by an eight-foot-high solid wall and the floor area shall be surfaced with
5858 concrete or other impervious material; and

5859 d. The provisions of K.C.C. chapter 21A.30 relative to animal keeping are met.

5860 10.a. No burning of refuse or dead animals is allowed;

5861 b. The portion of the building or structure in which animals are kept or treated
5862 shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be
5863 surrounded by an eight-foot-high solid wall and the floor area shall be surfaced with
5864 concrete or other impervious material; and

5865 c. The provisions of K.C.C. chapter 21A.30 relative to animal keeping are met.

5866 11. The repair work or service shall only be performed in an enclosed building,
5867 and no outdoor storage of materials. SIC Industry ((No-)) 7532-Top, Body, and
5868 Upholstery Repair Shops and Paint Shops is ((not allowed)) prohibited.

5869 12. Only as a reuse of a public school facility or surplus nonresidential facility
5870 subject to K.C.C. chapter 21A.32. Before filing an application with the department, the
5871 applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

5872 13. ~~((a. Except as otherwise provided in subsection B.13.b. of this section, only~~
5873 ~~as a reuse of a surplus nonresidential facility subject to K.C.C. chapter 21A.32.~~

5874 ~~b. Allowed for a social service agency on a site in the NB zone that serves~~
5875 ~~transitional or low income housing located within three hundred feet of the site on which~~
5876 ~~the social service agency is located.~~

5877 ~~c. Before filing an application with the department, the applicant shall hold a~~
5878 ~~community meeting in accordance with K.C.C. 20.20.035)) Repealed.~~

5879 14. ~~((Covered riding arenas are subject to K.C.C. 21A.30.030 and shall not~~
5880 ~~exceed twenty thousand square feet, but stabling areas, whether attached or detached,~~
5881 ~~shall not be counted in this calculation)) Except bed and breakfast guesthouses.~~

5882 15. ~~((If located outside of the urban growth area, limited to projects that are of a~~
5883 ~~size and scale designed to primarily serve the Rural Area and Natural Resource Lands~~
5884 ~~and shall be located within a rural town))~~ Subject to the following:

5885 a. Only as accessory use to the permanent residence of the operator;
5886 b. Served meals shall be limited to paying guests; and
5887 c. Limited to no more than five rooms accommodating up to ten guests.

5888 16. ~~((If located outside of the urban growth area, shall be designed to primarily~~
5889 ~~serve the Rural Area and Natural Resource Lands and shall be located within a rural~~
5890 ~~town. In CB, RB and O, for K-12 schools with no more than one hundred students))~~
5891 Only if part of a mixed-use development, and subject to the conditions of subsection
5892 B.15. of this section.

5893 17. All instruction ~~((must be))~~ shall occur within an enclosed structure.

5894 18. Limited to resource management education programs.

5895 19. Only as accessory to residential use, and:

5896 a. Students shall be limited to twelve per one-hour session;
5897 b. Except as provided in subsection B.19.c. of this section, all instruction
5898 ~~((must be))~~ shall occur within an enclosed structure;

5899 c. Outdoor instruction may be allowed on properties at least two and one-half
5900 acres in size. Any outdoor activity ~~((must))~~ shall comply with the requirements for
5901 setbacks in ~~((K.C.C. chapter 21A.12))~~ this title; and

5902 d. Structures used for the school shall maintain a distance of twenty-five feet
5903 from property lines adjoining ~~((rural area and residential))~~ RA, UR, and R zones.

5904 20. Subject to the following:

5905 a. Structures used for the school and accessory uses shall maintain a minimum
5906 distance of twenty-five feet from property lines adjoining ~~((residential))~~ UR and R zones;
5907 b. On lots over two and one-half acres:
5908 (1) Retail sale of items related to the instructional courses is ~~((permitted))~~
5909 allowed, if total floor area for retail sales is limited to two thousand square feet;
5910 (2) Sale of food prepared in the instructional courses is ~~((permitted))~~ allowed
5911 with ~~((Seattle King County department of))~~ public health - Seattle & King County
5912 approval, if total floor area for food sales is limited to one thousand square feet and is
5913 located in the same structure as the school; and
5914 (3) Other incidental student-supporting uses are allowed, if such uses are
5915 found to be both compatible with, and incidental to the principal use; and
5916 c. On sites over ten acres, located in a ~~((designated Rural Town))~~ rural town
5917 and zoned ~~((any one or more of UR,))~~ R-1 ~~((and))~~ or R-4:
5918 (1) Retail sale of items related to the instructional courses is ~~((permitted,))~~
5919 allowed. ~~((provided))~~ The total floor area for retail sales is limited to two thousand square
5920 feet;
5921 (2) Sale of food prepared in the instructional courses is ~~((permitted))~~ allowed
5922 with ~~((Seattle King County department of))~~ public health - Seattle & King County
5923 approval, if total floor area for food sales is limited to one thousand seven hundred fifty
5924 square feet and is located in the same structure as the school;
5925 (3) Other incidental student-supporting uses are allowed, if the uses are found
5926 to be functionally related, subordinate, compatible with and incidental to the principal
5927 use;

5928 (4) The use shall be integrated with allowable agricultural uses on the site;

5929 (5) Advertised special events shall comply with the temporary use

5930 requirements of this chapter; and

5931 (6) Existing structures that are damaged or destroyed by fire or natural event,

5932 if damaged by more than fifty percent of their prior value, may reconstruct and expand an

5933 additional sixty-five percent of the original floor area but need not be approved as a

5934 conditional use if the~~((if))~~ use otherwise complies with ~~((development condition in))~~ this

5935 subsection B.20.c. ~~((of this section))~~ and this title.

5936 21. Limited to:

5937 a. drop box facilities accessory to a public or community use such as a school,

5938 fire station, or community center; or

5939 b. in the RA zone only, a facility accessory to a retail nursery, garden center,

5940 and farm supply store ~~((that))~~ may accept~~((s))~~ earth materials, vegetation, organic waste,

5941 construction, and demolition materials, or source separated organic materials, if:

5942 (1) the site is five acres or greater;

5943 (2) all material is deposited into covered containers or onto covered

5944 impervious areas;

5945 (3) the facility and any driveways or other access to the facility maintain a

5946 setback of at least twenty five feet from adjacent properties;

5947 (4) the total area of the containers and covered impervious area is ten

5948 thousand square feet or less;

5949 (5) ten feet of type II landscaping is provided between the facility and

5950 adjacent properties;

5951 (6) no processing of the material is conducted on-site; and
5952 (7) access to the facility is not from a local access street.

5953 22. With the exception of drop box facilities for the collection and temporary
5954 storage of recyclable materials, all processing and storage of material shall be within
5955 enclosed buildings. Yard waste processing is not ~~((permitted))~~ allowed.

5956 23. ~~((Only if adjacent to an existing or proposed school))~~ Only in the R-1 zone,
5957 as an accessory to a golf course facility and consistent with K.C.C. 21A.08.040.

5958 24. Limited to columbariums accessory to a ~~((church, but))~~ religious facility.
5959 ~~((¶))~~ Required landscaping and parking shall not be reduced.

5960 25.a. ~~((Not permitted in R-1 and 4))~~ Limited to a maximum of five thousand
5961 square feet ((per establishment and subject to the additional requirements in K.C.C.
5962 21A.12.230.)) in the R-12 through R-48 zones;

5963 b. Amplified noise is prohibited;

5964 c. The maximum on-site parking ratio shall be two spaces per one thousand
5965 square feet and required parking shall not be located between the building and the street;
5966 and

5967 d. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

5968 26. ~~((a. New high schools permitted in the rural and the urban residential and~~
5969 ~~urban reserve zones shall be subject to the review process in K.C.C. 21A.42.140.~~

5970 ~~b. Renovation, expansion, modernization, or reconstruction of a school, or the~~
5971 ~~addition of relocatable facilities, is permitted))~~ Repealed.

5972 27. Limited to projects that do not require or result in an expansion of sewer
5973 service outside the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area. In addition, such use shall not be
5974 ~~((permitted))~~ allowed in the RA-20 zone.

5975 28. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter
5976 21A.32 or as a joint use of an existing public school facility.

5977 29. All studio use ~~((must be))~~ shall occur within an enclosed structure.

5978 30. ~~((Adult use facilities shall be prohibited within six hundred sixty feet of any
5979 rural area and residential zones, any other adult use facility, school, licensed daycare
5980 centers, parks, community centers, public libraries or churches that conduct religious or
5981 educational classes for minors))~~ Repealed.

5982 31. Subject to review and approval of conditions to comply with trail corridor
5983 provisions of K.C.C. chapter 21A.14 ~~((when located in an RA zone))~~.

5984 32. Limited to repair of sports and recreation equipment:

5985 a. as accessory to a recreation or multiuse park in the urban ~~((growth))~~ area; or

5986 b. as accessory to a park and limited to a total floor area of seven hundred fifty
5987 square feet.

5988 33. Repealed.

5989 34. Subject to the following:

5990 a. the lot is at least five acres;

5991 b. in the A zones, area used for dog training shall be located on portions of
5992 agricultural lands that are unsuitable for other agricultural purposes, such as areas within
5993 the already developed portion of such agricultural lands that are not available for direct
5994 agricultural production or areas without prime agricultural soils;

5995 c. structures and areas used for dog training shall maintain a minimum distance
5996 of seventy-five feet from property lines; and

5997 d. all training activities shall be conducted within fenced areas or in indoor
5998 facilities. Fences ~~((must))~~ shall be sufficient to contain the dogs.

5999 35. Limited to animal rescue shelters and ~~((provided that))~~:

6000 a. the property shall be at least four acres;

6001 b. buildings used to house rescued animals shall be ~~((no less than))~~ set back at
6002 least fifty feet from property lines, except on Vashon-Maury Island, the setback shall be
6003 at least twenty-five feet;

6004 c. outdoor animal enclosure areas shall be located no less than thirty feet from
6005 property lines and shall be fenced in a manner sufficient to contain the animals;

6006 ~~((d. the facility shall be operated by a nonprofit organization registered under~~
6007 ~~the Internal Revenue Code as a 501(c)(3) organization;))~~ and

6008 ~~((e. the facility shall maintain normal))~~ d. hours of operation ~~((no earlier than))~~
6009 shall be limited to 7:00 a.m. ((and no later than)) through 7:00 p.m.

6010 36. Limited to kennel-free dog boarding and daycare facilities, and:

6011 a. the property shall be at least four and one-half acres;

6012 b. buildings housing dogs shall be no less than seventy-five feet from property
6013 lines;

6014 c. outdoor exercise areas shall be located no less than thirty feet from property
6015 lines and shall be fenced in a manner sufficient to contain the dogs;

6016 d. the number of dogs allowed on the property at any one time shall be limited
6017 to the number allowed for hobby kennels, as provided in K.C.C. 11.04.060.B; and

6018 e. training and grooming are ancillary services that may be provided only to
6019 dogs staying at the facility; and

6020 f. ~~((the facility shall maintain normal h))~~Hours of operation ~~((no earlier than))~~
6021 shall be limited to 7:00 a.m. ((and no later than)) through 7:00 p.m.

6022 37. ~~((Not permitted in R-1 and subject to the additional requirements in K.C.C.~~
6023 ~~21A.12.250.))~~ Repealed.

6024 38. Driver training is limited to driver training schools licensed under chapter
6025 46.82 RCW.

6026 39. ~~((A school may be located outside of the urban growth area only if allowed~~
6027 ~~under King County Comprehensive Plan policies))~~ Excluding adult daycares, nursery
6028 schools, preschool centers, and privately conducted kindergartens and prekindergartens,
6029 and only allowed when primarily serving residents of the rural area or natural resource
6030 lands.

6031 40. ~~((Only as a reuse of an existing public school))~~ Excluding adult daycares,
6032 nursery schools, preschool centers, and privately conducted kindergartens and
6033 prekindergartens, and only allowed when:

6034 a. Accessory to an agricultural use;

6035 b. Serving only the children of farm workers employed on the site; and

6036 c. No more than thirty children are cared for on site.

6037 41. ~~((A high school may be allowed as a reuse of an existing public school if~~
6038 ~~allowed under King County Comprehensive Plan policies))~~ Repealed.

6039 42. Commercial kennels and commercial catteries in the A zone are subject to
6040 the following:

6041 a. Only as a home occupation, but the square footage limitations in K.C.C.
6042 chapter 21A.30.085 for home occupations apply only to the office space for the
6043 commercial kennel or commercial cattery; and

6044 b. Subject to K.C.C. 21A.30.020, except:

6045 (1) A building or structure used for housing dogs or cats and any outdoor runs
6046 shall be set back one hundred and fifty feet from property lines;

6047 (2) The portion of the building or structure in which the dogs or cats are kept
6048 shall be soundproofed;

6049 (3) Impervious surface for the kennel or cattery shall not exceed twelve
6050 thousand square feet; and

6051 (4) Obedience training classes are not allowed except as provided in
6052 subsection B.34. of this section.

6053 43. Commercial kennels and commercial catteries are subject to K.C.C.
6054 21A.30.020.

6055 44. ~~((If the m))~~Miscellaneous repair ((is)) associated with agricultur~~((e))~~al
6056 activities ~~((it will))~~ shall be reviewed in accordance with K.C.C. 21A.08.090.

6057 NEW SECTION. SECTION 164. There is hereby added to K.C.C. chapter
6058 21A.08 a new section to read as follows:

6059 A. Government and education land uses.

| SIC | SPECIFIC | A | F | M | RA | UR | R-1 | R-4 | R-12 – | N | CB | RB | O | I |
|-----|----------|---|---|---|-----|----|-----|-----------|--------|---|----|----|---|---|
| # | LAND USE | | | | (1) | | | – R- 8 | R-48 | B | | | | |

| | | | | | | | | | | | | | | |
|----------|--|--------------------|--------------------|--------------------|------------|------------|------------|------------|------------|---------|-----|-----|-----|-----|
| | GOVERNMENT SERVICES: | | | | | | | | | | | | | |
| * | Public Agency or Utility Office | | | | P2 C4 | P2 C4 | P2 C | P2 C | P2 C | P | P | P | P | P3 |
| * | Public Agency or Utility Yard | | | | P5 | P5 | P5 | P5 | P5 | | | P | | P |
| * | Public Agency Archives | | | | | | | | | | | P | P | P |
| 921 | Court | | | | | | | | | | P6 | P | P | |
| 922 1 | Police Facility | | | | P7 | P7 | P7 | P7 | P7 | P7 | P | P | P | P |
| 922 4 | Fire Facility | | | | C8 | C8 | C8 | C8 | C8 | P | P | P | P | P |
| * | Utility Facility (12) | P1 0 C1 1 | P1 0 C 11 | P1 0 C 11 | P10 C11 | P10 C11 | P10 C11 | P10 C11 | P10 C11 | P | P | P | P | P |
| * | Private Stormwater Management Facility | P1 3 | P1 3 | P1 3 | P13 | P13 | P13 | P13 | P13 | P1 3 | P13 | P13 | P13 | P13 |
| * | Vactor Waste Receiving Facility | P | P | P | P14 | P14 | P14 | P14 | P14 | P1 5 | P15 | P15 | P15 | P |
| * | Commuter Parking Lot | | | | P29 C | P29 C | | P29 C | P29 C | P | P | P | P | P30 |

| | | | | | | | | | | | | | | |
|-----------------------|----------------------------------|---------|---------|--|-------------------|-------------------|-----------------|-----------------|-----------------|-------------------------|------------|------------|------------|-----|
| | EDUCATION SERVICES: | | | | | | | | | | | | | |
| * | Elementary School | | | | P16 P18 | P | P | P | P | | P17 P18 | P17 P18 | P17 P18 | |
| * | Middle/Junior High School | | | | P18 C16 | P | P | P | P | | P17 C18 | P17 C18 | P17 C18 | |
| * | Secondary or High School | | | | C16 C20 | P21 | P21 | P21 | P21 | | P17 C19 | P17 C19 | P17 | |
| 822 1- 822 2 | College/University(26) | P2 2 | P2 2 | | P22 C23 S24 | P22 C23 S24 | P22 C23 S | P22 C23 S | P22 C23 S | P2 2 C2 3 S | P | P | P | P |
| * | Vocational School | | | | | P25 C | P25 C | P25 C | P25 C | | | P19 | P27 | P |
| * | School District Support Facility | | | | | P28 C | P28 C | P28 C | P28 C | C1 9 | P19 | P19 | P19 | P19 |

6060 B. Development conditions.

6061 1. Subject to review and approval of conditions to comply with trail corridor
6062 provisions of K.C.C. chapter 21A.14.

6063 2.a. Only as a reuse of a public school facility or a surplus nonresidential facility
6064 subject to K.C.C. chapter 21A.32; or

6065 b. only when accessory to a fire facility and the office is no greater than one
6066 thousand five hundred square feet of floor area.

6067 3. Only as an accessory use to another permitted use.

6068 4. New utility office locations only if there is no commercial/industrial zoning
6069 in the utility district, and not in the RA-10 or RA-20 zones unless it is demonstrated that
6070 no feasible alternative location is possible.

6071 5a. Utility yards only on sites with utility district offices; or
6072 b. Public agency yards are limited to material storage for road maintenance
6073 facilities.

6074 6. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter
6075 21A.32.

6076 7. Limited to storefront police offices. Such offices shall not have:
6077 a. holding cells;
6078 b. suspect interview rooms (except in the NB zone); or
6079 c. long-term storage of stolen properties.

6080 8.a. All buildings and structures shall maintain a minimum distance of twenty
6081 feet from property lines adjoining RA, UR, and R zones;
6082 b. Any buildings from which fire-fighting equipment emerges onto a street
6083 shall maintain a distance of thirty-five feet from such street;
6084 c. No outdoor storage; and
6085 d. Excluded from the RA-10 and RA-20 zones unless it is demonstrated that no
6086 feasible alternative location is possible.

6087 10. Excluding local distribution gas storage tanks.

6088 11. Limited to local distribution gas storage tanks that pipe to individual
6089 residences but excluding liquefied natural gas storage tanks.

6090 12. As part of an application for construction of new electric transmission lines
6091 in regional utility corridors, or for the construction or siting of new, modified, or
6092 expanded gas or hazardous liquid transmission pipelines, the applicant shall submit an
6093 equity impact review of the proposal using tools developed by the office of equity and
6094 racial and social justice. Until the tools have been developed and made publicly available
6095 by the office, the equity impact review is not required. The results from the equity
6096 impact review shall be used to assess equity impacts and opportunities during county
6097 permit review and may be used to inform determinations of project approval.

6098 13. Private stormwater management facilities serving development proposals
6099 located on commercial/industrial zoned lands shall also be located on
6100 commercial/industrial lands, unless participating in an approved shared facility drainage
6101 plan. Such facilities serving development within an area designated urban in the King
6102 County Comprehensive Plan shall only be located in the urban area.

6103 14. Only as an accessory use to a public agency or utility yard, or to a transfer
6104 station.

6105 15. Vactor waste treatment, storage, and disposal shall be limited to liquid
6106 materials. Materials shall be disposed of directly into a sewer system or shall be stored in
6107 tanks, covered structures, or enclosed buildings.

6108 16. A school may be located outside of the Urban Growth Area only if allowed
6109 under King County Comprehensive Plan policies. New high school sites shall abut or be
6110 accessible from a public street functioning as an arterial per the King County Design
6111 Standards.

6112 17. If located outside of the urban area, shall be designed to primarily serve the
6113 rural area and natural resource lands and shall be located within a rural town. In CB, RB,
6114 and O zones, only for K-12 schools, and limited to a maximum of one hundred students.

6115 18. Only as a reuse of an existing public school.

6116 19. If located outside of the urban area, limited to projects that are of a size and
6117 scale designed to primarily serve the rural area and natural resource lands and shall be
6118 located within a rural town.

6119 20. A high school may be allowed as a reuse of an existing public school if
6120 allowed under King County Comprehensive Plan policies.

6121 21.a. New high schools permitted in the RA, UR, and R zones shall be subject
6122 to the review process in K.C.C. 21A.42.140.

6123 b. Renovation, expansion, modernization, or reconstruction of a school, or the
6124 addition of relocatable facilities, is allowed.

6125 22. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32.

6126 23. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter
6127 21A.32.

6128 24. Only for facilities related to resource-based research.

6129 25. Only as a reuse of a public school facility or surplus nonresidential facility
6130 subject to K.C.C. chapter 21A.32. Before filing an application with the department, the
6131 applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

6132 26. Except technical institutions, which are classified as vocational schools.

6133 27. All instruction shall occur within an enclosed structure.

6134 28. Only if adjacent to an existing or proposed school.

6135 29. Limited to new commuter parking lots designed for thirty or fewer parking
6136 spaces or commuter parking lots located on existing parking lots for religious facilities,
6137 schools, or other allowed nonresidential uses that have excess capacity available during
6138 commuting, but only if the new or existing lot is adjacent to a designated arterial that has
6139 been improved to a standard acceptable to the department of local services.

6140 30. Allowed as a primary or accessory use to an allowed industrial-zoned land
6141 use.

6142 SECTION 165. Ordinance 10870, Section 333, as amended, and K.C.C.

6143 21A.08.060 are hereby amended to read as follows:

6144 A. ~~((Government/))~~Business services land uses.

| ((P-Permitted Use C-Conditional Use S-Special Use | | RESOURCE | | | RU RA L | RESIDENTIAL | | | | COMMERCIAL/INDUSTRIAL)) | | | | |
|--|---------------------------------------|----------|---|---|----------------|-------------|-----|-------------------------------------|------------------------|-------------------------|----|----|---|-----------------------|
| SIC# | SPECIFIC LAND USE | A | F | M | RA (12 1 | UR | R-1 | ((R 1- 8)) R-4 = R-8 | R- 12 = R- 48 | NB | CB | RB | O | I ((3 0)) 19 |
| | ((GOVERNMENT SERVICES: | | | | | | | | | | | | | |
| ± | Public agency or utility office | | | | P3 C5 | P3 C5 | | P3 C | P3 C | P | P | P | P | P16 |
| ± | Public agency or utility yard | | | | P27 | P27 | | P27 | P27 | | | P | | P |
| ± | Public agency archives | | | | | | | | | | | P | P | P |
| 921 | Court | | | | | | | | | | P4 | P | P | |

| | | | | | | | | | | | | | | |
|-------|---|--------------------|--------------------|----------------|-----------------------------|------------|--|----------------|-------------------|---------------|-----|-------------|-----|-----|
| 9221 | Police Facility | | | | P7 | P7 | | P7 | P7 | P7 | P | P | P | P |
| 9224 | Fire Facility | | | | C6 and 33 | C6 | | C6 | C6 | P | P | P | P | P |
| * | Utility Facility | P2 9 C2 8 | P2 9 C2 8 | P2 9C 28 | P29 C2 8 and 33 | P29 C28 | | P29 C2 8 | P29 C28 | P | P | P | P | P |
| * | Commuter Parking Lot | | | | C3 P19 | C P19 | | C P19 | C 19 | P | P | P | P | P35 |
| * | Private Stormwater Management Facility | P8 | P8 | P8 | P8 | P8 | | P8 | P8 | P8 | P8 | P8 | P8 | P8 |
| * | Vector Waste Receiving Facility | P | P | P | P18 | P18 | | P18 | P18 | P31 | P31 | P31 | P31 | P)) |
| | BUSINESS SERVICES: | | | | | | | | | | | | | |
| ((* | Construction and Trade | | | | P34 | | | | | | | P | P9 | P)) |
| * | Individual Transportation and Taxi | | | | | | | | | P((25))10 | P | P1((0)) | P | |
| ((421 | Trucking and Courier Service | | | | | | | | | P11 | P12 | P13 | P | |
| * | Warehousing, (1) and Wholesale Trade | | | | | | | | | | | | | P)) |
| * | Self-service Storage (14) | | | | | | | ((P1 4)) | P((3 7))1 5 | P | P | P | P | |
| 4221 | Farm Product | | | | | | | | | | | | | P |
| 4222 | Warehousing, | | | | | | | | | | | | | |

| | | | | | | | | | | | | | | |
|-------|---|--|---|--|------------------|------------|--------|-----------------|-------------|-------------------|---------------|--------------|-------------------|--------------|
| | Refrigeration, and Storage ((38))16) | | | | | | | | | | | | | |
| (*) | Log Storage (38) | | P | | P26 and 33 | | | | | | | | | P |
| 47 | Transportation Service | | | | | | | | | | | | | P39 |
| 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 | P((+ 6))2 |
| * | Professional Office | | | | | | | | | P | P | P | P | P((+ 6))2 |
| 7312 | Outdoor Advertising Service | | | | | | | | | | | P | P((+ 7))3 | P |
| ((735 | Miscellaneous Equipment Rental | | | | | | | | | | P17 | P | P17 | P)) |
| 751 | Automotive Rental and Leasing | | | | | | | | | | P | P | | P |
| 752 | Automotive Parking | | | | | | | | | P((2 0))5 a | P((20))5b | P((2 4))6 | P((2 0))5 a | P |
| * | Off-Street Required Parking Lot (11) | | | | P((32)) | P((32) | P) | P((32)) | P((3 2)) | P((3 2)) | P((32) | P((3 2)) | P((3 2)) | P((3 2)) |

| | | | | | | | | | | | | | | |
|-------|---|--|--|----------------------|---|---------------------|----------|---------------------|---------------------|---|---|----------------------|----------------------|----------------------|
| 7941 | Professional Sport Teams/Promoters | | | | | | | | | | | P | P | |
| ((873 | Research, Development, and Testing | | | | | | | | | | | P2 | P2 | P2 |
| * | Heavy Equipment and Truck Repair | | | | | | | | | | | | | P)) |
| | ACCESSORY USES: | | | | | | | | | | | | | |
| * | Commercial/Industrial Accessory Uses | | | P((4+)) <u>18</u> | P((22)) <u>7</u> P((4+)) <u>18</u> | | | | | P((22)) <u>7</u> P((4+)) <u>18</u> | P((22)) <u>7</u> P((4+)) <u>18</u> | P((4+)) <u>18</u> | P((4+)) <u>18</u> | P((4+)) <u>18</u> |
| * | Helistop | | | | ((40)) <u>17</u> | C((23)) <u>8</u> | <u>8</u> | C((23)) <u>8</u> | C((23)) <u>8</u> | C((23)) <u>8</u> | C((23)) <u>8</u> | C((23)) <u>8</u> | C((23)) <u>8</u> | C((23)) <u>8</u> |

6145 B. Development conditions.

6146 1. ~~((Except self-service storage.~~

6147 2. ~~Except SIC Industry No. 8732 Commercial Economic, Sociological, and~~

6148 Educational Research, see general business service/office.

6149 3.a. ~~Only as a reuse of a public school facility or a surplus nonresidential facility~~

6150 ~~subject to K.C.C. chapter 21A.32; or~~

6151 b. ~~only when accessory to a fire facility and the office is no greater than one~~

6152 ~~thousand five hundred square feet of floor area.~~

6153 4. ~~Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter~~

6154 ~~21A.32.~~

6155 ~~5. New utility office locations only if there is no commercial/industrial zoning~~
6156 ~~in the utility district, and not in the RA-10 or RA-20 zones unless it is demonstrated that~~
6157 ~~no feasible alternative location is possible, and provided further that this condition~~
6158 ~~applies to the UR zone only if the property is located within a designated unincorporated~~
6159 ~~Rural Town.~~

6160 ~~6.a. All buildings and structures shall maintain a minimum distance of twenty~~
6161 ~~feet from property lines adjoining rural area and residential zones;~~

6162 ~~b. Any buildings from which fire fighting equipment emerges onto a street~~
6163 ~~shall maintain a distance of thirty-five feet from such street;~~

6164 ~~c. No outdoor storage; and~~

6165 ~~d. Excluded from the RA-10 and RA-20 zones unless it is demonstrated that no~~
6166 ~~feasible alternative location is possible.~~

6167 ~~7. Limited to storefront police offices. Such offices shall not have:~~

6168 ~~a. holding cells;~~

6169 ~~b. suspect interview rooms (except in the NB zone); or~~

6170 ~~c. long-term storage of stolen properties.~~

6171 ~~8. Private stormwater management facilities serving development proposals~~
6172 ~~located on commercial/industrial zoned lands shall also be located on~~
6173 ~~commercial/industrial lands, unless participating in an approved shared facility drainage~~
6174 ~~plan. Such facilities serving development within an area designated urban in the King~~
6175 ~~County Comprehensive Plan shall only be located in the urban area.~~

6176 ~~9. No outdoor storage of materials.~~

6177 ~~10.)) Limited to office uses.~~

6178 ~~((11. Limited to self-service household moving truck or trailer rental accessory~~
6179 ~~to a gasoline service station.~~

6180 ~~12. Limited to self-service household moving truck or trailer rental accessory to~~
6181 ~~a gasoline service station and SIC Industry No. 4215 Courier Services, except by air.~~

6182 ~~13. Limited to SIC Industry No. 4215 Courier Services, except by air.~~

6183 ~~14. Accessory to an apartment development of at least twelve units provided:~~

6184 ~~a. The gross floor area in self-service storage shall not exceed the total gross~~
6185 ~~floor area of the apartment dwellings on the site;~~

6186 ~~b. All outdoor lights shall be deflected, shaded and focused away from all~~
6187 ~~adjoining property;~~

6188 ~~c. The use of the facility shall be limited to dead storage of household goods;~~

6189 ~~d. No servicing or repair of motor vehicles, boats, trailers, lawn mowers or~~
6190 ~~similar equipment;~~

6191 ~~e. No outdoor storage or storage of flammable liquids, highly combustible or~~
6192 ~~explosive materials or hazardous chemicals;~~

6193 ~~f. No residential occupancy of the storage units;~~

6194 ~~g. No business activity other than the rental of storage units; and~~

6195 ~~h. A resident director shall be required on the site and shall be responsible for~~
6196 ~~maintaining the operation of the facility in conformance with the conditions of approval.~~

6197 ~~i. Before filing an application with the department, the applicant shall hold a~~
6198 ~~community meeting in accordance with K.C.C. 20.20.035.~~

6199 ~~15. Repealed.~~

6200 ~~16.))~~ 2. Only as an accessory use to another permitted use.

6201 ~~((17.))~~ 3. No outdoor storage.

6202 ~~((18. Only as an accessory use to a public agency or utility yard, or to a transfer~~

6203 ~~station.~~

6204 ~~19. Limited to new commuter parking lots designed for thirty or fewer parking~~

6205 ~~spaces or commuter parking lots located on existing parking lots for churches, schools, or~~

6206 ~~other permitted nonresidential uses that have excess capacity available during~~

6207 ~~commuting; provided that the new or existing lot is adjacent to a designated arterial that~~

6208 ~~has been improved to a standard acceptable to the department of local services.))~~

6209 ~~((20.))~~ 4. Reserved.

6210 5.a. No tow-in lots for damaged, abandoned, or otherwise impounded

6211 vehicles~~((7.))~~; and

6212 b. Tow-in lots for damaged, abandoned, or otherwise impounded vehicles shall

6213 be:

6214 (1) permitted only on parcels located within Vashon Town ~~((Center))~~ Core, as

6215 adopted in the Vashon-Maury Island Community Service Area Subarea Plan in

6216 Attachment H to this ordinance;

6217 (2) accessory to a gas or automotive service use; and

6218 (3) limited to no more than ten vehicles.

6219 ~~((21.))~~ 6. No dismantling or salvage of damaged, abandoned, or otherwise

6220 impounded vehicles.

6221 ~~22.))~~ 7. Storage limited to accessory storage of commodities sold at retail on the

6222 premises or materials used in the fabrication of commodities sold on the premises.

6223 ~~((23.))~~ 8. Limited to emergency medical evacuation sites in conjunction with
6224 police, fire, or health service facility. ~~((Helistops are prohibited from the UR zone only if~~
6225 ~~the property is located within a designated unincorporated Rural Town.~~

6226 ~~24.))~~ 9. Allowed as accessory to an allowed use.

6227 ~~((25.))~~ 10. Limited to private road ambulance services with no outside storage
6228 of vehicles.

6229 ~~((26. Limited to two acres or less.~~

6230 ~~27a. Utility yards only on sites with utility district offices; or~~

6231 ~~b. Public agency yards are limited to material storage for road maintenance~~
6232 ~~facilities.~~

6233 ~~28. Limited to local distribution gas storage tanks that pipe to individual~~
6234 ~~residences but excluding liquefied natural gas storage tanks.~~

6235 ~~29. Excluding local distribution gas storage tanks.~~

6236 ~~30. For I-zoned sites located outside the urban growth area designated by the~~
6237 ~~King County Comprehensive Plan, uses shall be subject to the provisions for rural~~
6238 ~~industrial uses in K.C.C. chapter 21A.12.~~

6239 ~~31. Vactor waste treatment, storage, and disposal shall be limited to liquid~~
6240 ~~materials. Materials shall be disposed of directly into a sewer system, or shall be stored~~
6241 ~~in tanks (or other covered structures), as well as enclosed buildings.~~

6242 ~~32. Provided))~~ 11. As follows:

6243 a. Off-street required parking for a land use located in the urban area ~~((must))~~
6244 shall be located in the urban area;

6245 b. Off-street required parking for a land use located in the rural area ~~((must))~~
6246 shall be located in the rural area; and

6247 c.~~((1) Except as provided in subsection B.32.c.(2) of this section, e))~~Off-street
6248 required parking ~~((must))~~ shall be located on a lot that would ~~((permit))~~ allow, either
6249 outright or through a land use permit approval process, the land use the off-street parking
6250 will serve.

6251 ~~((2) For a social service agency allowed under K.C.C. 21A.08.050B.13.b. to~~
6252 ~~be located on a site in the NB zone, off street required parking may be located on a site~~
6253 ~~within three hundred feet of the social service agency, regardless of zoning classification~~
6254 ~~of the site on which the parking is located.))~~

6255 ~~((33.))~~ 12. Subject to review and approval of conditions to comply with trail
6256 corridor provisions of K.C.C. chapter 21A.14 ~~((when located in an RA zone))~~.

6257 ~~((34. Limited to landscape and horticultural services (SIC 078) that are~~
6258 ~~accessory to a retail nursery, garden center and farm supply store. Construction~~
6259 ~~equipment for the accessory use shall not be stored on the premises.~~

6260 ~~35.))~~ 13. ~~((Allowed as a primary or accessory use to an allowed industrial zoned~~
6261 ~~land use))~~ Repealed.

6262 ~~((36. Repealed.))~~ 14. Prohibited in the White Center unincorporated activity
6263 center.

6264 ~~((37.))~~ 15. Use shall be limited to the NB zone on parcels outside of the
6265 ~~((U))~~urban ~~((Growth))~~ ~~((A))~~area, ~~((R))~~rural ~~((T))~~towns, and ~~((Rural Neighborhoods))~~
6266 rural neighborhood commercial centers and the building floor area devoted to such use
6267 shall not exceed ten thousand square feet.

6268 ((38.)) 16. If the farm product warehousing, refrigeration, and storage ~~((, or log~~
6269 ~~storage,))~~ is associated with agricultural ~~((e))~~ activities it will be reviewed in accordance
6270 with K.C.C. 21A.08.090.

6271 ~~((39. Excluding fossil fuel facilities.~~

6272 40.)) 17. Helistops are ~~((not allowed))~~ prohibited in the RA zone as an accessory
6273 to a government or business services use, ~~((but may be allowed in that zone))~~ except as
6274 part of a search and rescue facility ~~((;))~~ subject to K.C.C. 21A.08.100.B. ~~((30))~~ 31.

6275 ~~((41.))~~ 18. Battery energy storage systems are considered a
6276 commercial/industrial accessory use when the total system capacity is two megawatts or
6277 less, and:

6278 a. the system provides electricity for on-site use only, with "on-site use"
6279 including net metering as well as charging of vehicles on-site or in the right-of-way
6280 immediately adjacent to the site; or

6281 b. the system is intended primarily for on-site use, but also participates in load
6282 sharing or another grid-connected electricity-sharing arrangement.

6283 19. For I-zoned sites located outside the urban growth area designated by the
6284 King County Comprehensive Plan, uses shall be subject to the provisions for rural
6285 industrial uses in K.C.C. 21A.14.280, as recodified by this ordinance.

6286 SECTION 166. Ordinance 10870, Section 334, as amended, and K.C.C.
6287 21A.08.070 are hereby amended to read as follows:

6288 A. Retail land uses.

| | | | | |
|------------------------------|-----------------|-----------|--------------------|----------------------------|
| ((P-Permitted Use | RESOURCE | RU | RESIDENTIAL | COMMERCIAL/INDUSTRI |
| C-Conditional Use | | RA | | AL)) |
| S-Special Use | | L | | |

| SI C# | SPECIFIC LAND USE | A | F | M | RA | UR | <u>R-1</u> | ((R-1 -8)) <u>R-4</u> -R- <u>8</u> | <u>R-12</u> <u>R-</u> 48 | NB | CB | RB | O | I ((R-1 0)) |
|----------|--|----------------|-----|---|----------------|-----|------------|---|---|------------|-----|---------|---------|---|
| * | Building Materials and Hardware Stores | | P23 | | | | | | | P2 | P | P | | |
| * | Retail Nursery, Garden Center, and Farm Supply Stores | P1 C1 | | | P1 C1 | | | | | <u>P18</u> | P | P | | |
| * | Forest Products Sales | P3 and 4 | P4 | | P3 and 4 | | | | | | | P | | |
| * | Department and Variety Stores | | | | | | | ((C-1 4a)) <u>P14</u> <u>C15</u> | P((+4 4)) <u>16</u> | P5 | P | P | | |
| 54 | Food Stores | | | | <u>C17</u> | | | ((C-1 5a)) <u>P14</u> <u>C15</u> | P((+4 5)) <u>16</u> | <u>P18</u> | P | P | C | P6 |
| * | Agricultural Product Sales (28) | | | | | | | | P25 | P25 | P25 | P2 5 | P2 5 | P2 5 |
| * | Farmers Market | P24 | P24 | | P24 | P24 | <u>P24</u> | P24 | P24 | P24 | P24 | 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 | | P |
| 56 | Apparel and Accessory Stores | | | | | | | | | P | P | P | | |
| * | Furniture and Home Furnishings Stores | | | | | | | | | P | P | P | | |
| 58 | Eating and Drinking Places | | | | P21 C19 | | <u>P20</u> | P20 ((C16)) <u>P14</u> <u>C15</u> | P20 P16 | P10 | P | P | P | P |
| * | Remote Tasting Room | | | | P13 | | | | | | P7 | P7 | | |
| * | Drug Stores | | | | | | | <u>P14</u> C15 | P((C15)) <u>6</u> | <u>P18</u> | P | P | C | |
| * | ((Marijuana)) <u>Cannabis</u> retailer | | | | | | | | | | P26 C27 | P2 6 C2 7 | | |
| 59 2 | Liquor Stores | | | | | | | | | | P | P | | |

| | | | | | | | | | | | | | | |
|---------|--|--|--|----------------------------------|--------------------------|--------------------------|--|------------------------------------|--------------------------------------|--------------------------|-----|-------------|----------------------------------|----------------------------------|
| 59 3 | Used Goods: Antiques/ Secondhand Shops | | | | | | | | | | P | P | | |
| * | Sporting Goods and Related Stores | | | P2 2 and 29 | P22 and 29 | P22 and 29 | <u>P22</u> and <u>29</u> | P22 and 29 | P22 and 29 | P22 and 29 | P29 | P2 9 | P2 2 and 29 | P2 2 and 29 |
| * | Book, Stationery, Video, and Art Supply Stores | | | | | | | <u>P14</u> C15 ((a)) | P((+ S)) <u>1</u> <u>6</u> | <u>P18</u> | P | P | | |
| * | Jewelry Stores | | | | | | | | | | P | P | | |
| * | Monuments, Tombstones, and Gravestones | | | | | | | | | | | P | | |
| * | Hobby, Toy, Game Shops | | | | | | | | | <u>P18</u> | P | P | | |
| * | Photographic and Electronic Shops | | | | | | | | | <u>P18</u> | P | P | | |
| * | Fabric Shops | | | | | | | | | | P | P | | |
| 59 8 | Fuel Dealers | | | | | | | | | | C11 | P | | P |
| * | Florist Shops | | | | | | | <u>P14</u> C15 ((a)) | P((+ S)) <u>1</u> <u>6</u> | <u>P18</u> | P | P | P | |

| | | | | | | | | | | | | | | |
|---|--------------------------------------|--|--|--|--|--|--|--|--|-----|---|---------|--|---|
| * | Personal Medical Supply Stores | | | | | | | | | | P | P | | |
| * | Pet Shops | | | | | | | | | P18 | P | P | | |
| * | Bulk Retail | | | | | | | | | | P | P | | |
| * | Auction Houses | | | | | | | | | | | P1 2 | | P |
| * | Livestock Sales (28) | | | | | | | | | | | | | P |

6289 B. Development conditions.

6290 1.a. As a permitted use, covered sales areas shall not exceed a total area of
6291 ~~((two))~~ three thousand five hundred square feet, unless located in a building designated as
6292 historic resource under K.C.C. chapter 20.62. With a conditional use(~~(s)~~) permit, covered
6293 sales areas of up to ~~((three))~~ five thousand ~~((five hundred))~~ square feet may be allowed.
6294 Greenhouses used for the display of merchandise other than plants shall be considered
6295 part of the covered sales area. Uncovered outdoor areas used to grow or display trees,
6296 shrubs, or other plants are not considered part of the covered sales area;

6297 b. The site area shall be at least four and one-half acres;
6298 c. Sales may include locally made arts and crafts; and
6299 d. Outside lighting is ~~((permitted))~~ allowed if no off-site glare is ~~((allowed))~~
6300 generated.

6301 2.a. Only hardware stores; and
6302 b. In rural neighborhood commercial centers, limited to fifteen thousand
6303 square feet of gross floor area.

6304 3.a. Limited to products grown on-site.
6305 b. Covered sales areas shall not exceed a total area of five hundred square feet.

6306 4. No permanent structures or signs.

6307 5. Limited to SIC Industry ~~((No.))~~ 5331-Variety Stores, and further limited to a

6308 maximum of two thousand square feet of gross floor area.

6309 6. Limited to a maximum of five thousand square feet of gross floor area.

6310 7. Off-street parking is limited to a maximum of one space per fifty square feet

6311 of tasting and retail areas.

6312 8. Excluding retail sale of trucks exceeding one-ton capacity.

6313 9. Only the sale of new or reconditioned automobile supplies is ~~((permitted))~~

6314 allowed.

6315 10. Excluding SIC Industry ~~((No.))~~ 5813-Drinking Places.

6316 11. No outside storage of fuel trucks and equipment.

6317 12. Excluding vehicle and livestock auctions.

6318 13. ~~((Permitted))~~ Allowed as part of the demonstration project authorized by

6319 K.C.C. 21A.55.110.

6320 14.a. ~~((Not in R-1 and limited to SIC Industry No. 5331-Variety Stores,~~

6321 ~~4))~~Limited to a maximum of ((five)) one thousand square feet of gross floor area;((and

6322 subject to K.C.C. 21A.12.230; and

6323 ~~b. Before filing an application with the department, the applicant shall hold a~~

6324 ~~community meeting in accordance with K.C.C. 20.20.035.))~~

6325 b. Drive-throughs are prohibited, except for detached buildings for eating and

6326 drinking places that do not exceed two hundred square feet and are located at an

6327 intersection with an arterial;

6328 c. Amplified noise is prohibited;

6329 d. The maximum on-site parking ratio shall be two spaces per one thousand
6330 square feet and required parking shall not be located between the building and the street;
6331 and

6332 e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

6333 15. ~~((a. Not permitted in R-1 and I))~~ Limited to a maximum of ((five)) two
6334 thousand five hundred square feet of gross floor area; ((and subject to K.C.C.
6335 21A.12.230; and

6336 ~~b. Before filing an application with the department, the applicant shall hold a~~
6337 ~~community meeting in accordance with K.C.C. 20.20.035.))~~

6338 b. Drive-throughs are prohibited, except for detached buildings for eating and
6339 drinking places that do not exceed two hundred square feet and are located at an
6340 intersection with an arterial;

6341 c. Amplified noise is prohibited;

6342 d. The maximum on-site parking ratio shall be two spaces per one thousand
6343 square feet and required parking shall not be located between the building and the street;
6344 and

6345 e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

6346 16.a. ~~((Not permitted in R-1 and excluding SIC Industry No. 5813-Drinking~~
6347 ~~Places, and I))~~ Limited to a maximum of five thousand square feet of gross floor area;
6348 ~~((and subject to K.C.C. 21A.12.230, except as provided in subsection B.20. of this~~
6349 ~~section; and~~

6350 ~~b. Before filing an application with the department, the applicant shall hold a~~
6351 ~~community meeting in accordance with K.C.C. 20.20.035.))~~

6352 b. Drive-throughs are prohibited, except for detached buildings for eating and
6353 drinking places that do not exceed two hundred square feet and are located at an
6354 intersection with an arterial;

6355 c. Amplified noise is prohibited;

6356 d. The maximum on-site parking ratio shall be two spaces per one thousand
6357 square feet and required parking shall not be located between the building and the street;
6358 and

6359 e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

6360 17. ~~((Repealed))~~ Only within a former grange hall incorporated under chapter
6361 24.28 RCW and listed in the National Register of Historic Places or designated as a King
6362 County landmark subject to K.C.C. chapter 21A.32 and if the parcel is located within one
6363 thousand feet of a rural neighborhood commercial center as designated by the King
6364 County Comprehensive Plan.

6365 18. ~~((Repealed))~~ In rural neighborhood commercial centers, limited to fifteen
6366 thousand square feet of gross floor area.

6367 19. Only as:

6368 a. an accessory use to an ~~((permitted manufacturing))~~ allowed industrial or
6369 retail land use, limited to espresso stands to include sales of beverages and incidental
6370 food items, and not to include drive-through sales; or

6371 b. an accessory use to a recreation or multiuse park, limited to a total floor area
6372 of three thousand five hundred square feet.

6373 20. Only as:

6374 a. an accessory use to a recreation or multiuse park; or

6375 b. an accessory use to a park and limited to a total floor area of one thousand
6376 five hundred square feet.

6377 21. Accessory to a park, limited to a total floor area of seven hundred fifty
6378 square feet.

6379 22. Only as an accessory use to:

6380 a. a large active recreation and multiuse park in the urban ((~~growth~~)) area; or

6381 b. a park, or a recreation or multiuse park in the RA zones, and limited to a
6382 total floor area of seven hundred ((~~and~~)) fifty square feet.

6383 23. Only as accessory to SIC Industry Group ((~~No.~~)) 242-Sawmills and SIC
6384 Industry ((~~No.~~)) 2431-Millwork and((;))

6385 a. limited to lumber milled on-site; and

6386 b. the covered sales area is limited to two thousand square feet. The covered
6387 sales area does not include covered areas used to display only milled lumber.

6388 24. Requires at least five farmers selling their own products at each market and
6389 the annual value of sales by farmers should exceed the annual sales value of nonfarmer
6390 vendors.

6391 25. Limited to sites located within the urban ((~~growth~~)) area and:

6392 a. The sales area shall be limited to three hundred square feet and ((~~must~~))
6393 shall be removed each evening;

6394 b. There ((~~must~~)) shall be legal parking that is easily available for customers;
6395 and

6396 c. The site ((~~must~~)) shall be in an area that is easily accessible to the public,
6397 will accommodate multiple shoppers at one time and does not infringe on neighboring
6398 properties.

6399 26.a. Per lot, limited to a maximum aggregated total of two thousand square feet
6400 of gross floor area devoted to, and in support of, the retail sale of ((~~marijuana~~)) cannabis.

6401 b. Notwithstanding subsection B.26.a. of this section, the maximum
6402 aggregated total gross floor area devoted to, and in support of, the retail sale of
6403 ((~~marijuana~~)) cannabis may be increased to up to three thousand square feet if the retail
6404 outlet devotes at least five hundred square feet to the sale, and the support of the sale, of
6405 medical ((~~marijuana~~)) cannabis, and the operator maintains a current medical
6406 ((~~marijuana~~)) cannabis endorsement issued by the Washington state Liquor and Cannabis
6407 Board.

6408 c. Any lot line of a lot having any area devoted to retail ((~~marijuana~~)) cannabis
6409 activity ((~~must~~)) shall be one thousand feet or more from any lot line of any other lot
6410 having any area devoted to retail ((~~marijuana~~)) cannabis activity; and a lot line of a lot
6411 having any area devoted to new retail ((~~marijuana~~)) cannabis activity may not be within
6412 one thousand feet of any lot line of any lot having any area devoted to existing retail
6413 ((~~marijuana~~)) cannabis activity.

6414 d. Whether a new retail ((~~marijuana~~)) cannabis activity complies with this
6415 locational requirement shall be determined based on the date a conditional use permit
6416 application submitted to the department of local services, permitting division, became or
6417 was deemed complete, and:

6418 (1) if a complete conditional use permit application for the proposed retail
6419 ~~((marijuana))~~ cannabis use was not submitted, or if more than one conditional use permit
6420 application became or was deemed complete on the same date, then the director shall
6421 determine compliance based on the date the Washington state Liquor and Cannabis Board
6422 issues a Notice of ~~((Marijuana))~~ Cannabis Application to King County;

6423 (2) if the Washington state Liquor and Cannabis Board issues more than one
6424 Notice of ~~((Marijuana))~~ Cannabis Application on the same date, then the director shall
6425 determine compliance based on the date either any complete building permit or change of
6426 use permit application, or both, were submitted to the department declaring retail
6427 ~~((marijuana))~~ cannabis activity as an intended use;

6428 (3) if more than one building permit or change of use permit application was
6429 submitted on the same date, or if no building permit or change of use permit application
6430 was submitted, then the director shall determine compliance based on the date a complete
6431 business license application was submitted; and

6432 (4) if a business license application was not submitted or more than one
6433 business license application was submitted, then the director shall determine compliance
6434 based on the totality of the circumstances, including, but not limited to, the date that a
6435 retail ~~((marijuana))~~ cannabis license application was submitted to the Washington state
6436 Liquor and Cannabis Board identifying the lot at issue, the date that the applicant entered
6437 into a lease or purchased the lot at issue for the purpose of retail ~~((marijuana))~~ cannabis
6438 use, and any other facts illustrating the timing of substantial investment in establishing a
6439 licensed retail ~~((marijuana))~~ cannabis use at the proposed location.

6440 e. Retail ~~((marijuana))~~ cannabis businesses licensed by the Washington state
6441 Liquor and Cannabis Board and operating within one thousand feet of each other as of
6442 August 14, 2016, and retail ~~((marijuana))~~ cannabis businesses that do not require a permit
6443 issued by King County, that received a Washington state Liquor and Cannabis Board
6444 license to operate in a location within one thousand feet of another licensed retail
6445 ~~((marijuana))~~ cannabis business ~~((prior to))~~ before August 14, 2016, and that King
6446 County did not object to within the Washington state Liquor and Cannabis Board
6447 ~~((marijuana))~~ cannabis license application process, shall be considered nonconforming
6448 and may remain in ~~((their))~~ the business's current location, subject to the provisions of
6449 K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:

6450 (1) the time periods identified in K.C.C. 21A.32.045.C. shall be six months;

6451 and

6452 (2) the gross floor area of a nonconforming retail outlet may be increased up
6453 to the limitations in subsection B.26.a. and B.26.b. of this section.

6454 27. Per lot, limited to a maximum aggregated total of five thousand square feet
6455 gross floor area devoted to, and in support of, the retail sale of ~~((marijuana))~~ cannabis,
6456 and~~((;))~~;

6457 a. Any lot line of a lot having any area devoted to retail ~~((marijuana))~~ cannabis
6458 activity ~~((must))~~ shall be one thousand feet or more from any lot line of any other lot
6459 having any area devoted to retail ~~((marijuana))~~ cannabis activity; and any lot line of a lot
6460 having any area devoted to new retail ~~((marijuana))~~ cannabis activity may not be within
6461 one thousand feet of any lot line of any lot having any area devoted to existing retail
6462 ~~((marijuana))~~ cannabis activity; ~~((and))~~

6463 b. Whether a new retail ((~~marijuana~~)) cannabis activity complies with this
6464 locational requirement shall be determined based on the date a conditional use permit
6465 application submitted to the department of local services, permitting division, became or
6466 was deemed complete, and:

6467 (1) if a complete conditional use permit application for the proposed retail
6468 ((~~marijuana~~)) cannabis use was not submitted, or if more than one conditional use permit
6469 application became or was deemed complete on the same date, then the director shall
6470 determine compliance based on the date the Washington state Liquor and Cannabis Board
6471 issues a Notice of ((~~Marijuana~~)) Cannabis Application to King County;

6472 (2) if the Washington state Liquor and Cannabis Board issues more than one
6473 Notice of ((~~Marijuana~~)) Cannabis Application on the same date, then the director shall
6474 determine compliance based on the date either any complete building permit or change of
6475 use permit application, or both, were submitted to the department declaring retail
6476 ((~~marijuana~~)) cannabis activity as an intended use;

6477 (3) if more than one building permit or change of use permit application was
6478 submitted on the same date, or if no building permit or change of use permit application
6479 was submitted, then the director shall determine compliance based on the date a complete
6480 business license application was submitted; and

6481 (4) if a business license application was not submitted or more than one
6482 business license application was submitted, then the director shall determine compliance
6483 based on the totality of the circumstances, including, but not limited to, the date that a
6484 retail ((~~marijuana~~)) cannabis license application was submitted to the Washington state
6485 Liquor and Cannabis Board identifying the lot at issue, the date that the applicant entered

6486 into a lease or purchased the lot at issue for the purpose of retail ~~((marijuana))~~ cannabis
6487 use, and any other facts illustrating the timing of substantial investment in establishing a
6488 licensed retail ~~((marijuana))~~ cannabis use at the proposed location; and

6489 c. Retail ~~((marijuana))~~ cannabis businesses licensed by the Washington state
6490 Liquor and Cannabis Board and operating within one thousand feet of each other as of
6491 August 14, 2016, and retail ~~((marijuana))~~ cannabis businesses that do not require a permit
6492 issued by King County, that received a Washington state Liquor and Cannabis Board
6493 license to operate in a location within one thousand feet of another licensed retail
6494 ~~((marijuana))~~ cannabis business ~~((prior to))~~ before August 14, 2016, and that King
6495 County did not object to within the Washington state Liquor and Cannabis Board
6496 ~~((marijuana))~~ cannabis license application process, shall be considered nonconforming
6497 and may remain in ~~((their))~~ the business' current location, subject to the provisions of
6498 K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:

6499 (1) the time periods identified in K.C.C. 21A.32.045.C. shall be six months;
6500 and

6501 (2) the gross floor area of a nonconforming retail outlet may be increased up
6502 to the limitations in subsection B.27. of this section, subject to K.C.C. 21A.42.190.

6503 28. If the agricultural product sales or livestock sales is associated with
6504 agricultural activities it will be reviewed in accordance with K.C.C. 21A.08.090.

6505 29. Businesses selling firearms that have a storefront, have hours during which
6506 it is open for business, and post advertisements or signs observable to passersby that
6507 firearms are available for sale shall be located at least five hundred feet or more from any
6508 elementary, middle/junior high, and secondary or high school properties. Businesses

6509 selling firearms in existence before June 30, 2020, shall be considered nonconforming
6510 and may remain in their current location, subject to the provisions of K.C.C. 21A.32.020
6511 through 21A.32.075 for nonconforming uses.

6512 SECTION 167. Ordinance 10870, Section 335, as amended, and K.C.C.

6513 21A.08.080 are hereby amended to read as follows:

6514 A. ((~~Manufacturing~~)) Industrial land uses.

| ((P-Permitted Use C-Conditional Use S-Special Use | | RESOURCE | | | RURAL | RESIDENTIAL | | | | COMMERCIAL/INDUSTRIAL) | | | | |
|--|--|----------|----------|---|------------|-------------|--------------------|--------------------------|---------------------|------------------------|------------|-----------|----------------|------------|
| SIC # | SPECIFIC LAND USE | A | F | M | RA | UR | R- 1 | ((R-1 8)) | R- 12 | NB | CB | RB | O | I (11) |
| * - | <u>Construction and Trade</u> | | | | <u>P38</u> | | | | | | | <u>P</u> | <u>P3</u> 7 | <u>P</u> |
| * - | <u>Warehousing and Wholesale Trade (39)</u> | | | | | | | | | | | | | <u>P</u> |
| * - | <u>Log Storage (40)</u> | | <u>P</u> | | <u>P41</u> | | | | | | | | | <u>P</u> |
| 47 | <u>Transportation Service</u> | | | | | | | | | | | | | <u>P42</u> |
| 421 | <u>Trucking and Courier Service</u> | | | | | | | | | | <u>P46</u> | <u>P1</u> | <u>P5</u> | <u>P</u> |
| 473 | <u>Freight and Cargo Service</u> | | | | | | | | | | | <u>P</u> | <u>P</u> | <u>P</u> |
| 735 | <u>Miscellaneous Equipment Rental</u> | | | | | | | | | | <u>P43</u> | <u>P</u> | <u>P4</u> 3 | <u>P</u> |
| 873 | <u>Research, Development, and Testing (44)</u> | | | | | | | | | | | <u>P</u> | <u>P</u> | <u>P</u> |

| | | | | | | | | | | | | | | |
|----|--|-----------|-------------------|------------|-------------------|----|--|--|----|-----|------------|------------|---------|------------|
| * | Heavy Equipment and Truck Repair | | | | | | | | | | | | | P |
| * | Fossil Fuel Facility | | | | | | | | | | | | | S45 |
| 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 (C5) | | P4 P18 C(5) | P4 | | | | | | C6 | | P |
| 25 | Furniture and Fixtures | | P19 | | P19 | | | | | | | C | | P |
| 26 | Paper and Allied Products | | | | | | | | | | | | | C |
| 27 | Printing and Publishing | | | | | | | | | P7 | P7 | P7 C | P7 C | P |
| * | (Marijuana) Cannabis Processor I | P20 | | | P27 | | | | | | P21 C22 | P21 C22 | | P25 C26 |
| * | (Marijuana) Cannabis Processor II | | | | | | | | | | P23 C24 | P23 C24 | | P25 C26 |
| 28 | Chemicals and Allied Products | | | | | | | | | | | | | C |

| | | | | | | | | | | | | | | |
|-------------------|---|--|--|--|--|--|--|--|--|--|-------------|----|---|----------|
| ((29 4+)) * | Petroleum Refining and Related Industries | | | | | | | | | | | | | C |
| 30 | Rubber and Misc. Plastics Products | | | | | | | | | | | | | C |
| 31 | Leather and Leather Goods | | | | | | | | | | | C | | P33 C |
| 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 |
| 371 | <u>Motor Vehicles and Motor Vehicle Equipment</u> | | | | | | | | | | | | | C |
| 374 | Railroad Equipment | | | | | | | | | | | | | C |
| 375 | <u>Motorcycles, Bicycles, and Parts</u> | | | | | | | | | | | | | P34 C |
| 376 | Guided Missile and Space Vehicle Parts | | | | | | | | | | | | | C |

| | | | | | | | | | | | | | | |
|------------|--|--|--|--|--|--|--|--|--|--|------------|------------|---|----------|
| 379 | Miscellaneous Transportation Vehicles | | | | | | | | | | | | | C |
| 38 | Measuring and Controlling Instruments | | | | | | | | | | | C | C | P |
| 39 | Miscellaneous Light Manufacturing | | | | | | | | | | | C | | P |
| ((* | Motor Vehicle and Bicycle Manufacturing | | | | | | | | | | | | | €)) |
| * | Aircraft, Ship, and Boat Building | | | | | | | | | | | | | P10 C |
| 7216 | <u>Drycleaning Plants</u> | | | | | | | | | | | | | <u>P</u> |
| 7218 | <u>Industrial Launderers</u> | | | | | | | | | | | | | <u>P</u> |
| 7534 | Tire Retreading | | | | | | | | | | | C | | P |
| 781- 82 | Movie Production/Distribution | | | | | | | | | | | P | | P |
| * - | <u>Theatrical Production Services</u> | | | | | | | | | | <u>P35</u> | <u>P36</u> | | |

6515 B. Development conditions.

6516 1. ((~~Repealed~~)) Limited to self-service household moving truck or trailer rental

6517 accessory to a gasoline service station and SIC Industry 4215-Courier Services, Except

6518 by Air.

6519 2. Except slaughterhouses.

6520 3.a. In the A zone, only allowed on sites where the primary use is SIC Industry

6521 Group No. 01-Growing and Harvesting Crops or No. 02-Raising Livestock and Small

6522 Animals;

6523 b. Only allowed on lots of at least two and one-half acres, except that this
6524 requirement shall not apply on Vashon-Maury Island to winery, brewery, or distillery
6525 business locations in use and licensed to produce by the Washington state Liquor and
6526 Cannabis Board before January 1, 2019, and that in the RA zone, for sites that contain a
6527 building designated as historic resource under K.C.C. chapter 20.62, only allowed on lots
6528 of at least two acres;

6529 c. The aggregated floor area of structures and areas for winery, brewery,
6530 distillery facility uses shall not exceed three thousand five hundred square feet, unless
6531 located in whole or in part in a structure designated as historic resource under K.C.C.
6532 chapter 20.62, in which case the aggregated floor area of structures and areas devoted to
6533 winery, brewery, distillery facility uses shall not exceed seven thousand square feet in the
6534 RA zone and five thousand square feet in the A zone. Decks that are not occupied and
6535 not open to the public are excluded from the calculation for maximum aggregated floor
6536 area;

6537 d. Structures and parking areas for winery, brewery, distillery facility uses
6538 shall maintain a minimum distance of seventy-five feet from interior property lines
6539 adjoining rural area and residential zones, unless located in a building designated as
6540 historic resource under K.C.C. chapter 20.62, except that on Vashon-Maury Island this
6541 setback requirement shall not apply to structures and parking areas in use on December 4,
6542 2019, by existing winery, brewery or distillery business locations licensed to produce by
6543 the Washington state Liquor and Cannabis Board before January 1, 2019;

6544 e. In the A zone, sixty percent or more of the products processed must be
6545 grown on-site. At the time of the initial application under K.C.C. chapter 6.74, the
6546 applicant shall submit a projection of the source of products to be produced;

6547 f. At least two stages of production of wine, beer, cider or distilled spirits, such
6548 as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized by the
6549 Washington state Liquor and Cannabis Board production license, shall occur on-site. At
6550 least one of the stages of production occurring on-site shall include crushing, fermenting
6551 or distilling;

6552 g. In the A zone, structures and area for non-agricultural winery, brewery,
6553 distillery facility uses shall be located on portions of agricultural lands that are unsuitable
6554 for agricultural purposes, such as areas within the already developed portion of such
6555 agricultural lands that are not available for direct agricultural production, or areas without
6556 prime agricultural soils. No more than one acre of agricultural land may be converted to
6557 a nonagricultural accessory use;

6558 h. Tasting and retail sales of products produced on-site may occur only as
6559 accessory to the primary winery, brewery, distillery production use and may be provided
6560 in accordance with state law. The area devoted to on-site tasting or retail sales shall be
6561 limited to no more than thirty percent of the aggregated floor area and shall be included
6562 in the aggregated floor area limitation in subsection B.3.c. of this section. The limitation
6563 on tasting and retail sales of products produced on-site shall not apply on Vashon-Maury
6564 Island to winery, brewery, or distillery business locations in use and licensed to produce
6565 by the Washington state Liquor and Cannabis Board before January 1, 2019, or on sites
6566 in the RA zone that contain a building designated as historic resource under K.C.C.

chapter 20.62. Incidental retail sales of merchandise related to the products produced on-site is allowed subject to the restrictions described in this subsection B.3. Hours of operation for on-site tasting of products shall be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays, tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays, Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00 p.m.;

i. Access to the site shall be directly to and from an arterial roadway, except that this requirement shall not apply on Vashon-Maury Island to winery, brewery, distillery facility business locations in use and licensed to produce by the Washington state Liquor and Cannabis Board before January 1, 2019;

j. Off-street parking is limited to a maximum of one hundred fifty percent of the minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;

k. The business operator shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.74;

l. Events may be allowed with an approved temporary use permit under K.C.C. chapter 21A.32 or in compliance with the exemption in K.C.C. 21A.32.110.E.; and

m. The impervious surface associated with the winery, brewery, distillery facility use shall not exceed twenty-five percent of the site, or the maximum impervious surface for the applicable zone (~~((in accordance with K.C.C. 21A.12.030.A. or 21A.12.040.A.))~~) as established by this title, whichever is less.

4. Limited to rough milling and planing of products grown on-site with portable equipment.

6589 5. ~~((Limited to SIC Industry Group No. 242-Sawmills and SIC Industry No.~~
6590 2431-Millwork. For RA-zoned sites, if using lumber or timber grown off-site, the
6591 ~~minimum site area is four and one-half acres))~~ Limited to SIC Industry 4215-Courier
6592 Services, Except by Air.

6593 6. Limited to uses found in SIC Industry ~~((No.))~~ 2434-Wood Kitchen Cabinets
6594 and ~~((No.))~~ 2431-Millwork, ~~((()excluding planing mills(()))~~.

6595 7. Limited to photocopying and printing services offered to the general public.

6596 8. Only within enclosed buildings, and as an accessory use to retail sales.

6597 9. Only within enclosed buildings.

6598 10. Limited to boat building of craft not exceeding forty-eight feet in length.

6599 11. For I-zoned sites located outside the urban ~~((growth))~~ area ~~((designated by~~
6600 ~~the King County Comprehensive Plan))~~, uses shown as a conditional use in the table of
6601 K.C.C. 21A.08.080.A. shall be prohibited, and all other uses shall be subject to the
6602 provisions for rural industrial uses ~~((as set forth))~~ in K.C.C. ~~((chapter 21A.12))~~
6603 21A.14.280, as recodified by this ordinance.

6604 12.a. In the A zone, only allowed on sites where the primary use is SIC Industry
6605 Group No. 01-Growing and Harvesting Crops or No. 02-Raising Livestock and Small
6606 Animals;

6607 b. The aggregated floor area of structures and areas for winery, brewery,
6608 distillery facility uses shall not exceed a total of eight thousand square feet. Decks that
6609 are not occupied and not open to the public are excluded from the calculation for
6610 maximum aggregated floor area;

6611 c. Only allowed on lots of at least four and one-half acres. If the aggregated
6612 floor area of structures for winery, brewery, distillery uses exceeds six thousand square
6613 feet, the minimum site area shall be ten acres;

6614 d. Wineries, breweries, and distilleries shall comply with Washington state
6615 Department of Ecology and King County board of health regulations for water usage and
6616 wastewater disposal, and must connect to an existing Group A water system. The
6617 definitions and limits of Group A water systems are described in K.C.C. 13.24.007, and
6618 provision of water service is described in K.C.C. 13.24.138, 13.24.140 and 13.24.142;

6619 e. Structures and parking areas for winery, brewery distillery facility uses shall
6620 maintain a minimum distance of seventy-five feet from interior property lines adjoining
6621 rural area and residential zones, unless located in a building designated as historic
6622 resource under K.C.C. chapter 20.62;

6623 f. In the A Zone, sixty percent or more of the products processed must be
6624 grown on-site. At the time of the initial application under K.C.C. chapter 6.74, the
6625 applicant shall submit a projection of the source of products to be processed;

6626 g. At least two stages of production of wine, beer, cider or distilled spirits,
6627 such as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized
6628 by the Washington state Liquor and Cannabis Board production license, shall occur on-
6629 site. At least one of the stages of on-site production shall include crushing, fermenting or
6630 distilling;

6631 h. In the A zone, structures and areas for non-agricultural winery, brewery,
6632 distillery facility uses shall be located on portions of agricultural lands that are unsuitable
6633 for agricultural purposes, such as areas within the already developed portion of such

6634 agricultural lands that are not available for direct agricultural production, or areas without
6635 prime agricultural soils. No more than one acre of agricultural land may be converted to
6636 a nonagricultural accessory use;

6637 i. Tasting and retail sales of products produced on-site may occur only as
6638 accessory to the primary winery, brewery, distillery production use and may be provided
6639 in accordance with state law. The area devoted to on-site tasting or retail sales shall be
6640 limited to no more than thirty percent of the aggregated floor area and shall be included
6641 in the aggregated floor area limitation in subsection B.12.b. and c. of this section.

6642 Incidental retail sales of merchandise related to the products produced on-site is allowed
6643 subject to the restrictions described in this subsection. Hours of operation for on-site
6644 tasting of products shall be limited as follows: Mondays, Tuesdays, Wednesdays and
6645 Thursdays, tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and
6646 Fridays, Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m.
6647 through 9:00 p.m.;

6648 j. Access to the site shall be directly to and from an arterial roadway;

6649 k. Off-street parking maximums shall be determined through the conditional
6650 use permit process, and should not be more than one hundred fifty percent of the
6651 minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;

6652 l. The business operator shall obtain an adult beverage business license in
6653 accordance with K.C.C. chapter 6.74;

6654 m. Events may be allowed with an approved temporary use permit under
6655 K.C.C. chapter 21A.32 or in compliance with the exemption in K.C.C. 21A.32.110.E.;
6656 and

6657 n. The impervious surface associated with the winery, brewery, distillery
6658 facility use shall not exceed twenty-five percent of the site, or the maximum impervious
6659 surface for the applicable zone in accordance with ~~((K.C.C. 21A.12.030.A. or~~
6660 ~~21A.12.040.A.))~~ this title, whichever is less.

6661 13. Only on the same lot or same group of lots under common ownership or
6662 documented legal control, which includes, but is not limited to, fee simple ownership, a
6663 long-term lease, or an easement, and:

6664 a. does not include retail sales of processed materials, and

6665 b.(1) as accessory to a primary forestry use and at a scale appropriate to
6666 process the organic waste generated on the site; or

6667 ~~((b.))~~ (2) as a continuation of a sawmill or lumber manufacturing use only for
6668 that period to complete delivery of products or projects under contract at the end of the
6669 sawmill or lumber manufacturing activity.

6670 14. Only on the same lot or same group of lots under common ownership or
6671 documented legal control, which includes, but is not limited to, fee simple ownership, a
6672 long-term lease, or an easement, and:

6673 a. does not include retail sales of processed materials; and

6674 b.(1) as accessory to a primary mineral use and may only process materials
6675 generated from on-site or properties within three miles of the site; or

6676 ~~((b.))~~ (2) as a continuation of a mineral processing use only for that period to
6677 complete delivery of products or projects under contract at the end of mineral extraction.

6678 15. Continuation of a materials processing facility after reclamation in
6679 accordance with an approved reclamation plan.

6680 16. Only a site that is ten acres or greater and ~~((that))~~ in accordance with the
6681 following:

6682 a. the site does not use local access streets that abut lots developed for
6683 residential use;

6684 b. the materials processing use meets the requirements of K.C.C. 21A.12.220
6685 and K.C.C. chapter 21A.16;

6686 c. the materials processing use obtains and maintains an operational grading
6687 permit;

6688 d. storage of fill material, as defined in K.C.C. chapter 16.82, does not exceed
6689 three thousand cubic yards;

6690 e. processed fill material, as defined in K.C.C. chapter 16.82, are primarily
6691 from the rural area and natural resource lands; and

6692 f. Does not include retail sales of processed materials.

6693 17.a. The aggregated floor area of structures and areas for winery, brewery,
6694 distillery facility uses shall not exceed three thousand five hundred square feet, unless
6695 located in whole or in part in a structure designated as historic resource under K.C.C.
6696 chapter 20.62, in which case the aggregated floor area of structures and areas devoted to
6697 winery, brewery, distillery facility uses shall not exceed five thousand square feet. Decks
6698 that are not occupied and not open to the public are excluded from the calculation for
6699 maximum aggregated floor area;

6700 b. Structures and parking areas for winery, brewery, distillery facility uses
6701 shall maintain a minimum distance of seventy-five feet from interior property lines

6702 adjoining rural area and residential zones, unless located in a building designated as
6703 historic resource under K.C.C. chapter 20.62;

6704 c. Tasting and retail sale of products produced on-site, and merchandise related
6705 to the products produced on-site, may be provided in accordance with state law. The area
6706 devoted to on-site tasting or retail sales shall be included in the aggregated floor area
6707 limitation in subsection B.17.a. of this section;

6708 d. Off-street parking for the tasting and retail areas shall be limited to a
6709 maximum of one space per fifty square feet of tasting and retail areas;

6710 e. The business operator shall obtain an adult beverage business license in
6711 accordance with K.C.C. chapter 6.74; and

6712 f. Events may be allowed with an approved temporary use permit under K.C.C.
6713 chapter 21A.32.

6714 18. Limited to:

6715 a. SIC Industry Group ~~((No-))~~ 242-Sawmills and SIC Industry ~~((No-))~~ 2431-
6716 Millwork, as follows:

6717 (1) If using lumber or timber grown off-site, the minimum site area is four
6718 and one-half acres; and

6719 (2) In the A and RA zones:

6720 (a) The facility shall be limited to an annual production of no more than one
6721 hundred fifty thousand board feet;

6722 ~~((3))~~ (b) Structures housing equipment used in the operation shall be located
6723 at least one-hundred feet from adjacent properties with ~~((residential or rural area))~~ R, UR,
6724 and RA zoning;

6725 (((4))) (c) Deliveries and customer visits shall be limited to ((the hours of))
6726 8:00 a.m. to 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;
6727 (((5))) (d) In the RA zone, the facility's driveway shall have adequate entering
6728 sight distance required by the ((2007)) King County Road Design and Construction
6729 Standards. An adequate turn around shall be provided on-site to prevent vehicles from
6730 backing out on to the roadway that the driveway accesses; and
6731 (((6))) (e) Outside lighting is limited to avoid off-site glare; and
6732 b. SIC Industry ((No.)) 2411-Logging.
6733 19. Limited to manufacture of custom made wood furniture or cabinets.
6734 20.a. Only allowed on lots of at least four and one-half acres;
6735 b. Only as an accessory use to a Washington state Liquor ((Control)) and
6736 Cannabis Board licensed ((marijuana)) cannabis production facility on the same lot;
6737 c. With a lighting plan, only if required by K.C.C. 21A.12.220.((H.))A.2.;
6738 d. Only with documentation that the operator has applied for a Puget Sound
6739 Clean Air Agency Notice of Construction Permit. All department permits issued to either
6740 ((marijuana)) cannabis producers or ((marijuana)) cannabis processors, or both, shall
6741 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved
6742 before ((marijuana)) cannabis products are imported onto the site; and
6743 e. Accessory ((marijuana)) cannabis processing uses allowed under this section
6744 are subject to all limitations applicable to ((marijuana)) cannabis production uses under
6745 K.C.C. 21A.08.090.
6746 21.a. Only in the CB and RB zones located outside the urban ((growth)) area;
6747 b. With a lighting plan, only if required by K.C.C. 21A.12.220.((H.))A.2.;

6748 c. Only with documentation that the operator has applied for a Puget Sound
6749 Clean Air Agency Notice of Construction Permit. All department permits issued to either
6750 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall
6751 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved
6752 before ~~((marijuana))~~ cannabis products are imported onto the site;

6753 d. Per lot, the aggregated total gross floor area devoted to the use of, and in
6754 support of, processing ~~((marijuana))~~ cannabis together with any separately authorized
6755 production of ~~((marijuana))~~ cannabis shall be limited to a maximum of two thousand
6756 square feet; and

6757 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and
6758 every ~~((marijuana))~~ cannabis-related entity occupying space in addition to the two-
6759 thousand-square-foot threshold area on that lot shall obtain a conditional use permit as
6760 ~~((set forth))~~ required in subsection B.22. of this section.

6761 22.a. Only in the CB and RB zones located outside the urban ~~((growth))~~ area;

6762 b. Per lot, the aggregated total gross floor area devoted to the use of, and in
6763 support of, processing ~~((marijuana))~~ cannabis together with any separately authorized
6764 production of ~~((marijuana))~~ cannabis shall be limited to a maximum of thirty thousand
6765 square feet;

6766 c. With a lighting plan, only if required by K.C.C. 21A.12.220.~~((H.))~~A.2.; and

6767 d. Only with documentation that the operator has applied for a Puget Sound
6768 Clean Air Agency Notice of Construction Permit. All department permits issued to either
6769 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall

require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before ~~((marijuana))~~ cannabis products are imported onto the site.

23.a. Only in the CB and RB zones located inside the urban ~~((growth))~~ area, except the White Center unincorporated activity center;

b. With a lighting plan, only if required by K.C.C. 21A.12.220.~~((H-))~~A.2.;

c. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before ~~((marijuana))~~ cannabis products are imported onto the site;

d. Per lot, the aggregated total gross floor area devoted to the use of, and in support of, processing ~~((marijuana))~~ cannabis together with any separately authorized production of ~~((marijuana))~~ cannabis shall be limited to a maximum of two thousand square feet; and

e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and every ~~((marijuana))~~ cannabis-related entity occupying space in addition to the two-thousand-square-foot threshold area on that lot shall obtain a conditional use permit as ~~((set forth))~~ required in subsection B.24. of this section.

24.a. Only in the CB and RB zones located inside the urban ~~((growth))~~ area, except the White Center unincorporated activity center;

b. With a lighting plan, only if required by K.C.C. 21A.12.220.~~((H-))~~A.2.;

c. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either

6793 ((~~marijuana~~)) cannabis producers or ((~~marijuana~~)) cannabis processors, or both, shall
6794 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved
6795 before ((~~marijuana~~)) cannabis products are imported onto the site; and

6796 d. Per lot, the aggregated total gross floor area devoted to the use of, and in
6797 support of, processing ((~~marijuana~~)) cannabis together with any separately authorized
6798 production of ((~~marijuana~~)) cannabis shall be limited to a maximum of thirty thousand
6799 square feet.

6800 25.a. With a lighting plan, only if required by K.C.C. 21A.12.220.((H.))A.2.;

6801 b. Only with documentation that the operator has applied for a Puget Sound
6802 Clean Air Agency Notice of Construction Permit. All department permits issued to either
6803 ((~~marijuana~~)) cannabis producers or ((~~marijuana~~)) cannabis processors, or both, shall
6804 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved
6805 before ((~~marijuana~~)) cannabis products are imported onto the site; and

6806 c. Per lot, limited to a maximum aggregate total of two thousand square feet of
6807 gross floor area devoted to, and in support of, the processing of ((~~marijuana~~)) cannabis
6808 together with any separately authorized production of ((~~marijuana~~)) cannabis.

6809 26.a. With a lighting plan, only if required by K.C.C. 21A.12.220.((H.))A.2.;

6810 b. Only with documentation that the operator has applied for a Puget Sound
6811 Clean Air Agency Notice of Construction Permit. All department permits issued to either
6812 ((~~marijuana~~)) cannabis producers or ((~~marijuana~~)) cannabis processors, or both, shall
6813 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved
6814 before ((~~marijuana~~)) cannabis products are imported onto the site; and

6815 c. Per lot, limited to a maximum aggregate total of thirty thousand square feet
6816 of gross floor area devoted to, and in support of, the processing of ~~((marijuana))~~ cannabis
6817 together with any separately authorized production of ~~((marijuana))~~ cannabis.

6818 27.a. ~~((Marijuana))~~ Cannabis processors in all RA zoned areas except for
6819 Vashon-Maury Island, that do not require a conditional use permit issued by King
6820 County, that receive a Washington state Liquor and Cannabis Board license business
6821 ~~((prior to))~~ before October 1, 2016, and that King County did not object to within the
6822 Washington state Liquor and Cannabis Board ~~((marijuana))~~ cannabis license application
6823 process, shall be considered nonconforming as to subsection B.27.e. of this section,
6824 subject to the provisions of K.C.C. 21A.32.020 through 21A.32.075 for nonconforming
6825 uses;

6826 b. Only with a lighting plan that complies with K.C.C. 21A.12.220.~~((H-))~~A.2.;

6827 c. Only with documentation that the operator has applied for a Puget Sound
6828 Clean Air Agency Notice of Construction Permit. All department permits issued to either
6829 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall
6830 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved
6831 before ~~((marijuana))~~ cannabis products are imported onto the site;

6832 d. Only allowed on lots of at least four and one-half acres on Vashon-Maury
6833 Island;

6834 e. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,
6835 except on Vashon-Maury Island;

6836 f. Only as an accessory use to a Washington state Liquor Cannabis Board
6837 licensed ~~((marijuana))~~ cannabis production facility on the same lot; and

6838 g. Accessory ((~~marijuana~~)) cannabis processing uses allowed under this section
6839 are subject to all limitations applicable to ((~~marijuana~~)) cannabis production uses under
6840 K.C.C. 21A.08.090.

6841 28. If the food and kindred products manufacturing or processing is associated
6842 with agricultural activities it will be reviewed in accordance with K.C.C. 21A.08.090.

6843 29.a. Tasting and retail sales of products produced on-site, and merchandise
6844 related to the products produced on-site, may be provided in accordance with state law;

6845 b. Structures and parking areas for winery, brewery, distillery facility uses
6846 shall maintain a minimum distance of seventy-five feet from interior property lines
6847 adjoining rural area and residential zones, unless located in a building designated as
6848 historic resource under K.C.C. chapter 20.62;

6849 c. For winery, brewery, distillery facility uses that do not require a conditional
6850 use permit, off-street parking for the tasting and retail areas shall be limited to a
6851 maximum of one space per fifty square feet of tasting and retail areas. For winery,
6852 brewery, distillery facility uses that do require a conditional use permit, off-street parking
6853 maximums shall be determined through the conditional use permit process, and off-street
6854 parking for the tasting and retail areas should be limited to a maximum of one space per
6855 fifty square feet of tasting and retail areas;

6856 d. The business operator shall obtain an adult beverage business license in
6857 accordance with K.C.C. chapter 6.74; and

6858 e. Events may be allowed with an approved temporary use permit under
6859 K.C.C. chapter 21A.32.

6860 30.a. Only allowed on lots of at least two and one-half acres;

6861 b. The aggregated floor area of structures and areas for winery, brewery,
6862 distillery facility uses shall not exceed three thousand five hundred square feet, unless
6863 located in whole or in part in a structure designated as historic resource under K.C.C.
6864 chapter 20.62, in which case the aggregated floor area of structures and areas devoted to
6865 winery, brewery, distillery facility uses shall not exceed five thousand square feet. Decks
6866 that are not occupied and not open to the public are excluded from the calculation for
6867 maximum aggregated floor area;

6868 c. Structures and parking areas for winery, brewery, distillery facility uses
6869 shall maintain a minimum distance of seventy-five feet from interior property lines
6870 adjoining rural area and residential zones, unless located in a building designated as
6871 historic resource under K.C.C. chapter 20.62;

6872 d. Tasting and retail sales of products produced on-site may only occur as
6873 accessory to the primary winery, brewery, distillery production use and may be provided
6874 in accordance with state law. The area devoted to on-site tasting or retail sales shall be
6875 limited to no more than thirty percent of the aggregated floor area and shall be included
6876 in the aggregated floor area limitation in subsection B.30.b. of this section. Incidental
6877 retail sales of merchandise related to the products produced on-site is allowed subject to
6878 the restrictions described in this subsection. Hours of operation for on-site tasting of
6879 products shall be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays,
6880 tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays,
6881 Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00
6882 p.m.;

6883 e. Access to the site shall be directly to and from a public roadway;

6884 f. Off-street parking is limited to a maximum of one hundred fifty percent of
6885 the minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;

6886 g. The business operator shall obtain an adult beverage business license in
6887 accordance with K.C.C. chapter 6.74;

6888 h. Events may be allowed with an approved temporary use permit under
6889 K.C.C. chapter 21A.32 or in compliance with the exemption in K.C.C. 21A.32.110.E.;

6890 i. At least two stages of production of wine, beer, cider or distilled spirits, such
6891 as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized by the
6892 Washington state Liquor and Cannabis Board production license, shall occur on-site. At
6893 least one of the stages of production occurring on-site shall include crushing, fermenting
6894 or distilling; and

6895 j. The impervious surface associated with the winery, brewery, distillery
6896 facility use shall not exceed twenty-five percent of the site, or the maximum impervious
6897 surface for the applicable zone in accordance with ((~~K.C.C. 21A.12.030.A. or~~
6898 ~~21A.12.040.A.~~)) this title, whichever is less.

6899 31.a. Limited to businesses with non-retail brewery and distillery production
6900 licenses from the Washington state Liquor and Cannabis board. Wineries and remote
6901 tasting rooms for wineries shall not be allowed;

6902 b. Tasting and retail sale of products produced on-site and merchandise related
6903 to the products produced on-site may be provided in accordance with state law. The area
6904 devoted to on-site tasting or retail sales shall not exceed one thousand five hundred
6905 square feet;

6906 c. Structures and parking areas for brewery and distillery facility uses shall
6907 maintain a minimum distance of seventy-five feet from interior property lines adjoining
6908 rural area and residential zones, unless located in a building designated as historic
6909 resource under K.C.C. chapter 20.62;

6910 d. For brewery and distillery facility uses that do not require a conditional use
6911 permit, off-street parking for the tasting and retail areas shall be limited to a maximum of
6912 one space per fifty square feet of tasting and retail areas. For brewery and distillery
6913 facility uses that do require a conditional use permit, off-street parking maximums shall
6914 be determined through the conditional use permit process, and off-street parking for the
6915 tasting and retail areas should be limited to a maximum of one space per fifty square feet
6916 of tasting and retail areas;

6917 e. The business operator shall obtain an adult beverage business license in
6918 accordance with K.C.C. chapter 6.74; and

6919 f. Events may be allowed with an approved temporary use permit under K.C.C.
6920 chapter 21A.32.

6921 32.a. The aggregated floor area of structures and areas for winery, brewery,
6922 distillery facility uses shall not exceed one thousand five hundred square feet;

6923 b. Structures and parking areas for winery, brewery, distillery facility uses
6924 shall maintain a minimum distance of seventy-five feet from interior property lines
6925 adjoining rural area and residential zones, unless located in a building designated as
6926 historic resource under K.C.C. chapter 20.62;

6927 c. One on-site parking stall shall be allowed for the winery, brewery, distillery
6928 facility I use;

6929 d. The business operator shall obtain an adult beverage business license in
6930 accordance with K.C.C. chapter 6.74;

6931 e. At least two stages of production of wine, beer, cider or distilled spirits, such
6932 as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized by the
6933 Washington state Liquor and Cannabis Board production license, shall occur on-site. At
6934 least one of the stages of production occurring on-site shall include crushing, fermenting
6935 or distilling;

6936 f. No product tasting or retail sales shall be allowed on-site;

6937 g. Events may be allowed in accordance with K.C.C. 21A.32.120.B.6; and

6938 h. The impervious surface associated with the winery, brewery, distillery
6939 facility use shall not exceed twenty-five percent of the site or the maximum impervious
6940 surface for the applicable zone in accordance with ~~((K.C.C. 21A.12.030.A. or~~
6941 ~~21A.12.040.A.))~~ this title, whichever is less.

6942 33. Except leather tanning and finishing.

6943 34. Except gasoline powered motorcycles.

6944 35. Adult use facilities shall be prohibited within six hundred sixty feet of any
6945 RA, UR, and R zones, any other adult use facility, school, licensed daycare centers,
6946 parks, community centers, public libraries, or religious facilities that conduct religious or
6947 educational classes for minors.

6948 36. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter
6949 21A.32 or as a joint use of an existing public school facility.

6950 37. No outdoor storage of materials.

6951 38. Limited to landscape and horticultural services (SIC Industry Group 078)
6952 that are accessory to a retail nursery, garden center, and farm supply store. Construction
6953 equipment for the accessory use shall not be stored on the premises.

6954 39. Except self-service storage.

6955 40. If the log storage is associated with agricultural activities it will be reviewed
6956 in accordance with K.C.C. 21A.08.090.

6957 41. Limited to two acres or less.

6958 42. Excluding fossil fuel facilities.

6959 43. No outdoor storage.

6960 44. Except SIC Industry 8732-Commercial Economic, Sociological, and
6961 Educational Research.

6962 45.a. Required for all new, modified, or expanded fossil fuel facilities.
6963 Modification or expansion includes, but is not limited to:

6964 (1) new uses or fuel types within existing facilities;
6965 (2) changes to the type of refining, manufacturing, or processing;
6966 (3) changes in the methods or volumes of storage or transport of raw
6967 materials or processed products;

6968 (4) changes in the location of the facilities on-site;
6969 (5) replacement of existing facilities;
6970 (6) increases in power or water demands; or
6971 (7) increases in production capacity.

6972 b. Before filing an application with the department, the applicant shall hold a
6973 community meeting in accordance with K.C.C. 20.20.035.

6974 c. As part of permit application submittal for new, modified, or expanded fossil
6975 fuel facilities, the applicant shall submit the following documentation:

6976 (1) an inventory of similar existing facilities in King County and neighboring
6977 counties, including their locations and capacities;

6978 (2) a forecast of the future needs for the facility;

6979 (3) an equity impact review of the proposal using tools developed by the
6980 office of equity and racial and social justice. Until the tools have been developed and
6981 made publicly available by the office, the equity impact review is not required. The
6982 results from the equity impact review shall be used to assess equity impacts and
6983 opportunities during county permit review and may be used to inform determinations of
6984 project approval;

6985 (4) an analysis of alternatives to the facility, including location, conservation,
6986 demand management, and other strategies;

6987 (5) an analysis of economic and environmental impacts, including mitigation,
6988 of any similar existing facilities and of any new site or sites under consideration as an
6989 alternative to expansion of an existing facility;

6990 (6) an extensive public involvement strategy that strives to effectively engage
6991 a wide range of racial, ethnic, cultural, and socioeconomic groups, including
6992 communities that are the most impacted;

6993 (7) considered evaluation of any applicable prior review conducted by a
6994 public agency, local government, or interested party; and

6995 (8) a greenhouse gas impact analysis prepared by the applicant, the results of
6996 which shall be used to identify and mitigate the impacts of such facilities.

6997 d. As part of permit application submittal, the applicant shall demonstrate
6998 financial responsibility meeting the requirements of K.C.C. chapter 21A.49. The
6999 financial responsibility shall be reviewed as part of the facility's periodic review under
7000 K.C.C. 21A.22.050.

7001 e. New, modified, or expanded fossil fuel facilities shall:

7002 (1) not be located within one thousand feet of any schools, health care
7003 facilities, or places of assembly that have occupancies of greater than one thousand
7004 persons;

7005 (2) not be located within two hundred fifty feet of a regulated wetland or
7006 aquatic area, except that when a larger buffer is required under K.C.C. chapter 21A.24,
7007 the buffer in K.C.C. chapter 21A.24 shall apply;

7008 (3) maintain an interior setback of at least two hundred feet;

7009 (4) store fossil fuels completely within enclosed structures, tanks, or similar
7010 facilities;

7011 (5) be accessed directly to and from an arterial roadway; and

7012 (6) comply with all applicable regulations in K.C.C. chapter 21A.22.

7013 f. Proposals shall only be approved when the following conditions are met:

7014 (1) the proposed facility can confine or mitigate all operational impacts;

7015 (2) the facility can adequately mitigate conflicts with adjacent land uses;

7016 (3) the full scope of environmental impacts, including life cycle greenhouse
7017 gas emissions and public health, have been evaluated and appropriately conditioned or
7018 mitigated as necessary, consistent with the County's substantive State Environmental
7019 Policy Act authority;

7020 (4) the applicant can comply with applicable federal and state regulations,
7021 including the Clean Water Act, Clean Air Act, and Endangered Species Act;
7022 (5) the applicant has demonstrated early, meaningful, and robust consultation
7023 with Indian tribes, the public, and surrounding property owners to assess impacts to
7024 Indian tribal treaty-protected cultural and fisheries resources; and
7025 (6) risks to public health and public safety can be mitigated.
7026 46. Limited to self-service household moving truck or trailer rental accessory to
7027 a gasoline service station.
7028 SECTION 168. Ordinance 10870, Section 336, as amended, and K.C.C.
7029 21A.08.090 are hereby amended to read as follows:
7030 A. Resource land uses.

| ((P-Permitted Use C-Conditional Use S-Special Use | | RESOURCE | | | R U R A L | RESIDENTIAL | | | | COMMERCIAL/INDUSTRIAL)) | | | | |
|---|------------------------|------------------------|----------|---|-----------------------|----------------|----------------|---|----------------------------------|-------------------------|----------------|----------|----------|----------|
| SIC# | SPECIFIC LAND USE | A | F | M | R A | UR | <u>R-</u> 1 | ((R 4- 8)) <u>R-</u> 4- <u>R-</u> 8 | R- 12 = <u>R-</u> 48 | NB | CB | RB | O | I |
| 12 | Coal Mining | | | | | | | | | | | | | |
| 13 | Oil and Gas Extraction | | | | | | | | | | | | | |
| * - | Anaerobic Digester | <u>P13</u> <u>C</u> | <u>C</u> | | <u>P</u> 1 | <u>C3</u> 1 | <u>C3</u> 1 | <u>C3</u> 1 | <u>C3</u> 1 | <u>C3</u> 1 | <u>C3</u> 1 | <u>C</u> | <u>C</u> | <u>C</u> |

| | | | | | | | | | | | | | | |
|----------------------|---|------------------------|----------|--|--|------------------------|--|--|--|--|--|--|--|--------------------|
| | | | | | <u>3</u> <u>C</u> | | | | | | | | | |
| | AGRICULTURE: | | | | | | | | | | | | | |
| 01 | Growing and Harvesting Crops | P | P | | P | P | <u>P</u> | P | <u>P3</u> <u>0</u> | <u>P3</u> <u>0</u> | <u>P3</u> <u>0</u> | <u>P3</u> <u>0</u> | <u>P3</u> <u>0</u> | P |
| 02 | Raising Livestock and Small Animals (6) | P | P | | P | P | | | | | | | | P |
| <u>*</u> <u>-</u> | <u>Stable</u> | <u>P32</u> <u>C</u> | | | <u>P</u> <u>3</u> <u>2</u> <u>C</u> | <u>P32</u> <u>C</u> | <u>P3</u> <u>2</u> <u>C</u> | <u>P</u> <u>32</u> <u>C</u> | | | | | | |
| * | Agricultural Activities | P24 C | P24 C | | P 2 4 C | P24 C | <u>P3</u> <u>0</u> <u>C3</u> <u>0</u> | <u>P3</u> <u>0</u> <u>C3</u> <u>0</u> | <u>P3</u> <u>0</u> <u>C3</u> <u>0</u> | <u>P3</u> <u>0</u> <u>C3</u> <u>0</u> | <u>P3</u> <u>0</u> <u>C3</u> <u>0</u> | <u>P3</u> <u>0</u> <u>C3</u> <u>0</u> | <u>P3</u> <u>0</u> <u>C3</u> <u>0</u> | |
| * | Agricultural Support Services | P25 C | P25 C | | P 2 6 C | P26 C | <u>P2</u> <u>6</u> <u>C</u> | P2 6 C | | P2 7 C2 8 | P2 7 C2 8 | | | |
| * | ((Marijuana)) Cannabis producer | P15 C22 | | | P 1 6 C 1 7 | | | | | | P1 8 C1 9 | P1 8 C1 9 | | P2 0 C2 1 |
| * | Agriculture Training Facility | C10 | | | | | | | | | | | | |
| * | Agriculture-related ((s)) Special ((n)) Needs ((e)) Camp | P12 | | | | | | | | | | | | |
| ((# | Agricultural Anaerobic | P13 | | | | | | | | | | | | |

| | | | | | | | | | | | | | | |
|------------------------|--|------------------|-----------|---------------|-----------------------|-----------|---|---|--|--|--|--|----|---------------|
| | Digester |)) | | | | | | | | | | | | |
| * | <u>Temporary Farm Worker Housing</u> | P14 a | | | P 1 4a | | | | | | | | | |
| | FORESTRY: | | | | | | | | | | | | | |
| 08 | Growing ((&)) and Harvesting Forest Production | P | P | P7 | P | P | P | P | | | | | | P |
| * | Forest Research | | P | | P | P | | | | | | | P2 | P |
| | FISH AND WILDLIFE MANAGEMENT: | | | | | | | | | | | | | |
| 0921 | Hatchery/Fish Preserve (1) | P | P | | P | P | C | C | | | | | | P |
| 0273 | Aquaculture (1) | P | P | | P | P | C | C | | | | | | P |
| * | Wildlife Shelters | P | P | | P | P | | | | | | | | |
| | MINERAL: | | | | | | | | | | | | | |
| 10, 14 | Mineral Extraction and Processing | | P9 C | P C1 1 | | | | | | | | | | |
| 2951, 3271, 3273 | Asphalt/Concrete Mixtures and Block | | P8 C11 | P8 C1 1 | | | | | | | | | | P |
| | ACCESSORY USES: | | | | | | | | | | | | | |
| * | Resource Accessory Uses | P3 P23 P29 | P4 P29 | P5 P2 9 | P 3 P 2 9 | P3 P29 | | | | | | | | P4 P2 9 |
| * | <u>Permanent Farm Worker Housing</u> | P14 b | | | P 1 | | | | | | | | | |

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| | | | | | 4 | | | | | | | | | |
| | | | | | <u>b</u> | | | | | | | | | |

- 7031 B. Development conditions.
- 7032 1. May be further subject to K.C.C. chapter 21A.25.
- 7033 2. Only forest research conducted within an enclosed building.
- 7034 3. Farm residences in accordance with K.C.C. 21A.08.030.
- 7035 4. Excluding housing for agricultural workers.
- 7036 5. Limited to either maintenance or storage facilities, or both, in conjunction
- 7037 with mineral extraction or processing operation.
- 7038 6. Allowed in accordance with K.C.C. chapter 21A.30.
- 7039 7. Only in conjunction with a mineral extraction site plan approved in
- 7040 accordance with K.C.C. chapter 21A.22.
- 7041 8. Only on the same lot or same group of lots under common ownership or
- 7042 documented legal control, which includes, but is not limited to, fee simple ownership, a
- 7043 long-term lease, or an easement:
- 7044 a. as accessory to a primary mineral extraction use; or
- 7045 b. as a continuation of a mineral processing only for that period to complete
- 7046 delivery of products or projects under contract at the end of a mineral extraction(~~(; or~~
- 7047 ~~c. for a public works project under a temporary grading permit issued in~~
- 7048 ~~accordance with K.C.C. 16.82.152)).~~
- 7049 9. Limited to mineral extraction and processing:
- 7050 a. on a lot or group of lots under common ownership or documented legal
- 7051 control, which includes, but is not limited to, fee simple ownership, a long-term lease, or
- 7052 an easement;

7053 b. that are located greater than one-quarter mile from an established residence;
7054 and
7055 c. that do not use local access streets that abut lots developed for residential
7056 use.

7057 10. Agriculture training facilities are allowed only as an accessory to existing
7058 agricultural uses and are subject to the following conditions:

7059 a. The impervious surface associated with the agriculture training facilities
7060 shall comprise not more than ten percent of the ~~((allowable))~~ maximum impervious
7061 surface ~~((permitted))~~ allowed under ~~((K.C.C. 21A.12.040))~~ section 228 of this ordinance;

7062 b. New or the expansion of existing structures, or other site improvements,
7063 shall not be located on class 1, 2, or 3 soils;

7064 c. The director may require reuse of surplus structures to the maximum extent
7065 practical;

7066 d. The director may require ~~((the clustering of))~~ new structures ~~((with))~~ to be
7067 sited near existing structures;

7068 e. New structures or other site improvements shall be set back a minimum
7069 distance of seventy-five feet from property lines adjoining ~~((rural area and residential))~~
7070 RA, UR, and R zones;

7071 f. Bulk and design of structures shall be compatible with the architectural style
7072 of the surrounding agricultural community;

7073 g. New sewers shall not be extended to the site;

7074 h. Traffic generated shall not impede the safe and efficient movement of
7075 agricultural vehicles, nor shall it require capacity improvements to rural roads;

7076 i. Agriculture training facilities may be used to provide educational services to
7077 the surrounding rural/agricultural community or for community events. Property owners
7078 may be required to obtain a temporary use permit for community events in accordance
7079 with K.C.C. chapter 21A.32;

7080 j. Use of lodging and food service facilities shall be limited only to activities
7081 conducted in conjunction with training and education programs or community events
7082 held on-site;

7083 k. Incidental uses, such as office and storage, shall be limited to those that
7084 directly support education and training activities or farm operations; and

7085 l. The King County agriculture commission shall be notified of and have an
7086 opportunity to comment upon all proposed agriculture training facilities during the permit
7087 process in accordance with K.C.C. chapter 21A.40.

7088 11. Continuation of mineral processing and asphalt/concrete mixtures and block
7089 uses after reclamation in accordance with an approved reclamation plan.

7090 12.a. Activities at the camp shall be limited to agriculture and agriculture-
7091 oriented activities. In addition, activities that place minimal stress on the site's
7092 agricultural resources or activities that are compatible with agriculture are ~~((permitted))~~
7093 allowed.

7094 (1) passive recreation;

7095 (2) training of individuals who will work at the camp;

7096 (3) special events for families of the campers; and

7097 (4) agriculture education for youth.

7098 b. Outside the camp center, as provided for in subsection B.12.e. of this
7099 section, camp activities shall not preclude the use of the site for agriculture and
7100 agricultural related activities, such as the processing of local food to create value-added
7101 products and the refrigeration and storage of local agricultural products. The camp shall
7102 be managed to coexist with agriculture and agricultural activities both on-site and in the
7103 surrounding area.

7104 c. A farm plan shall be required for commercial agricultural production to
7105 ensure adherence to best management practices and soil conservation.

7106 d.(1) The minimum site area shall be five hundred acres. Unless the property
7107 owner has sold or transferred the development rights as provided in subsection
7108 B.12.c.~~((3))~~2) of this section, a minimum of five hundred acres of the site ~~((must))~~ shall
7109 be owned by a single individual, corporation, partnership, or other legal entity and
7110 ~~((must))~~ shall remain under the ownership of a single individual, corporation, partnership,
7111 or other legal entity for the duration of the operation of the camp.

7112 (2) Nothing in subsection B.12.d.(1) of this section prohibits the property
7113 owner from selling or transferring the development rights for a portion or all of the site to
7114 the King County farmland preservation program or, if the development rights are
7115 extinguished as part of the sale or transfer, to a nonprofit entity approved by the director;

7116 e. The impervious surface associated with the camp shall comprise not more
7117 than ten percent of the ~~((allowable))~~ maximum impervious surface ~~((permitted))~~ allowed
7118 under ~~((K.C.C. 21A.12.040))~~ section 228 of this ordinance;

7119 f. Structures for living quarters, dining facilities, medical facilities, and other
7120 nonagricultural camp activities shall be located in a camp center. The camp center shall

7121 be no more than fifty acres and shall be depicted on a site plan. New structures for
7122 nonagricultural camp activities shall be ~~((clustered with))~~ sited near existing structures;

7123 g. To the extent practicable, existing structures shall be reused. The applicant
7124 shall demonstrate to the director that a new structure for nonagricultural camp activities
7125 cannot be practicably accommodated within an existing structure on the site, though
7126 cabins for campers shall be ~~((permitted))~~ allowed only if they do not already exist on-site;

7127 h. Camp facilities may be used to provide agricultural educational services to
7128 the surrounding rural and agricultural community or for community events. If required
7129 by K.C.C. chapter 21A.32, the property owner shall obtain a temporary use permit for
7130 community events;

7131 i. Lodging and food service facilities shall only be used for activities related to
7132 the camp or for agricultural education programs or community events held on-site;

7133 j. Incidental uses, such as office and storage, shall be limited to those that
7134 directly support camp activities, farm operations, or agricultural education programs;

7135 k. New nonagricultural camp structures and site improvements shall maintain a
7136 minimum set-back of seventy-five feet from property lines adjoining ~~((rural area and
7137 residential))~~ RA, UR, and R zones;

7138 l. Except for legal nonconforming structures existing as of January 1, 2007,
7139 camp facilities, such as a medical station, food service hall, and activity rooms, shall be
7140 of a scale to serve overnight camp users;

7141 m. Landscaping equivalent to a type III landscaping screen, as provided for in
7142 K.C.C. 21A.16.040, of at least twenty feet shall be provided for nonagricultural structures

7143 and site improvements located within two hundred feet of an adjacent (~~rural area and~~
7144 ~~residential~~) RA, UR, and R zoned property not associated with the camp;

7145 n. New sewers shall not be extended to the site;

7146 o. The total number of persons staying overnight shall not exceed three
7147 hundred;

7148 p. The length of stay for any individual overnight camper, not including camp
7149 personnel, shall not exceed ninety days during a three-hundred-sixty-five-day period;

7150 q. Traffic generated by camp activities shall not impede the safe and efficient
7151 movement of agricultural vehicles nor shall it require capacity improvements to rural
7152 roads;

7153 r. If the site is adjacent to an arterial roadway, access to the site shall be
7154 directly onto the arterial unless the county road engineer determines that direct access is
7155 unsafe;

7156 s. If direct access to the site is via local access streets, transportation
7157 management measures shall be used to minimize adverse traffic impacts;

7158 t. Camp recreational activities shall not involve the use of motor vehicles
7159 unless the motor vehicles are part of an agricultural activity or are being used for the
7160 transportation of campers, camp personnel, or the families of campers. Camp personnel
7161 may use motor vehicles for the operation and maintenance of the facility. Client-specific
7162 motorized personal mobility devices are allowed; and

7163 u. Lights to illuminate the camp or its structures shall be arranged to reflect the
7164 light away from any adjacent property.

7165 13. Limited to digester receiving plant ~~((and))~~, animal ~~((and))~~, or other organic
7166 waste from agricultural activities, and including electrical generation, as follows:

7167 a. the digester ~~((must))~~ shall be included as part of a Washington state
7168 Department of Agriculture approved dairy nutrient plan;

7169 b. the digester ~~((must))~~ shall process at least seventy percent livestock manure
7170 or other agricultural organic material from farms in the vicinity, by volume;

7171 c. imported organic waste-derived material, such as food processing waste,
7172 may be processed in the digester for the purpose of increasing methane gas production for
7173 beneficial use, but ~~((not))~~ shall not exceed thirty percent of volume processed by the
7174 digester; and

7175 d. the use ~~((must))~~ shall be accessory to an operating dairy or livestock
7176 operation.

7177 14. Farm worker housing. Either:

7178 a. Temporary farm worker housing subject to the following conditions:

7179 (1) The housing ~~((must))~~ shall be licensed by the Washington state
7180 Department of Health under chapter 70.114A RCW and chapter 246-358 WAC, unless it
7181 falls below the threshold for licensing in WAC 246-358-025;

7182 (2) Water supply and sewage disposal systems ~~((must be approved))~~ are
7183 subject to approval by ~~((the Seattle King County department of))~~ public health - Seattle &
7184 King County;

7185 (3) To the maximum extent practical, the housing should be located on
7186 nonfarmable areas that are already disturbed and should not be located in the floodplain
7187 or in a critical area or critical area buffer; and

7188 (4) The property owner shall file with the department of executive services,
7189 records and licensing services division, a notice approved by the department identifying
7190 the housing as temporary farm worker housing and that the housing shall be occupied
7191 only by agricultural employees and their families while employed by the owner or
7192 operator or on a nearby farm. The notice shall run with the land; or

7193 b. Permanent farmworker ((H))housing for agricultural employees who are
7194 employed by the owner or operator of the farm year-round as follows:

7195 (1) Not more than:

7196 (a) one agricultural employee dwelling unit on a site less than twenty acres;

7197 (b) two agricultural employee dwelling units on a site of at least twenty
7198 acres and less than fifty acres;

7199 (c) three agricultural employee dwelling units on a site of at least fifty acres
7200 and less than one-hundred acres; and

7201 (d) four agricultural employee dwelling units on a site of at least one-
7202 hundred acres, and one additional agricultural employee dwelling unit for each additional
7203 one hundred acres thereafter;

7204 (2) If the primary use of the site changes to a nonagricultural use, all
7205 agricultural employee dwelling units shall be removed;

7206 (3) The applicant shall file with the department of executive services, records
7207 and licensing services division, a notice approved by the department that identifies the
7208 agricultural employee dwelling units as accessory and that the dwelling units shall only
7209 be occupied by agricultural employees who are employed by the owner or operator year-
7210 round. The notice shall run with the land. The applicant shall submit to the department

7211 proof that the notice was filed with the department of executive services, records and
7212 licensing services division, before the department approves any permit for the
7213 construction of agricultural employee dwelling units;

7214 (4) An agricultural employee dwelling unit shall not exceed a floor area of
7215 one thousand square feet and may be occupied by no more than eight unrelated
7216 agricultural employees;

7217 (5) To the maximum extent practical, the housing should be located on
7218 nonfarmable areas that are already disturbed;

7219 (6) One off-street parking space shall be provided for each agricultural
7220 employee dwelling unit; and

7221 (7) The agricultural employee dwelling units shall be constructed in
7222 compliance with K.C.C. Title 16.

7223 15. ~~((Marijuana))~~ Cannabis production by ~~((marijuana))~~ cannabis producers
7224 licensed by the Washington state Liquor and Cannabis Board is subject to the following
7225 standards:

7226 a. Only allowed on lots of at least four and one-half acres;

7227 b. With a lighting plan, only if required by and that complies with K.C.C.

7228 21A.12.220.~~((H.))~~A.2.;

7229 c. Only with documentation that the operator has applied for a Puget Sound
7230 Clean Air Agency Notice of Construction Permit. All department permits issued to either
7231 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall
7232 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved
7233 before ~~((marijuana))~~ cannabis products are imported onto the site;

7234 d. Production is limited to outdoor, indoor within ~~((marijuana))~~ cannabis
7235 greenhouses, and within structures that are nondwelling unit structures that exist as of
7236 October 1, 2013, subject to the size limitations in subsection B.15.e. of this section;

7237 e. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
7238 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
7239 aggregated total of two thousand square feet and shall be located within a fenced area or
7240 ~~((marijuana))~~ cannabis greenhouse that is no more than ten percent larger than that
7241 combined area, or may occur in nondwelling unit structures that exist as of October 1,
7242 2013;

7243 f. Outdoor production area fencing as required by the Washington state Liquor
7244 and Cannabis Board, ~~((marijuana))~~ cannabis greenhouses and nondwelling unit structures
7245 shall maintain a minimum street setback of fifty feet and a minimum interior setback of
7246 thirty feet; and

7247 g. If the two-thousand-square-foot-per-lot threshold of plant canopy combined
7248 with area used for processing under K.C.C. 21A.08.080 is exceeded, each and every
7249 ~~((marijuana))~~ cannabis-related entity occupying space in addition to the two-thousand-
7250 square-foot threshold area on that lot shall obtain a conditional use permit as ~~((set forth))~~
7251 required in subsection B.22. of this section.

7252 16. ~~((Marijuana))~~ Cannabis production by ~~((marijuana))~~ cannabis producers
7253 licensed by the Washington state Liquor and Cannabis Board is subject to the following
7254 standards:

7255 a. ~~((Marijuana))~~ Cannabis producers in all RA zoned areas except for Vashon-
7256 Maury Island, that do not require a conditional use permit issued by King County, that

7257 receive a Washington state Liquor and Cannabis Board license business before October
7258 1, 2016, and that King County did not object to within the Washington state Liquor and
7259 Cannabis Board ((~~marijuana~~)) cannabis license application process, shall be considered
7260 nonconforming as to subsection B.16.d. and h. of this section, subject to the provisions of
7261 K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses;

7262 b. In ((~~all rural area~~)) RA zones, only with a lighting plan that complies with
7263 K.C.C. 21A.12.220.((~~H.~~))A.2.;

7264 c. Only allowed on lots of at least four and one-half acres on Vashon-Maury
7265 Island;

7266 d. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,
7267 except on Vashon-Maury Island;

7268 e. Only with documentation that the operator has applied for a Puget Sound
7269 Clean Air Agency Notice of Construction Permit. All department permits issued to either
7270 ((~~marijuana~~)) cannabis producers or ((~~marijuana~~)) cannabis processors, or both, shall
7271 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved
7272 before ((~~marijuana~~)) cannabis products are imported onto the site;

7273 f. Production is limited to outdoor, indoor within ((~~marijuana~~)) cannabis
7274 greenhouses, and within nondwelling unit structures that exist as of October 1, 2013,
7275 subject to the size limitations in subsection B.16.g. of this section; and

7276 g. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
7277 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
7278 aggregated total of two thousand square feet and shall be located within a fenced area or
7279 ((~~marijuana~~)) cannabis greenhouse, that is no more than ten percent larger than that

7280 combined area, or may occur in nondwelling unit structures that exist as of October 1,
7281 2013;

7282 h. Outdoor production area fencing as required by the Washington state Liquor
7283 and Cannabis Board and ~~((marijuana))~~ cannabis greenhouses shall maintain a minimum
7284 street setback of fifty feet and a minimum interior setback of one hundred feet; and a
7285 minimum setback of one hundred fifty feet from any existing residence; and

7286 i. If the two-thousand-square-foot-per-lot threshold of plant canopy within
7287 fenced areas or ~~((marijuana))~~ cannabis greenhouses is exceeded, each and every
7288 ~~((marijuana))~~ cannabis-related entity occupying space in addition to the two-thousand-
7289 square-foot threshold area on that lot shall obtain a conditional use permit as ~~((set forth))~~
7290 required in subsection B.17. of this section.

7291 17. ~~((Marijuana))~~ Cannabis production by ~~((marijuana))~~ cannabis producers
7292 licensed by the Washington state Liquor and Cannabis Board is subject to the following
7293 standards:

7294 a. Only allowed on lots of at least four and one-half acres on Vashon-Maury
7295 Island;

7296 b. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,
7297 except on Vashon-Maury Island;

7298 c. In ~~((all rural area))~~ RA zones, only with a lighting plan that complies with
7299 K.C.C. 21A.12.220.~~((H-))~~A.2.;

7300 d. Only with documentation that the operator has applied for a Puget Sound
7301 Clean Air Agency Notice of Construction Permit. All department permits issued to either
7302 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall

7303 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved
7304 before ~~((marijuana))~~ cannabis products are imported onto the site;

7305 e. Production is limited to outdoor and indoor within ~~((marijuana))~~ cannabis
7306 greenhouses subject to the size limitations in subsection B.17.f. of this section;

7307 f. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
7308 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
7309 aggregated total of thirty thousand square feet and shall be located within a fenced area or
7310 ~~((marijuana))~~ cannabis greenhouse that is no more than ten percent larger than that
7311 combined area; and

7312 g. Outdoor production area fencing as required by the Washington state Liquor
7313 and Cannabis Board, and ~~((marijuana))~~ cannabis greenhouses shall maintain a minimum
7314 street setback of fifty feet and a minimum interior setback of one hundred feet, and a
7315 minimum setback of one hundred fifty feet from any existing residence.

7316 18.a. Production is not allowed in the White Center unincorporated activity
7317 center;

7318 b. Production is limited to indoor only;

7319 ~~((b-))~~ c. With a lighting plan only as required by and that complies with K.C.C.
7320 21A.12.220.~~((H-))~~A.2.;

7321 ~~((e-))~~ d. Only with documentation that the operator has applied for a Puget
7322 Sound Clean Air Agency Notice of Construction Permit. All department permits issued
7323 to either ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both,
7324 shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be
7325 approved before ~~((marijuana))~~ cannabis products are imported onto the site; and

7326 ~~((d.))~~ e. Per lot, the plant canopy, as defined in WAC 314-55-010, combined
7327 with any area used for processing under K.C.C. 21A.08.080, shall be limited to a
7328 maximum aggregated total of two thousand square feet and shall be located within a
7329 building or tenant space that is no more than ten percent larger than the plant canopy and
7330 separately authorized processing area; and

7331 ~~((e.))~~ f. If the two-thousand-square-foot-per-lot threshold is exceeded, each and
7332 every ~~((marijuana))~~ cannabis-related entity occupying space in addition to the two-
7333 thousand-square foot threshold area on that parcel shall obtain a conditional use permit as
7334 ~~((set forth))~~ required in subsection B.19. of this section.

7335 19.a. Production is not allowed in the White Center unincorporated activity
7336 center;

7337 b. Production is limited to indoor only;

7338 ~~((b.))~~ c. With a lighting plan only as required by and that complies with K.C.C.
7339 21A.12.220.~~((H.))~~A.2.;

7340 ~~((c.))~~ d. Only with documentation that the operator has applied for a Puget
7341 Sound Clean Air Agency Notice of Construction Permit. All department permits issued
7342 to either ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both,
7343 shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be
7344 approved before ~~((marijuana))~~ cannabis products are imported onto the site; and

7345 ~~((d.))~~ e. Per lot, the plant canopy, as defined in WAC 314-55-010, combined
7346 with any area used for processing under K.C.C. 21A.08.080, shall be limited to a
7347 maximum aggregated total of thirty thousand square feet and shall be located within a

7348 building or tenant space that is no more than ten percent larger than the plant canopy and
7349 separately authorized processing area.

7350 20.a. Production is limited to indoor only;

7351 b. With a lighting plan only as required by and that complies with K.C.C.

7352 21A.12.220.~~((H-))~~A.2.;

7353 c. Only with documentation that the operator has applied for a Puget Sound
7354 Clean Air Agency Notice of Construction Permit. All department permits issued to either
7355 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall
7356 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved
7357 before ~~((marijuana))~~ cannabis products are imported onto the site;

7358 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
7359 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
7360 aggregated total of two thousand square feet and shall be located within a building or
7361 tenant space that is no more than ten percent larger than the plant canopy and separately
7362 authorized processing area; and

7363 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and
7364 every ~~((marijuana))~~ cannabis-related entity occupying space in addition to the two-
7365 thousand-square-foot threshold area on that lot shall obtain a conditional use permit as
7366 ~~((set forth))~~ required in subsection B.21. of this section.

7367 21.a. Production is limited to indoor only;

7368 b. With a lighting plan only as required by and that complies with K.C.C.

7369 21A.12.220.~~((H-))~~A.2.;

7370 c. Only with documentation that the operator has applied for a Puget Sound
7371 Clean Air Agency Notice of Construction Permit. All department permits issued to either
7372 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall
7373 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved
7374 before ~~((marijuana))~~ cannabis products are imported onto the site; and

7375 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
7376 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
7377 aggregated total of thirty thousand square feet and shall be located within a building or
7378 tenant space that is no more than ten percent larger than the plant canopy and separately
7379 authorized processing area.

7380 22. ~~((Marijuana))~~ Cannabis production by ~~((marijuana))~~ cannabis producers
7381 licensed by the Washington state Liquor and Cannabis Board is subject to the following
7382 standards:

7383 a. With a lighting plan only as required by and that complies with K.C.C.
7384 21A.12.220.~~((H.))~~A.2.;

7385 b. Only allowed on lots of at least four and one-half acres;

7386 c. Only with documentation that the operator has applied for a Puget Sound
7387 Clean Air Agency Notice of Construction Permit. All department permits issued to either
7388 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall
7389 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved
7390 before ~~((marijuana))~~ cannabis products are imported onto the site;

7391 d. Production is limited to outdoor, indoor within ~~((marijuana))~~ cannabis
7392 greenhouses, and within structures that are nondwelling unit structures that exist as of

7393 October 1, 2013, subject to the size limitations in subsection B.22. e. and f. of this
7394 section;

7395 e. On lots less than ten acres, per lot, the plant canopy, as defined in WAC
7396 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall
7397 be limited to a maximum aggregated total of five thousand square feet and shall be
7398 located within a fenced area or ((~~marijuana~~)) cannabis greenhouse that is no more than
7399 ten percent larger than that combined area, or may occur in nondwelling unit structures
7400 that exist as of October 1, 2013;

7401 f. On lots ten acres or more, per lot, the plant canopy, as defined in WAC 314-
7402 55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be
7403 limited to a maximum aggregated total of ten thousand square feet, and shall be located
7404 within a fenced area or ((~~marijuana~~)) cannabis greenhouse that is no more than ten
7405 percent larger than that combined area, or may occur in nondwelling unit structures that
7406 exist as of October 1, 2013; and

7407 g. Outdoor production area fencing as required by the Washington state Liquor
7408 and Cannabis Board, ((~~marijuana~~)) cannabis greenhouses and nondwelling unit structures
7409 shall maintain a minimum street setback of fifty feet and a minimum interior setback of
7410 one hundred feet, and a minimum setback of one hundred fifty feet from any existing
7411 residence.

7412 23. The storage and processing of ((~~non-manufactured~~)) nonmanufactured
7413 source separated organic waste that originates from agricultural operations and that does
7414 not originate from the site, if:

7415 a. agricultural is the primary use of the site;

7416 b. the storage and processing are in accordance with best management
7417 practices included in an approved farm plan; and

7418 c. except for areas used for manure storage, the areas used for storage and
7419 processing do not exceed three acres and ten percent of the site.

7420 24.a. For activities relating to the processing of crops or livestock for
7421 commercial purposes, including associated activities such as warehousing, storage,
7422 including refrigeration, and other similar activities and excluding winery, brewery,
7423 distillery facility I, II, III, and remote tasting room:

7424 (1) limited to agricultural products and sixty percent or more of the products
7425 processed (~~(must)~~) shall be grown in the Puget Sound counties. At the time of initial
7426 application, the applicant shall submit a projection of the source of products to be
7427 produced;

7428 (2) in the RA and UR zones, only allowed on sites of at least four and one-
7429 half acres;

7430 (3)(a) as a permitted use, the floor area devoted to all processing shall not
7431 exceed two thousand square feet, unless located in a building designated as an historic
7432 resource under K.C.C. chapter 20.62. The agricultural technical review committee, as
7433 established in K.C.C. 21A.42.300, may review and approve an increase in the processing
7434 floor area as follows: up to three thousand five hundred square feet of floor area may be
7435 devoted to all processing in the RA zones or on farms less than thirty-five acres located in
7436 the A zones or up to seven thousand square feet on farms greater than thirty-five acres in
7437 the A zone; and

7438 (b) as a permitted use, the floor area devoted to all warehousing,
7439 refrigeration, storage, or other similar activities shall not exceed two thousand square
7440 feet, unless located in a building designated as historic resource under K.C.C. chapter
7441 20.62. The agricultural technical review committee, as established in K.C.C.
7442 21A.42.300, may review and approve an increase of up to three thousand five hundred
7443 square feet of floor area devoted to all (~~((warehousing))~~) warehousing, storage, including
7444 refrigeration, or other similar activities in the RA zones or on farms less than thirty-five
7445 acres located in the A zones or up to seven thousand square feet on farms greater than
7446 thirty-five acres in the A zone;

7447 (4) in the A zone, structures and areas used for processing, warehousing,
7448 refrigeration, storage, and other similar activities shall be located on portions of
7449 agricultural lands that are unsuitable for other agricultural purposes, such as areas within
7450 the already developed portion of such agricultural lands that are not available for direct
7451 agricultural production, or areas without prime agricultural soils; and

7452 (5) structures and areas used for processing, warehousing, storage, including
7453 refrigeration, and other similar activities shall maintain a minimum distance of seventy-
7454 five feet from property lines adjoining (~~((rural area and residential))~~) RA, UR, and R zones,
7455 unless located in a building designated as historic resource under K.C.C. chapter 20.62.

7456 b. For activities relating to the retail sale of agricultural products, except
7457 livestock:

7458 (1) sales shall be limited to agricultural products and locally made arts and
7459 crafts;

7460 (2) in the RA and UR zones, only allowed on sites at least four and one-
7461 half acres;

7462 (3) as a permitted use, the covered sales area shall not exceed ~~((two))~~ three
7463 thousand five hundred square feet, unless located in a building designated as a historic
7464 resource under K.C.C. chapter 20.62. The agricultural technical review committee, as
7465 established in K.C.C. 21A.42.300, may review and approve an increase of up to ~~((three))~~
7466 five thousand ~~((five hundred))~~ square feet of covered sales area;

7467 (4) forty percent or more of the gross sales of agricultural product sold
7468 through the store ~~((must))~~ shall be sold by the producers of primary agricultural products;

7469 (5) sixty percent or more of the gross sales of agricultural products sold
7470 through the store shall be derived from products grown or produced in the Puget Sound
7471 counties. At the time of the initial application, the applicant shall submit a reasonable
7472 projection of the source of product sales;

7473 (6) tasting of products, in accordance with applicable health regulations, is
7474 allowed;

7475 (7) storage areas for agricultural products may be included in a farm store
7476 structure or in any accessory building; and

7477 (8) outside lighting is ~~((permitted))~~ allowed if there is no off-site glare.

7478 c. Retail sales of livestock is ~~((permitted))~~ allowed only as accessory to
7479 raising livestock.

7480 d. Farm operations, including equipment repair and related facilities, except
7481 that:

7482 (1) the repair of tools and machinery is limited to those necessary for the
7483 operation of a farm or forest;

7484 (2) in the RA and UR zones, only allowed on sites of at least four and one-
7485 half acres;

7486 (3) the size of the total repair use is limited to one percent of the farm size
7487 in the A zone, and up to one percent of the size in other zones, up to a maximum of five
7488 thousand square feet unless located within an existing farm structure, including, but not
7489 limited to, barns, existing as of December 31, 2003; and

7490 (4) Equipment repair shall not be ~~((permitted))~~ allowed in the Forest zone.

7491 e. The agricultural technical review committee, as established in K.C.C.
7492 21A.42.300, may review and approve reductions of minimum site sizes in the ~~((rural and~~
7493 ~~residential))~~ RA, UR, and R zones and minimum setbacks from ~~((rural and residential))~~
7494 RA, UR, and R zones.

7495 25. The department may review and approve establishment of agricultural
7496 support services in accordance with the code compliance review process in K.C.C.
7497 21A.42.300 only if:

7498 a. project is sited on lands that are unsuitable for direct agricultural production
7499 based on size, soil conditions, or other factors and cannot be returned to productivity by
7500 drainage maintenance; and

7501 b. the proposed use is allowed under any Farmland Preservation Program
7502 conservation easement and zoning development standards.

7503 26. The agricultural technical review committee, as established in K.C.C.
7504 21A.42.300, may review and approve establishment of agricultural support services only
7505 if the project site:

- 7506 a. adjoins or is within six hundred sixty feet of the agricultural production
- 7507 district;
- 7508 b. has direct vehicular access to the agricultural production district;
- 7509 c. except for farm_worker housing, does not use local access streets that abut
- 7510 lots developed for residential use; and
- 7511 ~~((b-))~~ d. has a minimum lot size of four and one-half acres.

7512 27. The agricultural technical review committee, as established in K.C.C.
7513 21A.42.300, may review and approve establishment of agricultural support services only
7514 if the project site:

- 7515 a. is outside the urban ~~((growth))~~ area~~((;))~~;
- 7516 b. adjoins or is within six hundred sixty feet of the agricultural production
- 7517 district~~((;))~~;
- 7518 c. has direct vehicular access to the agricultural production district~~((;))~~;
- 7519 d. except for farm_worker housing, does not use local access streets that abut
- 7520 lots developed for residential use; and
- 7521 e. has a minimum lot size of four and one-half acres.

7522 28. Only allowed on properties that are outside the urban ~~((growth))~~ area.

7523 29. Battery energy storage systems are considered a resource accessory use
7524 when the total system capacity is two megawatts or less, and:

7525 ~~((4))~~ a. the system provides electricity for on-site use only, with "on-site use"
7526 including net metering as well as charging of vehicles on-site or in the right-of-way
7527 immediately adjacent to the site; or

7528 ~~((2))~~ b. the system is intended primarily for on-site use, but also participates
7529 in load sharing or another grid-connected electricity-sharing arrangement.

7530 30.a. Permitted as a primary use or an accessory use, except in accordance with
7531 subsection B.30.g. of this section;

7532 b. A sufficient water supply shall be available to support cultivation practices
7533 on-site;

7534 c. The site shall be designed and maintained to prevent water and fertilizer
7535 runoff onto adjacent properties;

7536 d. Compost materials shall be stored at least twenty feet from interior lot lines
7537 and in a manner that minimizes odors and is not visible from adjacent properties;

7538 e. Raising livestock and small animals, animal mortality management, and on-
7539 site animal waste storage, disposal, and processing is not allowed;

7540 f. In the R-1 through R-48 zones:

7541 (1) The total lot area devoted to the use shall not exceed four thousand square
7542 feet.

7543 (2) Structures used for agricultural activities:

7544 (a) shall not exceed one thousand square feet in gross floor area per lot;

7545 (b) shall not exceed twelve feet in height, including any pitched roof;

7546 (c) shall be limited to raised garden beds, greenhouses, hoop houses, storage
7547 sheds, cold frames, and rain barrel systems; and

7548 (d) are also subject to the development standards that would apply to an
7549 accessory structure in the zone, if the use is accessory;

7550 (3) Only mechanical equipment designed for household use may be used;

7551 (4) Retail sales and all other public use shall begin no earlier than 8:00 a.m.
7552 and end by 7:00 p.m.;

7553 (5) Commercial deliveries and pickups are limited to one per day. On-site
7554 sales are not considered commercial pickups;

7555 (6) No more than two motor vehicles dedicated to the use shall be stored on-
7556 site, each with a gross vehicle weight of ten thousand pounds or less; and

7557 (7) One identification sign is allowed, not exceeding one-hundred square
7558 inches in area; and

7559 g. A conditional use permit is required on properties twenty acres or more in
7560 size in the R-1 zone, or to exceed the limitations of subsection B.30.f. of this section in
7561 the R-1 through R-48 zones. Conditional use permits shall not be granted for properties
7562 with an urban separator land use designation.

7563 31. Digester shall be limited to processing of waste generated on-site only.

7564 32. Covered riding arenas are subject to K.C.C. 21A.30.030 and shall not
7565 exceed twenty thousand square feet. Stabling areas, whether attached or detached, shall
7566 not be counted in this calculation.

7567 SECTION 169. Ordinance 10870, Section 337, as amended, and K.C.C.
7568 21A.08.100 are hereby amended to read as follows:

7569 A. Regional land uses.

| | | | | |
|------------------------------|---------------------|--------------|------------------------|------------------------------------|
| ((P-Permitted Use | RESOURCE | R | RESIDENTIAL | COMMERCIAL/INDUSTRIAL)) |
|------------------------------|---------------------|--------------|------------------------|------------------------------------|

| C-Conditional Use S-Special Use | | | | | U R A L | | | | | | | | | |
|--|---|------------|--------------------|------------|--|-------------------------------|--------------------------------------|--|--------------------------------|------------|------------|------------|------------|---------------------|
| SIC# | SPECIFIC LAND USE | A | F | M | RA | UR | <u>R-1</u> | ((R 1 8)) <u>R-4</u> <u>R-8</u> | R-12 <u>R-48</u> | NB | CB | 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 | | | | S19 | S19 | <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>S14b</u> | | C14 <u>S14</u> <u>b</u> | C14 <u>S14</u> <u>b</u> | <u>C14</u> <u>S14</u> <u>b</u> | C14 <u>S14</u> <u>b</u> | | | | | | |
| * | Nonhydroelectric Generation Facility | C12 S29 | C12 S29 | C12 S29 | C12 S29 | C12 S29 | <u>C12</u> <u>S29</u> | C12 S29 | C12 S29 | C12 S29 | C12 S29 | C12 S29 | C12 S29 | P12 S29 |
| * | Renewable Energy Generation Facility | C28 | C28 | C | C | C | <u>C</u> | C | C | C | C | C | C | C |
| ((* | Fossil Fuel Facility | | | | | | | | | | | | | S27) |
| * | Battery Energy Storage System (30) | | S | P | P | P | <u>C</u> | C | C | P | P | P | P | P |

| | | | | | | | | | | | | | | |
|------|--|----------|----------|---|------------|----------|------------------------|-------------|----------|----------|-----|-----|-----|-----|
| * | Communication Facility (17) | C6c S | P | | C6c S | C6c S | <u>C6c</u> <u>S</u> | C6c S | C6c S | C6c S | P | P | P | P |
| * | Earth Station | P6b C | P | | C6a S | C6a S | <u>C6a</u> <u>S</u> | C6a S | C6a S | P6b C | P | P | P | P |
| * | 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/Heliport | S7 | S7 | | S | S | <u>S</u> | S | S | S | S | S | S | S |
| * | Search and Rescue Facility | | | | C31 S31 | | | | | | | | | |
| * | Regional Transit Authority Facility | | | | | | <u>P25</u> | ((P2 5)) | | | | | | |
| * | Rural Public Infrastructure Maintenance Facility | | | | C23 | | | | | | | | | P |
| * | Transit Bus Base | | | | | | <u>S</u> | S | S | S | S | S | S | P |
| * | Transit Comfort Facility | | | | P26 | | <u>P26</u> | P26 | P26 | P26 | P26 | P26 | P26 | P26 |
| * | School Bus Base | | | | C5 S20 | 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 | S24 |
| * | Regional Motor | | | | | | | | | | | | | P |

| | | | | | | | | | | | | | | |
|-----------------------------|---------------------------------------|----------------|----------------|--|--|--|----------|--|--|--|--------------|--------------|--------------|----------------|
| | Sports Facility | | | | | | | | | | | | | |
| * | County Fairgrounds Facility | | | | P21 S22 | | | | | | | | | |
| * | 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/University (+) | P10 | P10 | | P10 C11 S18 | P10 C11 S18 | | P10 C11 S | P10 C11 S | P10 C11 S | P | P | P | P)) |
| * | Zoo Animal Breeding Facility | P16 | P16 | | P16 | | | | | | | | | |

7570 B. Development conditions.

7571 1. ~~((Except technical institutions. See vocational schools on general services~~

7572 ~~land use table, K.C.C. 21A.08.050)) Repealed.~~

7573 2. Except arboretum. ~~((See K.C.C. 21A.08.040, recreation/cultural land use~~

7574 ~~table.))~~

7575 3. Except weapons armories and outdoor shooting ranges.

7576 4. Except outdoor shooting range.

7577 5. Only in conjunction with an existing or proposed school.

7578 6.a. Limited to no more than three satellite dish antennae.

7579 b. Limited to one satellite dish antenna.

7580 c. Limited to tower consolidations.

7581 7. Limited to landing field for aircraft involved in forestry or agricultural

7582 practices or for emergency landing sites.

7583 8. Except racing of motorized vehicles.

7584 9. Limited to wildlife exhibit.

7585 10. ~~((Only as a reuse of a public school facility subject to K.C.C. chapter~~
7586 ~~21A.32))~~ Repealed.

7587 11. ~~((Only as a reuse of a surplus nonresidential facility subject to K.C.C.~~
7588 ~~chapter 21A.32))~~ Repealed.

7589 12.a. Limited to gas extraction as an accessory use to a waste management
7590 process, such as wastewater treatment, landfill waste management, livestock manure, and
7591 composting processes, and excluding anaerobic digesters.

7592 b. an equity impact review of the proposal using tools developed by the office
7593 of equity and racial and social justice. Until the tools have been developed and made
7594 publicly available by the office, the equity impact review is not required. The results
7595 from the equity impact review shall be used to assess equity impacts and opportunities
7596 during county permit review and may be used to inform determinations of project
7597 approval.

7598 13. Excluding impoundment of water using a dam.

7599 14.a. Limited to facilities that comply with the following:

7600 ~~((a-))~~ (1) Any new diversion structure shall not:

7601 ~~((1))~~ (a) exceed a height of eight feet as measured from the streambed; or

7602 ~~((2))~~ (b) impound more than three surface acres of water at the normal
7603 maximum surface level;

7604 ~~((b-))~~ (2) There shall be no active storage;

7605 ~~((e-))~~ (3) The maximum water surface area at any existing dam or diversion
7606 shall not be increased;

7607 ~~((4-))~~ (4) An exceedance flow of no greater than fifty percent in mainstream
7608 reach shall be maintained;

7609 ~~((5-))~~ (5) Any transmission line shall ~~((be limited to a))~~ comply with the
7610 following:

7611 ~~((4))~~ (a) be limited to right-of-way of five miles or less; and

7612 ~~((2))~~ (b) be limited to capacity of two hundred thirty KV or less;

7613 ~~((6-))~~ (6) Any new, permanent access road shall be limited to five miles or less;
7614 and

7615 ~~((7-))~~ (7) The facility shall only be located above any portion of the stream
7616 used by anadromous fish.

7617 b. The applicant shall submit an equity impact review of the proposal using
7618 tools developed by the office of equity and racial and social justice. Until the tools have
7619 been developed and made publicly available by the office, the equity impact review is not
7620 required. The results from the equity impact review shall be used to assess equity
7621 impacts and opportunities during county permit review and may be used to inform
7622 determinations of project approval.

7623 15. For I-zoned sites located outside the urban ~~((growth))~~ area ~~((designated by~~
7624 ~~the King County Comprehensive Plan))~~, uses shown as a conditional or special use in
7625 K.C.C. 21A.08.100.A., except for ~~((waste water))~~ wastewater treatment facilities and
7626 racetracks, shall be prohibited. All other uses, including ~~((waste water))~~ wastewater
7627 treatment facilities, shall be subject to the provisions for rural industrial uses in K.C.C.
7628 ~~((chapter 21A.12))~~ 21A.14.280, as recodified by this ordinance.

7629 16. The operator of such a facility shall provide verification to the department of
7630 natural resources and parks or its successor organization that the facility meets or exceeds
7631 the standards of the Animal and Plant Health Inspection Service of the United States
7632 Department of Agriculture and the accreditation guidelines of the American Zoo and
7633 Aquarium Association.

7634 17. The following provisions of the table apply only to major communication
7635 facilities. Minor communication facilities shall be reviewed in accordance with the
7636 processes and standard outlined in K.C.C. chapter 21A.27.

7637 18. ~~((Only for facilities related to resource-based research))~~ Repealed.

7638 19. Limited to work release facilities associated with natural resource-based
7639 activities.

7640 20. Limited to projects ~~((which))~~ that do not require or result in an expansion of
7641 sewer service outside the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area boundary, unless a finding is
7642 made that no cost-effective alternative technologies are feasible, in which case a tightline
7643 sewer sized only to meet the needs of the school bus base and serving only the school bus
7644 base may be used. Renovation, expansion, modernization, or reconstruction of a school
7645 bus base is ~~((permitted))~~ allowed but shall not require or result in an expansion of sewer
7646 service outside the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area boundary, unless a finding is made
7647 that no cost-effective alternative technologies are feasible, in which case a tightline sewer
7648 sized only to meet the needs of the school bus base.

7649 21.a. Only in conformance with the King County Fairgrounds Site Development
7650 Plan ~~((Report, through))~~ Attachment A to Ordinance 14808 ~~((m))~~Modifications to the
7651 plan of up to ten percent are allowed for the following:

7652 a. building square footage;
7653 b. landscaping;
7654 c. parking;
7655 d. building height; or
7656 e. impervious surface as established in the King County Fairgrounds Site
7657 Development Plan Environmental Checklist, dated September 21, 1999, Attachment B to
7658 Ordinance 14808.

7659 22. A special use permit shall be required for any modification or expansion of
7660 the King County fairgrounds facility that is not in conformance with the King County
7661 Site Development Plan Report or that exceeds the allowed modifications to the plan
7662 identified in subsection B.21. of this section.

7663 23. The facility shall be primarily devoted to rural public infrastructure
7664 maintenance and is subject to the following conditions:

7665 a. The minimum site area shall be ten acres, unless:

7666 (1) the facility is a reuse of a public agency yard; or

7667 (2) the site is separated from a county park by a street or utility right-of-way;

7668 b. Type 1 landscaping as provided in K.C.C. chapter 21A.16 shall be provided
7669 between any stockpiling or grinding operations and adjacent ~~((residential))~~ R or UR
7670 zoned property;

7671 c. Type 2 landscaping as provided in K.C.C. chapter 21A.16 shall be provided
7672 between any office and parking lots and adjacent ~~((residential))~~ R or UR zoned property;

7673 d. Access to the site does not use local access streets that abut ~~((residential))~~ R
7674 or UR zoned property, unless the facility is a reuse of a public agency yard;

7675 e. Structural setbacks from property lines shall be as follows:

7676 (1) Buildings, structures, and stockpiles used in the processing of materials

7677 shall be no closer than:

7678 (a) one hundred feet from any (~~residential~~) R or UR zoned properties,

7679 except that the setback may be reduced to fifty feet when the grade where the building or

7680 structures are proposed is fifty feet or greater below the grade of the (~~residential~~) R or

7681 UR zoned property;

7682 (b) fifty feet from any other zoned property, except when adjacent to a

7683 mineral extraction or materials processing site;

7684 (c) the greater of fifty feet from the edge of any public street or the setback

7685 from (~~residential~~) R or UR zoned property on the far side of the street; and

7686 (2) Offices, scale facilities, equipment storage buildings, and stockpiles shall

7687 not be closer than fifty feet from any property line except when adjacent to M or F zoned

7688 property or when a reuse of an existing building. Facilities necessary to control access to

7689 the site, when demonstrated to have no practical alternative, may be located closer to the

7690 property line;

7691 f. On-site clearing, grading, or excavation, excluding that necessary for

7692 required access, roadway, or storm drainage facility construction, shall not be

7693 (~~permitted~~) allowed within fifty feet of any property line except along any portion of the

7694 perimeter adjacent to M or F zoned property. If native vegetation is restored, temporary

7695 disturbance resulting from construction of noise attenuation features located closer than

7696 fifty feet shall be (~~permitted~~) allowed; and

7697 g. Sand and gravel extraction shall be limited to forty thousand yards per year.

7698 24. The following accessory uses to a motor race track operation are allowed if
7699 approved as part of the special use permit:

- 7700 a. motocross;
- 7701 b. autocross;
- 7702 c. skidpad;
- 7703 d. garage;
- 7704 e. driving school; and
- 7705 f. fire station.

7706 25. Regional transit authority facilities shall be exempt from setback and height
7707 requirements.

7708 26. Transit comfort facility shall:

- 7709 a. only be located outside of the urban ~~((growth))~~ area ~~((boundary))~~;
- 7710 b. be exempt from street setback requirements; and
- 7711 c. be no more than ~~((200))~~ two hundred square feet in size.

7712 27.~~((a. Required for all new, modified or expanded fossil fuel facilities.~~

7713 ~~Modification or expansion includes, but is not limited to:~~

- 7714 ~~(1) new uses or fuel types within existing facilities;~~
- 7715 ~~(2) changes to the type of refining, manufacturing or processing;~~
- 7716 ~~(3) changes in the methods or volumes of storage or transport of raw~~
7717 ~~materials or processed products;~~
- 7718 ~~(4) changes in the location of the facilities on-site;~~
- 7719 ~~(5) replacement of existing facilities;~~
- 7720 ~~(6) increases in power or water demands; or~~

7721 ~~(7) increases in production capacity.~~

7722 ~~b. Before filing an application with the department, the applicant shall hold a~~
7723 ~~community meeting in accordance with K.C.C. 20.20.035.~~

7724 ~~c. As part of permit application submittal for new, modified or expanded fossil~~
7725 ~~fuel facilities, the applicant shall submit the following documentation:~~

7726 ~~(1) an inventory of similar existing facilities in King County and neighboring~~
7727 ~~counties, including their locations and capacities;~~

7728 ~~(2) a forecast of the future needs for the facility;~~

7729 ~~(3) an analysis of the potential social and economic impacts and benefits to~~
7730 ~~jurisdictions and local communities receiving or surrounding the facility;~~

7731 ~~(4) an analysis of alternatives to the facility, including location, conservation,~~
7732 ~~demand management and other strategies;~~

7733 ~~(5) an analysis of economic and environmental impacts, including mitigation,~~
7734 ~~of any similar existing facilities and of any new site(s) under consideration as an~~
7735 ~~alternative to expansion of an existing facility;~~

7736 ~~(6) an extensive public involvement strategy that strives to effectively engage~~
7737 ~~a wide range of racial, ethnic, cultural, and socioeconomic groups, including~~
7738 ~~communities that are the most impacted;~~

7739 ~~(7) considered evaluation of any applicable prior review conducted by a~~
7740 ~~public agency, local government or stakeholder group; and~~

7741 ~~(8) a greenhouse gas impact analysis prepared by the applicant, the results of~~
7742 ~~which shall be used to identify and mitigate the impacts of such facilities.~~

7743 d. ~~As part of permit application submittal, the applicant shall demonstrate~~
7744 ~~financial responsibility meeting the requirements of K.C.C. chapter 21A.49. The~~
7745 ~~financial responsibility shall be reviewed as part of the facility's periodic review under~~
7746 ~~K.C.C. 21A.22.050.~~

7747 e. ~~New, modified or expanded fossil fuel facilities shall:~~

7748 (1) ~~not be located within one thousand feet from any schools, medical care~~
7749 ~~facilities, or places of assembly that have occupancies of greater than one thousand~~
7750 ~~persons;~~

7751 (2) ~~not be located within two hundred fifty feet from a regulated wetland or~~
7752 ~~aquatic area, except when a larger buffer is required under K.C.C. chapter 21A.24, the~~
7753 ~~buffer in K.C.C. chapter 21A.24 shall apply;~~

7754 (3) ~~maintain an interior setback of at least two hundred feet;~~

7755 (4) ~~store fossil fuels completely within enclosed structures, tanks or similar~~
7756 ~~facilities;~~

7757 (5) ~~be accessed directly to and from an arterial roadway; and~~

7758 (6) ~~comply with all applicable regulations in K.C.C. chapter 21A.22.))~~

7759 Repealed.

7760 28. Limited to uses that will not convert more than two acres of farmland or
7761 forestland, or two and one-half percent of the farmland or forestland, whichever is less.

7762 29.a. Before filing an application with the department, the applicant shall hold a
7763 community meeting in accordance with K.C.C. 20.20.035.

7764 b. As part of permit application submittal for nonhydroelectric generation
7765 facilities, the applicant shall submit the following documentation:

7766 (1) an inventory of similar existing facilities in King County and neighboring
7767 counties, including their locations and capacities;

7768 (2) a report demonstrating that the facility would serve a significant portion
7769 of the county, metropolitan region, or is part of a statewide or national system;

7770 (3) a forecast of the future needs for the facility;

7771 (4) an ~~((analysis of the potential social and economic impacts and benefits to~~
7772 ~~jurisdictions and local communities receiving or surrounding the facility))~~ equity impact
7773 review of the proposal using tools developed by the office of equity and racial and social
7774 justice. Until the tools have been developed and made publicly available by the office,
7775 the equity impact review is not required. The results from the equity impact review shall
7776 be used to assess equity impacts and opportunities during county permit review and may
7777 be used to inform determinations of project approval;

7778 (5) an analysis of alternatives to the facility, including location, conservation,
7779 demand management, and other strategies;

7780 (6) an analysis of economic and environmental impacts, including mitigation,
7781 of any similar existing facilities and of any new site or sites under consideration as an
7782 alternative to expansion of an existing facility;

7783 (7) an extensive public involvement strategy ~~((which))~~ that strives to
7784 effectively engage a wide range of racial, ethnic, cultural, and socioeconomic groups,
7785 including communities that are the most impacted;

7786 (8) considered evaluation of any applicable prior review conducted by a
7787 public agency, local government, or ~~((stakeholder group))~~ interested party; and

7788 (9) a greenhouse gas impact analysis prepared by the applicant, the results of
7789 which shall be used to identify and mitigate the impacts of such facilities.

7790 c. As part of permit application submittal, an applicant shall demonstrate
7791 financial responsibility meeting the requirements of K.C.C. chapter 21A.49.

7792 d. Non((-))hydroelectric generation facilities shall be subject to a periodic
7793 review meeting the same standards given in K.C.C. 21A.22.050. The financial
7794 responsibility required by subsection B.29.c. of this section shall be reviewed as part of
7795 the periodic review.

7796 30. Battery energy storage systems, except those defined as an accessory use
7797 under K.C.C. 21A.06.015, 21A.06.020, or 21A.06.025, are subject to the applicable
7798 permit requirements of subsection A. of this section and the following conditions:

7799 a. A minimum separation of ten feet shall be maintained between rooms or
7800 enclosures containing battery energy storage systems and landscaping or other
7801 vegetation;

7802 b. As part of building permit application submittal, battery energy storage
7803 systems shall demonstrate financial responsibility for public liability and environmental
7804 risks in accordance with K.C.C. chapter 21A.49 if the total system capacity is more than
7805 two megawatts and all three of the following apply:

7806 (1) the battery technology requires thermal runaway compliance under WAC
7807 51-54A-1207.6;

7808 (2) any individual room, cabinet, container, or other enclosure containing the
7809 system has an energy rating greater than two megawatt-hours, or any two enclosures are
7810 less than ten feet apart; and

7811 (3) the system does not qualify as a remote installation under IFC 1207.8.1.;

7812 c. As part of building permit application submittal, battery energy storage

7813 systems with a total system capacity more than two megawatts shall demonstrate

7814 financial responsibility for decommissioning in accordance with K.C.C. chapter 21A.49

7815 d. If financial responsibility is required by subsection B.30.b. or c. of this

7816 section, the applicant shall submit verification of financial responsibility to the

7817 department every five years, beginning five years from the date of permit issuance;

7818 e. The findings and recommendations of studies, analyses, and testing required

7819 by K.C.C. Title 17, WAC 51-54A-1207, and the International Fire Code((5)) should be

7820 incorporated into the permit conditions for the facility; and

7821 f. As part of application submittal, the applicant shall submit verification that

7822 preliminary fire safety and evacuation plans have been shared with the local fire

7823 protection district. The final plans shall be shared with the local fire protection district

7824 before final inspection approval.

7825 31.a. For all search and rescue facilities:

7826 (1) the minimum lot size is four and one half acres;

7827 (2) structures and parking areas for search and rescue facilities shall maintain

7828 a minimum distance of seventy-five feet from interior lot lines that adjoin ((~~rural area and~~

7829 ~~residential~~)) RA, UR, and R zones, unless located in a building designated as historic

7830 resource under K.C.C. chapter 20.62;

7831 (3) use of the search and rescue facility is limited to activities directly relating

7832 to the search and rescue organization, except that the facility may be used by law

7833 enforcement and other public emergency responders for training and operations related to
7834 search and rescue activities; and

7835 (4) the applicant (~~must~~) shall demonstrate the absence of existing search and
7836 rescue facilities that are adequate to conduct search and rescue operations in the rural
7837 area.

7838 b. A special use permit is required when helicopter fueling, maintenance, or
7839 storage is proposed.

7840 SECTION 170. The following should constitute a new chapter in K.C.C. Title
7841 21A, to follow K.C.C. chapter 21A.08:

7842 A. Sections 171, 172, 173, and 174 of this ordinance;

7843 B. K.C.C. 21A.60.060, as recodified by this ordinance;

7844 C. Section 177 of this ordinance;

7845 D. K.C.C. 21A.60.010, as recodified by this ordinance;

7846 E. K.C.C. 21A.60.040, as recodified by this ordinance;

7847 F. K.C.C. 21A.60.050, as recodified by this ordinance;

7848 G. K.C.C. 21A.60.070, as recodified by this ordinance;

7849 H. K.C.C. 21A.60.080, as recodified by this ordinance;

7850 I. K.C.C. 21A.60.090, as recodified by this ordinance;

7851 J. K.C.C. 21A.60.030, as recodified by this ordinance;

7852 K. K.C.C. 21A.60.100, as recodified by this ordinance; and

7853 L. K.C.C. 21A.60.100, as recodified by this ordinance.

7854 NEW SECTION. SECTION 171.

7855 A. This chapter contains regulations for the North Highline subarea geography.

7856 B. All developments in the North Highline subarea geography are subject to the
7857 development standards in this chapter and as supplemented by this title.

7858 C. Where a conflict exists, the standards in this chapter shall apply except for the
7859 following:

- 7860 1. K.C.C. chapter 21A.24, critical areas;
- 7861 2. K.C.C. chapter 21A.25, shorelines; and
- 7862 3. Special district overlays, p-suffix conditions, or demonstration projects.

7863 NEW SECTION. SECTION 172.

7864 A. The allowed uses in K.C.C. chapter 21A.08 shall apply, except as provided in
7865 this section.

7866 B. Mixed-use development shall be required in the block bounded by SW 100th
7867 Street, 15th Avenue SW, SW 102nd Street, and 16th Avenue SW.

7868 C. The total number of cannabis retailers, as permitted in K.C.C. 21A.08.070,
7869 within the North Highline subarea geography shall not exceed two. Any cannabis retailers
7870 legally established beyond this limit within North Highline prior to the adoption of
7871 Ordinance 19555 shall be considered a legal nonconformance under K.C.C. chapter
7872 21A.32.

7873 D. In the core street type as identified in K.C.C. 21A.60.040, as recodified by this
7874 ordinance:

- 7875 1. Formula businesses are prohibited.
- 7876 2. The maximum size for an individual ground floor commercial space is five
7877 thousand square feet per tenant.

7878 E. In the Top Hat community business center or I zoned property within North
7879 Highline:

7880 1. Legally established commercial or industrial uses that exist as of November
7881 28, 1994, but that are not otherwise allowed by the zoning, shall be considered permitted
7882 uses upon only the lots that they occupied as of that date.

7883 2. Permitted uses shall include those of the CB zone and I zone, except that the
7884 following are not allowed:

7885 a. any use allowed in the I zone requiring a conditional use permit;
7886 b. auction houses;
7887 c. livestock sales;
7888 d. motor vehicle and boat dealers;
7889 e. SIC Major Group 24-Lumber and Wood Products, Except Furniture, except
7890 SIC Industries 2431-Millwork and 2434-Wood Kitchen Cabinets;
7891 f. SIC Major Group 32-Stone, Clay, Glass, and Concrete Products;
7892 g. SIC Industry 7534-Tire Retreading;
7893 h. SIC Major Group 02-Raising Livestock and Small Animals;
7894 i. SIC Industry 2951-Asphalt Paving Mixtures and Blocks;
7895 j. resource accessory uses;
7896 k. outdoor storage of equipment or materials occupying more than twenty-five
7897 percent of the site associated with SIC Industry 7312-Outdoor Advertising Services;
7898 l. interim recycling facilities on lots that directly abut R-zoned properties; and
7899 m. formula businesses in the Top Hat community business center.

7900 3. Use limitations of the base zone do not apply to commercial/industrial
7901 accessory uses.

7902 NEW SECTION. SECTION 173.

7903 A.1. This section establishes the density and dimensional standards for residential
7904 zones in North Highline. Measurement methods are identified in K.C.C. chapter 21A.12.

7905 2. The matrix identifies zones in the vertical columns and corresponding
7906 development standards for each zone are in the horizontal rows. The matrix cells contain
7907 the minimum dimensional requirements of the zone.

7908 3. The parenthetical numbers in the matrix identify conditions, requirements,
7909 notes, or modifiers that correspond to the text in subsection B. of this section. A blank
7910 cell indicates that there are no specific requirements. If more than one standard appears
7911 in a cell, each standard shall be applicable to any applicable parenthetical number.

| North Highline Residential Density and Dimensional Standards | | | | | | | |
|--|--|--|--|--|--|--|---|
| STANDARDS | R-4 | R-6 | R-8 | R-12 | R-18 | R-24 | R-48 |
| Base Density (1) | 4 du/ac | 6 du/ac | 8 du/ac | 12 du/ac | 18 du/ac | 24 du/ac | 48 du/ac |
| Maximum Density | 5 du/ac (10) 6 du/ac (2) 12 du/ac (3) | 7.5 du/ac (10) 9 du/ac (2) 18 du/ac (3) | 10 du/ac (10) 12 du/ac (2) 24 du/ac (3) | 15 du/ac (10) 18 du/ac (2) 36 du/ac (3) | 22.5 du/ac (10) 27 du/ac (2) 54 du/ac (3) | 30 du/ac (10) 36 du/ac (2) 72 du/ac (3) | 60 du/ac (10) 72 du/ac (2) 144 du/ac (3) |
| Maximum Density for | 12 du/ac | 12 du/ac | 12 du/ac | 12 du/ac | 18 du/ac | 24 du/ac | 48 du/ac |

| | | | | | | | |
|--|-------|-------|-------|------------|------------|------------|------------|
| Manufactured Home Communities | | | | | | | |
| Minimum Density (4) | 85% | 85% | 85% | 80% | 75% | 70% | 65% |
| Minimum Lot Width (5) | 30 ft | 30 ft | 30 ft | 30 ft | 30 ft | 30 ft | 30 ft |
| Minimum Street Setback (5) | 10 ft | 10 ft | 10 ft | 10 ft (12) | 10 ft (12) | 10ft (12) | 10 ft (12) |
| Minimum Street Setback for Garages, Carports, or Fenced Parking (5) (6) | 20 ft | 20 ft | 20 ft | 20 ft (12) | 20 ft (12) | 20 ft (12) | 20 ft (12) |
| Minimum Interior Setback (5) | 5 ft | 5 ft | 5 ft | 5 ft (12) | 5 ft (12) | 5 ft (12) | 5 ft (12) |
| Nonresidential Minimum Street and Interior Setbacks | (13) | (13) | (13) | (13) | (13) | (13) | (13) |

| | | | | | | | |
|--|-----------|-------------------------|-------------------------|-----------|-----------|-----------|-----------|
| Base Height (11a) | 35 ft | 35 ft | 35 ft | 45 ft | 60 ft | 60 ft | 60 ft |
| Maximum Height (11b) | 45 ft (7) | 45 ft (7) | 45 ft (7) | 60 ft (3) | 80 ft (3) | 80 ft (3) | 80 ft (3) |
| Nonresidential Maximum Height | 75 ft (8) | 45 ft (7a) 75 ft (8) | 45 ft (7a) 75 ft (8) | 75 ft (8) | 75 ft (8) | 75 ft (8) | 75 ft (8) |
| Maximum Impervious Surface (9) | 55% | 70% | 75% | 85% | 85% | 85% | 90% |
| Nonresidential Maximum Impervious Surface (9) | 70% | 70% | 75% | 85% | 85% | 85% | 90% |

- 7912 B. Development conditions for the North Highline residential density and
7913 dimensional standards.
- 7914 1. Density applies only to dwelling units and not to sleeping units.
- 7915 2. This maximum density is allowed in the following circumstances:
- 7916 a. for a duplex through a transfer of development right in accordance with
7917 K.C.C. 21A.08.030.B.12.; or
- 7918 b. for a development with nine or fewer units through a transfer of
7919 development rights;
- 7920 3. This maximum is allowed in the following circumstances:
- 7921 a. for a development with nine or fewer units on a site located within a half-
7922 mile watershed of a high-capacity or frequent transit stop as mapped by the Metro transit

7923 department; or

7924 b. through the inclusionary housing program in K.C.C. chapter 21A.48.

7925 4. The minimum density shall be calculated consistent with K.C.C. 21A.12.060

7926 and K.C.C. 21A.12.087.

7927 5. These standards may be modified under the provisions for zero-lot-line and

7928 townhouse developments in K.C.C. chapter 21A.14.

7929 6. The setback distance shall be measured along the center line of the driveway

7930 from the access point to such garage, carport, or fenced area to the street property line.

7931 7. This maximum height is allowed in the following circumstances:

7932 a. for a building on slopes exceeding a fifteen percent finished grade;

7933 b. through the inclusionary housing regulations in accordance with K.C.C.

7934 chapter 21A.48; or

7935 c. for a structure that provide one additional foot of street and interior setback

7936 for each foot above the base height.

7937 8.a. Portions of a nonresidential structure may exceed the base height if one

7938 additional foot of street and interior setback is provided for each foot above the base

7939 height.

7940 b. Netting, fencing, and related support structures used to contain golf balls on

7941 a golf course or golf driving range are exempt from additional interior setback

7942 requirements. In recreation and multiuse parks, golf ball netting, fencing and related

7943 support structures shall not exceed one-hundred twenty-five feet, unless a golf ball

7944 trajectory study requires a higher fence.

7945 9. The impervious surface maximum applies to each individual lot. Impervious

surface does not include access easements serving neighboring property and driveways to the extent that they extend beyond the street setback due to location within an access panhandle or due to the application of King County Code requirements to locate features over which the applicant does not have control. Impervious surface area standards for:

a. individual lots in the R-4 through R-6 zones that are less than nine thousand seventy-six square feet in area shall be subject to the applicable provisions of the nearest comparable R-6 or R-8 zone;

b. a lot may be increased beyond the total amount allowed in this chapter subject to approval of a conditional use permit; and

c. regional uses shall be established at the time of permit review.

10. This maximum density is allowed for developments with child daycares under section 239 of this ordinance.

11. For cottage housing developments only:

a. the base height is twenty-five feet; and

b. buildings that have pitched roofs with a minimum slope of six over twelve may achieve a maximum height of thirty feet at the ridge of the roof.

12. Developments may be subject to the North Highline urban design standards in K.C.C. chapter 21A.60, which may modify these standards.

13. The street and interior setbacks for nonresidential development, except for fences and backstops, are as follows:

a. nonresidential uses with less than two thousand five hundred square feet of floor area shall be subject to the setbacks of the underlying zone;

b. government and institutional uses shall be thirty feet;

7969 c. battery energy storage systems not defined as accessory uses under K.C.C.

7970 21A.06.015, 21A.06.020, or 21A.06.025 shall be thirty feet;

7971 d. regional uses shall be established at the time of permit review;

7972 e. utility facilities shall be subject to the setbacks of the underlying zone;

7973 f. where a setback is identified for a specific land use in the applicable zone,

7974 that setback shall apply; and

7975 g. all other nonresidential development exceeding two thousand five hundred

7976 square feet of floor area shall be fifteen feet.

7977 NEW SECTION. SECTION 174.

7978 A.1. This section establishes the density and dimensional standards for

7979 commercial and industrial zones in North Highline. Measurement methods are identified

7980 in K.C.C. chapter 21A.12.

7981 2. The matrix identifies zones in the vertical columns and corresponding

7982 development standards for each zone are in the horizontal rows. The matrix cells contain

7983 the minimum dimensional requirements of the zone.

7984 3. The parenthetical numbers in the matrix identify conditions, requirements,

7985 notes, or modifiers that correspond to the text in subsection B. of this section. A blank

7986 cell indicates that there are no specific requirements. If more than one standard appears

7987 in a cell, each standard shall be applicable to any applicable parenthetical number.

| North Highline Commercial and Industrial Density and Dimensional Standards | | | | | |
|---|----|----|----|---|---|
| STANDARDS | NB | CB | RB | O | I |

| | | | | | |
|--|------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--|
| Base Density (1) | 8 du/ac | 48 du/ac | 48 du/ac | 48 du/ac | |
| Maximum Density | 12 du/ac (2) 24 du/ac (3) | 72 du/ac (2) 144 du/ac (3) | 72 du/ac (2) 144 du/ac (3) | 72 du/ac (2) 144 du/ac (3) | |
| Minimum Street Setback (4) (12) | 0 ft | 0 ft | 0 ft | 0 ft | 0 ft |
| Minimum Interior Setback (12) | 0 ft 10 ft (5c) 10 ft (5d) | 0 ft 10 ft (5a) | 0 ft 10 ft (5a) | 0 ft 10 ft (5a) | 0 ft 20 ft (5a) 50 ft (5b) |
| Base Height | 35 ft | 35 ft | 35 ft | 45 ft | 45 ft |
| Mixed-Use Maximum Height (11) | 45 ft (7) 65 ft (3) | 55 ft (16) 60 ft 80 ft (15) | 65 ft 85 ft (3) | 65 ft 85 ft (3) | |
| Nonresidential Maximum Height (8) (11) | 75 ft | 75 ft | 75 ft | 75 ft | 75 ft |
| Maximum Mixed-Use Floor Area Ratio (6) (10) | 2/1 | 4/1 | 4.5/1 | 4.5/1 | |

| | | | | | |
|---|-----|-----|-----|-----|-----|
| Maximum Nonresidential Floor Area Ratio (10) | 1/1 | 3/1 | 3/1 | 3/1 | 3/1 |
| Maximum Impervious Surface (9) | 85% | 85% | 90% | 75% | 90% |

- 7988 B. Development conditions for the North Highline commercial and industrial
7989 density and dimensional standards.
- 7990 1.a. Density applies only to dwelling units and not to sleeping units.
- 7991 b. These densities are allowed only:
- 7992 (1) for mixed-use developments; or
- 7993 (2) standalone townhouses on property zoned NB and designated commercial
7994 outside of center.
- 7995 2. This maximum density is allowed for a mixed-use development with nine or
7996 fewer units through a transfer of development rights.
- 7997 3. This maximum is allowed in the following circumstances:
- 7998 a. for a mixed-use development through the inclusionary housing program in
7999 K.C.C. chapter 21A.48; or
- 8000 b. for a mixed-use development with nine or fewer units on a site located
8001 within a half-mile walkshed of a high-capacity or frequent transit stop as mapped by the
8002 Metro transit department.
- 8003 4. Gasoline service station pump islands shall be placed no closer than twenty-
8004 five feet to street property lines.

8005 5.a. Required on property lines adjoining R zones with Type I landscaping
8006 consistent with K.C.C. 21A.16.040.

8007 b. Required on property lines adjoining R zones for industrial uses established
8008 by conditional use permits.

8009 c. Required on property lines adjoining R zones unless a standalone townhouse
8010 development on property designated commercial outside of center is adjacent to a
8011 property developed with an existing townhouse development.

8012 d. Required on property lines adjoining R zones only for a social service
8013 agency office reusing a residential structure in existence on January 1, 2010.

8014 6. Developments under the inclusionary housing program in K.C.C. chapter
8015 21A.48 shall not be subject to a floor area ratio maximum.

8016 7. This maximum height allowed only for:

8017 a. mixed-use developments; and

8018 b. standalone townhouse development in the NB zone on property designated
8019 commercial outside of center.

8020 8.a. Portions of a nonresidential structure may exceed the base height if one
8021 additional foot of street and interior setback is provided for each foot above the base
8022 height.

8023 b. Netting, fencing, and related support structures used to contain golf balls on
8024 a golf course or golf driving range are exempt from additional interior setback
8025 requirements. In recreation and multiuse parks, golf ball netting, fencing and related
8026 support structures shall not exceed one-hundred twenty-five feet, unless a golf ball
8027 trajectory study requires a higher fence.

8028 9. The impervious surface area may be increased beyond the total amount
8029 allowed in this chapter subject to approval of a conditional use permit.

8030 10. Additional floor area ratio is allowed for developments with child daycares
8031 under section 239 of this ordinance.

8032 11. Except for the White Center unincorporated activity center, upper-level step
8033 backs are required for any facade facing a pedestrian street for any portion of the
8034 structure greater than forty-five feet in height. The upper-level step back shall be at least
8035 one foot for every two feet of height above forty-five feet, up to a maximum of ten feet.
8036 The first four feet of horizontal projection of decks, balconies with open railings, eaves,
8037 cornices, and gutters are allowed in required step backs.

8038 12. Developments may be subject to the North Highline urban design standards
8039 in K.C.C. 21A.60.060, as recodified by this ordinance, K.C.C. 21A.60.010, as recodified
8040 by this ordinance, K.C.C. 21A.60.040, as recodified by this ordinance, K.C.C.
8041 21A.60.050, as recodified by this ordinance, K.C.C. 21A.60.070, as recodified by this
8042 ordinance, K.C.C. 21A.60.080, as recodified by this ordinance, K.C.C. 21A.60.090, as
8043 recodified by this ordinance, K.C.C. 21A.60.030, as recodified by this ordinance, K.C.C.
8044 21A.60.100, as recodified by this ordinance, and K.C.C. 21A.60.110, as recodified by
8045 this ordinance, which may modify these standards.

8046 13. Reserved.

8047 14. Reserved.

8048 15. Except for the core street type designated in K.C.C. 21A.60.040, as
8049 recodified by this ordinance, this maximum height may be achieved through the
8050 inclusionary housing program in K.C.C. chapter 21A.48.

8051 16. Required on the core street type as designated in K.C.C. 21A.60.040, as
8052 recodified by this ordinance.

8053 SECTION 175. K.C.C. 21A.60.060, as amended by this ordinance, is hereby
8054 recodified as a new section in K.C.C. chapter 21A.xx (the new chapter created in section
8055 170 of this ordinance) to follow section 174 of this ordinance.

8056 SECTION 176. Ordinance 19687, Section 14, and K.C.C. 21A.60.060 is hereby
8057 amended to read as follows:

8058 A. Developments shall provide landscaping consistent with K.C.C. chapter
8059 21A.16, except as provided in this chapter and as follows:

8060 1. New and substantially improved developments subject to the North Highline
8061 urban design standards ((of this chapter)) in K.C.C. 21A.60.060, as recodified by this
8062 ordinance, K.C.C. 21A.60.010, as recodified by this ordinance, K.C.C. 21A.60.040, as
8063 recodified by this ordinance, K.C.C. 21A.60.050, as recodified by this ordinance, K.C.C.
8064 21A.60.070, as recodified by this ordinance, K.C.C. 21A.60.080, as recodified by this
8065 ordinance, K.C.C. 21A.60.090, as recodified by this ordinance, K.C.C. 21A.60.030, as
8066 recodified by this ordinance, K.C.C. 21A.60.100, as recodified by this ordinance, and
8067 K.C.C. 21A.60.110, as recodified by this ordinance, are required to meet a minimum
8068 GreenCenter score of 0.3. If an applicant demonstrates to the director that the existing
8069 conditions of the site do not allow for a GreenCenter score of 0.3, the director may modify
8070 the requirement.

8071 2. In the White Center unincorporated activity center, perimeter landscaping
8072 along streets may be waived, provided street trees and other pedestrian-related amenities
8073 are provided.

8074 B. The GreenCenter score shall be calculated as follows:

8075 1. For each landscape element, multiply the square feet, or equivalent square
8076 footage where applicable, by the multiplier provided for that element in subsection C. of
8077 this section, according to the following provisions:

8078 a. If multiple elements listed in subsection C. of this section occupy the same
8079 area, such as groundcover under a tree, count the full square footage or equivalent square
8080 footage of each element;

8081 b. Landscaping elements in the right-of-way between the property line and the
8082 roadway may be counted, but only if they are approved by the manager of the road services
8083 division of the department of local services;

8084 c. Elements listed in subsection C. of this section that are provided to satisfy any
8085 other requirements of K.C.C. Title 21A may be counted;

8086 d. For vegetated walls, use the square footage of the portion of the wall covered
8087 by vegetation. All vegetated wall structures shall be constructed of durable materials,
8088 provide adequate planting areas for plant health, provide irrigation for the planting areas,
8089 and provide appropriate surfaces or structures that enable plant coverage; and

8090 e. For small shrubs, small plantings, and grass, square footage is determined by
8091 the area of the portion of a horizontal plane that lies under the element.

8092 2. Add together all the products calculated under subsection B.1. of this section to
8093 determine the GreenCenter numerator; and

8094 3. Divide the GreenCenter numerator by the parcel size to determine the
8095 GreenCenter score.

8096 C. GreenCenter landscape elements and categories:

| GreenCenter landscape elements | | Multiplier |
|--------------------------------------|--|------------|
| 1. Planted areas | | |
| | a. Planted areas with a soil depth of 24 inches or more | 0.6 |
| | b. Bioretention facilities consistent with the bioretention design standards of the Surface Water Design Manual | 1.0 |
| 2. Small plantings and shrubs | | |
| | a. Groundcovers, grasses, or other plants less than 2 feet tall at maturity | 0.1 |
| | b. Medium shrubs or other perennials at least 2 feet tall, but less than 4 feet tall, at maturity (area = number of plants x 9 square feet) | 0.3 |
| | c. Large shrubs or other perennials at least 4 feet tall at maturity (area = number of plants x 36 square feet) | 0.3 |
| 3. Trees | | |
| | a. Trees with tree canopy spread of at least 10 feet, but less than 20 feet (area = number of trees x 75 square feet) | 0.3 |
| | b. Trees with tree canopy spread of at least 20 feet, but less than 30 feet (area = number of trees x 250 square feet) | 0.5 |
| | c. Trees with tree canopy spread of at least 30 feet (area = number of trees x 350 square feet) | 0.7 |
| | d. Preservation of existing trees at least 6 inches in diameter measured 4.5 feet above the ground (area = 20 square feet x inch of tree diameter) | 1.0 |
| 4. Green roofs | | |
| | a. Planted over 2 inches to 4 inches of growth medium | 0.2 |
| | b. Planted over 4 inches to 8 inches of growth medium | 0.3 |
| | c. Planted over at least 8 inches of growth medium | 0.4 |

| | |
|---|-----|
| 5. Vegetated walls (maximum 500 square feet) | 0.2 |
| 6. Bonuses | |
| a. Landscaping that consists entirely of drought-tolerant or native plant species | 0.1 |
| b. Landscaping visible from adjacent rights-of-way or public open space | 0.1 |
| c. Landscaping for food cultivation | 0.2 |
| d. Landscaping that receives at least 50 percent of annual irrigation needs through the use of harvested rainwater or collected greywater | 0.2 |
| e. Spaces that support sitting or small gatherings | 0.2 |
| f. Landscape requested by the community through the public outreach process | 0.2 |
| g. Landscape that incorporates an educational component, such as signage, displays, or interactive exhibits | 0.2 |

8097 NEW SECTION. SECTION 177.

8098 A.1. The required number of off-street parking spaces shall be provided in
8099 accordance with the table in this section. If a parking standard for a use is not specified
8100 in this chapter, the Director shall establish the minimum parking requirement.

8101 2. Off-street parking ratios shall be based on the usable or net floor area,
8102 exclusive of nonoccupied areas. For the purposes of calculating parking, "nonoccupied
8103 areas" include, but are not limited to, building maintenance areas, storage areas, closets,
8104 or restrooms.

8105 3. If the calculation for determining the number of off-street parking spaces
8106 results in a fraction, the number of off-street parking spaces shall be rounded to the

- 8107 nearest whole number with fractions of 0.50 or greater rounded up and fractions below
- 8108 0.50 rounded down.

| LAND USE | White Center Unincorporated Activity Center | Within ½ Mile Walkshed or High- Capacity of Frequent Transit Stop as Mapped by the Metro Transit Department | Other Areas of North Highline |
|--|--|--|--|
| RESIDENTIAL (K.C.C. 21A.08.030.A.): | | | |
| Inclusionary housing development (K.C.C. chapter 21A.48) | No minimum required | 0.5 per dwelling unit | 0.8 per dwelling unit |
| Single detached residence | No minimum required | 1.0 per dwelling unit | 2.0 per dwelling unit |
| Duplex, houseplex, or townhouse | No minimum required | 1.0 per dwelling unit | 1.5 per dwelling unit |
| Apartment: | | | |
| Studio units | No minimum required | 0.7 per dwelling unit | 1.2 per dwelling unit |
| One or more bedroom units | No minimum required | 1.0 per dwelling unit | 1.5 per dwelling unit |
| Manufactured home community | No minimum required | 1.0 per dwelling unit | 2.0 per dwelling unit |
| Cottage housing | No minimum required | 0.8 per dwelling unit | 1 per dwelling unit |
| Congregate residence | No minimum required | 0.3 per dwelling or sleeping units | 1 per two bedrooms |

| | | | |
|--|--|--|--|
| Senior assisted housing | No minimum required | 1.0 per 4 dwelling or sleeping units | 1 per 2 dwelling or sleeping units |
| RECREATIONAL AND CULTURAL (K.C.C. 21A.08.040.A.): | | | |
| Recreation use, if not otherwise specified | (director) | (director) | (director) |
| Cultural uses, if not otherwise specified | 1 per 400 square feet | 1 per 300 square feet | 1 per 300 square feet |
| Golf course facility | 3 per hole, plus 1 per 400 square feet of club house facilities | 3 per hole, plus 1 per 300 square feet of club house facilities | 3 per hole, plus 1 per 300 square feet of club house facilities |
| Golf driving range | .75 per tee | 1 per tee | 1 per tee |
| Tennis club | 3 per tennis court plus 1 per 500 square feet of clubhouse facility | 4 per tennis court plus 1 per 500 square feet of clubhouse facility | 4 per tennis court plus 1 per 300 square feet of clubhouse facility |
| Theater | 1 per 5 fixed seats | 1 per 4 fixed seats | 1 per 3 fixed seats |
| Bowling center | 3 per lane | 4 per lane | 5 per lane |
| Paintball range | (director) | (director) | (director) |
| Conference center | Greater of 1 per 5 fixed seats plus 1 per 75 square feet used for assembly purposes without fixed seats, or 1 per lodging room | Greater of 1 per 3 fixed seats plus 1 per 60 square feet used for assembly purposes without fixed seats, or 1 per lodging room | Greater of 1 per 3 fixed seats plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1 per lodging bedroom, |

| | | | |
|---|---|---|---|
| | | | whichever results in the greater number of spaces. |
| HEALTH CARE SERVICES AND RESIDENTIAL CARE SERVICES (subsection A. of section 162 of this ordinance): | | | |
| Health care and residential care services, if not otherwise specified | 1 per 400 square feet of office, labs, examination, or patient room | 1 per 300 square feet of office, labs, examination, or patient room | 1 per 300 square feet of office, labs, examination, or patient room |
| Hospital | 1 per bed | 1 per bed | 1 per bed |
| Nursing and personal care facility | 1 per 4 beds | 1 per 4 beds | 1 per 4 beds |
| Adult family home | 2 per home | 2 per home | 2 per home |
| Community residential facilities | 1 per 3 bedrooms | 1 per 2 bedrooms | 1 per 2 bedrooms |
| Permanent supportive housing | 1 per 2 employees plus 1 per 20 dwelling units | 1 per 2 employees plus 1 per 20 dwelling units | 1 per 2 employees plus 1 per 20 dwelling units |
| Recuperative housing | 1 per 2 employees plus 1 per 10 sleeping unit | 1 per 2 employees plus 1 per 10 sleeping unit | 1 per 2 employees plus 1 per 10 sleeping unit |
| Emergency supportive housing | 1 per 2 employees plus 1 per 20 sleeping unit | 1 per 2 employees plus 1 per 20 sleeping unit | 1 per 2 employees plus 1 per 20 sleeping unit |

| | | | |
|---|--|--|--|
| Microshelter villages | 1 per 2 employees plus 1 per 20 microshelters | 1 per 2 employees plus 1 per 20 microshelters | 1 per 2 employees plus 1 per 20 microshelters |
| PERSONAL SERVICE AND LODGING (K.C.C. 21A.08.050.A.): | | | |
| Personal service and lodging uses, if not otherwise specified | No minimum required | 1 per 400 square feet | 1 per 300 square feet |
| Specialized instruction Schools | 1 per classroom, plus 1 per 3 students | 1 per classroom, plus 1 per 2 students | 1 per classroom, plus 1 per 2 students |
| Funeral home/crematory | 1 per 65 square feet of chapel area | 1 per 50 square feet of chapel area | 1 per 50 square feet of chapel area |
| Daycare I | 2 per facility | 2 per facility | 2 per facility |
| Daycare II | 1.5 per facility, plus 1 space for each 25 children | 2 per facility, plus 1 space for each 20 children | 2 per facility, plus 1 space for each 20 children |
| Religious facility | 1 per 100 square feet of gross floor area | 1 per 75 square feet of gross floor area | 1 per 60 square feet of gross floor area |
| Veterinary clinic | 1 per 400 square feet of office, labs, and examination rooms | 1 per 300 square feet of office, labs, and examination rooms | 1 per 300 square feet of office, labs, and examination rooms |
| Artist studios | 0.7 per 1,000 square feet of area used for studios | 0.8 per 1,000 square feet of area used for studios | 0.9 per 1,000 square feet of area used for studios |
| Hotel/motel | 0.8 per room | 0.9 per room | 1 per room |

| | | | |
|---|--|--|--|
| Bed and breakfast guesthouse | 1 per guest room | 1 per guest room, plus 1 per facility | 1 per guest room, plus 2 per facility |
| Organizational hotel/lodging | 0.8 per room | 0.9 per room | 1 per room |
| GOVERNMENT AND EDUCATION (subsection A. of section 164 of this ordinance): | | | |
| Government uses, if not otherwise specified | 1 per 400 square feet | 1 per 300 square feet | 1 per 300 square feet |
| Public agency or utility yard | 1 per 400 square feet of offices, plus 0.7 per 1,000 square feet of indoor storage or repair areas | 1 per 300 square feet of offices, plus 0.9 per 1,000 square feet of indoor storage or repair areas | 1 per 300 square feet of offices, plus 0.9 per 1,000 square feet of indoor storage or repair areas |
| Public agency archives | 0.7 per 1,000 square feet of storage area, plus 1 per 60 square feet of waiting/reviewing areas | 0.9 per 1,000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas | 0.9 per 1,000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas |
| Court | 2 per courtroom, plus 1 per 60 square feet of fixed seat or assembly areas | 3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas | 3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas |
| Police facility | (director) | (director) | (director) |
| Fire facility | (director) | (director) | (director) |

| | | | |
|--|---|---|--|
| Elementary schools | 1 per classroom, plus 1 per 60 students | 1 per classroom, plus 1 per 50 students | 1 per classroom, plus 1 per 50 students |
| Middle/junior high schools | 1 per classroom, plus 1 per 60 students | 1 per classroom, plus 1 per 50 students | 1 per classroom, plus 1 per 50 students |
| Secondary or high schools | 1 per classroom, plus 1 per 12 students | 1 per classroom, plus 1 per 10 students | 1 per classroom, plus 1 per 10 students |
| Secondary or high schools with stadiums | Greater of 1 per classroom plus 1 per 12 students, or 1 per 4 fixed seats in stadium | Greater of 1 per classroom plus 1 per 10 students, or 1 per 3 fixed seats in stadium | Greater of 1 per classroom plus 1 per 10 students, or 1 per 3 fixed seats in stadium |
| Vocational schools | 1 per classroom, plus 1 per 7 students | 1 per classroom, plus 1 per 5 students | 1 per classroom, plus 1 per 5 students |
| BUSINESS SERVICES (K.C.C. 21A.08.060.A.): | | | |
| Business services uses, if not otherwise specified | 1 per 400 square feet | 1 per 350 square feet | 1 per 300 square feet |
| Self-service storage | 1 per 5,500 square feet of storage area, plus 1 for any resident manager's unit | 1 per 4,500 square feet of storage area, plus 1 for any resident manager's unit | 1 per 3,500 square feet of storage area, plus 2 for any resident manager's unit |
| Outdoor advertising services | 1 per 400 square feet of office, plus 0.7 per | 1 per 300 square feet of office, plus 0.9 per 1,000 | 1 per 300 square feet of office, plus 0.9 per |

| | | | |
|---|--|---|---|
| | 1,000 square feet of storage area | square feet of storage area | 1,000 square feet of storage area |
| Office | 1 per 400 square feet | 1 per 350 square feet | 1 per 300 square feet |
| RETAIL (K.C.C. 21A.08.070.A.): | | | |
| Retail uses, if not otherwise specified | No minimum required | 1 per 500 square feet | 1 per 300 square feet |
| Food stores (retail area 1,000 sf or larger) | 3 plus 1 per 700 square feet | 3 plus 1 per 500 square feet | 3 plus 1 per 350 square feet |
| Food stores (retail area less than 1,000 sf) | No minimum required | No minimum required | 1 per 100 square feet in dining or lounge areas |
| Restaurants (dining or lounge areas 1,000 sf or larger) | No minimum required | 1 per 300 square feet in dining or lounge areas | 1 per 100 square feet in dining or lounge areas |
| Restaurants (dining or lounge areas less than 1,000 sf) | No minimum required | No minimum required | 1 per 100 square feet in dining or lounge areas |
| Remote tasting rooms | No minimum required | 1 per 400 square feet of tasting and retail areas | 1 per 300 square feet of tasting and retail areas |
| Gasoline service stations | 3 per facility, plus .75 per service bay | 3 per facility, plus 1 per service bay | 3 per facility, plus 1 per service bay |
| INDUSTRIAL (K.C.C. 21A.08.080.A.): | | | |
| Industrial uses, if not specified elsewhere | 0.5 per 1,000 square feet | 0.7 per 1,000 square feet | 0.9 per 1,000 square feet |

| | | | |
|---|--|--|--|
| Construction and trade | 1 per 1,000 square feet of office, plus 1 per 3,000 square feet of storage area | 1 per 750 square feet of office, plus 1 per 3,000 square feet of storage area | 1 per 500 square feet of office, plus 1 per 3,000 square feet of storage area |
| Warehousing and wholesale trade | 1 per 400 square feet of office, plus 0.5 per 1,000 square feet of storage area | 1 per 300 square feet of office, plus 0.6 per 1,000 square feet of storage area | 1 per 300 square feet of office, plus 0.7 per 1,000 square feet of storage area |
| Heavy equipment repair | 1 per 400 square feet of office, plus 0.7 per 1,000 square feet of indoor repair areas | 1 per 300 square feet of office, plus 0.9 per 1,000 square feet of indoor repair areas | 1 per 300 square feet of office, plus 0.9 per 1,000 square feet of indoor repair areas |
| Winery/brewery/distillery facility II and III | 0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting and retail areas | 0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting and retail areas | 0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting and retail areas |
| RESOURCES (K.C.C. 21A.08.090.A.): | | | |
| Resource uses | (director) | (director) | (director) |
| REGIONAL (K.C.C. 21A.08.100.A.): | | | |
| Regional uses | (director) | (director) | (director) |

8109 B. Off-street parking shall comply with the requirements in K.C.C. Chapter

8110 21A.18.

8111 SECTION 178. K.C.C. 21A.60.010, as amended by this ordinance, is hereby
8112 recodified as a new section in K.C.C. chapter 21A.xx (the new chapter created in section
8113 170 of this ordinance) to follow section 177 of this ordinance.

8114 SECTION 179. Ordinance 19687, Section 9, and K.C.C. 21A.60.010 is hereby
8115 amended to read as follows:

8116 A. The North Highline urban design standards are hereby established. The purpose
8117 of the North Highline urban design standards is to implement the vision of North Highline
8118 for its future as described in the North Highline community service area subarea plan and
8119 ~~((the intent in subsection B. of this section.~~

8120 ~~B. The intent of the North Highline urban design standards relating to))~~ creating site
8121 design, building design, urban form, and neighborhood character ~~((include))~~ that:

8122 1. ~~((Development-i))~~ Is based on an understanding of the physical and cultural
8123 context of the neighborhood and the North Highline ~~((community service area))~~ subarea;

8124 2. ~~((Development-p))~~ Prioritizes compatibility with the existing scale of the
8125 neighborhood, walkability, and generous landscaping;

8126 3. ~~((Development-r))~~ Results in a streetscape that is attractive and comfortable for
8127 moving through the neighborhood and spending time in it, reflects the character of the
8128 neighborhood, and supports neighborhood activities and businesses;

8129 4. ~~((Development-k))~~ Keeps the neighborhood's diversity visible and promotes
8130 distinctive, unique designs through architectural features, signage, art, landscape, and
8131 amenities such as seating, lighting, and ornament; and

8132 5. Utilizes ~~((S))~~ stormwater and landscape design connect the urban environment
8133 to the natural systems with designs that are both functional and beautiful.

8134 B. K.C.C. 21A.60.040, as recodified by this ordinance, K.C.C. 21A.60.050, as
8135 recodified by this ordinance, K.C.C. 21A.60.070, as recodified by this ordinance, K.C.C.
8136 21A.60.080, as recodified by this ordinance, K.C.C. 21A.60.090, as recodified by this
8137 ordinance, K.C.C. 21A.60.030, as recodified by this ordinance, K.C.C. 21A.60.100, as
8138 recodified by this ordinance, and K.C.C. 21A.60.110, as recodified by this ordinance,
8139 shall apply to:

8140 1. All new or substantially improved development in the CB, NB, RB, O, R-12,
8141 R-18, R-24, and R-48 zones; and

8142 2. Modification to any structure that affects its exterior appearance in the White
8143 Center unincorporated activity center land use designation, except for single detached
8144 dwelling units.

8145 C. The following types of development are exempt:

8146 1. New or substantially improved residential-only development with less than
8147 ten dwelling; and

8148 2. Developments with a minimum of twenty percent of units affordable to
8149 households at or below seventy percent AMI.

8150 SECTION 180. K.C.C. 21A.60.040, as amended by this ordinance, is hereby
8151 recodified as a new section in K.C.C. chapter 21A.xx (the new chapter created in section
8152 170 of this ordinance) to follow K.C.C. 21A.60.010, as recodified by this ordinance.

8153 SECTION 181. Ordinance 19687, Section 12, and K.C.C. 21A.60.040 is hereby
8154 amended to read as follows:

8155 A. ~~((For each street frontage, the street type shall be classified based on the~~
8156 ~~following order:~~

8157 ~~1. Arterial: streets with a classification of principal, minor, or collector arterial,~~
8158 ~~excluding core street as described in subsection A.4. of this section;~~
8159 ~~2. Local mixed use: two-lane, nonarterial streets adjacent to CB, NB, RB, and~~
8160 ~~O zones;~~
8161 ~~3. Local residential: nonarterial streets adjacent to R-12, R-18, R-24, and R-48~~
8162 ~~zones; and~~
8163 ~~4. Core street: both sides of 16th Avenue Southwest in the White Center~~
8164 ~~unincorporated activity center from Southwest Roxbury Street at the north to Southwest~~
8165 ~~100th Street at the south.)) All public streets in North Highline are assigned a street type~~
8166 ~~and building frontage options as follows:~~

| <u>Street Type</u> | <u>Description</u> | <u>Building Frontage</u> |
|--------------------------|--|---|
| <u>Core street</u> | <u>16th Avenue SW between SW Roxbury</u> <u>Street at the north to SW 100th Street at</u> <u>the south.</u> | <u>Main street or plaza</u> |
| <u>Arterial</u> | <u>Streets with a classification of principal,</u> <u>minor, or collector arterial, excluding</u> <u>the core street</u> | <u>Forecourt, plaza, or</u> <u>landscape</u> |
| <u>Local mixed-use</u> | <u>Two-lane, nonarterial streets adjacent to</u> <u>CB, NB, RB, and O zones</u> | <u>Main street, forecourt,</u> <u>plaza, porch-stoop-terrace,</u> <u>or landscape</u> |
| <u>Local residential</u> | <u>Nonarterial streets adjacent to R-12, R-</u> <u>18, R-24, and R-48 zones</u> | <u>Forecourt, plaza, porch-</u> <u>stoop-terrace, or landscape</u> |

8167 B. Where a building or site is located on multiple street frontages:

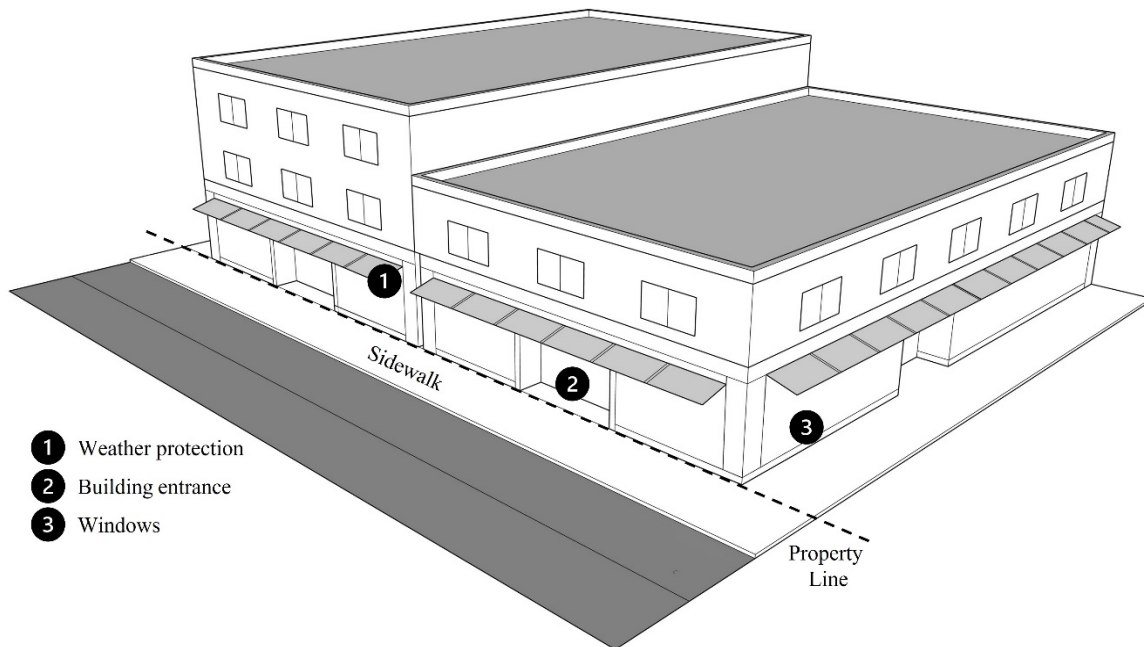
8168 1. The portion of the building facing the higher-order street shall be designated
8169 the primary street frontage; and

8170 2. The portion of the building facing the lower-order street or streets shall be
8171 designated the secondary street frontage.

8172 C. Based on the street type identified in subsection A. of this section, the
8173 following frontage types are allowed:

8174 1.a. Main street building frontage: a main street building frontage, an example
8175 of which is shown in the figure in subsection C.1.b. of this section, is characterized by a
8176 well-articulated, pedestrian-oriented facade that abuts the sidewalk, multiple at-grade
8177 building entrances for businesses, and public features that support sidewalk activation.
8178 Main street building frontages have substantial glazing on the ground floor and provide
8179 weather protection for pedestrians on the sidewalk.

8180 b. Main street building frontage figure:



8181

8182 c. Buildings with a main street building frontage are subject to the following:

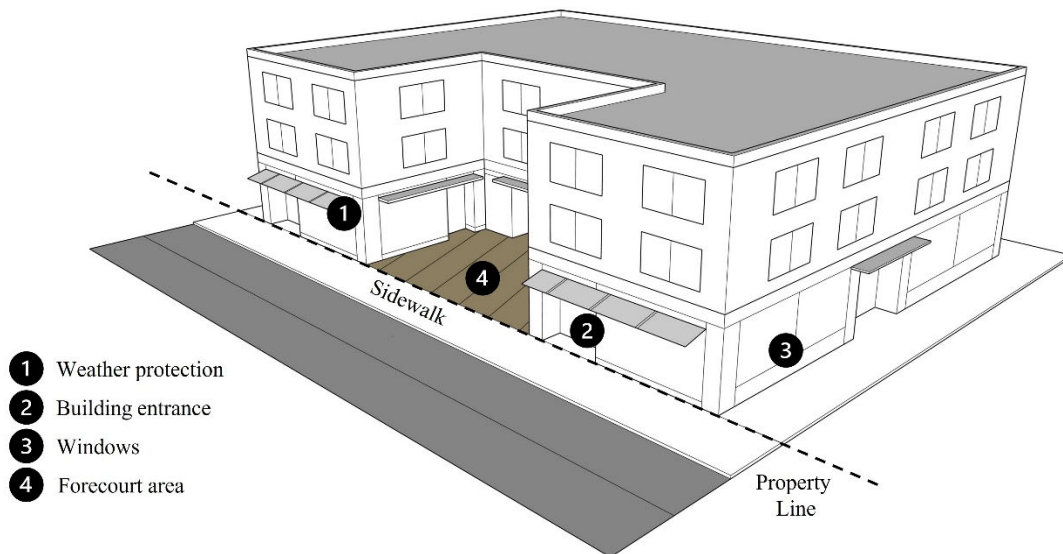
| | |
|---|--|
| ((Allowed street types | Core street, local mixed use.)) |
| Setback from <u>street</u> property line | 0 feet, except as needed to accommodate required amenities. |
| Weather protection | Weather protection at least 6 feet in depth shall be provided along 75% of the building facade facing a street or pedestrian pathway including building entrances. Weather protection may be in the form of awnings, marquees, canopies, or building overhangs. |
| Building entrances | Entrances shall be at sidewalk grade, face the street, be provided every 75 feet((;)) or less, and have a transparency of 40%. |
| Windows | 70% minimum or 60% if ground floor windows are operable. Required window areas shall be transparent and allow views from the building to the street. Reflective, dark, tinted, or textured glass is not permitted. |
| Surface parking | Not permitted adjacent to a primary or secondary street. |

- 8183 d. New and substantially improved buildings that are the main street building
8184 frontage type shall provide at least one of the following amenities near the sidewalk for
8185 every fifty linear feet of street frontage:
- 8186 (1) seating space;
 - 8187 (2) supplemental area lighting;
 - 8188 (3) drinking fountain;

- 8189 (4) waste receptacle;
- 8190 (5) artwork or decorative landmark;
- 8191 (6) kiosk suitable for temporary community-oriented notices;
- 8192 (7) raised planter;
- 8193 (8) bike rack; or
- 8194 (9) other amenities appropriate to the space acceptable to the director;

8195 2.a. Forecourt building frontage: a forecourt building frontage, an example of
8196 which is shown in the figure in subsection C.2.b. of this section, is characterized by a
8197 well-articulated, pedestrian-oriented façade centered around a plaza or gathering space
8198 that includes a garden, outdoor seating, or other pedestrian amenities. A forecourt is
8199 created by recessing a portion of the facade for a portion of the building frontage. A
8200 forecourt building frontage is suitable for commercial or residential uses.

8201 b. Forecourt building frontage figure:



8202

8203 c. Buildings with a forecourt building frontage are subject to the following:

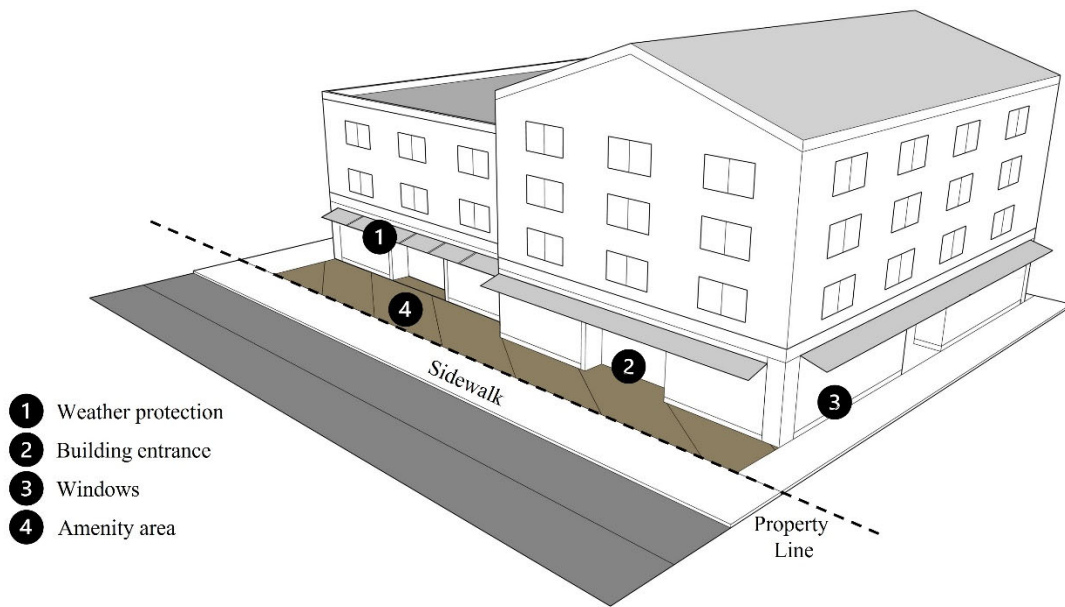
| | |
|---|---|
| ((Allowed street types | Arterial, local mixed use, local residential.)) |
| Setback from property line | 0 feet. |
| Weather Protection | <p>Weather protection at least 6 feet in depth shall be provided along 75% of the building facade facing a street or pedestrian pathway including building entrances. Weather protection over the forecourt area is encouraged, but not required.</p> <p>Weather protection may be in the form of awnings, marquees, canopies, or building overhangs.</p> |
| Building entrances | Entrances shall be provided every 75 feet((7)) or less, and have a transparency of 40%. Entrances abutting a sidewalk must face the street and be at sidewalk grade. |
| Windows | 60% minimum or 55% if ground floor windows are operable. Required window areas shall allow views from the building to the street. Reflective, dark, tinted, or textured glass is not permitted. |
| Forecourt depth from property line | 10 feet minimum; 30 feet maximum. |
| Forecourt width | 20 feet minimum; 50 feet maximum. |
| Fence | No greater than 3 feet in height; minimum 20% transparent. |

- 8204 d. New and substantially improved buildings that are the forecourt building
- 8205 frontage type shall provide at least two of the following amenities in the forecourt area:
- 8206 (1) seating space;

- 8207 (2) supplemental area lighting;
- 8208 (3) water feature or decorative drinking fountain;
- 8209 (4) waste receptacle;
- 8210 (5) artwork or decorative landmark;
- 8211 (6) kiosk suitable for temporary community-oriented notices;
- 8212 (7) raised planter;
- 8213 (8) bike rack; or
- 8214 (9) other item appropriate to the space acceptable to the director;

8215 3.a. Plaza building frontage: The plaza building frontage, an example of which
8216 is shown in the figure in subsection C.3.b. of this section, is characterized by public space
8217 in the setback area between the building and the property line. The plaza area should
8218 support human activity with amenities such as seating, art, and wayfinding. A plaza
8219 building frontage is suitable for active ground floor uses such as retail, dining, or civic
8220 and cultural uses.

8221 b. Plaza building frontage figure:



8222

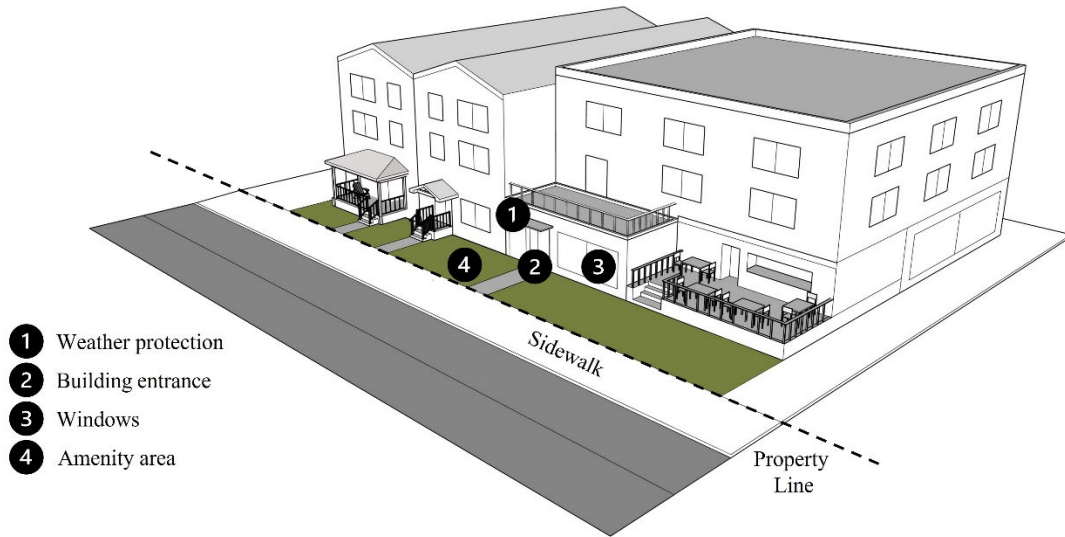
8223

c. Buildings with a plaza building frontage are subject to the following:

| | |
|---|--|
| ((Allowed street types | Arterial, core street, local mixed use, local residential.)) |
| Setback from <u>street</u> property line | 5 feet minimum; 25 feet maximum. |
| Weather protection | Weather protection at least 6 feet in depth shall be provided along 75% of the building facade facing a street or pedestrian pathway including building entrances. Weather protection may be in the form of awnings, marquees, canopies, or building overhangs. |
| Building entrances | Entrances shall be at sidewalk grade, face the street, be provided every 75 feet(($\frac{7}{5}$)) or less, and have a transparency of 40%. |
| Windows | 70% minimum or 60% if ground floor windows are operable. Required window areas shall be transparent |

| | |
|--|--|
| | <p>and allow views from the building to the street.</p> <p>Reflective, dark, tinted, or textured glass is not permitted.</p> |
|--|--|

- 8224 d. New and substantially improved buildings that are the plaza building
8225 frontage type shall provide at least two of the following amenities between the property
8226 line and the building for every fifty linear feet of street frontage:
- 8227 (1) seating space;
 - 8228 (2) supplemental area lighting;
 - 8229 (3) water feature or decorative drinking fountain;
 - 8230 (4) waste receptacle;
 - 8231 (5) artwork or decorative landmark;
 - 8232 (6) kiosk suitable for temporary community-oriented notices;
 - 8233 (7) raised planter;
 - 8234 (8) bike rack; or
 - 8235 (9) other item appropriate to the space acceptable to the director;
- 8236 4.a. Porch-stoop-terrace building frontage: the porch-stoop-terrace building
8237 frontage, an example of which is shown in the figure in subsection C.4.b. of this section,
8238 is characterized by buildings that are set back from the street with a series of highly
8239 articulated individual entrances and semi-private landings such as porches, stoops, or
8240 terraces. Entrances may be elevated above grade. Landscaping is provided in the setback
8241 area between the building and the sidewalk. A porch-stoop-terrace building frontage is
8242 suitable for residential uses, service, or office uses.
- 8243 b. Porch-stoop-terrace building frontage figure:



8244

8245 c. Buildings with a porch-stoop-terrace building frontage are subject to the
8246 following:

| | |
|---|---|
| ((Allowed street types | Local mixed use, local residential.)) |
| Setback from <u>street</u> property line | 5 feet minimum; 15 feet maximum. |
| Weather protection | Building entrances shall be either be covered by an awning or canopy or be covered by being recessed behind the front building facade. |
| Building entrances | Entrances abutting a sidewalk must face the street and be at sidewalk grade or no more than 5 feet above sidewalk grade; and have a transparency of 20%. Between 25 and 150 square feet of porch area shall be provided per building entrance. |
| Windows | 30% minimum on ground floor. Required window areas shall allow views from the building to the street. |

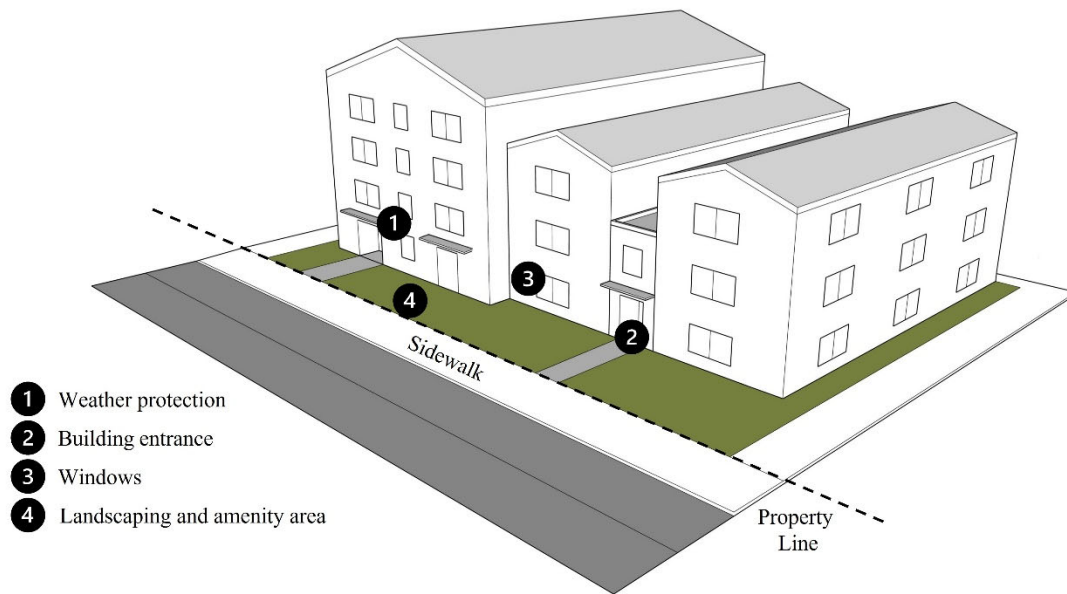
| | |
|--------------|---|
| | Reflective, dark, tinted, or textured glass is not permitted. |
| Fence | No greater than 3 feet in height; minimum 20% transparent. |

8247 c. New and substantially improved buildings that are the porch-stoop-terrace
8248 building frontage type shall provide at least two of the following amenities between the
8249 property line and the building for every fifty linear feet of street frontage:

- 8250 (1) seating space;
- 8251 (2) supplemental area lighting;
- 8252 (3) water feature or decorative drinking fountain;
- 8253 (4) waste receptacle;
- 8254 (5) artwork or decorative landmark;
- 8255 (6) bike rack; or
- 8256 (7) type II or type III landscaping consistent with K.C.C. chapter 21A.16; or
- 8257 (8) other item appropriate to the space acceptable to the director; and

8258 5.a. Landscape building frontage: a landscape building frontage, an example of
8259 which is shown in the figure in subsection C.5.b. of this section, is set back from the
8260 property line by a wide landscaped strip between the building and the sidewalk. This
8261 frontage type is appropriate along streets where the existing streetscape may not be
8262 conducive to pedestrian-oriented ground-floor retail or residential uses, such as where
8263 there is no on-street parking or where streets are very wide. Ground floor entries shall
8264 still be provided along and connected to the sidewalk.

8265 b. Landscape building frontage figure:



8266

8267

c. Buildings with a landscape building frontage are subject to the following:

| | |
|---|--|
| ((Allowed street types | Arterial, local mixed use, local residential.)) |
| Setback from <u>street</u> property line | 10 feet minimum; 20 feet maximum landscaped setback. |
| Weather protection | Building entrances shall be either be covered by an awning or canopy or be covered by being recessed behind the front building facade. |
| Building entrances | At least one building entrance shall be directly connected to a public street with a walkway measuring a minimum of 5 feet wide. A minimum transparency of 40% is required for each primary entry. |
| Windows | Transparent ground floor windows shall be provided along a minimum of 60% of the ground floor and facades facing public streets. Required window areas |

| | |
|--------------------|---|
| | shall allow views from the building to the street. Reflective, dark, tinted, or textured glass is not permitted. |
| Landscaping | 10 feet minimum; 20 feet maximum Type II or Type III landscaping consistent with K.C.C. chapter 21A.16. |

8268 d. New and substantially improved buildings that are the landscape building
8269 frontage type shall provide at least two of the following amenities between the property
8270 line and the building for every fifty linear feet of street frontage:

- 8271 (1) seating space;
- 8272 (2) supplemental area lighting;
- 8273 (3) artwork or decorative landmark;
- 8274 (4) water feature or rain garden; or
- 8275 (5) other item appropriate to the space acceptable to the director.

8276 SECTION 182. K.C.C. 21A.60.050, as amended by this ordinance, is hereby
8277 recodified as a new section in K.C.C. chapter 21A.xx (the new chapter created in section
8278 170 of this ordinance) to follow K.C.C. 21A.60.040, as recodified by this ordinance.

8279 SECTION 183. Ordinance 19687, Section 13, and K.C.C. 21A.60.050 are hereby
8280 amended to read as follows:

8281 A. Parking shall be accessed from alleys, where an alley exists. If there is no alley,
8282 parking entries shall prioritize pedestrians by limiting the maximum width to twenty feet
8283 for two-way driveways.

8284 B. Developments with over two hundred linear feet on a single street frontage or
8285 two hundred linear feet of total street frontage on properties that abut two parallel streets

shall provide a midblock connection. The route may be through the building interior if the building is open to the public during business hours.

C. Developments on corner lots shall either orient a building façade toward the street corner within fifteen feet of the property line or provide pedestrian-oriented space at the corner leading directly to a building entrance or entrances.

D. Minimum interior setbacks of the underlying zone are waived.

E. Service areas including loading docks, refuse containers, compactors, and mechanical equipment shall be located and screened to avoid negative visual, auditory, olfactory, or physical impacts on the property and adjacent street frontages. Service areas shall be located within buildings or screened with acceptable materials including brick, concrete block, stone, or wood. Chain-link fencing is not permitted as a screening material.

SECTION 184. K.C.C. 21A.60.070 is hereby recodified as a new section in K.C.C. chapter 21A.xx (the new chapter created in section 170 of this ordinance) to follow K.C.C. 21A.60.050, as recodified by this ordinance.

SECTION 185. K.C.C. 21A.60.080, as amended by this ordinance, is hereby recodified as a new section in K.C.C. chapter 21A.xx (the new chapter created in section 170 of this ordinance) to follow K.C.C. 21A.60.070, as recodified by this ordinance.

SECTION 186. Ordinance 19687, Section 16, and K.C.C. 21A.60.080 are hereby amended to read as follows:

A. Façades with street frontage on new and substantially improved buildings shall be modulated approximately every forty feet. Modulation shall have a depth between three and ten feet and shall be accompanied by at least three of the following architectural measures:

8309 1. Change in window patterns at each modulation, such as window size, color,
8310 and shape;
8311 2. Use of vertical piers or columns;
8312 3. Change in roofline or roof style, such as stepped roofs, dormers, gables, or
8313 shed roofs, with a vertical modulation of at least twelve inches;
8314 4. Change in color and building material or siding style at each modulation;
8315 5. Vertical elements such as a vegetated wall or art. Vegetated walls shall count
8316 toward the GreenCenter score in K.C.C. 21A.60.060, as recodified by this ordinance; and
8317 6. Change in lighting fixtures at each modulation.

8318 B. The director may approve changes to the modulation intervals or other
8319 methods that provide architecturally scaled elements not specifically listed in subsection
8320 A. of this section. The proposed methods must satisfy the intent of the design standards
8321 in K.C.C. 21A.60.010, as recodified by this ordinance.

8322 C. When balconies are part of the modulation and have a minimum depth of six
8323 feet and a minimum area of sixty feet, the minimum depth of modulation shall be two
8324 feet.

8325 D. The use of stock building plans, typical corporate or franchise designs,
8326 regional prototype alternatives, or other designs that are easily identified with a particular
8327 chain or corporation, are prohibited. Signs allowed in accordance with K.C.C. chapter
8328 21A.20 may be permitted to use stock plans, except on core street types subject to K.C.C.
8329 21A.60.090, as recodified by this ordinance.

8330 SECTION 187. K.C.C. 21A.60.090, as amended by this ordinance, is hereby
8331 recodified as a new section in K.C.C. chapter 21A.xx (the new chapter created in section
8332 170 of this ordinance) to follow K.C.C. 21A.60.080, as recodified by this ordinance.

8333 SECTION 188. Ordinance 19687, Section 17, and K.C.C. 21A.60.090 are hereby
8334 amended as follows:

8335 A. New and substantially improved buildings along the core street type as
8336 defined in K.C.C. 21A.60.040, as recodified by this ordinance, shall be in scale with the
8337 existing historic building stock of the White Center unincorporated activity center.

8338 Where the scale of the new or substantially improved building is larger, techniques such
8339 as variations in roof height, vertical columns to break up facades, changes in roof or
8340 parapet detail, use of smaller repeating window patterns, use of fascia on the facade,
8341 facade articulation, and stepping back or modulating of upper stories shall be used to
8342 break up the scale of the building to complement existing patterns.

8343 B. New signs for local businesses along the core street type are subject to the
8344 following:

8345 1. The principal sign of any building or establishment shall be unique and
8346 custom-designed. Such signs may include logos, colors, or other brand-identifying
8347 elements, but the overall sign shall not be generic or identical to an existing sign within
8348 five hundred feet of the business;

8349 2. Multi((-))lingual signage is encouraged; and

8350 3. Flashing or moving images are prohibited.

8351 SECTION 189. K.C.C. 21A.60.030, as amended by this ordinance, is hereby
8352 recodified as a new section in K.C.C. chapter 21A.xx (the new chapter created in section
8353 170 of this ordinance) to follow K.C.C. 21A.60.080, as recodified by this ordinance.

8354 SECTION 190. Ordinance 19687, Section 11, and K.C.C. 21A.60.030 is hereby
8355 amended to read as follows:

8356 A. A preapplication conference, in accordance with K.C.C. 20.20.030, is required
8357 for all projects subject to the North Highline urban design standards. The applicant shall
8358 submit the following information to the department with a request to schedule a
8359 preapplication conference:

8360 1. Questions for department staff;
8361 2. A project narrative explaining how the preliminary design addresses the
8362 intent of the North Highline urban design standards in K.C.C. 21A.60.010, as recodified
8363 by this ordinance, responds to the context analysis required in subsection A.3. of this
8364 section, and meets the design standard requirements (~~((in this chapter))~~). The department
8365 shall provide a template for the project narrative;

8366 3. A context analysis that documents an understanding of the urban form and
8367 neighborhood character of the project site. The context analysis shall include:

8368 a. discussion of neighborhood demographics;
8369 b. inventory of historic structures, local businesses, artwork, landmarks, and
8370 culturally significant elements, including a map of those features within five hundred feet
8371 of the site;

8372 c. analysis of the current uses within five hundred feet of the site, including
8373 building footprints, existing businesses, private and public lands, and any public
8374 facilities;

8375 d. location and dimensions of existing public rights-of-way, including streets,
8376 sidewalks, and parking areas; landscape features; and drainage elements; and

8377 e. identification of street type and frontage type as required by K.C.C.
8378 21A.60.040, as recodified by this ordinance.

8379 4. A site plan, which shall include:

8380 a. location of the property, with a vicinity map showing cross street;

8381 b. address, if an address has been assigned;

8382 c. parcel number or numbers;

8383 d. zoning of parcel or parcels and adjacent parcel or parcels;

8384 e. north arrow and scaled dimensions;

8385 f. existing and proposed building footprints, with overhangs and projections;

8386 g. existing and proposed grade contours;

8387 h. site area in square feet or acres of the project site;

8388 i. area of either disturbance or development, or both, including utilities, septic,
8389 and internal circulation, as needed;

8390 j. existing and proposed easements, including ingress, egress, utilities, or
8391 drainage; and

8392 k. critical areas and their buffers;

8393 l. proposed locations for artwork and neighborhood expression;

8394 m. proposed pedestrian amenities and bicycle facilities;

8395 n. proposed barrier-free access;

8396 o. proposed parking quantity, location, and access point or points;

8397 p. proposed landscape concept;

8398 q. proposed stormwater design;

8399 r. proposed approach to managing waste and recycling;

8400 s. quantity, location, and quality of an on-site recreation area, or areas, if

8401 proposed;

8402 t. phasing, if proposed; and

8403 5. A building plan, which shall include:

8404 a. architectural intent and proposed building design including elevations,

8405 façade details, colors, and materials; and

8406 b. proposed building uses.

8407 B. After at least one preapplication conference, and before filing an application

8408 with the department, the applicant shall hold at least one community meeting in

8409 accordance with K.C.C. 20.20.035. In addition to the requirements of K.C.C. 20.20.035,

8410 the applicant shall:

8411 1. Create a web-based community input survey to solicit feedback on the

8412 proposed development from the North Highline community for twenty-one days. The

8413 applicant shall notify via email a list of parties of interest and notify by mail residents

8414 within five hundred feet of the site at least one week before the beginning of the feedback

8415 period. The department shall establish a template for the web-based community input

8416 survey. The web-based community input survey shall:

8417 a. present the context analysis, preliminary site plan, and preliminary building
8418 plan required in subsection A. of this section for solicitation of community feedback;
8419 b. be capable of accepting community feedback within the webpage; and
8420 c. be accessible for those who are visually impaired and include translations to
8421 the top three non-English languages within North Highline as determined by the
8422 department; and

8423 2. Provide a list of community meeting attendees and commenters on the
8424 community input survey and proof of those who received emailed and mailed notice to
8425 the department.

8426 C. Preapplication review shall remain open until the applicant has held the
8427 required community meeting and the twenty-one-day community input survey window is
8428 closed.

8429 D. As part of a complete permit application, the applicant shall provide, in
8430 addition to that which is required under K.C.C. 20.20.040, the following:

8431 1. A memorandum of how the proposal incorporates community feedback. For
8432 feedback that was not incorporated into the project, the memorandum shall state why the
8433 input was not addressed. The memorandum shall include an appendix that contains all
8434 the community input received by the application; and

8435 2. An updated project narrative demonstrating how the proposal addresses the
8436 intent of the North Highline urban design standards in K.C.C. 21A.60.010, as recodified
8437 by this ordinance, and meets the design standards in ~~((this chapter))~~ K.C.C. 21A.60.060,
8438 as recodified by this ordinance, K.C.C. 21A.60.040, as recodified by this ordinance,
8439 K.C.C. 21A.60.050, as recodified by this ordinance, K.C.C. 21A.60.070, as recodified by

8440 this ordinance, K.C.C. 21A.60.080, as recodified by this ordinance, K.C.C. 21A.60.090,
8441 as recodified by this ordinance, K.C.C. 21A.60.030, as recodified by this ordinance,
8442 K.C.C. 21A.60.100, as recodified by this ordinance, and K.C.C. 21A.60.110, as
8443 recodified by this ordinance.

8444 E. The department shall review the community feedback on the project's design,
8445 the project's alignment with the intent of the North Highline urban design standards in
8446 K.C.C. 21A.60.010, as recodified by this ordinance, and the project's consistency with the
8447 design standards in ~~((this chapter))~~ K.C.C. 21A.60.060, as recodified by this ordinance,
8448 K.C.C. 21A.60.040, as recodified by this ordinance, K.C.C. 21A.60.050, as recodified by
8449 this ordinance, K.C.C. 21A.60.070, as recodified by this ordinance, K.C.C. 21A.60.080,
8450 as recodified by this ordinance, K.C.C. 21A.60.090, as recodified by this ordinance,
8451 K.C.C. 21A.60.030, as recodified by this ordinance, K.C.C. 21A.60.100, as recodified by
8452 this ordinance, and K.C.C. 21A.60.110, as recodified by this ordinance. The
8453 department's design review decision shall be made as part of the final decision on the
8454 underlying development proposal. Where a modification to a structure requires design
8455 review under K.C.C. ~~((21A.60.020-A.2.))~~ 21A.60.010, as recodified by this ordinance,
8456 but no other permit is required, the department's design decision shall be a Type 1 land
8457 use decision.

8458 SECTION 191. K.C.C. 21A.60.100, as amended by this ordinance, is hereby
8459 recodified as a new section in K.C.C. chapter 21A.xx (the new chapter created in section
8460 170 of this ordinance) to follow K.C.C. 21A.60.030, as recodified this ordinance.

8461 SECTION 192. Ordinance 19687, Section 18, and K.C.C. 21A.60.100 are hereby
8462 amended to read as follows:

8463 A. The director may waive or modify the application of the North Highline
8464 standards ~~((of this chapter,))~~ if, as determined by a notarized letter from a landlord, leasing
8465 agreement, affidavit of residency, real estate deed, tax return, or record of filing with the
8466 Washington Office of the Secretary of State, the business:

- 8467 1. Has been located in North Highline for at least five years, excluding a franchise
8468 with headquarters outside of North Highline;
- 8469 2. Is owned by a person who has lived in North Highline for at least five years,
8470 excluding a franchise with headquarters outside of North Highline;
- 8471 3. Is a nonprofit organization that provides community and human services to
8472 residents of North Highline; or
- 8473 4. Is located in a structure listed on the National Register of Historic Places ~~((as a~~
8474 ~~historic site))~~ or designated as a state or King County landmark subject to K.C.C. chapter
8475 21A.32.

8476 B. ~~((The director may waive or modify the application of the standards of this~~
8477 ~~chapter if the development provides affordable dwelling units in accordance with K.C.C.~~
8478 ~~chapter 21A.48 and the director determines that the waiver or modification would result in~~
8479 ~~a development that better meets the intent of the design standards in K.C.C. 21A.60.010.~~
8480 ~~€))~~ The director may waive or modify the application of ~~((a))~~ one or more
8481 requirements of the North Highline design standards ~~((in this chapter to))~~ for a
8482 development proposal if the director determines that waiver or modification would result in
8483 a development that better meets the intent of the design standards in K.C.C. 21A.60.010, as
8484 recodified by this ordinance.

8485 ~~((D:))~~ C. A waiver or modification request shall be submitted in writing by the

8486 ((~~developer~~)) applicant to the director. The request shall identify the proposed design
8487 standard requested to be waived or modified, the rationale for why the waiver or
8488 modification should be granted, and how the waiver or modification would result in a
8489 development that better meets the intent of the design standards in K.C.C. 21A.60.010, as
8490 recodified by this ordinance.

8491 SECTION 193. K.C.C. 21A.60.110, as amended by this ordinance, is hereby
8492 recodified as a new section in K.C.C. 21A.xx (the new chapter created in section 170 of
8493 this ordinance) to follow K.C.C. 21A.60.100, as recodified by this ordinance.

8494 SECTION 194. Ordinance 19687, Section 19, and K.C.C. 21A.60.110 is hereby
8495 amended to read as follows:

8496 The director is authorized to promulgate and adopt administrative rules in
8497 accordance with K.C.C. chapter 2.98, to implement and enforce ((~~this chapter~~)) the North
8498 Highline design standards.

8499 SECTION 195. Sections 196 through 202 of this ordinance should constitute a
8500 new chapter in K.C.C. Title 21A, to follow the chapter established in section 170 of this
8501 ordinance.

8502 NEW SECTION. SECTION 196.

8503 A. This chapter contains regulations for the Skyway-West Hill subarea
8504 geography.

8505 B. All developments in the Skyway-West Hill subarea geography are subject to
8506 the development standards in this chapter and as supplemented by this title.

8507 C. Where a conflict exists, the standards in this chapter shall apply except for the
8508 following:

- 8509 1. K.C.C. chapter 21A.24, critical areas;
8510 2. K.C.C. chapter 21A.25, shorelines; and
8511 3. Special district overlays, p-suffix conditions, or demonstration projects.

8512 NEW SECTION. SECTION 197.

8513 A. The allowed uses in K.C.C. chapter 21A.08 shall apply, except as provided in
8514 this section.

8515 B. The total number of cannabis retailers, as permitted in K.C.C. 21A.08.070,
8516 within the Skyway-West Hill subarea geography shall not exceed two. Any cannabis
8517 retailers legally established beyond this limit within Skyway-West Hill before the
8518 adoption of Ordinance 19555 shall be considered a legal nonconformance under K.C.C.
8519 chapter 21A.32.

8520 C. In the CB zone in the Skyway Business District unincorporated activity center,
8521 allowed uses shall be those uses allowed in the underlying zone, excluding the following:

- 8522 1. Motor vehicle and boat dealer;
8523 2. Gasoline service station;
8524 3. Uses with drive-through facilities, except SIC Industry 5812-Eating Places in
8525 buildings existing before July 2017;
8526 4. SIC Industry Group 598-Fuel Dealers;
8527 5. Uses with outside storage, such as lumber yards, miscellaneous equipment
8528 rental, or machinery sales;
8529 6. Bulk retail;
8530 7. Recreational and cultural uses in K.C.C. 21A.08.040, except parks, sports
8531 clubs, theaters, libraries, and museums;

8532 8. SIC Major Group 75-Automotive Repair, Services, and Parking, except SIC
8533 Industry 7521-Automobile Parking, but excluding tow-in parking lots;

8534 9. SIC Major Group 76-Miscellaneous repair services, except SIC Industry
8535 7631-Watch, Clock, and Jewelry Repair;

8536 10. SIC Major Group 78-Motion Pictures;

8537 11. SIC Major Group 80-Health Services, except SIC Industry Groups 801 to
8538 804;

8539 12. SIC Industry Group 421-Trucking and Courier Service;

8540 13. Public agency archive;

8541 14. Self-service storage;

8542 15. Industrial land uses in K.C.C. 21A.08.080, except SIC Industry 2759-
8543 Commercial Printing;

8544 16. Resource land uses in K.C.C. 21A.08.090;

8545 17. Funeral home/crematory;

8546 18. Cemetery, columbarium, or mausoleum;

8547 19. Interim recycling facility;

8548 20. Utility facility, except underground water, gas, or wastewater pipelines; and
8549 21. Vector waste receiving facility.

8550 D. In the NB zone in the Skyway Business District unincorporated activity
8551 center:

8552 1. Allowed uses shall be those uses allowed in the underlying zone, excluding
8553 the following:

8554 a. automotive repair;

8555 b. automotive service;
8556 c. gasoline service stations;
8557 d. uses with drive-through facilities;
8558 e. vector waste receiving facility;
8559 f. self-service storage;
8560 g. cemetery, columbarium, or mausoleum;
8561 h. automobile parking, unless accessory to a permitted primary use occurring on
8562 the property; and

8563 i. interim recycling facility; and

8564 2. In addition to the uses permitted in the underlying zone, the following uses shall
8565 also be permitted:

8566 a. apparel and accessory stores;

8567 b. furniture and home furnishings stores;

8568 c. Used goods: antiques/secondhand shops; and

8569 d. Jewelry stores; and

8570 3. The maximum size for an individual ground floor commercial space shall be one
8571 thousand square feet per tenant.

8572 NEW SECTION. SECTION 198.

8573 A.1. This section establishes the density and dimensional standards for residential
8574 zones in Skyway-West Hill. Measurement methods are identified in K.C.C. chapter
8575 21A.12.

8576 2. The matrix identifies zones in the vertical columns and corresponding
8577 development standards for each zone are in the horizontal rows. The matrix cells contain

8578 the minimum dimensional requirements of the zone.

8579 3. The parenthetical numbers in the matrix identify conditions, requirements,

8580 notes, or modifiers that correspond to the text in subsection B. of this section. A blank

8581 cell indicates that there are no specific requirements. If more than one standard appears

8582 in a cell, each standard shall be applicable to any applicable parenthetical number.

| Skyway-West Hill Residential Density and Dimensional Standards | | | | | | | |
|--|---|---|---|---|---|---|--|
| STANDARDS | R-4 | R-6 | R-8 | R-12 | R-18 | R-24 | R-48 |
| Base Density (1) | 4 du/ac | 6 du/ac | 8 du/ac | 12 du/ac | 18 du/ac | 24 du/ac | 48 du/ac |
| Maximum Density | 5 du/ac (10) 6 du/ac (2) 10 du/ac (3) | 7.5 du/ac (10) 9 du/ac (2) 15 du/ac (3) | 10 du/ac (10) 12 du/ac (2) 24 du/ac (3) | 15 du/ac (10) 18 du/ac (2) 30 du/ac (3) | 22.5 du/ac (10) 27 du/ac (2) 45 du/ac (3) | 30 du/ac (10) 36 du/ac (2) 60 du/ac (3) | 60 du/ac (10) 72 du/ac (2) 120 du/ac (3) |
| Maximum Density for Manufactured Home Communities | 12 du/ac | 12 du/ac | 12 du/ac | 12 du/ac | 18 du/ac | 24 du/ac | 48 du/ac |
| Minimum Density (4) | 85% | 85% | 85% | 80% | 75% | 70% | 65% |

| | | | | | | | |
|---|-----------|-------------------------|-------------------------|-----------|-----------|-----------|-----------|
| Minimum Lot Width (5) | 30 ft | 30 ft | 30 ft | 30 ft | 30ft | 30 ft | 30 ft |
| Minimum Street Setback (5) | 10 ft | 10 ft | 10 ft | 10 ft | 10 ft | 10ft | 10 ft |
| Minimum Street Setback for Garages, Carport, or Fenced Parking (5)(6) | 20 ft | 20 ft | 20 ft | 20 ft | 20 ft | 20 ft | 20 ft |
| Minimum Interior Setback (5) | 5 ft | 5 ft | 5 ft | 5 ft | 5 ft | 5 ft | 5 ft |
| Nonresidential Minimum Street and Interior Setbacks | (13) | (13) | (13) | (13) | (13) | (13) | (13) |
| Base Height (11a) | 35 ft | 35 ft | 35 ft | 60 ft | 60 ft | 60 ft | 60 ft |
| Maximum Height (11b) | 45 ft (7) | 45 ft (7) | 45 ft (7) | 65 ft (3) | 80 ft (3) | 80 ft (3) | 80 ft (3) |
| Nonresidential Maximum Height | 75 ft (8) | 45 ft (7a) 75 ft (8) | 45 ft (7a) 75 ft (8) | 75 ft (8) | 75 ft (8) | 75 ft (8) | 75 ft (8) |

| | | | | | | | |
|---|-----|-----|-----|-----|-----|-----|-----|
| Maximum Impervious Surface (9) | 55% | 70% | 75% | 85% | 85% | 85% | 90% |
| Nonresidential Maximum Impervious (9) | 70% | 80% | 80% | 85% | 85% | 85% | 90% |

- 8583 B. Development conditions for the Skyway-West Hill residential density and
8584 dimensional standards.
- 8585 1. Density applies only to dwelling units and not to sleeping units.
- 8586 2. This maximum density is allowed in the following circumstances:
- 8587 a. for a duplex through a transfer of development right in accordance with
8588 K.C.C. 21A.08.030.B.12.;
- 8589 b. for a development with nine or fewer units through a transfer of
8590 development rights; or
- 8591 c. for a development with nine or fewer units on a site located within a half-
8592 mile watershed of a high-capacity or frequent transit stop as mapped by the Metro transit
8593 department.
- 8594 3. This maximum is allowed through the inclusionary housing program in
8595 K.C.C. chapter 21A.48.
- 8596 4. The minimum density shall be calculated consistent with K.C.C. 21A.12.060
8597 and K.C.C. 21A.12.087.
- 8598 5. These standards may be modified under the provisions for zero-lot-line and
8599 townhouse developments in K.C.C. chapter 21A.14.
- 8600 6. The setback distance shall be measured along the center line of the driveway

8601 from the access point to such garage, carport, or fenced area to the street property line.

8602 7. This maximum height is allowed in the following circumstances:

8603 a. for a building on slopes exceeding a fifteen percent finished grade;

8604 b. through the inclusionary housing regulations in accordance with K.C.C.

8605 chapter 21A.48; or

8606 c. for a structure that provide one additional foot of street and interior setback

8607 for each foot above the base height.

8608 8.a. Portions of a nonresidential structure may exceed the base height if one

8609 additional foot of street and interior setback is provided for each foot above the base

8610 height.

8611 b. Netting, fencing, and related support structures used to contain golf balls on

8612 a golf course or golf driving range are exempt from additional interior setback

8613 requirements. In recreation and multiuse parks, golf ball netting, fencing and related

8614 support structures shall not exceed one-hundred twenty-five feet, unless a golf ball

8615 trajectory study requires a higher fence.

8616 9. The impervious surface maximum applies to each individual lot. Impervious

8617 surface does not include access easements serving neighboring property and driveways to

8618 the extent that they extend beyond the street setback due to location within an access

8619 panhandle or due to the application of King County Code requirements to locate features

8620 over which the applicant does not have control. Impervious surface area standards for:

8621 a. individual lots in the R-4 through R-6 zones that are less than nine thousand

8622 seventy-six square feet in area shall be subject to the applicable provisions of the nearest

8623 comparable R-6 or R-8 zone;

8624 b. a lot may be increased beyond the total amount allowed in this chapter
8625 subject to approval of a conditional use permit; and
8626 c. regional uses shall be established at the time of permit review.

8627 10. This maximum density is allowed for developments with child daycares
8628 under section 239 of this ordinance.

8629 11. For cottage housing developments only:
8630 a. the base height is twenty-five feet; and
8631 b. buildings that have pitched roofs with a minimum slope of six over twelve
8632 may achieve a maximum height of thirty feet at the ridge of the roof.

8633 12. Reserved.

8634 13. The street and interior setbacks for nonresidential development, except for
8635 fences and backstops, are as follows:
8636 a. nonresidential uses with less than two thousand five hundred square feet of
8637 floor area shall be subject to the setbacks of the underlying zone;
8638 b. government and institutional uses shall be thirty feet;
8639 c. battery energy storage systems not defined as accessory uses under K.C.C.
8640 21A.06.015, 21A.06.020, or 21A.06.025 shall be thirty feet;
8641 d. regional uses shall be established at the time of permit review;
8642 e. utility facilities shall be subject to the setbacks of the underlying zone;
8643 f. where a setback is identified for a specific land use in the applicable zone,
8644 that setback shall apply; and
8645 g. all other nonresidential development exceeding two thousand five hundred
8646 square feet of floor area shall be fifteen feet.

8647 NEW SECTION. SECTION 199.

8648 A.1. This section establishes the density and dimensional standards for
8649 commercial and industrial zones in in Skyway-West Hill. Measurement methods are
8650 identified in K.C.C. chapter 21A.12.

8651 2. The matrix identifies zones in the vertical columns and corresponding
8652 development standards for each zone are in the horizontal rows. The matrix cells contain
8653 the minimum dimensional requirements of the zone.

8654 3. The parenthetical numbers in the matrix identify conditions, requirements,
8655 notes, or modifiers that correspond to the text in subsection B. of this section. A blank
8656 cell indicates that there are no specific requirements. If more than one standard appears
8657 in a cell, each standard shall be applicable to any applicable parenthetical number.

| Skyway-West Hill Commercial and Industrial Density and Dimensional Standards | | | | | |
|--|----------------------------------|-------------------------------|-------------------------------|-------------------------------|--|
| STANDARDS | NB | CB | RB | O | I |
| Base Density (1) | 8 du/ac | 48 du/ac | 48 du/ac | 48 du/ac | |
| Maximum Density | 12 du/ac (2) 24 du/ac (3) | 72 du/ac (2) 144 du/ac (3) | 72 du/ac (2) 144 du/ac (3) | 72 du/ac (2) 144 du/ac (3) | |
| Minimum Street Setback (4) | 10 ft | 0 ft | 10 ft | 10 ft | 25 ft |
| Minimum Interior Setback | 0 ft 10 ft (5d) 20 ft (5c) | 0 ft | 0 ft 20 ft (5a) | 0 ft 20 ft (5a) | 0 ft 20 ft (5a) 50 ft (5b) |
| Base Height | 35 ft | 35 ft | 35 ft | 45 ft | 45 ft |

| | | | | | |
|---|------------------------|--------------------|--------------------|--------------------|-------|
| Mixed-Use Maximum Height (11) | 45 ft (7) 65 ft (3) | 60 ft 80 ft (3) | 65 ft 85 ft (3) | 65 ft 85 ft (3) | |
| Nonresidential Maximum Height (8) (11) | 75 ft | 75 ft | 75 ft | 75 ft | 75 ft |
| Maximum Mixed-Use Floor Area Ratio (6)(10) | 2/1 | 4/1 | 4/1 | 4/1 | |
| Maximum Nonresidential Floor Area Ratio (10) | 1/1 | 5/1 | 3/1 | 3/1 | 3/1 |
| Maximum Impervious Surface (9) | 85% | 85% | 90% | 75% | 90% |

8658 B. Development conditions for the Skyway-West Hill commercial and industrial

8659 density and dimensional standards.

8660 1.a. Density applies only to dwelling units and not to sleeping units.

8661 b. These densities are allowed only:

8662 (1) for mixed-use developments; or

8663 (2) standalone townhouses on property zoned NB and designated commercial
8664 outside of center.

8665 2. This maximum density is allowed in the following circumstances:

8666 a. for a mixed-use development with nine or fewer units through a transfer of
8667 development rights; or

8668 b. for a mixed-use development with nine or fewer units on a site located
8669 within a half-mile walkshed of a high-capacity or frequent transit stop as mapped by the
8670 Metro transit department.

8671 3. This maximum is allowed for a mixed-use development through the
8672 inclusionary housing program in K.C.C. chapter 21A.48.

8673 4. Gasoline service station pump islands shall be placed no closer than twenty-
8674 five feet to street property lines.

8675 5.a. Required on property lines adjoining RA, UR, and R zones.

8676 b. Required on property lines adjoining R zones for industrial uses established
8677 by conditional use permits.

8678 c. Required on property lines adjoining R zones unless a standalone townhouse
8679 development on property designated commercial outside of center is adjacent to a
8680 property developed with an existing townhouse development.

8681 d. Required on property lines adjoining R zones only for a social service agency
8682 office reusing a residential structure in existence on January 1, 2010.

8683 6. Developments under the inclusionary housing program in K.C.C. chapter
8684 21A.48 shall not be subject to a floor area ratio maximum.

8685 7. This maximum height allowed only for:

8686 a. mixed-use developments; and

8687 b. standalone townhouse development in the NB zone on property designated
8688 commercial outside of center.

8689 8.a. Portions of a nonresidential structure may exceed the base height if one
8690 additional foot of street and interior setback is provided for each foot above the base
8691 height.

8692 b. Netting, fencing, and related support structures used to contain golf balls on
8693 a golf course or golf driving range are exempt from additional interior setback
8694 requirements. In recreation and multiuse parks, golf ball netting, fencing, and related
8695 support structures shall not exceed one-hundred twenty-five feet, unless a golf ball
8696 trajectory study requires a higher fence.

8697 9. The impervious surface area may be increased beyond the total amount
8698 allowed in this chapter subject to approval of a conditional use permit.

8699 10. Additional floor area ratio is allowed for developments with child daycares
8700 under section 239 of this ordinance.

8701 11. Upper-level step backs are required for any facade facing a pedestrian street
8702 for any portion of the structure greater than forty-five feet in height. The upper-level step
8703 back shall be at least one foot for every two feet of height above forty-five feet, up to a
8704 maximum of ten feet. The first four feet of horizontal projection of decks, balconies with
8705 open railings, eaves, cornices, and gutters are allowed in required step backs.

8706 NEW SECTION. SECTION 200.

8707 A. The landscaping standards in K.C.C. chapter 21A.16 shall apply, except as
8708 provided in this section.

8709 B. In the Skyway unincorporated activity center, perimeter landscaping along
8710 streets may be waived, if street trees and other pedestrian-related amenities are provided.

8711 NEW SECTION. SECTION 201.

8712 A. The parking standards in K.C.C. chapter 21A.18 shall apply, except as
8713 provided in this section.

8714 B. In the CB zone of the Skyway unincorporated activity center, relief from
8715 K.C.C. 21A.18.110.A.4. that may be granted by the director shall only allow use of on-
8716 street parallel parking in front of or adjacent to the subject parcel for the parking spaces
8717 that cannot be accommodated to the rear or sides of buildings.

8718 C. In the NB zone of the Skyway unincorporated activity center:

8719 a. required off-street parking and access shall be to rear or side of building; and

8720 b. on-street parking within two hundred and fifty feet of the site may be counted
8721 toward the off-street parking requirement for the commercial uses.

8722 NEW SECTION. SECTION 202.

8723 A. In the NB and O zones in Skyway-West Hill, the following design standards
8724 apply:

8725 1. Main building entrances shall be oriented to public streets;

8726 2. Building facades of ground floor retail, general business service, and
8727 professional office land uses that front onto a street shall incorporate windows into at
8728 least thirty percent of the building facade surface area and overhead protection above all
8729 building entryways;

8730 3. Building shall comprise at least seventy-five percent of the total street
8731 frontage for a property and if applicable, at least seventy-five percent of the total
8732 pedestrian route frontage for a property;

8733 4. Buildings facades shall not be comprised of uninterrupted glass curtain walls
8734 or mirrored glass;

8735 5. For developments on Rainier Avenue S, vehicle access shall be limited to the
8736 rear access alley or rear access street where such an alley or street exists; and

8737 6. For developments on Rainier Avenue S, the ground floor (at grade) of
8738 buildings shall be located no more than five feet from the sidewalk or sidewalk
8739 improvement, but shall not encroach on the public right-of-way. For buildings existing
8740 before August 20, 2020, with setbacks greater than five feet and that have substantial
8741 improvements made to them after August 20, 2020, a minimum five-foot-wide pedestrian
8742 walkway shall be constructed that connects the main building entrance to the public
8743 sidewalk or sidewalk improvement.

8744 B. In the CB zone in the Skyway unincorporated activity center, the following
8745 design standards apply:

8746 1. Main building entrances shall be oriented to the public street;

8747 2. At the ground floor (at grade), buildings shall be located no more than five
8748 feet from the sidewalk or sidewalk improvement, but shall not encroach on the public
8749 right-of-way. For buildings existing before August 20, 2020, with setbacks greater than
8750 five feet and that have substantial improvements made to them after August 20, 2020, a
8751 minimum five-foot-wide pedestrian walkway shall be constructed that connects the main
8752 building entrance to the public sidewalk or sidewalk improvement;

8753 3. Building facades shall comprise at least seventy-five percent of the total street
8754 frontage for a property and if applicable, at least seventy-five percent of the total
8755 pedestrian route frontage for a property;

8756 4. Minimum setbacks of the underlying zoning are waived;

8757 5. Building facades that front onto a street shall incorporate windows into at
8758 least thirty percent of the building facade surface area and overhead protection above all
8759 building entrances and along at least fifty percent of length of the building facade, which
8760 may extend over the sidewalk if it does not impede use of the sidewalk by the public;

8761 6. Ground floor building facades shall include ornamentation such as decorative
8762 architectural treatments or finishes, pedestrian scale lighting, and window and door trim;

8763 7. Buildings facades shall not be comprised of uninterrupted glass curtain walls
8764 or mirrored glass; and

8765 8. Vehicle access shall be limited to the rear access alley or rear access street
8766 where such an alley or street exists.

8767 SECTION 203. Sections 204 through 208 of this ordinance should constitute a
8768 new chapter in K.C.C. Title 21A, to follow the chapter established in section 195 of this
8769 ordinance.

8770 NEW SECTION. SECTION 204.

8771 A. This chapter contains regulations for the urban area outside of Skyway-West
8772 Hill and North Highline subarea geographies.

8773 B. All developments in the urban area are subject to the development standards in
8774 this chapter and as supplemented by this title.

8775 C. Where a conflict exists, the standards in this chapter shall apply except for the
8776 following:

8777 1. K.C.C. chapter 21A.23, sea level rise risk area;

8778 2. K.C.C. chapter 21A.24, critical areas;

8779 3. K.C.C. chapter 21A.25, shorelines; and

8780 4. Special district overlays, p-suffix conditions, or demonstration projects.

8781 NEW SECTION. SECTION 205.

8782 A.1. This section establishes the density and dimensional standards for residential
8783 zones in the urban area outside of North Highline and Skyway-West Hill. Measurement
8784 methods are identified in K.C.C. chapter 21A.12.

8785 2. The matrix identifies zones in the vertical columns and corresponding
8786 development standards for each zone are in the horizontal rows. The matrix cells contain
8787 the minimum dimensional requirements of the zone.

8788 3. The parenthetical numbers in the matrix identify conditions, requirements,
8789 notes, or modifiers that correspond to the text in subsection B. of this section. A blank
8790 cell indicates that there are no specific requirements. If more than one standard appears
8791 in a cell, each standard shall be applicable to any applicable parenthetical number.

| Urban Area Residential Density and Dimensional Standards | | | | | | | | | |
|--|----------------------|-----------------------|--------------------|----------------------|---------------------|---------------------|-----------------------|---------------------|---------------------|
| STANDARD | UR | R-1 (14) (15) | R-4 | R-6 | R-8 | R-12 | R-18 | R-24 | R-48 |
| Base Density (1) | 0.2 du/ac (18) | 1 du/ac | 4 du/ac | 6 du/ac | 8 du/ac | 12 du/ac | 18 du/ac | 24 du/ac | 48 du/ac |
| Maximum Density | | 1.25 du/ac (10) | 5 du/ac (10) | 7.5 du/ac (10) | 10 du/ac (10) | 15 du/ac (10) | 22.5 du/ac (10) | 30 du/ac (10) | 60 du/ac (10) |

| | | | | | | | | | |
|---|---------------|---------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|---------------------|
| | | 1.5 du/ac (2) | 6 du/ac (2) | 9 du/ac (2) | 12 du/ac (2) | 18 du/ac (2) | 27 du/ac (2) | 36 du/ac (2) | 72 du/ac (2) |
| | | | 12 du/ac (3) | 18 du/ac (3) | 24 du/ac (3) | 36 du/ac (3) | 54 du/ac (3) | 72 du/ac (3) | 144 du/ac (3) |
| Maximum Density for Manufactured Home Communities | | | 12 du/ac | 12 du/ac | 12 du/ac | 12 du/ac | 18 du/ac | 24 du/ac | 48 du/ac |
| Minimum Density (4) | | | 85% | 85% | 85% | 80% | 75% | 70% | 65% |
| Minimum Lot Width (5) | 35 ft (16) | 35 ft (16) | 30 ft | 30 ft | 30 ft | 30 ft | 30ft | 30 ft | 30 ft |
| Minimum Street Setback (5) | 30 ft (16) | 20 ft (16) | 10 ft | 10 ft | 10 ft | 10 ft | 10 ft | 10ft | 10 ft |
| Minimum Street Setback for Garages, Carport, or Fenced Parking (5)(6) | 30 ft (16) | 20 ft (16) | 20 ft | 20 ft | 20 ft | 20 ft | 20 ft | 20 ft | 20 ft |

| | | | | | | | | | |
|---|--------------|---------------------------|--------------|-------------------------------|-------------------------------|--------------|--------------|--------------|--------------|
| Minimum Interior Setback (5) | 5 ft (16) | 5 ft (16) | 5 ft | 5 ft | 5 ft | 5 ft | 5 ft | 5 ft | 5 ft |
| Nonresidential Minimum Street and Interior Setbacks | (13) (16) | (13) (16) | (13) | (13) | (13) | (13) | (13) | (13) | (13) |
| Base Height (11a) | 35 ft | 35 ft | 35 ft | 35 ft | 35 ft | 60 ft | 60 ft | 60 ft | 60 ft |
| Maximum Height (11b) | 35 ft | 45 ft (7c) | 45 ft (7) | 45 ft (7) | 45 ft (7) | 65 ft (3) | 80 ft (3) | 80 ft (3) | 80 ft (3) |
| Nonresidential Maximum Height | 75 ft (8) | 75 ft (8) | 75 ft (8) | 45 ft (7a) 75 ft (8) | 45 ft (7a) 75 ft (8) | 75 ft (8) | 75 ft (8) | 75 ft (8) | 75 ft (8) |
| Maximum Impervious Surface (9) | 30% (12) | 8% (17) 30% (12) | 55% | 70% | 75% | 85% | 85% | 85% | 90% |
| Nonresidential Maximum Impervious (9) | 70% (12) | 8% (17) 70% (12) | 70% | 80% | 80% | 85% | 85% | 85% | 90% |

8792

B. Development conditions for the urban area residential density and dimensional

8793 standards.

8794 1. Density applies only to dwelling units and not to sleeping units.

8795 2. This maximum density is allowed in the following circumstances:

8796 a. for a duplex through a transfer of development right in accordance with

8797 K.C.C. 21A.08.030.B.12.;

8798 b. for a development with nine or fewer units through a transfer of

8799 development rights; or

8800 c. for a development with nine or fewer units on a site located within a half-

8801 mile watershed of a high-capacity or frequent transit stop as mapped by the Metro transit

8802 department.

8803 3. This maximum is allowed through the inclusionary housing program in

8804 K.C.C. chapter 21A.48.

8805 4. The minimum density shall be calculated consistent with K.C.C. 21A.12.060

8806 and K.C.C. 21A.12.087.

8807 5. These standards may be modified under the provisions for zero-lot-line and

8808 townhouse developments in K.C.C. chapter 21A.14.

8809 6. The setback distance shall be measured along the center line of the driveway

8810 from the access point to such garage, carport, or fenced area to the street property line.

8811 7. This maximum height is allowed in the following circumstances:

8812 a. for a building on slopes exceeding a fifteen percent finished grade;

8813 b. through the inclusionary housing regulations in accordance with K.C.C.

8814 chapter 21A.48; or

8815 c. for a structure that provide one additional foot of street and interior setback

8816 for each foot above the base height.

8817 8.a. Portions of a nonresidential structure may exceed the base height if one
8818 additional foot of street and interior setback is provided for each foot above the base
8819 height.

8820 b. Netting, fencing, and related support structures used to contain golf balls on
8821 a golf course or golf driving range are exempt from additional interior setback
8822 requirements. In recreation and multiuse parks, golf ball netting, fencing and related
8823 support structures shall not exceed one-hundred twenty-five feet, unless a golf ball
8824 trajectory study requires a higher fence.

8825 9. The impervious surface maximum applies to each individual lot. Impervious
8826 surface does not include access easements serving neighboring property and driveways to
8827 the extent that they extend beyond the street setback due to location within an access
8828 panhandle or due to the application of King County Code requirements to locate features
8829 over which the applicant does not have control. Impervious surface area standards for:

8830 a. individual lots in the R-4 through R-6 zones that are less than nine thousand
8831 seventy-six square feet in area shall be subject to the applicable provisions of the nearest
8832 comparable R-6 or R-8 zone;

8833 b. a lot may be increased beyond the total amount allowed in this chapter
8834 subject to approval of a conditional use permit; and

8835 c. regional uses shall be established at the time of permit review.

8836 10. This maximum density is allowed for developments with child daycares
8837 under section 239 of this ordinance.

8838 11. For cottage housing developments only:

8839 a. the base height is twenty-five feet; and

8840 b. buildings that have pitched roofs with a minimum slope of six over twelve

8841 may achieve a maximum height of thirty feet at the ridge of the roof.

8842 12.a. Lots smaller than one-half acre shall comply with the standards of the

8843 nearest comparable R-4 through R-8 zone.

8844 b. Lots that are one-half acre or larger shall have a maximum impervious

8845 surface area of at least ten thousand square feet.

8846 c. Lots over one acre may have an additional five percent for buildings related

8847 to agricultural or forestry practices.

8848 d. Lots between one-half acre and two acres may have an additional ten

8849 percent for structures that are determined to be medically necessary consistent with

8850 K.C.C. 21A.32.170.

8851 13. The street and interior setbacks for nonresidential development, except for

8852 fences and backstops, are as follows:

8853 a. nonresidential uses with less than two thousand five hundred square feet of

8854 floor area shall be subject to the setbacks of the underlying zone;

8855 b. government and institutional uses shall be thirty feet;

8856 c. battery energy storage systems not defined as accessory uses under K.C.C.

8857 21A.06.015, 21A.06.020, or 21A.06.025 shall be thirty feet;

8858 d. regional uses shall be established at the time of permit review;

8859 e. utility facilities shall be subject to the setbacks of the underlying zone;

8860 f. where a setback is identified for a specific land use in the applicable zone,

8861 that setback shall apply; and

8862 g. all other nonresidential development exceeding two thousand five hundred
8863 square feet of floor area shall be fifteen feet.

8864 14.a. Clustering in accordance with K.C.C. 21A.14.040 shall be required for
8865 subdivisions and short subdivisions in the R-1 zone if the property is located within or
8866 contains one or more of the following:

- 8867 (1) alluvial fan hazard areas;
- 8868 (2) critical aquifer recharge area;
- 8869 (3) moderate or severe coal mine hazard areas;
- 8870 (4) flood hazard areas;
- 8871 (5) landslide hazard areas;
- 8872 (6) the riparian area of a type S or F aquatic area;
- 8873 (7) steep slope hazard area;
- 8874 (8) category I or II wetlands or their buffers;
- 8875 (9) existing or planned public parks or trails, or connections to such facilities;

8876 or

- 8877 (10) an urban separator or wildlife habitat network designated by the
8878 Comprehensive Plan.

8879 b. The development shall be clustered away from critical areas or the axis of
8880 designated corridors such as urban separators or the wildlife habitat network to the extent
8881 possible and the natural area shall be placed in a separate tract. Natural area tracts shall
8882 be permanent and shall be dedicated to a homeowners association or other suitable
8883 organization, as determined by the director, and meet the requirements in K.C.C.
8884 21A.14.040. On-site critical area and buffers and designated urban separators shall be

placed within the natural area tract to the extent possible. Passive recreation, with no development of recreational facilities, and natural-surface pedestrian and equestrian trails are acceptable uses within the natural area tract.

15. Height and setback requirements shall not apply to regional transit authority facilities.

16. Lots smaller than fifteen thousand square feet shall comply with standards of the R-4 zone.

17. Subdivisions and short subdivisions in R-1 and RA zones within the North Fork and Upper Issaquah Creek subbasins of the Issaquah Creek Basin, as identified in the Issaquah Creek Basin and Nonpoint Action Plan, and the portion of the Grand Ridge area of the Snoqualmie Valley/Northeast King County subarea geography that drains to Patterson Creek shall have a maximum impervious surface area of eight percent. The maximum impervious surface area for each lot shall be recorded on the face of the plat. The impervious surface of roads is excluded from the maximum impervious area. Where both lot- and plat-specific impervious surface limits apply, the more restrictive shall apply.

18. Base density may be exceeded if the property is located in a designated Urban Growth Area for Cities in the Rural Area and each proposed lot contains an occupied legal residence that predates 1959.

NEW SECTION. SECTION 206.

A.1. This section establishes the density and dimensional standards for commercial and industrial zones in the urban area outside of North Highline and Skyway-West Hill. Measurement methods are identified in K.C.C. chapter 21A.12.

8908 2. The matrix identifies zones in the vertical columns and corresponding
 8909 development standards for each zone are in the horizontal rows. The matrix cells contain
 8910 the minimum dimensional requirements of the zone.

8911 3. The parenthetical numbers in the matrix identify conditions, requirements,
 8912 notes, or modifiers that correspond to the text in subsection B. of this section. A blank
 8913 cell indicates that there are no specific requirements. If more than one standard appears
 8914 in a cell, each standard shall be applicable to any applicable parenthetical number.

| Urban Area Commercial and Industrial Density and Dimensional Standards | | | | | |
|---|------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|----------------------------------|
| STANDARDS | NB | CB | RB | O | I |
| Base Density (1) | 8 du/ac | 48 du/ac | 48 du/ac | 48 du/ac | |
| Maximum Density | 12 du/ac (2) 24 du/ac (3) | 72 du/ac (2) 144 du/ac (3) | 72 du/ac (2) 144 du/ac (3) | 72 du/ac (2) 144 du/ac (3) | |
| Minimum Street Setback (4) | 10 ft | 10 ft | 10 ft | 10 ft | 25 ft |
| Minimum Interior Setback | 0 ft 10 ft (5d) 20 ft (5c) | 0 ft 20 ft (5a) | 0 ft 20 ft (5a) | 0 ft 20 ft (5a) | 0 ft 20 ft (5a) 50 ft (5b) |
| Base Height | 35 ft | 35 ft | 35 ft | 45 ft | 45 ft |

| | | | | | |
|---|------------------------|--------------------|--------------------|--------------------|-------|
| Mixed-Use Maximum Height (11) | 45 ft (7) 65 ft (3) | 60 ft 80 ft (3) | 65 ft 85 ft (3) | 65 ft 85 ft (3) | |
| Nonresidential Maximum Height (8) (11) | 75 ft | 75 ft | 75 ft | 75 ft | 75 ft |
| Maximum Mixed-Use Floor Area Ratio (6) (10) | 2/1 | 3.5/1 | 4/1 | 4/1 | |
| Maximum Nonresidential Floor Area Ratio (10) | 1/1 | 3/1 | 3/1 | 3/1 | 3/1 |
| Maximum Impervious Surface (9) | 85% | 85% | 90% | 75% | 90% |

8915 B. Development conditions for the urban area commercial and residential density

8916 and dimensional standards.

8917 1.a. Density applies only to dwelling units and not to sleeping units.

8918 b. These densities are allowed only:

8919 (1) for mixed-use developments; or

8920 (2) standalone townhouses on property zoned NB and designated commercial

8921 outside of center.

8922 2. This maximum density is allowed in the following circumstances:

8923 a. for a mixed-use development with nine or fewer units through a transfer of
8924 development rights; or

8925 b. for a mixed-use development with nine or fewer units on a site located
8926 within a half-mile walkshed of a high-capacity or frequent transit stop as mapped by the
8927 Metro transit department.

8928 3. This maximum is allowed for a mixed-use development through the
8929 inclusionary housing program in K.C.C. chapter 21A.48.

8930 4. Gasoline service station pump islands shall be placed no closer than twenty-
8931 five feet to street property lines.

8932 5.a. Required on property lines adjoining RA, UR, and R zones.

8933 b. Required on property lines adjoining RA, UR, and R zones for industrial
8934 uses established by conditional use permits.

8935 c. Required on property lines adjoining R zones unless a standalone townhouse
8936 development on property designated commercial outside of center is adjacent to a
8937 property developed with an existing townhouse development.

8938 d. Required on property lines adjoining R zones only for a social service
8939 agency office reusing a residential structure in existence on January 1, 2010.

8940 6. Developments under the inclusionary housing program in K.C.C. chapter
8941 21A.48 shall not be subject to a floor area ratio maximum.

8942 7. This maximum height allowed only for:

8943 a. mixed-use developments; and

8944 b. standalone townhouse development in the NB zone on property designated
8945 commercial outside of center.

8946 8.a. Portions of a nonresidential structure may exceed the base height if one
8947 additional foot of street and interior setback is provided for each foot above the base
8948 height.

8949 b. Netting, fencing, and related support structures used to contain golf balls on
8950 a golf course or golf driving range are exempt from additional interior setback
8951 requirements. In recreation and multiuse parks, golf ball netting, fencing, and related
8952 support structures shall not exceed one-hundred twenty-five feet, unless a golf ball
8953 trajectory study requires a higher fence.

8954 9. The impervious surface area may be increased beyond the total amount
8955 allowed in this chapter subject to approval of a conditional use permit.

8956 10. Additional floor area ratio is allowed for developments with child daycares
8957 under section 239 of this ordinance.

8958 11. Upper-level step backs are required for any facade facing a pedestrian street
8959 for any portion of the structure greater than forty-five feet in height. The upper-level step
8960 back shall be at least one foot for every two feet of height above forty-five feet, up to a
8961 maximum of ten feet. The first four feet of horizontal projection of decks, balconies with
8962 open railings, eaves, cornices, and gutters are allowed in required step backs.

8963 NEW SECTION. SECTION 207. The landscaping standards in K.C.C. chapter
8964 21A.16 shall apply.

8965 NEW SECTION. SECTION 208. The parking standards in K.C.C. chapter
8966 21A.18 shall apply.

8967 SECTION 209. Sections 210 through 216 of this ordinance should constitute a
8968 new chapter in K.C.C. Title 21A, to follow the chapter established in section 203 of this
8969 ordinance.

8970 NEW SECTION. SECTION 210.

8971 A. This chapter contains regulations for the Snoqualmie Pass and Vashon Rural
8972 Towns.

8973 B. All developments in the Snoqualmie Pass and Vashon Rural Towns are subject
8974 to the development standards in this chapter and as supplemented by this title.

8975 C. Where a conflict exists, the standards in this chapter shall apply except for the
8976 following:

- 8977 1. K.C.C. chapter 21A.23, sea level rise risk area;
- 8978 2. K.C.C. chapter 21A.24, critical areas;
- 8979 3. K.C.C. chapter 21A.25, shorelines; and
- 8980 4. Special district overlays, p-suffix conditions, or demonstration projects.

8981 NEW SECTION. SECTION 211.

8982 A. The allowed uses in K.C.C. chapter 21A.08 shall apply, except as provided in
8983 this section.

8984 B. Formula businesses are prohibited in the Vashon Rural Town, except that
8985 formula businesses classified as general business service, food stores, or building
8986 materials and hardware stores are allowed as noted in this section.

8987 C. In the CB zone of the Vashon Rural Town, the allowed uses in K.C.C. chapter
8988 21A.08 are replaced with the uses in this subsection. Where one or more development

8989 conditions is identified in a land use table in K.C.C. chapter 21A.08 for a specific use in
8990 the CB zone, they shall also apply to the following uses:

8991 1. Residential land uses:

8992 a. as a permitted use:

8993 (1) townhouses;

8994 (2) apartments;

8995 (3) senior assisted housing; and

8996 (4) home occupations under K.C.C. chapter 21A.30;

8997 2. Recreational and cultural land uses:

8998 a. as a permitted use:

8999 (1) park;

9000 (2) theater;

9001 (3) bowling center;

9002 (5) library;

9003 (6) museum;

9004 (7) arboretum; and

9005 (8) conference center;

9006 3. Health care services and residential care services land uses:

9007 a. as a permitted use:

9008 (1) doctor's office/outpatient clinic;

9009 (2) medical or dental lab;

9010 (3) social services;

9011 (4) nursing and personal care facilities;

- 9012 (5) hospital; and
- 9013 (6) community residential facility I and II;
- 9014 4. Personal services and lodging land uses:
- 9015 a. as a permitted use:
- 9016 (1) beauty and barber shops;
- 9017 (2) shoe repair shops;
- 9018 (3) laundry, cleaning, and garment services;
- 9019 (4) drycleaners and garment pressing;
- 9020 (5) carpet and upholstery cleaning;
- 9021 (6) sports club;
- 9022 (7) specialized instruction school;
- 9023 (8) funeral home/crematory;
- 9024 (9) daycare I;
- 9025 (10) daycare II;
- 9026 (11) automotive repair;
- 9027 (12) miscellaneous repair;
- 9028 (13) religious facility;
- 9029 (14) veterinary clinic;
- 9030 (15) commercial kennel;
- 9031 (16) interim recycling facility;
- 9032 (17) hotel/motel; and
- 9033 (18) bed and breakfast guesthouse;
- 9034 5. Government and education land uses:

- 9035 a. as a permitted use:
- 9036 (1) public agency or utility office;
- 9037 (2) police facility;
- 9038 (3) utility facility;
- 9039 (4) private stormwater management facility;
- 9040 (5) commuter parking lot; and
- 9041 (6) secondary or high school;
- 9042 6. Business services land uses:
- 9043 a. as a permitted use:
- 9044 (1) individual transportation and taxi;
- 9045 (2) trucking and courier service;
- 9046 (3) self-service storage;
- 9047 (4) passenger transportation service;
- 9048 (5) telegraph and other communications (excluding towers);
- 9049 (6) general business service;
- 9050 (7) professional office;
- 9051 (8) miscellaneous equipment rental;
- 9052 (9) automotive parking; and
- 9053 (10) commercial/industrial accessory uses (administrative offices, employee
- 9054 exercise and food service facilities, storage of agricultural raw materials or products
- 9055 manufactured on-site, owner/caretaker residence, grounds maintenance);
- 9056 7. Retail land uses:
- 9057 a. as a permitted use:

- | | |
|------|--|
| 9058 | (1) building materials and hardware stores; |
| 9059 | (2) retail nursery, garden center, and farm supply stores; |
| 9060 | (3) department and variety stores; |
| 9061 | (4) food stores; |
| 9062 | (5) farmers market; |
| 9063 | (6) auto supply stores; |
| 9064 | (7) apparel and accessory stores; |
| 9065 | (8) furniture and home furnishings stores; |
| 9066 | (9) eating and drinking places; |
| 9067 | (10) remote tasting rooms; |
| 9068 | (11) drug stores; |
| 9069 | (12) liquor stores; |
| 9070 | (13) used goods: antiques/secondhand shops; |
| 9071 | (14) sporting goods and related stores; |
| 9072 | (15) book, stationery, video, and art supply stores; |
| 9073 | (16) jewelry stores; |
| 9074 | (17) hobby, toy, game shops; |
| 9075 | (18) photographic and electronic shops; |
| 9076 | (19) photographic and electronic shops; |
| 9077 | (20) fabric shops; |
| 9078 | (21) florist shops; |
| 9079 | (22) personal medical supply stores; |
| 9080 | (23) pet shops; and |

9081 (24) cannabis retailer;

9082 8. Industrial land uses:

9083 a. as a permitted use:

9084 (1) cannabis processor I;

9085 (2) printing and publishing; and

9086 (3) winery/brewery/distillery; and

9087 9. Regional land uses:

9088 a. as a permitted use:

9089 (1) wastewater treatment facility.

9090 D. In the I zone of the Vashon Rural Town, the allowed uses in K.C.C. chapter

9091 21A.08 are replaced with the uses in this subsection. Where one or more development

9092 conditions is identified in a land use table in K.C.C. chapter 21A.08 for a specific use in

9093 the I zone, they shall also apply to the following uses.

9094 1. Recreational and cultural land uses:

9095 a. as a permitted use:

9096 (1) Park;

9097 (2) Trails;

9098 (3) Campgrounds;

9099 (4) Theater;

9100 (5) Bowling Center;

9101 (6) Amusement and recreation services; and

9102 (7) Museum;

9103 2. Health care services and residential care services land uses:

- 9104 a. as a permitted use:
- 9105 (1) doctor's office/outpatient clinic; and
- 9106 (2) medical or dental lab;
- 9107 3. Personal services and lodging land uses:
- 9108 a. as a permitted use:
- 9109 (1) specialized instruction school;
- 9110 (2) beauty and barber shops;
- 9111 (3) shoe repair shops;
- 9112 (4) laundry, cleaning and garment services;
- 9113 (5) drycleaners and garment pressing;
- 9114 (6) carpet and upholstery cleaning;
- 9115 (7) daycare I;
- 9116 (8) daycare II;
- 9117 (9) veterinary clinic, subject to K.C.C. 21A.08.050.B.10.;
- 9118 (10) automotive repair;
- 9119 (11) automotive service;
- 9120 (12) miscellaneous repair;
- 9121 (13) animal specialty services;
- 9122 (14) dog training facilities;
- 9123 (15) artist studios; and
- 9124 (16) interim recycling facility;
- 9125 4. Government and education land uses:
- 9126 a. as a permitted use:

- 9127 (1) public agency or utility office;
- 9128 (2) public agency or utility yard;
- 9129 (3) public agency archives;
- 9130 (4) police facility;
- 9131 (5) fire facility;
- 9132 (6) utility facility;
- 9133 (7) commuter parking lot;
- 9134 (8) private stormwater management facility;
- 9135 (9) vector waste receiving facility;
- 9136 (10) vocational school; and
- 9137 (11) school district support facility;
- 9138 5. Business services land uses:
- 9139 a. as a permitted use:
- 9140 (1) individual transportation and taxi;
- 9141 (2) self-service storage;
- 9142 (3) farm product warehousing, refrigeration, and storage;
- 9143 (4) communication offices;
- 9144 (5) telegraph and other communications;
- 9145 (6) general business service;
- 9146 (7) professional office;
- 9147 (8) outdoor advertising service;
- 9148 (9) automotive rental and leasing;
- 9149 (10) automotive parking;

9150 (11) off-street required parking lot;

9151 (12) commercial/industrial accessory uses (administrative offices, employee

9152 exercise and food service facilities, storage of agricultural raw materials or products

9153 manufactured on-site, owner/caretaker residence, grounds maintenance); and

9154 (13) helistop, as a conditional use;

9155 6. Retail land uses:

9156 a. as a permitted use:

9157 (1) food stores;

9158 (2) agricultural product sales;

9159 (3) farmers market;

9160 (4) motor vehicles and boat dealers;

9161 (5) auto supply stores;

9162 (6) gasoline service stations;

9163 (7) eating and drinking places;

9164 (8) sporting goods and related stores;

9165 (9) fuel dealers;

9166 (10) auction houses; and

9167 (11) livestock sales;

9168 7. Industrial land uses:

9169 a. as a permitted use:

9170 (1) construction and trade;

9171 (2) warehousing and wholesale trade;

9172 (3) log storage;

| | |
|------|--|
| 9173 | (4) transportation service; |
| 9174 | (5) trucking and courier service; |
| 9175 | (6) freight and cargo service; |
| 9176 | (7) miscellaneous equipment rental; |
| 9177 | (8) research, development, and testing; |
| 9178 | (9) heavy equipment and truck repair; |
| 9179 | (10) food and kindred products; |
| 9180 | (11) winery/brewery/distillery facility II; |
| 9181 | (12) winery/brewery/distillery facility III; |
| 9182 | (13) materials processing facility; |
| 9183 | (14) textile mill products; |
| 9184 | (15) apparel and other textile products; |
| 9185 | (16) wood products, except furniture; |
| 9186 | (17) furniture and fixtures; |
| 9187 | (18) paper and allied products, limited to ten thousand square feet; |
| 9188 | (19) printing and publishing; |
| 9189 | (20) cannabis processor ii; |
| 9190 | (21) leather and leather goods, limited to ten thousand square feet;; |
| 9191 | (22) stone, clay, glass, and concrete products, limited to ten thousand square |
| 9192 | feet; |
| 9193 | (23) fabricated metal products; |
| 9194 | (24) industrial and commercial machinery; |
| 9195 | (25) computer and office equipment; |

- 9196 (26) electronic and other electric equipment;
- 9197 (27) measuring and controlling instruments;
- 9198 (28) miscellaneous light manufacturing;
- 9199 (29) aircraft, ship, and boat building, limited to small boats under 30 feet
- 9200 length;
- 9201 (30) drycleaning plants;
- 9202 (31) industrial launderers; and
- 9203 (32) movie production/distribution;
- 9204 8. Resource land uses:
- 9205 a. as a permitted use:
- 9206 (1) growing and harvesting crops;
- 9207 (b) raising livestock and small animals, excluding feed lots and auctions;
- 9208 (c) cannabis producer;
- 9209 (d) growing and harvesting forest production;
- 9210 (e) forest research;
- 9211 (f) hatchery/fish preserve;
- 9212 (g) aquaculture; and
- 9213 (h) resource accessory uses;
- 9214 9. Regional land uses:
- 9215 a. as a permitted use:
- 9216 (1) public agency animal control facility;
- 9217 (2) public agency training facility;
- 9218 (3) renewable energy generation facility;

9219 (4) communication facility;
9220 (5) municipal water production;
9221 (6) airport/heliport, limited to heliports only;
9222 (7) rural public infrastructure maintenance facility;
9223 (8) transit bus base;
9224 (9) transit comfort facility;
9225 (10) school bus base; and
9226 (11) fairground.

9227 2. Uses shall not require substantial investments in infrastructure, such as water,
9228 sewers, or transportation, or facilities that generate substantial volumes of heavy gross-
9229 weight truck trips.

9230 3. Developments shall maintain rural character through site and building design,
9231 buffering, and compatible commercial and industrial uses as follows:

9232 a. All uses occurring outside an enclosed building shall be screened from
9233 adjoining residential uses in RA zones;

9234 b. The landscaping standards in K.C.C. chapter 21A.16 are modified as
9235 follows:

9236 (1) Twenty-foot-wide Type II landscaping shall be provided along exterior
9237 streets;

9238 (2) Twenty-foot-wide Type I landscaping shall be provided along property
9239 lines adjacent to RA or R zoned areas; and

9240 (3) Fifteen-foot-wide Type II landscaping shall be provided along lines
9241 adjacent to nonresidential zoned areas;

9242 c. Outdoor lighting shall be focused downward and configured to minimize
9243 intrusion of light into surrounding RA or R-zoned areas;

9244 d. Refuse collection, recycling, and loading or delivery areas shall be located at
9245 least one hundred feet from RA, UR, and R zones and screened with a solid view-
9246 obscuring barrier;

9247 e. Off-street parking shall be no less than one space for every one thousand
9248 square feet of floor area and no greater than one space for every five hundred square feet
9249 of floor area;

9250 f. Sign are allowed as follows:

9251 (1) Signs shall not exceed an area of sixty-four square feet per sign;

9252 (2) Pole signs are prohibited; and

9253 (3) Signs shall not be internally illuminated; and

9254 g. The director shall approve building design, materials, and color. Buildings
9255 shall be designed and use accent materials such as wood and brick, nonreflective glass,
9256 and muted colors to be compatible with rural character.

9257 NEW SECTION. SECTION 212.

9258 A.1. This section establishes the density and dimensional standards for residential
9259 zones in the Snoqualmie Pass and Vashon Rural Towns. Measurement methods are
9260 identified in K.C.C. chapter 21A.12.

9261 2. The matrix identifies zones in the vertical columns and corresponding
9262 development standards for each zone are in the horizontal rows. The matrix cells contain
9263 the minimum dimensional requirements of the zone.

9264 3. The parenthetical numbers in the matrix identify conditions, requirements,

9265 notes, or modifiers that correspond to the text in subsection B. of this section. A blank
 9266 cell indicates that there are no specific requirements. If more than one standard appears
 9267 in a cell, each standard shall be applicable to any applicable parenthetical number.

| Snoqualmie Pass and Vashon Rural Towns Residential Density and Dimensional Standards | | | | | | | |
|---|----------------------------|-----------------------------------|--------------------------------------|------------------------------------|--|------------------------------------|--|
| STANDARD | R-1 | R-4 | R-6 | R-8 | R-12 | R-18 | R-24 |
| S | (14) (15) | | | | | | |
| Base Density (1) | 1 du/ac | 4 du/ ac | 6 du/ac | 8 du/ac | 12 du/ac | 18 du/ac | 24 du/ac |
| Maximum Density | 1.5 du/ac (2) | 6 du/ac (2) 8 du/ ac (3) | 9 du/ac (2) 12 du/ac (3) | 12 du/ac (2) 16 du/ac (3) | 18 du/ac (2) 24 du/ac (3) | 27 du/ac (2) 36 du/ac (3) | 36 du/ac (2) 48 du/ac (3) |
| Maximum Density for Manufactured Home Communities for Vashon | n/a | 6 du/ac | 6 du/ac | 8 du/ac | 12 du/ac | 18 du/ac | 24 du/ac |
| Maximum Density for Manufactured | n/a | 12 du/ac | 12 du/ac | 12 du/ac | 12 du/ac | 18 du/ac | 24 du/ac |

| | | | | | | | |
|---|---------------|-------|-------|-------|-------|-------|-------|
| Home Communities for Snoqualmie Pass | | | | | | | |
| Minimum Density (4) | | 70% | 70% | 70% | 65% | 60% | 55% |
| Minimum Lot Width (5) | 35 ft (16) | 30 ft | 30 ft | 30 ft | 30 ft | 30ft | 30 ft |
| Minimum Street Setback (5) | 20 ft (16) | 10 ft | 10 ft | 10 ft | 10 ft | 10 ft | 10ft |
| Minimum Street Setback for Garages, Carport, or Fenced Parking (5) (6) | 20 ft (16) | 20 ft | 20 ft | 20 ft | 20 ft | 20 ft | 20 ft |
| Minimum Interior Setback (5) | 5 ft (16) | 5 ft | 5 ft | 5 ft | 5 ft | 5 ft | 5 ft |
| Nonresidential Minimum Street and | (13) (16) | (13) | (13) | (13) | (13) | (13) | (13) |

| | | | | | | | |
|--|---------------|--------------|----------------------------|-------------------------|--------------|-----------|-----------|
| Interior Setbacks | | | | | | | |
| Base Height (11a) | 35 ft | 35 ft | 35 ft | 35 ft | 60 ft | 60 ft | 60 ft |
| Maximum Height (11b) (17) | 45 ft (7c) | 45 ft (7) | 45 ft (7) | 45 ft (7) | 65 ft (3) | 80 ft (3) | 80 ft (3) |
| Nonresidential Maximum Height (17) | 75 ft (8) | 75 ft (8) | 45 ft (7a) 75 ft (8) | 45 ft (7a) 75 ft (8) | 75 ft (8) | 75 ft (8) | 75 ft (8) |
| Maximum Impervious Surface (9) | 30% (12) | 55% | 70% | 75% | 85% | 85% | 85% |
| Nonresidential Maximum Impervious Surface (9) | 70% (12) | 70% | 75% | 85% | 85% | 85% | 90% |

- 9268 B. Development conditions for the Snoqualmie Pass and Vashon Rural Towns
- 9269 residential density and dimensional standards.
- 9270 1. Density applies only to dwelling units and not to sleeping units.
- 9271 2. This maximum density is allowed in the following circumstances only in the
- 9272 Snoqualmie Pass Rural Town:
- 9273 a. for a duplex through a transfer of development right in accordance with
- 9274 K.C.C. 21A.08.030.B.12.; or
- 9275 b. for a development with nine or fewer units through a transfer of

9276 development rights.

9277 3. This maximum may be achieved through the inclusionary housing program in
9278 K.C.C. chapter 21A.48 in the Snoqualmie Pass Rural Town.

9279 4. The minimum density shall be calculated consistent with K.C.C. 21A.12.060
9280 and K.C.C. 21A.12.087.

9281 5. These standards may be modified under the provisions for zero-lot-line and
9282 townhouse developments in K.C.C. chapter 21A.14.

9283 6. The setback distance shall be measured along the center line of the driveway
9284 from the access point to such garage, carport, or fenced area to the street property line.

9285 7. This maximum height is allowed in the following circumstances:

9286 a. for a building on slopes exceeding a fifteen percent finished grade;

9287 b. through the inclusionary housing regulations in accordance with K.C.C.
9288 chapter 21A.48; or

9289 c. for a structure that provide one additional foot of street and interior setback
9290 for each foot above the base height.

9291 8.a. Portions of a nonresidential structure may exceed the base height if one
9292 additional foot of street and interior setback is provided for each foot above the base
9293 height.

9294 b. Netting, fencing, and related support structures used to contain golf balls on
9295 a golf course or golf driving range are exempt from additional interior setback
9296 requirements. In recreation and multiuse parks, golf ball netting, fencing and related
9297 support structures shall not exceed one-hundred twenty-five feet, unless a golf ball
9298 trajectory study requires a higher fence.

9299 9. The impervious surface maximum applies to each individual lot. Impervious
9300 surface does not include access easements serving neighboring property and driveways to
9301 the extent that they extend beyond the street setback due to location within an access
9302 panhandle or due to the application of King County Code requirements to locate features
9303 over which the applicant does not have control. Impervious surface area standards for:
9304 a. individual lots in the R-4 through R-6 zones that are less than nine thousand
9305 seventy-six square feet in area shall be subject to the applicable provisions of the nearest
9306 comparable R-6 or R-8 zone;
9307 b. a lot may be increased beyond the total amount allowed in this chapter
9308 subject to approval of a conditional use permit; and
9309 c. regional uses shall be established at the time of permit review.
9310 10. Reserved.
9311 11. For cottage housing developments only:
9312 a. the base height is twenty-five feet; and
9313 b. buildings that have pitched roofs with a minimum slope of six over twelve
9314 may achieve a maximum height of thirty feet at the ridge of the roof.
9315 12.a. Lots smaller than one-half acre shall comply with the standards of the
9316 nearest comparable R-4 through R-8 zone.
9317 b. Lots that are one-half acre or larger shall have a maximum impervious
9318 surface area of at least ten thousand square feet.
9319 c. Lots over one acre may have an additional five percent for buildings related
9320 to agricultural or forestry practices.
9321 d. Lots between one-half acre and two acres may have an additional ten

9322 percent for structures that are determined to be medically necessary consistent with
9323 K.C.C. 21A.32.170.

9324 13. The street and interior setbacks for nonresidential development, except for
9325 fences and backstops, are as follows:

9326 a. nonresidential uses with less than two thousand five hundred square feet of
9327 floor area shall be subject to the setbacks of the underlying zone;

9328 b. government and institutional uses shall be thirty feet;

9329 c. battery energy storage systems not defined as accessory uses under K.C.C.
9330 21A.06.015, 21A.06.020, or 21A.06.025 shall be thirty feet;

9331 d. regional uses shall be established at the time of permit review;

9332 e. utility facilities shall be subject to the setbacks of the underlying zone;

9333 f. where a setback is identified for a specific land use in the applicable zone,
9334 that setback shall apply; and

9335 g. all other nonresidential development exceeding two thousand five hundred
9336 square feet of floor area shall be fifteen feet.

9337 14.a. Clustering in accordance with K.C.C. 21A.14.040 shall be required for
9338 subdivisions and short subdivisions in the R-1 zone if the property is located within or
9339 contains one or more of the following:

9340 (1) alluvial fan hazard areas;

9341 (2) critical aquifer recharge area;

9342 (3) moderate or severe coal mine hazard areas;

9343 (4) flood hazard areas;

9344 (5) landslide hazard areas;

- 9345 (6) the riparian area of a type S or F aquatic area;
9346 (7) steep slope hazard area;
9347 (8) category I or II wetlands or their buffers;
9348 (9) existing or planned public parks or trails, or connections to such facilities;

9349 or

- 9350 (10) an urban separator or wildlife habitat network designated by the
9351 Comprehensive Plan.

9352 b. The development shall be clustered away from critical areas or the axis of
9353 designated corridors such as urban separators or the wildlife habitat network to the extent
9354 possible and the natural area shall be placed in a separate tract. Natural area tracts shall
9355 be permanent and shall be dedicated to a homeowners association or other suitable
9356 organization, as determined by the director, and meet the requirements in K.C.C.
9357 21A.14.040. On-site critical area and buffers and designated urban separators shall be
9358 placed within the natural area tract to the extent possible. Passive recreation, with no
9359 development of recreational facilities, and natural-surface pedestrian and equestrian trails
9360 are acceptable uses within the natural area tract.

9361 15. Height and setback requirements shall not apply to regional transit authority
9362 facilities.

9363 16. Lots smaller than fifteen thousand square feet shall comply with standards
9364 of the R-4 zone.

9365 17. Properties in the Vashon Town Core, as adopted in the Vashon-Maury
9366 Island Community Service Area Subarea Plan in Attachment H to this ordinance, shall
9367 have a maximum height limit of three floors. Floors above the second floor shall be step

9368 back an additional ten feet from the street property line in this section.

9369 NEW SECTION. SECTION 213.

9370 A.1. This section establishes the density and dimensional standards for
9371 commercial and industrial zones in the Snoqualmie Pass and Vashon Rural Towns.
9372 Measurement methods are identified in K.C.C. chapter 21A.12.

9373 2. The matrix identifies zones in the vertical columns and corresponding
9374 development standards for each zone are in the horizontal rows. The matrix cells contain
9375 the minimum dimensional requirements of the zone.

9376 3. The parenthetical numbers in the matrix identify conditions, requirements,
9377 notes, or modifiers that correspond to the text in subsection B. of this section. A blank
9378 cell indicates that there are no specific requirements. If more than one standard appears
9379 in a cell, each standard shall be applicable to any applicable parenthetical number.

| Snoqualmie Pass and Vashon Rural Towns Commercial and Industrial Density and Dimensional Standards | | | | |
|---|-----------------|--------------------------------------|------------------|----------|
| STANDARDS | NB | CB | O | I |
| Base Density (1) | 8 du/ac | 12 du/ac (7a) 48 du/ac (7b) | 12 du/ac (7a) | |
| Maximum Density | 12 du/ac (2) | 72 du/ac (2) 96 du/ac (3) | 72 du/ac (2) | |
| Minimum Street Setback (4) | 10 ft | 10 ft | 10 ft | 50 ft |
| Minimum | 0 ft | 0 ft | 0 ft | 0 ft |

| | | | | |
|---|--------------------------|--------------------|------------|------------|
| Interior Setback | 10 ft (5b) 20 ft (5a) | 20 ft (5a) | 20 ft (5a) | 50 ft (5a) |
| Base Height | 35 ft | 35 ft | 45 ft | 40 ft |
| Mixed-Use Maximum Height (11) | 45 ft | 60 ft 65 ft (3) | 65 ft | |
| Nonresidential Maximum Height (8) (11) | 75 ft | 75 ft | 75 ft | 40 ft |
| Mixed-Use Maximum Floor Area Ratio (6) | 2/1 | 4/1 | 4/1 | |
| Nonresidential Maximum Floor Area Ratio | 1/1 | 3/1 | 3/1 | 1/1(12) |
| Maximum Impervious Surface (9) | 85% | 85% | 75% | 70% (12) |

- 9380 B. Development conditions for the Snoqualmie Pass and Vashon Rural Towns
- 9381 commercial and industrial density and dimensional standards.
- 9382 1.a. Density applies only to dwelling units and not to sleeping units.
- 9383 b. These densities are allowed only for mixed-use developments.
- 9384 2. This maximum density is allowed for a mixed-use development with nine or
- 9385 fewer units through a transfer of development rights in the Snoqualmie Pass Rural Town.
- 9386 3. This maximum may be achieved through the inclusionary housing program in
- 9387 K.C.C. chapter 21A.48 in the Snoqualmie Pass Rural Town.
- 9388 4. Gasoline service station pump islands shall be placed no closer than twenty-
- 9389 five feet to street property lines.

9390 5.a Required on property lines adjoining RA, UR, and R zones.

9391 b. Required on property lines adjoining R zones only for a social service agency

9392 office reusing a residential structure in existence on January 1, 2010.

9393 6. Developments under the inclusionary housing program in K.C.C. chapter

9394 21A.48 shall not be subject to a floor area ratio maximum.

9395 7.a. This base density applies to the Vashon Rural Town.

9396 b. This base density applies to the Snoqualmie Pass Rural Town.

9397 8.a. Portions of a nonresidential structure may exceed the base height if one

9398 additional foot of street and interior setback is provided for each foot above the base

9399 height.

9400 b. Netting, fencing, and related support structures used to contain golf balls on

9401 a golf course or golf driving range are exempt from additional interior setback

9402 requirements. In recreation and multiuse parks, golf ball netting, fencing and related

9403 support structures shall not exceed one-hundred twenty-five feet, unless a golf ball

9404 trajectory study requires a higher fence.

9405 9. The impervious surface area may be increased beyond the total amount

9406 allowed in this chapter subject to approval of a conditional use permit.

9407 10. Reserved.

9408 11.a. In the Snoqualmie Pass Rural Town, upper-level step backs are required

9409 for any building façade facing a pedestrian street greater than forty-five feet in height.

9410 The upper-level step back shall be at least one foot for every two feet of height above

9411 forty-five feet, up to a maximum of ten feet. The first four feet of horizontal projection

9412 of decks, balconies with open railings, eaves, cornices, and gutters are allowed in

9413 required step backs.

9414 b. In the Vashon Town Core, as adopted in the Vashon-Maury Island
9415 Community Service Area Subarea Plan in Attachment H to this ordinance, the maximum
9416 height limit is three floors. Upper-level step backs are required for any building façade
9417 above the second floor and facing a public street. The upper-level step back shall be at
9418 least ten feet from the street property line.

9419 12.a. Developments consisting of multiple lots shall be limited to a floor area
9420 ratio of one and maximum impervious surface of seventy percent.

9421 b. Developments on an individual building lot be limited to a floor area of ratio
9422 of one and twenty-five and a maximum impervious surface of eighty percent.

9423 NEW SECTION. SECTION 214.

9424 A. The landscaping standards in K.C.C. chapter 21A.16 shall apply, except as
9425 provided in this section.

9426 B. On CB-zoned parcels in the Snoqualmie Pass Rural Town, structures greater
9427 than twenty-five feet in height shall be buffered with one-hundred feet of Type 1
9428 landscaping, consistent with K.C.C. 21A.16.040 and this subsection, adjacent to the
9429 Interstate-90 right-of-way. The landscaping shall be the composition of adjacent mature
9430 forest cover, to preserve the quality of landscape views within the Mountains to Sound
9431 Greenway. The only exception to the landscaping buffer would be for the development
9432 of a regional trail, if approved by the department of natural resources and parks, parks
9433 division.

9434 NEW SECTION. SECTION 215.

9435 A. The parking standards in K.C.C. chapter 21A.18 shall apply, except as
9436 provided in this section.

9437 B. In the Vashon Rural Town, required parking shall be one space per dwelling
9438 unit for houseplexes, townhouses, and apartments.

9439 NEW SECTION. SECTION 216.

9440 A. The following standards apply to the Vashon Town Core, as adopted in the
9441 Vashon-Maury Island Community Service Area Subarea Plan in Attachment H to this
9442 ordinance:

9443 1. Buildings fronting on streets, parking lots, and pedestrian ways shall meet the
9444 following criteria:

9445 a. Buildings shall be set back no more than ten feet from property lines, except
9446 to provide for landscaping, courtyards, and other pedestrian or seating areas, and outdoor
9447 eating areas;

9448 b. Building height shall be a maximum of three stories;

9449 c. Building facades facing Vashon Highway SW, SW Bank Road, SW 178th
9450 Street, 100th Avenue SW, or SW 174th Street shall have openings comprising not less
9451 than sixty percent of the width facing the street. No more than twenty feet of continuous
9452 width shall be without openings, such as windows and doors;

9453 d. Walkways internal to a private development shall connect to public
9454 walkways; and

9455 e. Building facades which occupy the full width of street frontages are
9456 preferred. Where façade continuity is interrupted by a parking lots or driveways, such
9457 parking lots or entrances shall not occupy more than the lesser of sixty feet or thirty

9458 percent of the lot width in the first sixty feet of street-abutting lot depth. This limitation
9459 may be increased by up to fifteen feet to provide sidewalks and entrance landscaping; and

9460 2. New developments or alterations to an existing building which are valued in
9461 excess of fifty percent of the prealteration assessed value, shall provide the following
9462 public features:

9463 a. street trees with planting areas, which are spacing and species consistent
9464 with existing street trees, in a manner consistent with road design and construction
9465 standards; and

9466 b. a roof or awning that extends over any abutting sidewalk or pedestrian
9467 walkway a minimum of five feet or the width of the walkway if the walkway is less than
9468 five feet wide.

9469 SECTION 217. The following should constitute a new chapter in K.C.C. Title
9470 21A, to follow the chapter established in section 209 of this ordinance:

9471 A. Section 218 of this ordinance;

9472 B. K.C.C. 21A.38.260, as recodified by this ordinance; and

9473 C. Sections 221, 222, and 223 of this ordinance.

9474 NEW SECTION. SECTION 218.

9475 A. This chapter contains regulations for the Fall City Rural Town.

9476 B. All developments in the Fall City Rural Town are subject to the development
9477 standards in this chapter and as supplemented by this title.

9478 C. Where a conflict exists, the standards in this chapter shall apply except for the
9479 following:

9480 1. K.C.C. chapter 21A.24, critical areas;

9481 2. K.C.C. chapter 21A.25, shorelines; and

9482 3. Special district overlays, p-suffix conditions, or demonstration projects.

9483 SECTION 219. K.C.C. 21A.38.260, as amended by this ordinance, is hereby
9484 recodified as a new section in the new chapter created in section 217 of this ordinance to
9485 follow section 218 of this ordinance.

9486 SECTION 220. Ordinance 17485, Section 43, as amended, and K.C.C.
9487 21A.38.260 are hereby amended to read as follows:

9488 A. (~~The purpose of the Fall City business district special district overlay is to~~
9489 ~~allow commercial development in Fall City to occur with on-site septic systems until~~
9490 ~~such time as an alternative wastewater system is available. The special district shall only~~
9491 ~~be established in areas of Fall City zoned CB and shall be evaluated to determine if it is~~
9492 ~~applicable to other rural commercial centers~~)). Development using a community on-site
9493 sewage system or large on-site sewage system shall comply with the requirements in
9494 section 284 of this ordinance.

9495 B. (~~The standards of this title and other county codes shall be applicable to~~
9496 ~~development within the Fall City business district special district overlay except as~~
9497 ~~follows:~~)) For the R-zoned area of the Fall City Rural Town, the allowed uses in K.C.C.
9498 chapter 21A.08 shall apply.

9499 (~~(1. The permitted)~~) C. For the CB zone of the Fall City Rural Town, the
9500 allowed uses in K.C.C. (~~(C)~~)chapter 21A.08 (~~(do not apply and)~~) are replaced with the
9501 (~~(following)~~) uses in this subsection. Where one or more development conditions is
9502 identified in a land use table in K.C.C. chapter 21A.08 for a specific use in the CB zone,
9503 they shall also apply to the following uses:

9504 ~~((a-))~~ 1. Residential land uses ~~((as set forth in K.C.C. 21A.08.030))~~:

9505 ~~((i-))~~ a. ~~((A))~~as a permitted use:

9506 ~~((A))~~ ~~Multifamily residential units shall only be allowed~~) (1) mixed-use

9507 development provided residential units are limited only to ~~((en))~~ the upper floors of a

9508 building~~((s))~~;

9509 (2) senior assisted housing, up to eleven units, and limited only to the upper

9510 floors of a building; and

9511 ~~((B))~~ (3) ~~((H))~~home occupations under K.C.C. chapter 21A.30;

9512 ~~((ii. As a conditional use:~~

9513 ~~(A) Bed and Breakfast (five rooms maximum); and~~

9514 ~~(B) Hotel/Motel.~~

9515 ~~b-))~~ 2. Recreational~~((/))~~ and cultural land uses ~~((as set forth in K.C.C.~~

9516 ~~21A.08.040))~~:

9517 ~~((i-))~~ a. ~~((A))~~as a permitted use:

9518 ~~((A))~~ (1) ~~((L))~~library;

9519 ~~((B))~~ (2) ~~((M))~~museum;

9520 ~~((C))~~ (3) ~~((A))~~arboretum; ~~((and))~~

9521 ~~((D))~~ (4) ~~((P))~~park;

9522 (5) trails; and

9523 (6) theater; and

9524 ~~((ii-))~~ b. ~~((A))~~as a conditional use:

9525 ~~((A))~~ ~~Sports Club~~~~((/Fitness Center;~~

9526 ~~((B))~~ (1) ((A))amusement((R)) and recreation ((S))services((A)reades
9527 ~~((Indoor))~~, indoor only; and
9528 ~~((C))~~ (2) ((B))bowling ((C))center;
9529 3. Health care services and residential care services land uses:
9530 a. as a permitted use:
9531 (1) doctor's office/outpatient clinic;
9532 (2) nursing and personal care facilities;
9533 (3) medical/dental lab;
9534 (4) miscellaneous health;
9535 (5) social services; and
9536 (6) residential care services;
9537 ~~((e. General services))~~ 4. Personal services and lodging land uses ((as set forth
9538 ~~in K.C.C. 21A.08.050))~~:
9539 ~~((i))~~ a. ((A))as a permitted use:
9540 ~~((A) General Personal Services, except escort services;))~~
9541 (1) beauty and barber shops;
9542 (2) shoe repair shops;
9543 (3) laundry, cleaning, and garment services;
9544 (4) drycleaners and garment pressing;
9545 (5) carpet and upholstery cleaning;
9546 ~~((B))~~ (6) ((F))funeral ((H))home/crematory;
9547 ~~((C))~~ (7) ((Appliance/Equipment)) miscellaneous ((R))repair;
9548 ~~((D))~~ (8) ((Medical or Dental Office/Outpatient Clinic;

9549 ~~(E) Medical or Dental Lab;~~

9550 ~~(F) Day Care))~~ daycare I;

9551 ~~((G) Day Care))~~ (9) daycare II;

9552 ~~((H))~~ (10) ~~((V))~~veterinary ~~((C))~~clinic;

9553 ~~((I) Social Services;~~

9554 ~~(J))~~ (11) ~~((A))~~animal ~~((S))~~specialty ~~((S))~~services;

9555 ~~((K))~~ (12) ~~((A))~~artist ~~((S))~~studios;

9556 ~~((L) Nursing and Personal Care Facilities));~~

9557 (13) specialized instruction school; and

9558 (14) religious facilities; and

9559 a. as a conditional use:

9560 (1) sports clubs;

9561 (2) bed and breakfast guesthouse, which a maximum of five rooms;

9562 (3) hotel/motel;

9563 (4) automotive repair; and

9564 ~~((A) Theater (Movie or Live Performance));~~

9565 ~~(B) Religious Use))~~ (5) automotive service;

9566 5. Government and education land uses:

9567 a. as a permitted use:

9568 (1) private stormwater management facilities; and

9569 b. as a conditional use:

9570 (1) public agency or utility office;

9571 (2) police facility;

9572 (3) fire facility; and

9573 (4) utility facility;

9574 ~~((d. Government/))~~ 6. Business services land uses ((as set forth in K.C.C.

9575 21A.08.060)):

9576 ~~((i.))~~ a. ((A))as a permitted use:

9577 ~~((A))~~ (1) ((G))general ((B))business ((S))service;

9578 ~~((B))~~ (2) ((P))professional ((O))office((: Bank, Credit Union, Insurance

9579 Office.));

9580 (3) passenger transportation service;

9581 (4) communication offices; and

9582 (5) off-street required parking lot;

9583 ~~((ii.))~~ b. ((A))as a conditional use:

9584 ~~((A) Public Agency or Utility Office;~~

9585 ~~(B) Police Substation;~~

9586 ~~(C) Fire ((Station;~~

9587 ~~(D) Utility Facility;~~

9588 ~~(E) Self Service Storage))~~ (1) farm product warehousing, refrigeration, and

9589 storage;

9590 ~~((e.))~~ 7. Retail(~~/commercial~~) land uses ((as set forth in K.C.C. 21A.08.070)):

9591 ~~((i.))~~ a. ((A))as a permitted use on the ground floor:

9592 ~~((A))~~ (1) ((F))food ((S))stores;

9593 ~~((B))~~ (2) ((D))drug ((S))stores(~~/Pharmacy~~);

9594 ~~((C)Retail Store: includes florist))~~ (3) florist shops((;));

9595 (4) book, stationary, video, and art supply stores((:));
 9596 (5) apparel and ~~((accessories)) accessory stores~~((:));
 9597 (6) furniture((/)) and home furnishings stores((:));
 9598 (7) used goods: antiques/~~((reeycled goods store))~~secondhand shops((:));
 9599 (8) sporting goods and related stores((:)); ~~((video store, art supply store,))~~
 9600 (9) hobby ~~((store)), toy, game shops~~((:));
 9601 (10) jewelry stores((:)); ~~((toy store, game store, photo store,~~
 9602 ~~electronic/appliance store,))~~
 9603 (11) photographic and electronic shops;
 9604 (12) fabric shops((:));
 9605 (13) pet shops((, ~~and other retail stores (excluding adult only retail))~~);
 9606 ~~((D))~~ (14) ~~((E))~~eating and ~~((D))~~drinking ~~((P))~~places((, ~~including coffee~~
 9607 ~~shops and bakeries~~));
 9608 ~~((E))~~ (15) ~~((R))~~remote tasting rooms((:)); and
 9609 (16) auto supply store; and
 9610 ~~((H:))~~ b. ~~((A))~~as a conditional use:
 9611 ~~((A))~~ (1) ~~((L))~~liquor ~~((S))~~store or any ~~((R))~~retail ~~((S))~~store ~~((Selling))~~
 9612 otherwise allowed as a permitted use in this section and that sells ~~((A))~~alcohol;
 9613 ~~((B) Hardware/Building Supply)~~ (2) building materials and hardware
 9614 ~~((S))~~stores;
 9615 ~~((C))~~ (3) retail ~~((N))~~nursery~~((/G))~~garden ~~((C))~~center and farm supply
 9616 stores;
 9617 ~~((D))~~ (4) ~~((D))~~department and variety ~~((S))~~stores; and

9618 ~~((E) Auto Dealers (indoor sales rooms only))~~ 5. cannabis retailer;
 9619 ~~((f. Manufacturing land uses as set forth in K.C.C. 21A.08.080 are not allowed.~~
 9620 ~~g.))~~ 8. Resource land uses ((as set forth in K.C.C. 21A.08.090)):
 9621 ~~((i.))~~ a. ((A))as an ((permitted)) accessory use:
 9622 ~~((A) Solar photovoltaic/solar thermal energy systems;~~
 9623 ~~(B) Private storm water management facilities;~~
 9624 ~~((C))~~ (1) ((G))growing and ((H))harvesting ((E))crops ((within rear/internal
 9625 side yards or roof gardens, and with organic methods only)));
 9626 ~~((D) Raising Livestock and Small Animals (per the requirements of Section~~
 9627 21A.30 of the Zoning Code)
 9628 ~~ii. As a conditional use: Wind Turbines))~~
 9629 ~~((h.))~~ 8. Regional land uses ((as set forth in K.C.C. 21A.08.100 with)): as a
 9630 ~~((special))~~ permitted use ((permit)): ~~((Communication F))~~ transit comfort facility.
 9631 ~~((2. The densities and dimensions set forth in K.C.C. chapter 21A.12 apply,~~
 9632 except as follows:
 9633 a. Residential density is limited to six dwelling units per acre. For any building
 9634 with more than ten dwelling units, at least ten percent of the dwelling units shall be
 9635 classified as affordable under 21A.34.040F.1;
 9636 b. Buildings are limited to two floors, plus an optional basement;
 9637 c. The elevation of the ground floor may be elevated a maximum of six feet
 9638 above the average grade of the site along the front facade of the building;

9639 d. ~~If the ground floor is designed to accommodate non-residential uses, the~~
9640 ~~elevation of the ground floor should be placed near the elevation of the sidewalk to~~
9641 ~~minimize the need for stairs and ADA ramps;~~

9642 e. ~~If the ground floor is designed to accommodate non-residential space, the~~
9643 ~~height of the ceiling, as measured from finished floor, shall be no more than eighteen~~
9644 ~~feet;~~

9645 f. ~~Building height shall not exceed forty feet, as measured from the average~~
9646 ~~grade of the site along the front facade of the building.))~~

9647 NEW SECTION. SECTION 221.

9648 A.1. This section establishes the density and dimensional standards for zones in
9649 the Fall City Rural Town. Measurement methods are identified in K.C.C. chapter
9650 21A.12.

9651 2. The matrix identifies zones in the vertical columns and corresponding
9652 development standards for each zone are in the horizontal rows. The matrix cells contain
9653 the minimum dimensional requirements of the zone.

9654 3. The parenthetical numbers in the matrix identify conditions, requirements,
9655 notes, or modifiers that correspond to the text in subsection B. of this section. A blank
9656 cell indicates that there are no specific requirements. If more than one standard appears
9657 in a cell, each standard shall be applicable to any applicable parenthetical number.

| Fall City Residential and Commercial Density and Dimensional Standards | | |
|--|-----|----|
| STANDARDS | R-4 | CB |

| | | |
|--|----------------------|-------------------|
| Base Density | 4 du/ ac (1a) | 4 du/ac (1) |
| Maximum Density | 4 du/ac | 8 du/ac (2) |
| Maximum Density for Manufactured Home Communities | 12 du/ac | |
| Minimum Density | | |
| Minimum Lot Area | 12,500 sf | |
| Minimum Lot Width | 60 ft | n/a |
| Minimum Street Setback | 20 ft (13) | 10 ft (4) |
| Minimum Street Setback for Garages, Carport, or Fenced Parking (6) | 20 ft (13) | |
| Minimum Interior Setback | 10 ft (13) | 0 ft 20 ft (5) |
| Base Height | 25 ft | 40 ft (7) |
| Maximum Height | 30 (11) 35 ft (8) | 40 ft (7) |
| Mixed-Use Maximum Floor Area Ratio | | 2/1 |
| Nonresidential Maximum Floor Area Ratio | | 2/1 |
| Maximum Impervious Surface | 40% (9) | 85% (9b) |

9658 B. Development conditions for the Fall City residential and commercial density
9659 and dimensional standards.

9660 1.a. Density applies only to dwelling units and not to sleeping units.

9661 b. These densities are allowed only for mixed-use developments.

9662 2. This maximum density may be achieved when at least ten percent of the total

9663 dwelling units are affordable to households at or below eighty percent AMI for

9664 ownership or sixty percent AMI for rental.

9665 3. Reserved.

9666 4. Gasoline service station pump islands shall be placed no closer than twenty-

9667 five feet to street property lines.

9668 5. Required on property lines adjoining R zones.

9669 6. The setback distance shall be measured along the center line of the driveway

9670 from the access point to such garage, carport, or fenced area to the street property line.

9671 7.a. Buildings are limited to two floors, plus an optional basement;

9672 b. The elevation of the ground floor may be elevated a maximum of six feet

9673 above the average grade of the site along the front facade of the building;

9674 c. If the ground floor is designed to accommodate nonresidential uses, the

9675 elevation of the ground floor should be placed near the elevation of the sidewalk to

9676 minimize the need for stairs and ramps; and

9677 d. If the ground floor is designed to accommodate nonresidential space, the

9678 height of the ceiling, as measured from finished floor, shall be no more than eighteen

9679 feet.

9680 8. This maximum height is only for:

9681 a. buildings with pitched roofs with a minimum slope of six over twelve; or

9682 b. duplexes and houseplexes within two-hundred and fifty feet of the CB zone.

9683 9.a. The impervious surface maximum applies to each individual lot.

9684 Impervious surface does not include access easements serving neighboring property and

9685 driveways to the extent that they extend beyond the street setback due to location within

9686 an access panhandle or due to the application of King County Code requirements to

9687 locate features over which the applicant does not have control. Impervious surface area

9688 standards for a lot with a detached garage set back further from the street than the

9689 footprint of the residence may be increased five percent for driveway access; and

9690 b. A lot may be increased beyond the total amount allowed in this chapter

9691 subject to approval of a conditional use permit.

9692 10. Reserved.

9693 11. For cottage housing developments only:

9694 a. the base height is twenty-five feet; and

9695 b. buildings that have pitched roofs with a minimum slope of six over twelve

9696 may achieve a maximum height of thirty feet at the ridge of the roof.

9697 12. Reserved.

9698 13. The street and interior setbacks for nonresidential development, except for

9699 fences and backstops, shall are as follows:

9700 a. nonresidential uses shall be thirty feet;

9701 b. government and institutional uses shall be thirty feet;

9702 c. battery energy storage systems not defined as accessory uses under K.C.C.

9703 21A.06.015, 21A.06.020, or 21A.06.025 shall be thirty feet;

9704 d. regional uses shall be established at the time of permit review;

9705 e. utility facilities shall be subject to the setbacks of the underlying zone; and

9706 f. where a setback is identified for a specific land use in the applicable zone,
9707 that setback shall apply.

9708 NEW SECTION. SECTION 222. The landscaping standards in K.C.C. chapter
9709 21A.16 shall apply.

9710 NEW SECTION. SECTION 223. The parking standards in K.C.C. chapter
9711 21A.18 shall apply.

9712 SECTION 224. The following should constitute a new chapter in K.C.C. Title
9713 21A, to follow the chapter established in section 217 of this ordinance:

9714 A. Section 225 of this ordinance;

9715 B. K.C.C. 21A.14.280, as recodified by this ordinance;

9716 C. Sections 228, 229, 230, and 231 of this ordinance.

9717 NEW SECTION. SECTION 225.

9718 A. This chapter contains regulations for the rural area geography and natural
9719 resource lands outside of rural towns.

9720 B. All developments in the rural area geography and natural resource lands
9721 outside of rural towns are subject to the development standards in this chapter and as
9722 supplemented by this title.

9723 C. Where a conflict exists, the standards in this chapter shall apply except for the
9724 following:

9725 1. K.C.C. chapter 21A.23, sea level rise risk area;

9726 2. K.C.C. chapter 21A.24, critical areas;

9727 3. K.C.C. chapter 21A.25, shorelines; and

9728 4. Special district overlays, p-suffix conditions, or demonstration projects.

9729 SECTION 226. K.C.C. 21A.14.280, as amended by this ordinance, is hereby
9730 recodified as a new section in the new chapter created in section 224 of this ordinance to
9731 follow section 225 of this ordinance.

9732 SECTION 227. Ordinance 11621, Section 99, as amended, and K.C.C.
9733 21A.14.280 are hereby amended to read as follows:

9734 A. ~~((The purpose of the rural industries section is to establish standards for~~
9735 ~~industrial (I) zoned development in rural areas))~~ The allowed uses in K.C.C. chapter
9736 21A.08 shall apply, except as provided in this section.

9737 B. Site and building designs, buffering, and ~~((compatible))~~ commercial and
9738 industrial uses are required to be compatible with a rural setting and maintain rural
9739 character. ~~((B-))~~ The following development standards shall apply to uses ~~((locating))~~ in
9740 the ~~((industrial-))I((:))~~ zone within the rural area~~((:))~~:

9741 1. Uses identified as a conditional use in K.C.C. chapter 21A.08 shall be
9742 prohibited;

9743 2. Uses shall not require substantial investments in infrastructure, such as water,
9744 sewers, or transportation, or facilities that generate substantial volumes of heavy gross-
9745 weight truck trips;

9746 3. All uses occurring outside an enclosed building shall be screened from
9747 adjoining ~~((rural residential uses))~~ RA zones;

9748 ~~((2. All buildings shall be set back fifty feet from perimeter streets and from~~
9749 ~~rural area and residential zones;~~

9750 3. ~~The total permitted floor area\lot area ratio shall not exceed one hundred~~
9751 ~~percent for a development consisting of multiple lots and one hundred twenty-five~~
9752 ~~percent on any individual building lot;~~

9753 4. ~~The total permitted impervious lot coverage shall not exceed seventy percent~~
9754 ~~for a development consisting of multiple lots and eighty percent on any individual~~
9755 ~~building lot;~~

9756 ~~5.))~~ 4. The landscaping standards in K.C.C. chapter 21A.16 are modified as
9757 follows:

9758 a. Twenty-foot-wide Type II landscaping shall be provided along exterior
9759 streets~~((;))~~;

9760 b. Twenty-foot-wide Type I landscaping shall be provided along property lines
9761 adjacent to ~~((rural residential))~~ RA-zoned areas; and

9762 c. Fifteen-foot-wide Type II landscaping shall be provided along lines adjacent
9763 to nonresidential zoned areas~~((;))~~;

9764 ~~((6.))~~ 5. Outdoor lighting shall be focused downward and configured to
9765 minimize intrusion of light into surrounding ~~((rural residential))~~ RA-zoned areas;

9766 ~~((7.))~~ 6. Refuse collection~~((/))~~, recycling ~~((areas))~~, and loading or delivery areas
9767 shall be located at least one hundred feet from ~~((rural area and residential))~~ RA, UR, and
9768 R zones and screened with a solid view-obscuring barrier;

9769 ~~((8.))~~ 7. Off-street parking standards shall be no less than one space for every
9770 one thousand square feet of floor area and no greater than one space for every five
9771 hundred square feet of floor area;

9772 ~~((9.))~~ 8. Sign are allowed as follows:

9773 a. Signs shall not exceed an area of sixty-four square feet per sign;
 9774 b. Pole signs (~~((shall not be permitted))~~) are prohibited; and
 9775 c. Signs shall not be internally illuminated; and
 9776 ~~((10.))~~ 9. The director shall approve building design, materials, and color.
 9777 Buildings shall be designed and use accent materials (~~((e.g.))~~) such as wood and brick(~~(())~~),
 9778 nonreflective glass, and muted colors to be compatible with rural character(~~((; and~~
 9779 ~~11. Building height shall be limited to forty feet))~~).

9780 NEW SECTION. SECTION 228.

9781 A.1. This section establishes the density and dimensional standards for rural area
 9782 and natural resource lands outside of rural towns. Measurement methods are identified in
 9783 K.C.C. chapter 21A.12.

9784 2. The matrix identifies zones in the vertical columns and corresponding
 9785 development standards for each zone are in the horizontal rows. The matrix cells contain
 9786 the minimum dimensional requirements of the zone.

9787 3. The parenthetical numbers in the matrix identify conditions, requirements,
 9788 notes, or modifiers that correspond to the text in subsection B. of this section. A blank
 9789 cell indicates that there are no specific requirements. If more than one standard appears
 9790 in a cell, each standard shall be applicable to any applicable parenthetical number.

| Rural Area and Natural Resource Lands Density and Dimensional Standards | | | | | | | | |
|---|------------|----------|-----------|-----------|----------|------|---|---|
| STANDARDS | RA- 2.5 | RA- 5 | RA- 10 | RA- 20 | A- 10 | A-35 | F | M |

| | | | | | | | | |
|---|---------------------|---------------------|---------------------|----------------------|----------------------|-----------------------|----------------|----------|
| Base Density (1) | 0.2 du/ac (2) | 0.2 du/ac (2) | 0.1 du/ac (2) | 0.05 du/ac (2) | 0.1 du/a c (2) | .0286 du/ac (2) | .0125 du/ac | |
| Maximum Density | 0.4 du/ac (3) | | | | | | | |
| Minimum Lot Area | 1.875 ac (11) | 3.75 ac (11) | 7.5 ac (11) | 15 ac (11) | 10 ac | 35 ac | 80 ac | 10 ac |
| Minimum Lot Depth/Width Ratio | | | | | 4 to 1 | 4 to 1 | | |
| Minimum Lot Width | 135 ft | 135 ft | 135 ft | 135 ft | | | | |
| Minimum Street Setback | 30 ft (5) | 30 ft (5) | 30ft (5) | 30 ft (5) | 30 ft (6) | 30 ft (6) | 50 ft (6) | (10) |
| Minimum Interior Setback | 5 ft (5) | 10 ft (5) | 10 ft (5) | 10 ft (5) | 10 ft (6) | 10 ft (6) | 100 ft (6) | (10) |
| Nonresidential Minimum Interior Setback | 30 ft | 30 ft | 30 ft | 30 ft | 10 ft (6) | 10 ft (6) | 100 ft (6) | (10) |
| Base Height | 40 ft | 40 ft | 40 ft | 40 ft | 35 ft | 35 ft | 35 ft | 35 ft |
| Nonresidential Maximum Height (8) | 75 ft | 75 ft | 75 ft | 75 ft | 75 ft | 75 ft | 75 ft | 75 ft |

| | | | | | | | | |
|--------------------|------|------|------|------|------|------|------|--|
| Maximum | 8% | 8% | 8% | 8% | 15% | 10% | 10% | |
| Impervious Surface | (17) | (17) | (17) | (17) | 35% | 35% | 35% | |
| (9) | 25% | 20% | 15% | 12.5 | (14) | (14) | (14) | |
| | (12) | (12) | (12) | % | | | | |
| | | | | (12) | | | | |
| Nonresidential | 8% | 8% | 8% | 8% | 15% | 10% | 10% | |
| Maximum | (17) | (17) | (17) | (17) | 35% | 35% | 35% | |
| Impervious Surface | 40% | 40% | 40% | 40% | (14) | (14) | (14) | |
| (9) | (12) | (12) | (12) | (12) | | | | |

9791 B. Development conditions for the rural area and natural resource lands density

9792 and dimensional standards

9793 1. Density applies only to dwelling units and not to sleeping units.

9794 2. For sites with a building listed in the National Register of Historic Places or

9795 designated as a King County landmark in accordance with K.C.C. 20.62.070, dwelling

9796 units in excess of the base density may be allowed if all dwelling units are:

9797 a. located within the historic building; and

9798 b. limited to a maximum of five, subject to approval by the historic

9799 preservation officer and, where required, review and approval by the landmarks

9800 commission in accordance with K.C.C. 20.62.080.

9801 3. This density may only be achieved on RA-2.5 zoned parcels receiving density

9802 from rural forest focus areas through a transfer of development rights under K.C.C.

9803 chapter 21A.37.

9804 4. Reserved.

9805 5.a. Residences shall have a setback of at least one hundred feet from any

9806 property line adjoining A, M, or F zones or existing extractive operations. However,
9807 residences on lots less than one hundred fifty feet in width adjoining A, M, or F zones or
9808 existing extractive operations shall have a setback from the rear property line equal to
9809 fifty percent of the lot width and a setback from the side property equal to twenty-five
9810 percent of the lot width.

9811 b. Except for residences along a property line adjoining A, M, or F zones or
9812 existing extractive operations, lots between one acre and two and one-half acres in size
9813 shall conform to the requirements of the R-1 zone and lots under one acre shall conform
9814 to the requirements of the R-4 zone.

9815 6.a. For lots between one acre and two and one-half acres in size, the setback
9816 requirements of the R-1 zone shall apply.

9817 b. For lots under one acre, the setback requirements of the R-4 zone shall
9818 apply.

9819 c. In the F zone, scaling stations shall be located thirty-five feet and residences
9820 shall be set back thirty feet from property lines.

9821 7. Reserved.

9822 8.a. Portions of a nonresidential structure may exceed the base height if one
9823 additional foot of street and interior setback is provided for each foot above the base
9824 height.

9825 b. Netting, fencing, and related support structures used to contain golf balls on
9826 a golf course or golf driving range are exempt from additional interior setback
9827 requirements. In recreation and multiuse parks, golf ball netting, fencing and related
9828 support structures shall not exceed one-hundred twenty-five feet, unless a golf ball

9829 trajectory study requires a higher fence.

9830 9. The impervious surface maximum applies to each individual lot. Impervious
9831 surface does not include access easements serving neighboring property and driveways to
9832 the extent that they extend beyond the street setback due to location within an access
9833 panhandle or due to the application of King County Code requirements to locate features
9834 over which the applicant does not have control. Impervious surface area standards for:

9835 a. a lot may be increased beyond the total amount allowed in this chapter
9836 subject to approval of a conditional use permit; and

9837 b. regional uses shall be established at the time of permit review.

9838 10. Setback requirements in the mineral zone are established in K.C.C.

9839 21A.22.060.

9840 11. The minimum lot area does not apply to lot clustering proposals as provided
9841 in K.C.C. chapter 21A.14.

9842 12.a. Lots smaller than one-half acre shall comply with the standards of the
9843 nearest comparable R-4 through R-8 zone.

9844 b. Lots that are one-half acre or larger shall have a maximum impervious
9845 surface area of at least ten thousand square feet.

9846 c. Lots over one acre may have an additional five percent for buildings related
9847 to agricultural or forestry practices.

9848 d. Lots between one-half acre and two acres may have an additional ten
9849 percent for structures that are determined to be medically necessary consistent with
9850 K.C.C. 21A.32.170.

9851 13. The street and interior setbacks for nonresidential development, except for

9852 fences and backstops, are as follows:

9853 a. nonresidential uses shall be thirty feet;

9854 b. government and institutional uses shall be thirty feet;

9855 c. battery energy storage systems not defined as accessory uses under K.C.C.

9856 21A.06.015, 21A.06.020, or 21A.06.025 shall be thirty feet;

9857 d. regional uses shall be established at the time of permit review;

9858 e. utility facilities shall be subject to the setbacks of the underlying zone; and

9859 f. where a setback is identified for a specific land use in the applicable zone,

9860 that setback shall apply.

9861 14. Applicable only to lots containing less than one acre of lot area.

9862 Development on lots containing less than fifteen thousand square feet of lot area shall

9863 comply with the standards of the nearest comparable R-4 through R-8 zone.

9864 15. Reserved.

9865 16. Reserved.

9866 17. Subdivisions and short subdivisions in R-1 and RA zones within the North

9867 Fork and Upper Issaquah Creek subbasins of the Issaquah Creek Basin, as identified in

9868 the Issaquah Creek Basin and Nonpoint Action Plan, and the portion of the Grand Ridge

9869 area of the Snoqualmie Valley/Northeast King County subarea geography that drains to

9870 Patterson Creek shall have a maximum impervious surface area of eight percent. The

9871 maximum impervious surface area for each lot shall be recorded on the face of the plat.

9872 The impervious surface of roads is excluded from the maximum impervious area. Where

9873 both lot- and plat-specific impervious surface limits apply, the more restrictive shall

9874 apply.

9875 NEW SECTION. SECTION 229.

9876 A.1. This section establishes the density and dimensional standards for the
9877 commercial zones in the rural area geography outside of rural towns. Measurement
9878 methods are identified in K.C.C. chapter 21A.12.

9879 2. The matrix identifies zones in the vertical columns and corresponding
9880 development standards for each zone are in the horizontal rows. The matrix cells contain
9881 the minimum dimensional requirements of the zone.

9882 3. The parenthetical numbers in the matrix identify conditions, requirements,
9883 notes, or modifiers that correspond to the text in subsection B. of this section. A blank
9884 cell indicates that there are no specific requirements. If more than one standard appears
9885 in a cell, each standard shall be applicable to any applicable parenthetical number.

| Rural Area Commercial and Industrial Density and Dimensional Standards | | | | |
|---|----------------------------------|--------------------|--------------------|--------------------|
| STANDARDS | NB | CB | O | I |
| Base Density (1) | 4 du/ac | 4 du/ac | 4 du/ac | |
| Maximum Density (2) | 8 du/ac | 48 du/ac | 48 du/ac | |
| Minimum Street Setback (4) | 10 ft | 10 ft | 10 ft | 50 ft |
| Minimum Interior Setback | 0 ft 10 ft (5b) 20 ft (5a) | 0 ft 20 ft (5a) | 0 ft 20 ft (5a) | 0 ft 50 ft (5a) |
| Base Height | 35 ft | 35 ft | 45 ft | 40 ft |
| Maximum Height (11) | 45 ft | 60 ft | 65 ft | |
| Maximum Height for Nonresidential Structures (11) | 75 ft (8) | 75 ft (8) | 75 ft (8) | 40 ft |

| | | | | |
|--|-----|-------|-------|----------|
| Maximum Floor Area Ratio for Mixed-Use | 2/1 | 3.5/1 | 4/1 | |
| Maximum Floor Area Ratio for Nonresidential | 1/1 | 1.5/1 | 2.5/1 | 1/1 (12) |
| Maximum Impervious Surface (9) | 85% | 85% | 75% | 70% (12) |

9886 B. Development conditions for the rural area commercial and residential density
9887 and dimensional standards.

9888 1.a. Density applies only to dwelling units and not to sleeping units.

9889 b. This density is allowed for a mixed-use development on a property with a
9890 designation of rural neighborhood commercial center.

9891 2. This maximum density is allowed within existing buildings listed in the
9892 National Register of Historic Places or designated as a King County landmark, for
9893 multiunit developments.

9894 3. Reserved.

9895 4. Gasoline service station pump islands shall be placed no closer than twenty-
9896 five feet to street property lines.

9897 5.a. Required on property lines adjoining RA, UR, or R zones.

9898 b. Required on property lines adjoining RA and R zones only for a social
9899 service agency office reusing a residential structure in existence on January 1, 2010.

9900 6. Reserved.

9901 7. Reserved.

9902 8.a. Portions of a nonresidential structure may exceed the base height if one
9903 additional foot of street and interior setback is provided for each foot above the base

9904 height.

9905 b. Netting, fencing, and related support structures used to contain golf balls on
9906 a golf course or golf driving range are exempt from additional interior setback
9907 requirements. In recreation and multiuse parks, golf ball netting, fencing and related
9908 support structures shall not exceed one-hundred twenty-five feet, unless a golf ball
9909 trajectory study requires a higher fence.

9910 9. The impervious surface area may be increased beyond the total amount
9911 allowed in this chapter subject to approval of a conditional use permit.

9912 10. Reserved.

9913 11. Upper-level step backs are required for any facade facing a pedestrian street
9914 for any portion of the structure greater than forty-five feet in height. The upper-level step
9915 back shall be at least one foot for every two feet of height above forty-five feet, up to a
9916 maximum of ten feet. The first four feet of horizontal projection of decks, balconies with
9917 open railings, eaves, cornices, and gutters are allowed in required step backs.

9918 12.a. Developments consisting of multiple lots shall be limited to a floor area
9919 ratio of one and maximum impervious surface of seventy percent.

9920 b. Developments on an individual building lot be limited to a floor area of ratio
9921 of one and twenty-five and a maximum impervious surface of eighty percent.

9922 NEW SECTION. SECTION 230. The landscaping standards in K.C.C. chapter
9923 21A.16 shall apply, except as provided in this chapter.

9924 NEW SECTION. SECTION 231. The parking standards in K.C.C. chapter
9925 21A.18 shall apply, except as provided in this chapter.

9926 SECTION 232. Ordinance 10870, Section 343, as amended, and K.C.C.

9927 21A.12.060 are hereby amended to read as follows:

9928 A. Minimum density for residential development ~~((in the urban areas designated~~
9929 ~~by the Comprehensive Plan))~~ shall be ~~((based on the tables in K.C.C. 21A.12.030,~~
9930 ~~adjusted))~~ computed as provided in K.C.C. 21A.12.070 ~~((through 21A.12.080)).~~

9931 ~~((A. A proposal may be phased, if compliance with the minimum density~~
9932 ~~requirement results in noncompliance with of K.C.C. chapter 21A.28, if the overall~~
9933 ~~density of the proposal is consistent with this section.~~

9934 ~~B.))~~ Minimum density requirements may be waived by King County if the
9935 applicant demonstrates one or more of the following:

9936 1. The proposed layout of the lots in a subdivision or the buildings in a
9937 ~~((multiple dwelling))~~ multiunit development will not preclude future residential
9938 development consistent with the minimum density of the zone;

9939 2. The ~~((non-sensitive area of the parcel))~~ non-critical-area portion of the site is
9940 of a size or configuration that results in lots that cannot meet the minimum dimensional
9941 requirements of the zone;

9942 3. In the R-12 through R-48 zones, the area ~~((of the parcel))~~ required to
9943 accommodate storm~~((-))~~water facilities exceeds ten percent of the area of the site; or

9944 4. The site contains a national, state or county historic landmark.

9945 ~~((C.))~~ B. A proposal to locate a single ~~((residential unit))~~ detached residence on a
9946 ~~((lot shall))~~ site may be exempt from the minimum density requirement ~~((provided))~~ if
9947 the applicant ~~((either))~~ preplans the site by demonstrating that the proposed single
9948 detached residence would be located in a manner that is compatible with and does not
9949 preclude a future division of the site ~~((in a manner))~~ that would meet the minimum

9950 density requirements(~~(, or locates the dwelling within fifteen feet of one or more of the~~
9951 ~~site's interior lot lines))~~).

9952 ~~((D.))~~ C. Alternative minimum density requirements may be imposed through
9953 ~~((county approved))~~ property-specific development standards ~~((P-suffix))~~, ~~((a))~~ special
9954 district overlays ~~((in accordance with K.C.C. chapter 21A.38))~~, demonstration projects, or
9955 ~~((a))~~ subarea plans.

9956 SECTION 233. Ordinance 10870, Section 344, as amended, and K.C.C.
9957 21A.12.070 are hereby amended to read as follows:

9958 ~~((Permitted number of units, or lots or floor area shall be determined as follows:))~~

9959 A. The allowed base number of dwelling units ~~((or lots (base density)))~~ shall be
9960 computed by multiplying the site area ~~((specified in K.C.C. 21A.12.080))~~ by the
9961 applicable ~~((residential))~~ base density ~~((number;))~~.

9962 B. The maximum ~~((density (unit or lot) limits))~~ number of dwelling units shall be
9963 computed by adding the bonus or transfer units authorized by K.C.C. chapters
9964 ~~((21A.34,))~~ 21A.37 and 21A.48 to the base ~~((units))~~ number computed under subsection
9965 A. of this section~~((;))~~.

9966 C. The minimum number of dwelling units shall be computed by multiplying the
9967 net buildable area by:

- 9968 1. The applicable base density; and
9969 2. The minimum density, as adjusted by K.C.C. 21A.12.087.

9970 D. The allowed floor area, which excludes structured or underground parking
9971 areas and areas housing mechanical equipment, shall be computed by ~~((applying the~~
9972 ~~floor to lot))~~ multiplying the floor area ratio ~~((to))~~ by the ~~((project))~~ site area ~~((specified~~

9973 ~~in K.C.C. 21A.12.080;)).~~

9974 ~~((D.))~~ E. If calculations result in a fraction, the fraction shall be rounded to the
9975 nearest whole number as follows, except as provided in subsection ~~((E.))~~ E. of this
9976 section and K.C.C. 21A.48.050:

9977 1. Fractions of 0.50 or above shall be rounded up; and

9978 2. Fractions below 0.50 shall be rounded down~~((; and))~~.

9979 ~~((E.))~~ F. For subdivisions and short subdivisions in the RA and A zones,
9980 rounding up of the number of development units or lots is not allowed.

9981 G. All site areas may be used in the calculation of base and maximum residential
9982 density or floor area.

9983 SECTION 234. Ordinance 10870, Section 354, as amended, and K.C.C.

9984 21A.12.170 are hereby amended to read as follows:

9985 If the required setbacks from regional utility corridors of K.C.C. 21A.12.140, the
9986 adjoining half-street or designated arterial setbacks of K.C.C. 21A.12.160, and the sight
9987 distance requirements of K.C.C. 21A.12.210 are maintained, structures may extend into
9988 or be located in required setbacks~~((; including setbacks as required by K.C.C.~~
9989 ~~21A.12.220.C.))~~ as follows:

9990 A. Fireplace structures, bay or garden windows, enclosed stair landings, closets,
9991 or similar structures may project into any setback~~((; provided s))~~. Such projections ((are))
9992 shall be:

9993 1. Limited to two per facade;

9994 2. Not wider than ten feet; and

9995 3. Not more than twenty-four inches into an interior setback or thirty inches into
9996 a street setback;

9997 B. Uncovered porches and decks that exceed eighteen inches above the finished
9998 grade may project:

9999 1. Eighteen inches into interior setbacks; and
10000 2. Five feet into the street setback;

10001 C. Uncovered porches and decks not exceeding eighteen inches above the
10002 finished grade may project to the property line;

10003 D. Eaves may not project more than:

10004 1. Eighteen inches into an interior setback;
10005 2. Twenty-four inches into a street setback; or
10006 3. Eighteen inches across a lot line in a zero-lot-line development;

10007 E. Fences with a height of six feet or less may project into or be located in any
10008 setback;

10009 F. Rockeries, retaining walls, and curbs may project into or be located in any
10010 setback. Except for structures that cross the setback perpendicularly to property lines or
10011 that abut a critical area, these structures:

10012 1. Shall not exceed a height of six feet in the R-1 through R-18, UR, RA, and
10013 resource zones;

10014 2. Shall not exceed a height of eight feet in the R-24 and R-48 zones; and
10015 3. Shall not exceed the building height for the zone in commercial/industrial
10016 zones, measured in accordance with the standards established in the King County
10017 Building Code, K.C.C. Title 16;

10018 G. Fences located on top of rockeries, retaining walls, or berms are subject to the
10019 requirements of K.C.C. 21A.14.220;

10020 H. Telephone, power, light, and flag poles;

10021 I. The following may project into or be located within a setback, but may only
10022 project into or be located within a five-foot interior setback area if an agreement
10023 documenting consent between the owners of record of the abutting properties is recorded
10024 with the records and licensing services division prior to the installment or construction of
10025 the structure:

10026 1. Sprinkler systems, electrical, and cellular equipment cabinets and other
10027 similar utility boxes and vaults, not to include equipment associated with a battery energy
10028 storage system;

10029 2. Security system access controls;

10030 3. Structures, except for buildings, associated with trails and on-site recreation
10031 spaces and play areas required in K.C.C. 21A.14.180 ((and K.C.C. 21A.14.190)) such as
10032 benches, picnic tables, and drinking fountains; and

10033 4. Surface water management facilities as required by K.C.C. chapter 9.04;

10034 J. Freestanding air conditioners and heat pumps ((may project into or be located
10035 within a setback abutting a residential property, but may only be located closer than five
10036 feet of an abutting residential property if an agreement documenting consent between the
10037 owners of record of the abutting properties is recorded with the records and licensing
10038 services division prior to permit issuance.));

10039 K. Mailboxes and newspaper boxes may project into or be located within street
10040 setbacks;

10041 L. Fire hydrants and associated appendages;

10042 M. ~~((Metro))~~ Transit bus shelters may be located within street setbacks;

10043 N. Unless otherwise allowed in K.C.C. 21A.20.080, free((-))standing and

10044 monument signs four feet or less in height, with a maximum sign area of twenty square

10045 feet, may project into or be located within street setbacks;

10046 O. On a parcel in the RA zone, in the interior setback that adjoins a property

10047 zoned NB or CB, structures housing refrigeration equipment that extends no more than

10048 ten feet into the setback and is no more than sixty feet in length;

10049 P. Stormwater conveyance and control facilities, both above and below ground((;

10050 ~~provided such projections))~~ that are:

10051 1. Consistent with setback, easement, and access requirements specified in the

10052 Surface Water Design Manual; or

10053 2. In the absence of said specifications, not within five feet of the property line;

10054 and

10055 Q. Equipment associated with a battery energy storage system defined as an

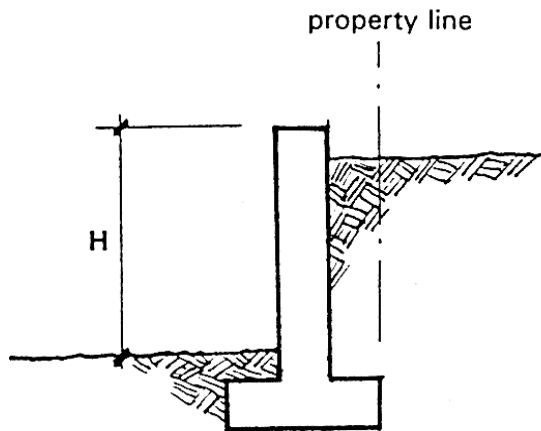
10056 accessory use under K.C.C. 21A.06.015, 21A.06.020, or 21A.06.025 may be located

10057 within a street setback, but only when used solely to supply electricity for electric-

10058 vehicle-charging infrastructure also within the setback or within the adjacent right-of-

10059 way.

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**

10060

10061 SECTION 235. Ordinance 10870, Section 355, as amended, and K.C.C.

10062 21A.12.180 are hereby amended to read as follows:

10063 The following structures may be erected above the height limits ~~((of K.C.C.~~

10064 ~~21A.12.030-.050.))~~ for the applicable zone as established by this title:

10065 A. Roof structures housing or screening elevators, stairways, tanks, ventilating
10066 fans, or similar equipment required for building operation and maintenance; and

10067 B. Fire or parapet walls((;)); skylights((;)); flagpoles((;)); chimneys((;));

10068 smokestacks((; church)); religious facility steeples, crosses, and spires((;));

10069 communication transmission and receiving structures((;)); utility line towers and

10070 poles((;)); and similar structures.

10071 SECTION 236. Ordinance 10870, Section 357, as amended, and K.C.C.

10072 21A.12.200 are hereby amended to read as follows:

10073 When a lot or site is divided by a zone boundary, the following applies:

10074 A. If a lot or site contains both ~~((rural area or residential))~~ RA, UR, or R zoning

10075 and nonresidential zoning, the zone boundary between the ~~((rural area or residential))~~

10076 RA, UR, or R zone and the nonresidential zone shall be considered a lot line for
10077 determining ~~((permitted))~~ allowed building height and required setbacks on the site~~((:))~~;
10078 B. If a lot or site contains residential zones of varying density:
10079 1. Any residential density transfer within the lot or site shall be allowed if:
10080 a. the density, as a result of moving dwelling units from one lot to another lot
10081 within a site or across zone ~~((lines))~~ boundaries within a single lot, does not exceed one
10082 hundred fifty percent of the base density on any of the lots or portions of a lot to which
10083 the density is transferred;
10084 b. the transfer does not reduce the minimum density achievable on the lot or
10085 site;
10086 c. the transfer enhances the efficient use of needed infrastructure;
10087 d. the transfer does not result in significant adverse impacts to the low density
10088 portion of the lot or site;
10089 e. the transfer contributes to preservation of ~~((environmentally sensitive))~~
10090 critical areas, wildlife corridors, or other natural features; and
10091 f. the transfer does not result in significant adverse impacts to adjoining lower
10092 density properties;
10093 2. Residential density transfers from one lot to another lot within a site or from
10094 one portion of a lot to another portion of a lot across a zone ~~((line shall not be allowed))~~
10095 boundary is prohibited in the RA zone;
10096 3. Residential density transfers ~~((shall not be allowed))~~ to a lot or portion of a
10097 lot zoned R-1 is prohibited; and

10098 4. Compliance with the criteria in this subsection B, shall be evaluated during
10099 review of any development proposals in which such a transfer is proposed; and
10100 ~~((5. Residential density transfers from one lot to another lot within a site or from~~
10101 ~~one portion of a lot to another portion of a lot across a zone line shall not, in of itself, be~~
10102 ~~considered development above the base density for purposes of requiring a conditional~~
10103 ~~use permit for apartments or townhouses in the R-1 through R-8 zones.))~~

10104 C. Uses on each portion of the lot shall only be those ~~((permitted))~~ allowed in
10105 each zone in accordance with K.C.C. chapter 21A.08.

10106 SECTION 237. Ordinance 10870, Section 359, as amended, and K.C.C.
10107 21A.12.220 are hereby amended to read as follows:

10108 A. ~~((The requirements of this section apply to all n))~~ Nonresidential uses located
10109 in the RA, UR, or R zones, except those listed in subsection B. of this section, are subject
10110 to the following requirements:

10111 ~~((1. Utility facilities~~
10112 ~~2. Uses listed in K.C.C. 21A.08.100, except that the standards in this section~~
10113 ~~shall apply to battery energy storage systems not defined as accessory uses under K.C.C.~~
10114 ~~21A.06.015, 21A.06.020, or 21A.06.025; and~~

10115 ~~3. Nonresidential uses regulated by 21A.12.230.~~

10116 ~~B. Impervious surface coverage shall not exceed:~~

10117 ~~1. Forty percent of the site in the RA zone.~~

10118 ~~2. Seventy percent of the site in the UR and the R-1 through R-8 zones.~~

10119 ~~3. Eighty percent of the site in the R-12 through R-48 zones.~~

10120 ~~C. Buildings and structures, except fences and wire or mesh backstops, shall not~~
10121 ~~be closer than 30 feet to any property line, except as provided in subsection D.~~

10122 ~~D. Single detached dwellings allowed as accessory to a church or school shall~~
10123 ~~conform to the setback requirements of the zone.~~

10124 ~~E. Parking areas are permitted within the required setback area from property~~
10125 ~~lines, provided such parking areas are located outside of the required landscape area.~~

10126 ~~F.)) 1. Sites shall abut or be accessible from at least one public street functioning~~
10127 ~~at a level consistent with King County Road Design Standards((-- New high school sites~~
10128 ~~shall abut or be accessible from a public street functioning as an arterial per the King~~
10129 ~~County Design Standards.~~

10130 ~~G. The base height shall conform to the zone in which the use is located.))~~; and

10131 ~~((H.)) 2.~~ Building illumination and lighted signs shall be designed so that no
10132 direct rays of light are projected into neighboring residences or onto any street right-of-
10133 way.

10134 B. The following nonresidential uses shall not be subject to the requirements of
10135 this section:

10136 1. Sports clubs;

10137 2. Beauty and barber shops;

10138 3. Shoe repair shops;

10139 4. Laundry, cleaning, and garment services;

10140 5. Drycleaners and garment pressing;

10141 6. Carpet and upholstery cleaning;

10142 7. Retail uses in K.C.C. 21A.08.070;

10143 8. Regional land uses in K.C.C. 21A.08.100, except that the standards in this
10144 section shall apply to battery energy storage systems not defined as accessory uses under
10145 K.C.C. 21A.06.015, 21A.06.020, or 21A.06.025; and

10146 9. Utility facilities.

10147 SECTION 238. Ordinance 16267, Section 29, and K.C.C. 21A.12.240 are hereby
10148 amended to read as follows:

10149 A. The minimum width for a joint use driveway and easement on private
10150 property shall be sixteen feet, except as otherwise provided in the King County Road
10151 Design and Construction Standards.

10152 B. Vehicle access points from garages, carports, or fenced parking areas shall be
10153 set back from the property line on which a joint use driveway is located to provide a
10154 straight line length of at least twenty-six feet as measured from the center line of the
10155 garage, carport, or fenced parking area, from the access point to the opposite side of the
10156 joint use driveway.

10157 NEW SECTION. SECTION 239. There is hereby added to K.C.C. chapter
10158 21A.12 a new section to read as follows:

10159 A. A development in the urban area shall be eligible to receive additional density
10160 or commercial floor area for the provision of improved child daycare facilities. A child
10161 daycare facility shall be considered improved when the building core and shell and rough-
10162 in utilities are completed.

10163 B. For every six child daycare slots provided, the development shall receive one of
10164 the following:

10165 1. One additional bonus dwelling unit, up to an additional twenty-five percent of

10166 base density; or

10167 2. One-thousand square feet of nonresidential floor area added to the floor area
10168 ratio maximum.

10169 C. At least twenty percent of child daycare slots shall be reserved for households
10170 at or below eighty percent AMI. Daycare slots for individuals receiving a childcare
10171 assistance or subsidy from a public agency shall be considered to meet this requirement.

10172 D. The child daycare facility shall obtain an operating license from the
10173 Washington state Department of Children, Youth, and Families, receive all necessary
10174 permits or approvals, and comply with all applicable state and local regulations governing
10175 the operation of licensed child daycare providers.

10176 E. Child daycare facilities under this section shall operate for at least eight hours
10177 per day, five days per week, and forty-eight weeks per year, except that facilities serving
10178 school-aged children may operate for four hours per day.

10179 F. Child daycare facilities under this section shall be dedicated to child daycare use
10180 for at least twenty years. Property owners shall include provisions for lease renewal of
10181 child daycare providers.

10182 G. Before issuance of the certificate of occupancy for the development, the
10183 applicant shall:

10184 1. Record a covenant or deed restriction on the property, in a form and
10185 substance acceptable to the prosecuting attorney's office and department of community
10186 and human services, reflecting the following:

10187 a. a statement that the length of the term of the child daycare facility shall be at
10188 least twenty years;

10189 b. the total number of child daycare slots; and
10190 c. the number of affordable child daycare slots based on the standards of this
10191 chapter; and

10192 2. Provide a signed agreement between the property owner and the licensed
10193 child daycare provider who will operate the daycare facility, including provisions for
10194 lease renewal.

10195 SECTION 240. Ordinance 15032, Section 18, as amended, and K.C.C.
10196 21A.14.025 are hereby amended to read as follows:

10197 ~~((For cottage housing developments in the R4-R8 zones:))~~

10198 A. The total area of the common open space ~~((must))~~ in a cottage housing
10199 development shall be at least two hundred and fifty square feet per unit and at least fifty
10200 percent of the units ~~((must))~~ shall be ~~((clustered))~~ sited around the common space.

10201 B. The total floor area of each cottage housing unit, except for two hundred and
10202 fifty square feet ~~((of any))~~ for enclosed parking, is limited to one thousand two hundred
10203 square feet. The footprint of each unit, including any enclosed parking, is limited to nine
10204 hundred square feet. A front or wraparound porch of up to one hundred square feet is
10205 ~~((permitted))~~ allowed and ~~((is not to be included))~~ shall not be counted in the floor area or
10206 footprint calculation.

10207 C. Fences within ~~((the))~~ a cottage housing ~~((unit))~~ development are limited to
10208 three feet in height. Fences along the perimeter of the cottage housing development are
10209 limited to six feet.

10210 D. Individual cottage housing units ~~((must))~~ shall be at least ten feet apart.

10211 E. Each ~~((dwelling))~~ cottage housing unit that abuts common open space shall
10212 have either a primary entry or a covered porch, or both, oriented to the common open
10213 space.

10214 F. Each ~~((dwelling))~~ cottage housing unit within forty feet of a public right-of-
10215 way, not including alleys, shall have a facade oriented to the public right-of-way that
10216 includes a porch, an entrance, or a bay window that projects a minimum of six inches and
10217 is a minimum of four feet in width. If a ~~((dwelling))~~ cottage housing unit is within forty
10218 feet of two or more ~~((than one))~~ public rights-of-way, the department shall determine
10219 which right-of-way ~~((towards which))~~ the facade elements shall be oriented. Materials
10220 used on this facade shall wrap the corners of the unit.

10221 SECTION 241. Ordinance 10870, Section 364, as amended, and K.C.C.
10222 21A.14.040 are hereby amended to read as follows:

10223 A. Residential lot clustering is allowed in the R, UR, and RA zones. ~~((If~~
10224 ~~residential lot clustering is proposed, the following requirements shall be met:~~

10225 ~~A. In the R zones, any designated open space tract resulting from lot clustering~~
10226 ~~shall not be altered or disturbed except as specified on recorded documents creating the~~
10227 ~~open space. Open spaces may be retained under ownership by the subdivider, conveyed~~
10228 ~~to residents of the development or conveyed to a third party. If access to the open space~~
10229 ~~is provided, the access shall be located in a separate tract;))~~

10230 B. Tracts created through lot clustering shall be designated as permanent natural
10231 area as follows:

10232 1. Tracts shall not be altered or disturbed except as specified on recorded
10233 documents creating the natural area;

10234 2. Active recreational facilities are prohibited. Acceptable uses within natural
10235 area tracts are passive recreation, natural-surface pedestrian and equestrian foot trails, and
10236 passive recreational facilities;

10237 3. Tracts may be retained under ownership by the subdivider or retained in
10238 undivided interest by the residents of the development and maintained by a homeowners
10239 association. The department may require tracts to be dedicated to an appropriate
10240 managing public agency or qualifying private entity such as a nature conservancy; and

10241 4. If access to the natural area is provided, the access shall be located in a
10242 separate tract;

10243 C. In the RA zone:

10244 1. No more than eight lots of less than two and one-half acres shall be allowed
10245 in a cluster;

10246 2. No more than eight lots of less than two and one-half acres shall be served by
10247 a single cul-de-sac street;

10248 3. Clusters containing two or more lots of less than two and one-half acres,
10249 whether in the same or adjacent developments, shall be separated from similar clusters by
10250 at least one hundred twenty feet;

10251 4. ~~((The overall amount, and the individual degree of clustering shall be limited~~
10252 ~~to a level that can be adequately served by rural facilities and services, including, but not~~
10253 ~~limited to, on-site sewage disposal systems and rural roadways;~~

10254 5.)) A fifty-foot Type II landscaping screen, as defined in K.C.C. 21A.16.040,
10255 shall be provided along the frontage of all public roads when adjoining differing types of
10256 development such as commercial and industrial uses, between differing types of

residential development and to screen industrial uses from the street. The planting materials shall consist of species that are native to the Puget Sound region. Preservation of existing healthy vegetation is encouraged and may be used to augment new plantings to meet the requirements of this section;

~~((6. Except as provided in subsection B.7. of this section, open space tracts created by clustering in the RA zone shall be designated as permanent open space. Acceptable uses within open space tracts are passive recreation, with no development of active recreational facilities, natural surface pedestrian and equestrian foot trails and passive recreational facilities. A resource tract created under K.C.C. 16.82.152.E. may be considered an open space tract for purposes of this subsection B.6;~~

~~7.a.))~~ 5.a. In the RA zone, a resource tract may be created through ~~((a cluster development))~~ clustering in lieu of a ~~((n open space))~~ natural area tract. ~~((A resource tract created under K.C.C. 16.82.152.E. may be considered a resource tract for purposes of this subsection B.7.))~~ The resource tract may be used as a working forest or farm if:

(1) the department determines the resource tract is suitable for forestry or agriculture; and

(2) the applicant submits a forest management plan prepared by a professional forester that has been approved by the King County department of natural resources and parks, or a farm management plan developed by the King Conservation District. The management plan ~~((must))~~ shall:

(a) ensure that forestry or farming will remain as a sustainable use of the resource tract;

10279 (b) set impervious surface and clearing limitations and identify the type of
10280 buildings or structures that will be allowed within the resource tract; and

10281 (c) if critical areas are included in the resource tract, clearly distinguish
10282 between the primary purpose of the resource portion of the tract and the primary purpose
10283 of the critical area portion of the tract as required under K.C.C. 21A.24.180.

10284 b. The recorded plat or short plat shall designate the resource tract as a
10285 working forest or farm.

10286 c. ~~((If the applicant conveys the resource tract to residents of the development,~~
10287 ~~the resource tract shall be retained in undivided interest by the residents of the~~
10288 ~~subdivision or short subdivision.~~

10289 ~~d.))~~ A homeowners association shall be established to ensure implementation
10290 of the forest management plan or farm management plan if the resource tract is retained
10291 in undivided interest by the residents of the subdivision or short subdivision.

10292 ~~((e.))~~ d. The applicant shall file a notice with the King County department of
10293 executive services, records and licensing services division. The required contents and
10294 form of the notice shall be ~~((set forth))~~ established in a public rule. The notice shall
10295 inform the property owner or owners that the resource tract is designated as a working
10296 forest or farm~~((;))~~ that ~~((must))~~ shall be managed in accordance with the ~~((provisions~~
10297 ~~established in the))~~ approved forest management plan or farm management plan.

10298 ~~((f.))~~ e. The applicant shall provide to the department proof of the approval of
10299 the forest management plan or farm management plan and the filing of the notice
10300 required in subsection ~~((B.7.g.))~~ C.5.f. of this section before recording of the final plat or
10301 short plat.

10302 ~~((g-))~~ f. The notice shall run with the land.

10303 ~~((h-))~~ g. Natural-surface pedestrian and equestrian foot trails, passive

10304 recreation, and passive recreational facilities, with no development of active recreational

10305 facilities, are allowed uses in resource tracts; and

10306 ~~((8-))~~ 6. The requirements of subsection ~~((B-))~~ C.1., 2., or 3. of this subsection

10307 may be modified or waived by the director if the property is encumbered by critical areas

10308 containing habitat for, or there is the presence of, species listed as threatened or

10309 endangered under the Endangered Species Act when it is necessary to protect the habitat;

10310 and

10311 ~~((C-))~~ D. In the R-1 zone, ~~((open space))~~ natural area tracts ~~((created by~~

10312 ~~clustering required by K.C.C. 21A.12.030))~~ shall be located and configured to create

10313 urban separators and greenbelts, as required by the Comprehensive Plan, ~~((or))~~ subarea

10314 plans, or open space functional plans, to connect and increase protective buffers for

10315 critical areas, to connect and protect wildlife habitat corridors designated by the

10316 Comprehensive Plan and to connect existing or planned public parks or trails. ~~((The~~

10317 ~~department may require open space tracts created under this subsection to be dedicated to~~

10318 ~~an appropriate managing public agency or qualifying private entity such as a nature~~

10319 ~~conservancy. In the absence of such a requirement, open space tracts shall be retained in~~

10320 ~~undivided interest by the residents of the subdivision or short subdivision. A~~

10321 ~~homeowners association shall be established for maintenance of the open space tract.))~~

10322 SECTION 242. Ordinance 10870, Section 365, as amended, and K.C.C.

10323 21A.14.050 are hereby amended to read as follows:

10324 Subdivision or short subdivision of UR zoned property of ten or more acres shall
10325 ~~((be required to be clustered and))~~ provide a reserve tract ~~((shall be created))~~ for future
10326 development ~~((in accordance with the following))~~ as follows:

10327 A. The reserve tract shall be no less than seventy-five percent of the net
10328 developable area of the property to be subdivided~~((:))~~;

10329 B. The reserve tract shall be configured to contain lands with topography and
10330 natural features that allow future conversion of the reserve tract to residential
10331 development at urban densities~~((:))~~;

10332 C. The reserve tract may contain a single dwelling unit, only if:

10333 1. The unit was included in the overall density calculations for the original
10334 subdivision or short subdivision creating the reserve tract; and

10335 2. The unit was noted on the face of the original ~~((subdivision-))~~ plat or short
10336 plat~~((:))~~;

10337 D. The reserve tract shall not be altered or disturbed except as specified on the
10338 face of the original ~~((subdivision-))~~ plat or short plat~~((:))~~;

10339 E. The reserve tract may be retained under the ownership of the subdivider,
10340 conveyed to residents of the ~~((subdivisions))~~ development, or conveyed to a third party.
10341 Regardless of ownership of the reserve tract, all restrictions relative to the reserve tract
10342 shall apply~~((:))~~;

10343 F. The reserve tract shall not be used to satisfy the recreation space requirement
10344 of the original subdivision~~((:))~~ or short subdivision;

10345 G. The layout of the lots and roadways created in the original subdivision or short
10346 subdivision shall facilitate future development of the reserve tract~~((:))~~;

10347 H. The reserve tract shall not be eligible for further ~~((sub))~~division until ~~((such~~
10348 ~~time that))~~ reclassification of the reserve tract occurs in accordance with the ~~((community~~
10349 ~~plan))~~ area zoning process ~~((outlined))~~ in K.C.C. 20.08.030~~((+))~~; and

10350 I. Any proposed subsequent development on the reserve tract shall be governed
10351 by the development standards in effect at the time of such development.

10352 SECTION 243. Ordinance 10870, Section 367, as amended, and K.C.C.
10353 21A.14.070 are hereby amended to read as follows:

10354 A. The standards of ~~((K.C.C. 21A.14.080 through 21A.14.090))~~ this section shall
10355 apply to ~~((all))~~ new ~~((apartment))~~ developments with more than nine ~~((exceeding four))~~
10356 dwelling or sleeping units ~~((new townhouse development and new group residences~~
10357 ~~except Class I Community Residential Facilities ("CRF-I")))~~. Expansions of existing
10358 development that involve ~~((four or))~~ more than nine dwelling or sleeping units shall be
10359 subject to compliance with ~~((K.C.C. 21A.14.080 to 21A.14.090))~~ this section.

10360 B.1. On sites abutting an alley constructed to a width of at least twenty feet,
10361 parking areas shall be placed to the rear of buildings with primary vehicular access via
10362 the alley, except when waived by the director due to physical site limitations.

10363 2. When alley access is provided, no additional driveway access from the public
10364 street shall be allowed except as necessary to access parking under the structure or for
10365 fire protection.

10366 3. When the number of uncovered common parking spaces for attached
10367 dwellings and group residences exceed thirty spaces and when there is alley access, no
10368 more than fifty percent of these uncovered parking spaces shall be allowed between the

street property line and any building, except when authorized by the director due to physical site limitations.

C. Developments shall provide building facade modulation on facades exceeding sixty feet and adjoining streets or properties zoned R-1 or R-4. The following standards shall apply:

1. The maximum wall length without modulation shall be thirty feet;

2. The sum of the modulation depth and the modulation width shall be no less than eight feet. Neither the modulation depth nor the modulation width shall be less than two feet; and

3. Any other technique approved by the director that achieves the intent of this section.

NEW SECTION. SECTION 244. There is hereby added to K.C.C. chapter 21A.14 a new section to read as follows:

A. A congregate residence shall include at least one common kitchen facility. In a congregate residence with more than two floors, at least one common kitchen facility is required on each floor with sleeping units. In a congregate residence consisting of more than one building, at least one common kitchen facility is required in each building.

2. A sleeping unit that does not include sanitation facilities in the sleeping unit shall have access to shared sanitation facilities on the same floor as the sleeping unit.

3. Communal areas, such as common kitchen facilities, lounges, recreation rooms, dining rooms, living rooms, laundry rooms, foyers, and lobbies, shall be open to all residents of the congregate residence and shall meet the following standards:

10391 a. The total floor area of communal areas shall be at least twelve percent of the
10392 total floor area of all sleeping and dwelling units; and

10393 b. Service areas, including, but not limited to hallways and corridors, supply or
10394 janitorial storage areas, operations and maintenance areas, staff areas, and offices may
10395 not be counted toward the communal area total floor area requirement.

10396 SECTION 245. Ordinance 10870, Section 376, as amended, and K.C.C.
10397 21A.14.160 are hereby amended to read as follows:

10398 New ~~((mobile))~~ manufactured home ~~((parks))~~ communities shall be developed
10399 subject to the following standards:

10400 A. ~~((A mobile home park))~~ The site shall be at least three acres in area;

10401 B. ~~((Residential densities in a mobile home park shall be as follows:~~

10402 1. ~~Six dwellings per acre in R-4 zone;~~

10403 2. ~~The base density of the zone in which the park is located in all R-6 through~~
10404 ~~R-48 zones; and~~

10405 3. ~~Mobile home parks shall be eligible to achieve the maximum density~~
10406 ~~permitted in the zone by providing the affordable housing benefit for mobile home parks~~
10407 ~~set forth in K.C.C. 21A.34;~~

10408 ~~€.))~~ Both insignia and non-insignia ~~((mobile))~~ manufactured homes may be
10409 installed ~~((in mobile home parks, provided that n)).~~ Non-insignia ~~((mobile))~~
10410 manufactured homes shall meet the minimum livability and safety requirements ~~((set~~
10411 ~~forth))~~ in K.C.C. Title 16, Building Code;

10412 ~~((D. A mobile home park shall be exempt from))~~ C. The impervious surface
10413 limits ~~((set forth))~~ in ~~((K.C.C. 21A.12))~~ this title shall not apply;

10414 (~~(E-)~~) D. At least one of the off-street parking spaces required for each (~~(mobile)~~)
10415 manufactured home shall be located on or adjacent to each (~~(mobile)~~) manufactured
10416 home pad;

10417 (~~(F-)~~) E. Internal roads and sidewalks shall provide access to each (~~(mobile)~~)
10418 manufactured home space and shall be constructed in accordance with the adopted King
10419 County (~~(F)~~)Road Design and Construction (~~(s)~~)Standards for residential minor access
10420 streets;

10421 (~~(G-)~~) F. There shall be a minimum of ten feet of separation maintained between
10422 all (~~(mobile)~~) manufactured homes on the site, unless the flexible setback option (~~(set~~
10423 ~~forth)~~) in K.C.C. 21A.14.170 is used. Accessory structures shall be located no closer
10424 than:

10425 1. Ten feet to (~~(mobile)~~) manufactured homes on adjacent spaces, unless
10426 constructed of noncombustible materials, in which case the minimum setback shall be
10427 five feet;

10428 2. Five feet to accessory structures of (~~(mobile)~~) manufactured homes on
10429 adjacent spaces; and

10430 3. Five feet to the (~~(mobile)~~) manufactured home or other accessory structures
10431 on the same space, except a carport or garage may be attached to the (~~(mobile)~~)
10432 manufactured home, and the separation may be waived when such structures are
10433 constructed of noncombustible materials;

10434 (~~(H-)~~) G. All (~~(mobile)~~) manufactured homes and (~~(RVs)~~) recreational vehicles
10435 supported by piers shall be fully skirted; and

10436 ~~((I. A mobile home park may include a storage))~~ H. Storage areas for ~~((RVs))~~
10437 recreational vehicles owned by residents of the park are allowed, ~~((provided))~~ but only if
10438 the storage area contains no utility hook-ups and ~~((no RV))~~ recreational vehicle within
10439 the storage area ~~((shall be))~~ are not used as living quarters.

10440 SECTION 246. Ordinance 10870, Section 377, as amended, and K.C.C.
10441 21A.14.170 are hereby amended to read as follows:

10442 As an alternative to the building separation and internal street standards of K.C.C.
10443 21A.14.160:

10444 A. Building separation requirements or setbacks between ~~((mobile))~~
10445 manufactured homes and accessory structures on adjacent spaces may be modified,
10446 ~~((provided))~~ but only if:

10447 1. The common walls meet the fire protection standards set forth in the
10448 International Building Code and the standards set forth in the International Fire Code for
10449 duplexes, ~~((multifamily))~~ multiunit and condominium developments, as applicable; and

10450 2. Rental agreement clauses, by-laws, or other legal mechanisms stipulate
10451 maintenance responsibilities for structures, fences, and yards;

10452 B. Private streets may be used with a minimum driving surface of ~~((22))~~ twenty-
10453 two feet in width, ~~((provided))~~ but only if:

10454 1. The streets comply in all other respects with the King County ~~((#))~~ Road
10455 Design and Construction ~~((s))~~ Standards;

10456 2. All required parking is located off-street and as specified in K.C.C.

10457 21A.14.160.E.; and

10458 3. Such streets shall not:

- 10459 a. directly connect two or more points of vehicular access to the park; or
10460 b. serve over 100 dwelling units within the park.

10461 SECTION 247. Ordinance 10870, Section 378, as amended, and K.C.C.

10462 21A.14.180 are hereby amended to read as follows:

10463 A. ~~((Residential))~~ The standards of this section shall apply to new
10464 developments~~((, other than cottage housing developments, of))~~ with nine or more ~~((than~~
10465 ~~four))~~ dwelling units, except subdivisions in the RA zone. ~~((in the UR and R-4 through~~
10466 ~~R-48 zones, stand-alone townhouse developments in the NB zone on property designated~~
10467 ~~commercial outside of center in the urban area of more than four units, and mixed-use~~
10468 ~~developments of more than four units, shall provide r))~~ Recreation space for leisure, play,
10469 and sport activities shall be provided as follows:

10470 1. Residential ~~((subdivision, townhouses and apartments))~~ developments
10471 developed at a density of eight units or less per acre: three hundred ninety square feet per
10472 unit;

10473 2. ~~((Mobile))~~ Manufactured home ~~((park))~~ community: two hundred sixty
10474 square feet per unit;

10475 3. Residential subdivisions developed at a density of greater than eight units per
10476 acre: one hundred seventy square feet per unit; and

10477 4. Houseplexes, ~~((A))~~apartments, and townhouses developed at a density of
10478 greater than eight units per acre and mixed-use:

- 10479 a. Studio and one bedroom: ninety square feet per unit;
10480 b. Two bedrooms: one hundred seventy square feet per unit; and
10481 c. Three or more bedrooms: one hundred seventy square feet per unit.

10482 B. Recreation space shall be placed in a designated recreation space tract if part
10483 of a subdivision. The tract shall be dedicated to a ((homeowner's)) homeowners
10484 association or other workable organization acceptable to the director, to provide
10485 continued maintenance of the recreation space tract consistent with K.C.C. 21A.14.200.

10486 C. Any recreation space located outdoors that is not part of a ((storm-water))
10487 stormwater tract developed in accordance with subsection F. of this section shall:

10488 1. Be of a grade and surface suitable for recreation improvements and have a
10489 maximum grade of five percent;

10490 2. Be on the site of the proposed development;

10491 3. Be located in an area where the topography, soils, hydrology, and other
10492 physical characteristics are of such quality as to create a flat, dry, obstacle-free space in a
10493 configuration that allows for passive and active recreation;

10494 4. Be centrally located with good visibility of the site from roads and sidewalks;

10495 5. Have no dimensions less than thirty feet, except trail segments;

10496 6. Be located in one designated area, unless the director determines that
10497 residents of large subdivisions, townhouses, and apartment developments would be better
10498 served by multiple areas developed with recreation or play facilities;

10499 7. Have a street roadway or parking area frontage along ten percent or more of
10500 the recreation space perimeter, except trail segments, if the required outdoor recreation
10501 space exceeds five thousand square feet and is located in a single detached or townhouse
10502 subdivision;

10503 8. Be accessible and convenient to all residents within the development; and

9. Be located adjacent to, and be accessible by, trail or walkway to any existing or planned municipal, county, or regional park, public open space, or trail system((, ~~which may~~)) that may be located on adjoining property.

D. Indoor recreation areas may be credited towards the total recreation space requirement, if the director determines that the areas are located, designed, and improved in a manner that provides recreational opportunities functionally equivalent to those recreational opportunities available outdoors. For senior ~~((citizen))~~ assisted housing, indoor recreation areas need not be functionally equivalent ~~((but))~~ and may include social areas, game and craft rooms, and other multipurpose entertainment and education areas.

E. Play equipment or age-appropriate facilities shall be provided within dedicated recreation space areas according to the following requirements:

1. ~~((For developments of five dwelling units or more, a))~~ A tot lot or children's play area within the recreation space on-site, that includes age-appropriate play equipment and benches, shall be provided ~~((consistent with K.C.C. 21A.14.190))~~, except if the use is either senior assisted housing or located within one quarter mile walking distance of a public park that is accessible without crossing an arterial street. The tot lot or children's play area shall:

a. provide at least forty-five square feet per dwelling unit, with a minimum size of four hundred square feet;

b. be adjacent to main pedestrian paths or near building entrances;

c. meet the requirements of this section; and

d. provide play equipment that meets, at a minimum, the Consumer Product Safety Standards for equipment, soft surfacing, and spacing;

10527 2. For developments of (~~five~~) nine to twenty-five dwelling units, one of the
10528 following recreation facilities shall be provided in addition to the tot lot or children's play
10529 area:

- 10530 a. playground equipment;
- 10531 b. sport court;
- 10532 c. sport field;
- 10533 d. tennis court; or
- 10534 e. any other recreation facility proposed by the applicant and approved by the
10535 director;

10536 3. For developments of twenty-six to fifty dwelling units, at least two or more of
10537 the recreation facilities listed in subsection E.2. of this section shall be provided in
10538 addition to the tot lot or children's play area; and

10539 4. For developments of more than fifty dwelling units, one or more of the
10540 recreation facilities listed in subsection E.2. of this section shall also be provided for
10541 every twenty-five dwelling units in addition to the tot lot or children's play area. If
10542 calculations result in a fraction, the fraction shall be rounded to the nearest whole number
10543 as follows:

- 10544 a. Fractions of 0.50 or above shall be rounded up; and
- 10545 b. Fractions below 0.50 shall be rounded down.

10546 F. In subdivisions, recreation areas that are contained within the on-site
10547 stormwater tracts, but are located outside of the one hundred year design water surface,
10548 may be credited for up to fifty percent of the required square footage of the on-site
10549 recreation space requirement on a foot-per-foot basis, subject to the following criteria:

10550 1. The stormwater tract and any on-site recreation tract shall be contiguously
10551 located. At final plat recording, contiguous stormwater and recreation tracts shall be
10552 recorded as one tract and dedicated to the ((homeowner's)) homeowners association or
10553 other organization as approved by the director;

10554 2. The drainage facility shall be constructed to meet the following conditions:

10555 a. The side slope of the drainage facility shall not exceed thirty-three percent
10556 unless slopes are existing, natural, and covered with vegetation;

10557 b. A bypass system or an emergency overflow pathway shall be designed to
10558 handle flow exceeding the facility design and located so that it does not pass through
10559 active recreation areas or present a safety hazard;

10560 c. The drainage facility shall be landscaped and developed for passive
10561 recreation opportunities such as trails, picnic areas, and aesthetic viewing; and

10562 d. The drainage facility shall be designed so they do not require fencing under
10563 the King County Surface Water Design Manual.

10564 G. When the tract is a joint use tract for a drainage facility and recreation space,
10565 King County is responsible for maintenance of the drainage facility only and requires a
10566 drainage easement for that purpose.

10567 H.1. A recreation space plan shall be submitted to the department and reviewed
10568 and approved with engineering plans.

10569 ((+)) 2. The recreation space plans shall address all portions of the site that will
10570 be used to meet recreation space requirements of this section, including drainage facility.
10571 The plans shall show dimensions, finished grade, equipment, landscaping, and
10572 improvements, as required by the director, to demonstrate that the requirements of the on-

10573 site recreation space and play areas in K.C.C. 21A.14.180 (~~and play areas in K.C.C.~~
10574 ~~21A.14.190~~)) have been met.

10575 ((~~2.~~)) 3. If engineering plans indicate that the on-site drainage facility or
10576 stormwater tract (~~(must)~~) is required to be increased in size from that shown in
10577 preliminary approvals, the recreation plans (~~(must)~~) shall show how the required
10578 minimum recreation space under K.C.C. 21A.14.180.A. will be met.

10579 SECTION 248. Ordinance 14045, Section 35, and K.C.C. 21A.14.195 are hereby
10580 amended to read as follows:

10581 Financial guarantees for construction of recreation facilities required under
10582 K.C.C. 21A.14.180 (~~and 21A.14.190~~) shall be provided consistent with K.C.C. Title
10583 27A.

10584 SECTION 249. Ordinance 10870, Section 381, and K.C.C. 21A.14.210 are
10585 hereby amended to read as follows:

10586 Developments shall provide storage space for the collection of recyclables as
10587 follows:

10588 A. The storage space shall be provided at the following rates, calculated based on
10589 any new dwelling unit in (~~(multiple dwelling)~~) multiunit developments and any new
10590 square feet of building gross floor area in any other developments:

10591 1. One and one-half square feet per dwelling unit in (~~(multiple dwelling)~~)
10592 multiunit developments except where the development is participating in a county-
10593 sponsored or approved direct collection program in which individual recycling bins are
10594 used for curbside collection;

10595 2. Two square feet per every 1,000 square feet of building gross floor area in
10596 office, educational, and institutional developments;

10597 3. Three square feet per every 1,000 square feet of building gross floor area in
10598 ~~((manufacturing))~~ industrial and other nonresidential developments; and

10599 4. Five square feet per every 1,000 square feet of building gross floor area in
10600 retail developments.

10601 B. The storage space for residential developments shall be apportioned and
10602 located in collection points as follows:

10603 1. The required storage area shall be dispersed in collection points throughout
10604 the site when a residential development comprises more than one building.

10605 2. There shall be one collection point for every ~~((30))~~ thirty dwelling units.

10606 3. Collection points may be located within residential buildings, in separate
10607 buildings/structures without dwelling units, or outdoors.

10608 4. Collection points located in separate buildings/structures or outdoors shall be
10609 no more than ~~((200))~~ two hundred feet from a common entrance of a residential building.

10610 5. Collection points shall be located in a manner so that the swing of any
10611 collection point gate does not obstruct pedestrian or vehicle traffic or access to parking or
10612 that the gate swing or any hauling truck does not project into any public right-of-way.

10613 C. The storage space for nonresidential developments shall be apportioned and
10614 located in collection points as follows:

10615 1. Storage space may be allocated to a centralized collection point.

10616 2. Outdoor collection points shall not be located in any required setback areas.

10617 3. Collection points shall be located in a manner so that the swing of any
10618 collection point gate does not obstruct pedestrian or vehicle traffic or access to parking or
10619 that the gate swing or any hauling truck does not project into any public right-of-way.

10620 4. Access to collection points may be limited, except during regular business
10621 hours and/or specified collection hours.

10622 D. The collection points shall be designed as follows:

10623 1. Dimensions of the collection points shall be of sufficient width and depth to
10624 enclose containers for recyclables.

10625 2. Architectural design of any structure enclosing an outdoor collection point or
10626 any building primarily used to contain a collection point shall be consistent with the
10627 design of the primary structure(s) on the site.

10628 3. Collection points shall be identified by signs not exceeding two square feet.

10629 4. A six-foot wall or fence shall enclose any outdoor collection point, excluding
10630 collection points located in industrial developments that are greater than ~~((100))~~ one
10631 hundred feet from ~~((residentially))~~ R or UR zoned property.

10632 5. Enclosures for outdoor collection points and buildings used primarily to
10633 contain a collection point shall have gate openings at least ~~((12))~~ twelve feet wide for
10634 haulers. In addition, the gate opening for any building or other roofed structure used
10635 primarily as a collection point shall have a vertical clearance of at least ~~((12))~~ twelve feet.

10636 6. Weather protection of recyclables shall be ensured by using weather-proof
10637 containers or by providing a roof over the storage area.

10638 E. Only recyclable materials generated on-site shall be collected and stored at
10639 such collection points. Except for initial sorting of recyclables by users, all other
10640 processing of such materials shall be conducted off-site.

10641 F. The director may waive or modify specific storage space and collection point
10642 requirements set forth in this section if the director finds, in writing, that an alternate
10643 recycling program design proposed by the applicant meets the needs of the development
10644 and provides an equivalent or better level of storage and collection for recyclables.

10645 SECTION 250. Ordinance 14045, Section 30, and K.C.C. 21A.14.225 are hereby
10646 amended to read as follows:

10647 A. Tracts and easements containing hazardous liquid and gas transmission
10648 pipelines and required setbacks from such pipelines may include the following uses,
10649 subject to other regulations applicable to each use and approval of the holder of the
10650 easement: utility structures that are not normally occupied and that are necessary for the
10651 operation of the pipeline, landscaping, trails, open space, keeping of animals, agriculture,
10652 forestry, commercial signage, minor communication facilities and ~~((the))~~ utility structures
10653 that are not normally occupied and that are necessary for the operation of the minor
10654 communication facility, and other compatible uses as specified on the face of the
10655 recorded plat or short plat; ~~((provided that))~~ however, structures designed for human
10656 occupancy shall never be allowed within pipeline tracts, easements, or setbacks.

10657 B. Hazardous liquid and gas transmission pipelines shall not be located in aquifer
10658 recharge areas, landslide hazard areas, or erosion hazard areas. When it is impractical to
10659 avoid such areas, special engineering precautions should be taken to protect public health,
10660 safety, and welfare.

10661 C. As part of an application for the new, modified, or expanded gas or hazardous
10662 liquid transmission pipelines, the applicant shall submit an equity impact review of the
10663 proposal using tools developed by the office of equity and racial and social justice. Until
10664 the tools have been developed and made publicly available by the office, the equity
10665 impact review is not required. The results from the equity impact review shall be used to
10666 assess equity impacts and opportunities during county permit review and may be used to
10667 inform determinations of project approval.

10668 SECTION 251. Ordinance 13694, Section 88, and K.C.C. 21A.14.310 are hereby
10669 amended to read as follows:

10670 Where railroads abut a proposed ~~((formal))~~ subdivision~~((s))~~, short
10671 subdivision~~((s))~~, or binding site plan~~((s))~~, measures to provide a physical separation
10672 between the two uses shall be required. These measures may include the use of: grade
10673 separations, setbacks, or barriers such as walls and fences.

10674 SECTION 252. Ordinance 14045, Section 43, and K.C.C. 21A.14.330 are hereby
10675 amended to read as follows:

10676 In the RA zone, all subdivisions and short subdivisions shall be recorded with a
10677 condition prohibiting any covenant that would ~~((preclude the keeping of horses or other~~
10678 ~~large livestock))~~ restrict farming or forestry.

10679 SECTION 253. Ordinance 10870, Section 387, as amended, and K.C.C.
10680 21A.16.020 are hereby amended to read as follows:

10681 ~~((Except for communication facilities regulated pursuant to K.C.C. 21A.26,))~~ A.
10682 ~~((a))~~ All new development listed in K.C.C. 21A.16.030 shall be subject to the landscaping
10683 provisions of this chapter, ~~((provided that specific))~~ except that:

10684 1. Communication facilities regulated under K.C.C. chapter 21A.26 are not
10685 subject to these provisions; and

10686 2. ((4))Landscaping and tree retention provisions for uses ((established through))
10687 requiring a conditional use permit((;)) or a special use permit((, or an urban planned
10688 development application)) shall be determined ((during)) through the applicable review
10689 process.

10690 B. Where landscaping standards for a specific use or geography are found
10691 elsewhere in this title or in property-specific development conditions, those standards
10692 shall apply.

10693 SECTION 254. Ordinance 10870, Section 388, as amended, and K.C.C.
10694 21A.16.030 are hereby amended to read as follows:

10695 To facilitate the application of this chapter, the land uses of K.C.C. chapter
10696 21A.08 have been grouped in the following manner:

10697 ~~((A. Residential development refers to those uses listed in K.C.C. 21A.08.030,~~
10698 ~~except those uses listed under Accessory uses, and:~~

10699 ~~1. Attached/group residences refers to:~~

10700 ~~a. townhouses, except as provided in subsection A.2.a. of this section;~~

10701 ~~b. apartments and detached dwelling units developed on common property at a~~
10702 ~~density of twelve or more units per acre;~~

10703 ~~c. senior citizen assisted housing;~~

10704 ~~d. temporary lodging;~~

10705 ~~e. group residences other than Type I community residential facilities;~~

10706 ~~f. mobile home parks; and~~

10707 ~~2. Single family development refers to:~~

10708 ~~a. residential subdivisions and short subdivisions, including attached and~~

10709 ~~detached dwelling units on individually platted or short platted lots;~~

10710 ~~b. any detached dwelling units located on a lot including cottage housing units;~~

10711 ~~and~~

10712 ~~e. Type I community residential facilities;~~

10713 ~~B. Commercial development refers to those uses in:~~

10714 ~~1. K.C.C. 21A.08.040 as amusement/entertainment uses, except golf facilities;~~

10715 ~~2. K.C.C. 21A.08.050 except recycling centers, health and educational services,~~

10716 ~~daycare I, churches, synagogues and temples, and miscellaneous repair as allowed in the~~

10717 ~~A and RA zones; and~~

10718 ~~3. K.C.C. 21A.08.070, except forest product sales and agricultural product sales~~

10719 ~~as allowed in the A, F₂ and RA zones and building, hardware and garden materials as~~

10720 ~~allowed in the A zones;~~

10721 ~~C. Industrial development refers to those uses listed in:~~

10722 ~~1. K.C.C. 21A.08.050 as recycling center;~~

10723 ~~2. K.C.C. 21A.08.060, except government services and farm product~~

10724 ~~warehousing, refrigeration, and storage as allowed in the A zones;~~

10725 ~~3. K.C.C. 21A.08.080, except food and kindred products as allowed in the A~~

10726 ~~and F zones; and~~

10727 ~~4. K.C.C. 21A.08.090 as mineral extraction and processing;~~

10728 ~~D. Institutional development refers to those uses listed in:~~

10729 ~~1. K.C.C. 21A.08.040 as cultural uses, except arboretums;~~

10730 2. ~~K.C.C. 21A.08.050 as churches, synagogues and temples, health services and~~
10731 ~~education services except specialized instruction schools permitted as an accessory use;~~
10732 3. ~~K.C.C. 21A.08.060 as government services; and~~
10733 4. ~~Search and rescue facilities;~~
10734 E. ~~Utility development refers to those uses listed in:~~
10735 1. ~~K.C.C. 21A.08.060 as utility facilities; and~~
10736 2. ~~K.C.C. 21A.08.100 as battery energy storage systems, except those defined as~~
10737 ~~accessory uses under K.C.C. 21A.06.015, 21A.06.020, or 21A.06.025; and~~
10738 F. ~~Uses in K.C.C. chapter 21A.08 that are not listed in subsections A. through E.~~
10739 ~~of this section shall not be subject to landscaping and tree retention requirements except~~
10740 ~~as specified in any applicable review of a conditional use or special use permits, or~~
10741 ~~reviews conducted in accordance with K.C.C. 21A.42.300.))~~

| <u>Type</u> | <u>Land Uses in K.C.C. chapter 21A.08</u> |
|---|---|
| <u>Residential –</u> <u>Attached</u> <u>Housing</u> | <u>1. Townhouses</u> <u>2. Apartments</u> <u>3 Senior assisted housing</u> <u>4. Congregate residence</u> <u>5. Manufactured home communities</u> <u>6. Residential care services uses in section 162 of this ordinance, except</u> <u>adult family homes, community residential facilities I, microshelter</u> <u>villages, and safe parking uses</u> |
| <u>Residential –</u> <u>Detached</u> <u>Housing</u> | <u>1. Single detached residences, including residential subdivisions and short</u> <u>subdivisions</u> <u>2. Duplexes</u> |

| | |
|----------------------|--|
| | <u>3. Houseplexes</u> <u>4. Cottage housing</u> <u>5. Adult family homes</u> <u>6. Community residential facilities I</u> |
| <u>Commercial</u> | <u>1. Amusement/entertainment uses in K.C.C. 21A.08.040</u> <u>2. Health care services in section 162 of this ordinance, except hospitals</u> <u>3. K.C.C. 21A.08.050 except interim recycling centers, daycare I and II, religious facilities, and miscellaneous repair as allowed in the A and RA zones</u> <u>4. Professional office</u> <u>5. General business service</u> <u>6. Retail uses in K.C.C. 21A.08.070, except forest product sales and agricultural product sales as allowed in the A, F, and RA zones and building materials and hardware stores as allowed in the A zones</u> |
| <u>Industrial</u> | <u>1. Industrial uses in K.C.C. 21A.08.080, except food and kindred products as allowed in the A and F zones</u> <u>2. Recycling centers</u> <u>3. K.C.C. 21A.08.060, except professional office, general business service, and farm product warehousing, refrigeration, and storage as allowed in the A zones</u> <u>4. K.C.C. 21A.08.090 as mineral extraction and processing</u> |
| <u>Institutional</u> | <u>1. Cultural uses in K.C.C. 21A.08.040, except arboretums</u> <u>2. Government and educational uses in section 164 of this ordinance, except utility facility</u> <u>3. Religious facilities</u> |

| | |
|-------------------|--|
| | <u>4. Search and rescue facilities</u> <u>5. Hospitals</u> |
| <u>Utility</u> | <u>1. Utility facilities</u> <u>2. Battery energy storage systems in K.C.C. 21A.08.100 as, except those defined as accessory uses under K.C.C. 21A.06.015, 21A.06.020, or 21A.06.025</u> |
| <u>Other Uses</u> | <u>Uses in K.C.C. chapter 21A.08 that are not listed in this section shall not be subject to landscaping and tree retention requirements except as determined through the applicable review of a conditional use permit, special use permit, or by the agricultural technical review committee in accordance with K.C.C. 21A.42.300.</u> |

10742 SECTION 255. Ordinance 10870, Section 390, as amended, and K.C.C.

10743 21A.16.050 are hereby amended to read as follows:

10744 The average width of perimeter landscaping along street frontages shall be
10745 provided as follows:

10746 A. Twenty feet of Type II landscaping shall be provided for an institutional
10747 ~~((use))~~ site, excluding playgrounds and playfields;

10748 B. Ten feet of Type II landscaping shall be provided for an industrial
10749 ~~((development))~~ site;

10750 C. Ten feet of Type II landscaping shall be provided for an ~~((above-ground))~~
10751 aboveground utility ~~((development))~~ site, excluding distribution and transmission
10752 corridors, located outside a public right-of-way;

10753 D. Ten feet of Type III landscaping shall be provided for a commercial or
10754 ~~attached((group-residence))~~ housing ~~((development))~~ site; and

10755 E. For single(~~(family)~~) detached residential subdivisions and short subdivisions
10756 in the urban (~~(growth)~~) area:

10757 1. Trees shall be planted at the rate of one tree for every forty feet of frontage
10758 along all public streets;

10759 2. The trees shall be:

10760 a. Located within the street right-of-way if (~~(permitted)~~) allowed by the
10761 custodial state or local agency;

10762 b. No more than twenty feet from the street right-of-way line if located within
10763 a lot;

10764 c. Maintained by the adjacent landowner unless part of a county maintenance
10765 program; and

10766 d. A species approved by the county if located within the street right-of way
10767 and compatible with overhead utility lines.

10768 3. The trees may be spaced at irregular intervals to accommodate sight distance
10769 requirements for driveways and intersections.

10770 SECTION 256. Ordinance 10870, Section 391, as amended, and K.C.C.

10771 21A.16.060 are hereby amended to read as follows:

10772 The average width of perimeter landscaping along interior lot lines shall be
10773 provided as follows:

10774 A. Twenty feet of Type I landscaping shall be (~~(included in)~~) provided for a
10775 commercial or industrial (~~(development)~~) site along any portion adjacent to a residential
10776 (~~(development)~~) site;

10777 B. Five feet of Type II landscaping shall be ~~((included in))~~ provided for an
10778 attached ~~((group residence development))~~ housing site, except that along portions of the
10779 ~~((development))~~ site adjacent to property developed with single detached residences or
10780 vacant property that is zoned RA, UR, R-1, R-4, R-6, or ~~((R-1-8))~~ R-8, the requirement
10781 shall be ten feet of Type II landscaping;

10782 C. Ten feet of Type II landscaping shall be ~~((included in))~~ provided for an
10783 industrial ~~((development))~~ site along any portion adjacent to a commercial or institutional
10784 ~~((development))~~ site; and

10785 D. Ten feet of Type II landscaping shall be included in:

- 10786 1. An institutional ~~((use))~~ site, excluding playgrounds and playfields; or
10787 2. An above-ground utility ~~((development))~~ site, excluding distribution or
10788 transmission corridors, when located outside a public right-of-way.

10789 SECTION 257. Ordinance 11210, Section 9, as amended, and K.C.C.
10790 21A.16.085 are hereby amended to read as follows:

10791 All new landscape areas ~~((proposed for a development))~~ shall be subject to the
10792 following provisions:

10793 A. Berms shall not exceed a slope of two horizontal feet to one vertical foot (2:1).

10794 B. All new turf areas, except all-weather, sand-based athletic fields shall:

- 10795 1. Be augmented with a two-inch layer of organic material cultivated a
10796 minimum of six inches deep; or
10797 2. Have an organic content of five percent or more to a depth of six inches as
10798 shown in a soil sample analysis. The soil analysis shall include:
10799 a. determination of soil texture, indicating percentage of organic matter,

10800 b. an approximated soil infiltration rate either measured or derived from
10801 soil/texture/infiltration rate tables. A range of infiltration rates shall be noted where
10802 appropriate; and

10803 c. measure pH value.

10804 C. Except as specifically outlined for turf areas in subsection B. of this section,
10805 the organic content of soils in any landscape area shall be as necessary to provide
10806 adequate nutrient and moisture-retention levels for the establishment of plantings.

10807 D. Landscape areas, except turf or areas of established groundcover, shall be
10808 covered with at least two inches of mulch to minimize evaporation.

10809 E. Plants having similar water use characteristics shall be grouped together in
10810 distinct hydrozones.

10811 F. Plants selected shall be natives, or other plants adapted to the climatic,
10812 geologic, and topographical conditions of the site. Preservation of existing noninvasive
10813 vegetation is encouraged.

10814 G. Landscape areas (~~((are authorized to be used for bioretention, as long as the~~
10815 ~~landscape areas meet the))~~) shall incorporate low-impact development best management
10816 practices to the maximum extent practical, consistent with the bioretention design
10817 standards of the Surface Water Design Manual, including soil mix and plant selection,
10818 and shall also meet the standards of this chapter for types of plants used and their spacing
10819 and density.

10820 SECTION 258. Ordinance 10870, Section 395, as amended, and K.C.C.
10821 21A.16.100 are hereby amended to read as follows:

10822 The following alternative landscape options may be allowed, subject to county
10823 approval, only if they accomplish equal or better levels of screening, or when existing
10824 conditions on or adjacent to the site, such as significant topographic differences,
10825 vegetation, structures, or utilities would render application of this chapter ineffective or
10826 result in scenic view obstruction:

10827 A. The amount of required landscape area may be reduced to ensure that the total
10828 area for required landscaping, and/or the area remaining undisturbed for the purpose of
10829 wildlife habitat or corridors does not exceed ~~((15))~~ fifteen percent of the net developable
10830 area of the site. For the purpose of this subsection A., the net developable area of the site
10831 shall not include areas deemed unbuildable due to their location within sensitive areas
10832 and any associated buffers~~((-))~~;

10833 B. The average width of the perimeter landscape strip may be reduced up to
10834 ~~((25))~~ twenty-five percent along any portion where:

10835 1. Berms at least three feet in height or architectural barriers at least six feet in
10836 height are incorporated into the landscape design; or

10837 2. The landscape materials are incorporated elsewhere on-site;

10838 C. ~~((In pedestrian district overlays, street perimeter landscaping may be waived
10839 provided a site plan, consistent with the applicable adopted area zoning document, is
10840 approved that provides street trees and other pedestrian-related amenities;~~

10841 ~~D.))~~ Landscaping standards for uses located in a rural town or rural neighborhood
10842 ~~((business))~~ commercial centers designated by the ~~((e))~~ Comprehensive ~~((p))~~ Plan may be
10843 waived or modified by the director if deemed necessary to maintain the historic character
10844 of the area. Where a ~~((local or))~~ subarea plan with design guidelines has been adopted,

10845 the director shall base the landscaping modifications on the policies and guidelines of
10846 such plan~~((:))~~;

10847 ~~((E.))~~ D. When an existing structure precludes installation of the total amount of
10848 required site perimeter landscaping, such landscaping material shall be incorporated on
10849 another portion of the site~~((:))~~;

10850 ~~((F.))~~ E. Single-stemmed deciduous tree species that cannot generally be planted
10851 and established in larger sizes may have a caliper of less than 1.5 inches; ~~((and))~~

10852 ~~((G.))~~ F. The number of trees and shrubs to be provided in required perimeter and
10853 parking area landscaping may be reduced up to ~~((25))~~ twenty-five percent when a
10854 development uses landscaping materials consisting of species typically associated with
10855 the Puget Sound Basin in the following proportions:

- 10856 1. Seventy-five percent of groundcover and shrubs~~((:))~~; and
10857 2. Fifty percent of trees~~((:))~~;

10858 ~~((H.))~~ G. The department shall, ~~((pursuant to))~~ in accordance with K.C.C. chapter
10859 2.98, develop and maintain an advisory listing of trees recommended for new plantings.
10860 Such list shall describe their general characteristics and suitability, and provide guidelines
10861 for their inclusion within required landscape areas; and

10862 H. Crops may be planted in place of up to twenty-five percent of required Type II
10863 or Type III landscaping in a commercial, residential, or institutional site.

10864 SECTION 259. Ordinance 10870, Section 406, as amended, and K.C.C.
10865 21A.18.020 are hereby amended to read as follows:

10866 A. Before an occupancy permit may be granted for any new or enlarged building
10867 or for a change of use in any existing building, the use shall be required to meet the

10868 requirements of this chapter. In addition, K.C.C. 21A.18.110~~((--))~~I. and J. establish
10869 residential parking limitations applicable to existing~~((, as well as))~~ and new~~((;))~~
10870 residential uses.

10871 B. If this chapter does not specify a parking requirement for a land use, the
10872 director shall establish the minimum requirement based on a study of anticipated parking
10873 demand. Transportation demand management actions taken at the site shall be considered
10874 in determining anticipated demand. If the site is located in an unincorporated activity
10875 center or community business center, the minimum requirement shall be set at a level less
10876 than the anticipated demand, but at no less than seventy-five percent of the anticipated
10877 demand. In the study, the applicant shall provide sufficient information to demonstrate
10878 that the parking demand for a specific land use will be satisfied. Parking studies shall be
10879 prepared by a professional engineer with expertise in traffic and parking analyses, or an
10880 equally qualified individual as authorized by the director.

10881 C. If the required amount of off-street parking has been proposed to be provided
10882 off-site, the applicant shall provide written contracts with affected landowners showing
10883 that required off-street parking shall be provided in a manner consistent with this chapter.
10884 The contracts shall be reviewed by the director for compliance with this chapter, and if
10885 approved, the contracts shall be recorded with the records and licensing services division
10886 as a deed restriction on the title to all applicable properties. These deed restrictions may
10887 not be revoked or modified without authorization by the director.

10888 D. Upon request from the ~~((proponent of any use subject to the this chapter))~~
10889 applicant, the director may waive or modify the requirements of this chapter for uses
10890 located in a rural town, rural neighborhood commercial center, any commercial zone

located in ~~((a))~~ the rural area geography or natural resource ~~((production district designated by the Comprehensive Plan))~~ lands, or any agricultural product production, processing or sales use allowed in the A or F zones ~~((the director may waive or modify this chapter))~~, in order to protect or enhance the historic character of the area, to reduce the need for pavement or other impervious surfaces, to recognize the seasonal nature of any such activity, or to minimize the conversion of agriculturally productive soils.

Where a ~~((neighborhood or))~~ subarea plan with design guidelines that includes the subject property has been adopted, the director shall base allowable waivers or modifications on the policies and guidelines in such a plan.

SECTION 260. Ordinance 10870, Section 407, as amended, and K.C.C.

21A.18.030 are hereby amended to read as follows:

A.1. ~~((Except as modified in K.C.C. 21A.18.070.B. through D.))~~ The required number of off-street parking ((areas)) spaces shall ((contain at a minimum the number of parking spaces as stipulated in the following)) be provided in accordance with this title. If a parking ratio is not specified in K.C.C. chapters 21A.xx, 21A.xx, 21A.xx, 21A.xx, 21A.xx, or 21A.xx (the chapters created by sections 170, 195, 203, 209, 217, and 224 of this ordinance), special district overlay, or property-specific development conditions, parking shall be provided using the table in subsection A.4. of this section.

2. Off-street parking ratios ~~((expressed as number of spaces per square foot means))~~ shall be based on the usable or net ~~((square footage of))~~ floor area, exclusive of ~~((non-public))~~ nonoccupied areas. ~~((Non-public))~~ For the purposes of this section, "nonoccupied areas" include, but are not limited to, building maintenance areas, storage areas, closets, or restrooms.

10914 3. If the ~~((formula))~~ calculation for determining the number of off-street parking
10915 spaces results in a fraction, the number of off-street parking spaces shall be rounded to
10916 the nearest whole number with fractions of 0.50 or greater ~~((rounding))~~ rounded up and
10917 fractions below 0.50 ~~((rounding))~~ rounded down.

10918 4. Minimum Required Parking Spaces.

| LAND USE | MINIMUM PARKING SPACES REQUIRED |
|---|--|
| RESIDENTIAL (K.C.C. 21A.08.030.A₂): | |
| <u>Any residential use within a 1/2 mile walkshed of a high-capacity or frequent transit stop as mapped by the Metro Transit Department</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>Per K.C.C. 21A.48.050</u> |
| Single detached <u>residence</u> /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 |
| ((Mobile)) <u>Manufactured</u> home ((park)) <u>community</u> | 2.0 per dwelling unit |
| Senior ((citizen)) assisted <u>housing</u> | 1 per 2 dwelling or sleeping units |
| ((Community residential facilities | 1 per two bedrooms)) |

| | |
|--|---|
| ((Dormitory, including religious)) <u>Congregate residence</u> | 1 per ((two bedrooms)) <u>2 dwelling or sleeping units</u> |
| ((Hotel/Motel including organizational hotel/lodging | 1 per bedroom |
| Bed and breakfast guesthouse | 1 per guest room, plus 2 per facility)) |
| Cottage housing | 1 per dwelling unit |
| <u>HEALTH CARE SERVICES AND RESIDENTIAL CARE SERVICES (subsection A. of section 162 of this ordinance):</u> | |
| <u>Health care and residential care services, if not otherwise specified</u> | <u>1 per 300 square feet of office, labs, examination or patient room</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> |
| <u>((RECREATION/)) RECREATIONAL AND CULTURAL (K.C.C. 21A.08.040.A.):</u> | |
| ((Recreation/)) <u>Recreational and cultural uses, if not otherwise specified</u> | 1 per 300 square feet |
| ((Exceptions:)) | |
| Bowling center | 5 per lane |

| | |
|--|---|
| Golf course | 3 per hole, plus 1 per 300 square feet of club house 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 | <u>Greater of 1 per 3 fixed seats</u> ((7)) plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1 per ((bed)) <u>hotel</u> room((, whichever results in the greater number of spaces)). |
| ((LAND USE | MINIMUM PARKING SPACES REQUIRED)) |
| ((GENERAL SERVICES)) <u>PERSONAL SERVICES AND LODGING</u> (K.C.C. 21A.08.050.A₂): | |
| ((General services uses:)) <u>Personal services and lodging, if not otherwise specified</u> | 1 per 300 square feet |
| ((Exceptions:)) | |
| <u>Specialized instruction schools</u> | <u>1 per classroom, plus 1 per 2 students</u> |
| 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, temple)) <u>Religious facility</u> | 1 per 5 fixed seats, plus 1 per 50 square feet of gross floor area without fixed seats used for assembly purposes |

| | |
|--|--|
| ((Outpatient and)) Veterinary clinic ((offices)) | 1 per 300 square feet of office, labs, and examination rooms |
| ((Nursing and personal care —— Facilities | 1 per 4 beds |
| Hospital | 1 per bed)) |
| <u>Hotel/motel</u> | <u>1 per room</u> |
| <u>Organizational hotel/lodging</u> | <u>1 per room</u> |
| <u>Bed and breakfast guesthouse</u> | <u>1 per guest room, plus 2 per facility</u> |
| <u>GOVERNMENT AND EDUCATION (subsection A. of section 164 of this ordinance):</u> | |
| <u>Government uses, if not otherwise specified</u> | <u>1 per 300 square feet</u> |
| <u>Public agency yard</u> | <u>1 per 300 square feet of offices, plus 0.9 per 1,000 square feet of indoor storage or repair areas</u> |
| <u>Public agency archives</u> | <u>0.9 per 1,000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas</u> |
| <u>Courts</u> | <u>3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas</u> |
| <u>Police facility</u> | <u>(director)</u> |
| <u>Fire facility</u> | <u>(director)</u> |
| Elementary schools | 1 per classroom, plus 1 per 50 students |
| ((Secondary schools)) | |
| Middle/junior high schools | 1 per classroom, plus 1 per 50 students |
| <u>Secondary or ((H))high schools</u> | 1 per classroom, plus 1 per 10 students |
| <u>Secondary or ((H))high schools with stadiums</u> | ((g)) <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 ((five)) 5 students |
| ((Specialized instruction Schools | 1 per classroom, plus 1 per two students)) |
| Artist Studios | 0.9 per 1,000 square feet of area used for studios |
| ((GOVERNMENT/))BUSINESS SERVICES (K.C.C. 21A.08.060.A.): | |
| ((Government/b)) Business services uses ((:)), if not otherwise specified | 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 |
| ((LAND USE | MINIMUM PARKING SPACES REQUIRED)) |
| RETAIL((WHOLESALE)) (K.C.C. 21A.08.070.A₂): | |
| Retail ((trade)) uses ((÷)) , if not <u>otherwise specified</u> | 1 per 300 square feet |
| ((Exceptions:)) | |
| Food stores, less than 15,000 square feet | 3 plus 1 per 350 square feet |
| Gasoline service stations ((w/o)) <u>without</u> grocery | 3 per facility, plus 1 per service bay |
| Gasoline service stations ((w/)) <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 1000 square feet |
| Retail and wholesale trade mixed use | 1 per 300 square feet |
| MANUFACTURING)) INDUSTRIAL (K.C.C. 21A.08.080.A₂): | |
| ((Manufacturing)) <u>Industrial</u> uses | 0.9 per 1,000 square feet |
| <u>Construction and trade</u> | <u>1 per 300 square feet of office, plus 1 per 3,000 square feet of storage area</u> |
| <u>Warehousing and wholesale trade</u> | <u>1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area</u> |
| <u>Heavy equipment repair</u> | <u>1 per 300 square feet of office, plus 0.9 per 1,000 square feet of indoor repair areas</u> |

| | |
|---|---|
| Winery/Brewery/Distillery Facility II and III | 0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting and retail areas |
| RESOURCES (K.C.C. 21A.08.090.A₂): | |
| Resource uses | (director) |
| REGIONAL (K.C.C. 21A.08.100.A₂): | |
| Regional uses | (director) |

10919 B. An applicant may request a modification of the minimum required number of
10920 parking spaces by (~~providing~~) demonstrating that parking demand can be met with a
10921 reduced parking requirement. In such cases, the director may approve a reduction of up
10922 to fifty percent of the minimum required number of spaces.

10923 C. When the county has received a shell building permit application, off-street
10924 parking requirements shall be based on the possible tenant improvements or uses
10925 authorized by the zoning classification and compatible with the limitations of the shell
10926 permit. When the range of possible uses result in different parking requirements, the
10927 director will establish the amount of parking based on a likely range of uses.

10928 D. Where other provisions of this code stipulate maximum parking allowed or
10929 reduced minimum parking requirements, those provisions shall apply.

10930 E.1. In any development required to provide six or more parking spaces, bicycle
10931 parking shall be provided. Bicycle parking shall be bike racks or locker-type parking
10932 facilities unless otherwise specified.

10933 ~~((1-))~~ 2. ~~((Off-street parking areas shall contain a))~~ At least one bicycle parking
10934 space for every twelve required parking spaces ~~((required for motor vehicles))~~ except as
10935 follows:

10936 a. The director may reduce ~~((bike rack))~~ bicycle parking facilities for patrons
10937 when it is demonstrated that bicycle activity will not occur at that location.

10938 b. The director may require additional spaces when it is determined that the
10939 use or its location will generate a high volume of bicycle activity. Such a determination
10940 will include, but not be limited to, the following uses:

10941 (1) Park/playfield~~((;))~~;

10942 (2) Marina~~((;))~~;

10943 (3) Library/museum/arboretum~~((;))~~;

10944 (4) Elementary/secondary school~~((;))~~;

10945 (5) Sports club~~((;))~~; or

10946 (6) Retail business (when located along a developed bicycle trail or
10947 designated bicycle route).

10948 ~~((2-))~~ 3. Bicycle ~~((facilities))~~ parking for patrons shall be located within 100 feet
10949 of the building entrance and shall be designed to allow either a bicycle frame or wheels to
10950 be locked to a structure attached to the pavement.

10951 ~~((3-))~~ 4. All bicycle parking and storage shall be located in safe, visible, and
10952 well-lit areas that do not impede pedestrian or vehicle traffic flow~~((, and shall be well lit~~
10953 ~~for nighttime use))~~.

10954 ~~((4-))~~ 5. When more than ten people are employed on-site, enclosed locker-type
10955 parking facilities for employees shall be provided. The director shall allocate the

required number of parking spaces between bike rack parking and enclosed locker-type parking facilities.

~~((5.))~~ 6. One indoor bicycle storage space shall be provided for every two dwelling units in townhouses and apartments ~~((residential uses))~~, unless individual garages are provided for every unit. The director may reduce the number of ~~((bike rack))~~ bicycle parking spaces if indoor storage facilities are available to all residents.

SECTION 261. Ordinance 10870, Section 410, as amended, and K.C.C. 21A.18.050 are hereby amended to read as follows:

A. For community residential facilities and senior assisted housing, ~~((F))~~ the minimum parking requirement ~~((of one off-street parking space per two bedrooms for CRF's and one off-street parking space per two senior citizen assisted housing units))~~ may be reduced by up to ~~((50))~~ fifty percent, as determined by the director based on the following considerations:

1. Availability of private, convenient transportation services to meet the needs of ~~((the CRF))~~ residents;

2. Accessibility to and frequency of public transportation; and

3. Pedestrian access to health, medical, and shopping facilities;

B. If a ~~((CRF))~~ community residential facility or senior ~~((citizen))~~ assisted housing is no longer used for such purposes, additional off-street parking spaces shall be required in compliance with this chapter ~~((prior to))~~ before the issuance of a new certificate of occupancy.

SECTION 262. Ordinance 10870, Section 413, as amended, and K.C.C. 21A.18.090 are hereby amended to read as follows:

10979 A. All land uses listed in K.C.C. 21A.08.060(~~(A. (Government/Business~~
10980 ~~Services))~~), (~~and in~~) K.C.C. 21A.08.080(~~(A. (Manufacturing))~~), hospitals, government
10981 services in section 164 of this ordinance, secondary or high schools, vocational schools,
10982 college/universities, and specialized instruction schools shall be required to reserve one
10983 parking space of every twenty required spaces for rideshare parking as follows:

10984 1. The parking spaces shall be located closer to the primary employee entrance
10985 than any other employee parking except (~~(disabled)~~) accessible parking spaces;

10986 2. Reserved areas shall have markings and signs indicating that the space is
10987 reserved; and

10988 3. Parking in reserved areas shall be limited to vanpools and carpools
10989 established through ride((-))share programs by public agencies and to vehicles meeting
10990 minimum rideshare qualifications set by the employer.

10991 B. The director may reduce the number of required off-street parking spaces
10992 when one or more scheduled transit routes provide service within six hundred sixty feet
10993 of the site. The amount of reduction shall be based on the number of scheduled transit
10994 runs between 7:00 - 9:00 a.m. and 4:00 - 6:00 p.m. each business day up to a maximum
10995 reduction as follows:

10996 1. Four percent for each run serving business services land uses in K.C.C.
10997 21A.08.060(~~(A. (Government/Business Services))~~), government services land uses in
10998 section 164 of this ordinance, and industrial land uses in K.C.C. 21A.08.080(~~(A.~~
10999 ~~(Manufacturing))~~) up to a maximum of forty percent;

11000 2. Two percent for each run serving recreational and cultural land uses in
11001 K.C.C. 21A.08.040(~~(A. (Recreation/Culture))~~), personal and lodging land uses in K.C.C.

11002 21A.08.050(~~(A.-(General Services))~~), and retail land uses in K.C.C. 21A.08.060.A.

11003 (~~((Retail/Wholesale))~~) up to a maximum of twenty percent; and

11004 3. When served by transit runs scheduled every fifteen minutes or less, cottage
11005 housing sites shall have no required parking minimum.

11006 C. All uses which are located on an existing transit route and are required under
11007 the computation for required off-street parking spaces in K.C.C. 21A.18.030.A. to
11008 provide more than two hundred parking spaces may be required to provide transit
11009 shelters, bus turnout lanes or other transit improvements as a condition of permit
11010 approval. Uses that reduce required parking under subsection B. of this section shall
11011 provide transit shelters if transit routes adjoin the site.

11012 SECTION 263. Ordinance 10870, Section 414, as amended, and K.C.C.

11013 21A.18.100 are hereby amended to read as follows:

11014 A. (~~((Non-residential))~~) Nonresidential uses. All (~~((permitted))~~) nonresidential uses
11015 shall provide pedestrian and bicycle (~~((access))~~) facilities within and onto the site(~~((:))~~) as
11016 follows:

11017 1. Access points onto the site shall be provided;

11018 (~~((a))~~) a. approximately every (~~((800))~~) eight hundred to ((1,000)) one thousand
11019 feet along existing and proposed perimeter sidewalks and walkways(~~((:))~~); and

11020 (~~((b))~~) b. at all arrival points to the site, including abutting street intersections,
11021 crosswalks, and transit stops(~~((:))~~);

11022 2. (~~((In addition, a))~~) Access points to and from adjacent lots shall be coordinated
11023 to provide pedestrian and bicycle circulation patterns between developments; and

11024 3. In the urban area, sidewalks, walkways, and bicycle facilities in commercial
11025 developments shall be of a sufficient width and surface material to support anticipated
11026 bicyclist volumes and pedestrian access for all ages and abilities.

11027 B. Residential uses~~((:))~~ with ten or more dwelling units shall provide
11028 ~~((1. All permitted residential uses of five or more dwelling units shall provide))~~
11029 pedestrian and bicycle ~~((access))~~ facilities within and onto the site~~((:))~~ as follows:

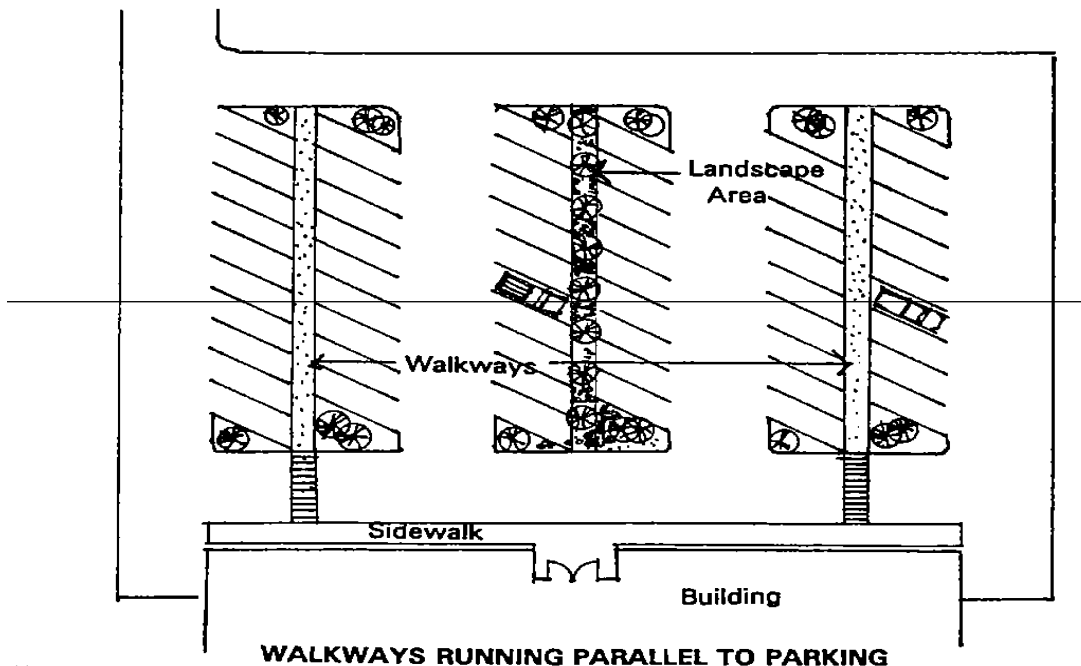
11030 1. Access points onto the site; ~~((shall be provided))~~
11031 ~~((a))~~ a. approximately every ~~((800))~~ eight hundred to ~~((1,000))~~ one thousand
11032 feet along existing and proposed perimeter sidewalks and walkways~~((:))~~; and
11033 ~~((b))~~ b. at all arrival points to the site, including abutting street intersections,
11034 crosswalks, and transit and school bus stops~~((:))~~;

11035 2. ~~((In addition, a))~~ Access points ~~((to and from adjacent lots shall be))~~ between
11036 sites coordinated with adjacent lots to provide pedestrian and bicycle circulation
11037 ~~((patterns))~~ between sites~~((:))~~;

11038 ~~((2. Residential uses of five or more dwelling units shall provide for non-~~
11039 ~~motorized))~~ 3. Pedestrian and bicycle circulation between cul-de-sacs or groups of
11040 buildings to allow ~~((pedestrian and bicycle))~~ access within and through the development
11041 to adjacent activity centers, parks, common tracts, dedicated open space intended for
11042 active recreation, schools or other public facilities, transit and school bus stops, and
11043 public streets~~((:))~~; and

11044 ~~((3.))~~ 4. Access ~~((shall only be required))~~ to school bus stops that are within or
11045 adjacent to ~~((a proposed residential use of five or more dwelling units))~~ the development
11046 and that are identified by the affected school district in response to a Notice of

11047 Application. In order to allow school districts to identify school bus stops, the
11048 department shall send a Notice of Application to affected school districts on all
11049 applications for residential uses ~~((of five or more dwelling units))~~ subject to this section.



11050 (())

11051 C. Walkways shall form an on-site circulation system that minimizes the conflict
11052 between pedestrians and traffic at all points of pedestrian access to ~~((on-site))~~ parking
11053 areas and building entrances. Walkways shall be provided ~~((when the))~~ in the following
11054 circumstances:

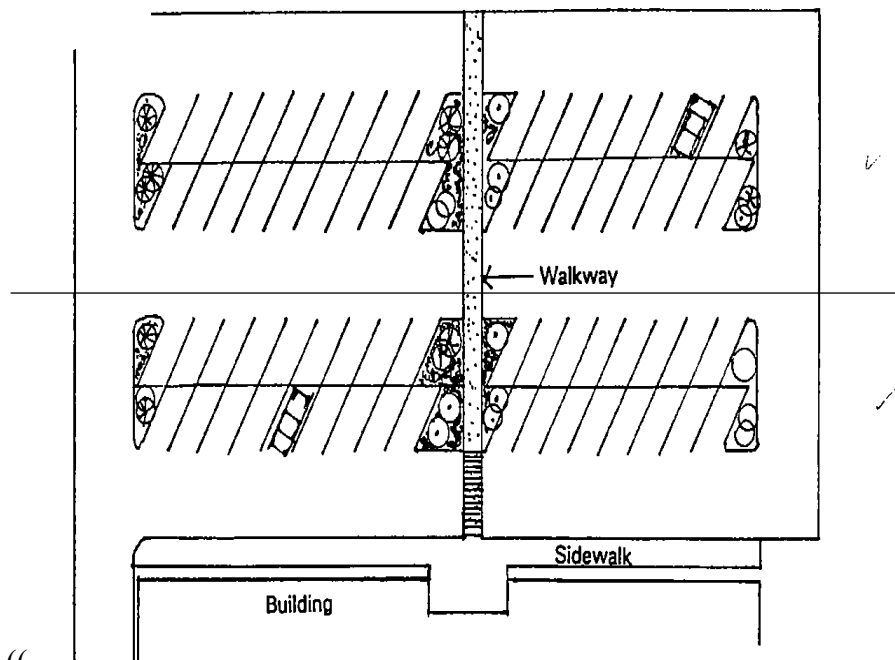
- 11055 1. Between pedestrian access points onto the site~~((or))~~ and the building
11056 entrance or principal destination;
- 11057 2. On properties where any parking space~~((is))~~ is more than ~~((75))~~ seventy-five
11058 feet from the building entrance or principal ~~((on-site))~~ destination; ~~((and as follows:))~~
- 11059 3. ~~((1. All developments which contain more than one building shall provide~~
11060 ~~walkways b))~~ Between the principal building entrances ~~((of the buildings))~~ on sites with
11061 multiple buildings; and

11062 ~~((2. All non-residential))~~ 4. For nonresidential buildings set back more than
11063 ~~((100))~~ one hundred feet from the public right-of-way, ~~((shall provide for direct~~
11064 ~~pedestrian access from))~~ between the building entrances to buildings on adjacent lots~~((;~~
11065 ~~and))~~.

11066 ~~((3.))~~ D. Walkways across parking areas shall be located as follows:

11067 ~~((a.))~~ 1. Walkways running parallel to the parking rows shall be provided for
11068 every six rows. Rows without walkways shall be landscaped or contain barriers or other
11069 means to encourage pedestrians to use the walkways; and

11070 ~~((b.))~~ 2. Walkways running perpendicular to the parking rows shall be no further
11071 than twenty parking spaces. Landscaping, barriers, or other means shall be provided
11072 between the parking rows to encourage pedestrians to use the walkways~~((;))~~.



11073 ~~((~~

11074 ~~**WALKWAYS RUNNING PERPENDICULAR TO PARKING**~~))

11075 ~~((D.))~~ E. Pedestrian and bicycle access and walkways shall meet the following
11076 minimum design standards:

11077 1. Access and walkways shall be well lit and physically separated from
11078 driveways and parking spaces by landscaping, berms, barriers, grade separation, or other
11079 means to protect pedestrians from vehicular traffic;

11080 2. Access and walkways shall be a minimum of ~~((48))~~ forty-eight inches of
11081 unobstructed width and meet the surfacing standards of the King County Road Design
11082 and Construction Standards for walkways or sidewalks;

11083 3. The minimum standard for walkways required to be accessible for persons
11084 with disabilities shall be designed and constructed to comply with the current State
11085 Building Code regulations for barrier-free accessibility; and

11086 4. A crosswalk shall be required when a walkway crosses a driveway or a paved
11087 area accessible to vehicles~~((;and))~~;

11088 E. Blocks in excess of ~~((660))~~ six hundred sixty feet shall be provided with a
11089 crosswalk at the approximate midpoint of the block.

11090 F.1. The director may waive or modify the requirements of this section when:

11091 ~~((1.))~~ a. ~~((E))~~ existing or proposed improvements would create an unsafe
11092 condition or security concern;

11093 ~~((2.))~~ b. ~~((F))~~ there are topographical constraints, or existing or required
11094 structures effectively block access;

11095 ~~((3.))~~ c. ~~((F))~~ the site is in ~~((a))~~ the rural area or natural resource lands outside
11096 of or not contiguous to an activity center, park, common tract, dedicated open space,
11097 school, transit stop, or other public facility;

11098 ~~((4.))~~ d. ~~((F))~~ the land use would not generate the need for pedestrian or bicycle
11099 access; or

11100 ~~((5-))~~ e. the public is not allowed access to the subject land use~~((:))~~; and

11101 2. The director's waiver may not be used to modify or waive the requirements of

11102 K.C.C. 21A.18.100 relating to sidewalks and safe walking conditions for students.

11103 G. ~~((The provisions of))~~ This section shall not apply on school district property.

11104 SECTION 264. Ordinance 10870, Section 415, as amended, and K.C.C.

11105 21A.18.110 are hereby amended to read as follows:

11106 A. ~~((Off-street parking areas shall not be located more than six hundred feet from~~

11107 ~~the building they are required to serve for all uses except those specified as follows;~~

11108 ~~w))~~ Where an off-street parking area does not abut the building it serves, the required

11109 maximum distance shall be ~~((measured from the nearest building entrance that the~~

11110 ~~parking area serves))~~ as follows:

11111 1. For ~~((all))~~ single detached ~~((dwellings the parking spaces shall be located))~~

11112 residences, duplex, or houseplexes, on the same lot they are required to serve;

11113 2. For all other residential ~~((dwellings))~~ developments, at least a portion ~~((of~~

11114 ~~parking areas shall be located))~~ within one hundred fifty feet ~~((from the building or~~

11115 ~~buildings they are required to serve))~~;

11116 3. For all nonresidential uses ~~((permitted))~~ allowed in ~~((rural area and~~

11117 ~~residential))~~ RA, UR, and R zones, ~~((the parking spaces shall be located))~~ on the same

11118 site they are required to serve and at least a portion of ~~((parking areas))~~ shall be

11119 ~~((located))~~ within one hundred fifty feet from the nearest building entrance they are

11120 required to serve; and

11121 4. For all other uses, within six hundred feet.

11122 ~~((4.))~~ B. In ~~((designated))~~ unincorporated activity centers, community business
11123 centers, and neighborhood business centers, parking lots shall be located to the rear or
11124 sides of buildings. Relief from this ~~((subsection A.4))~~ standard may be granted by the
11125 director only if the applicant can demonstrate that there is no practical site design to meet
11126 this requirement. The director may allow only the number of parking spaces that cannot
11127 be accommodated to the rear or sides of buildings to be located to the front of
11128 buildings~~((;))~~.

11129 ~~((5.))~~ C. Parking lots shall be so arranged as to permit the internal circulation of
11130 vehicles between parking aisles without ~~((re-entering))~~ reentering adjoining public
11131 streets; and

11132 ~~((6.))~~ D. Accessible ((P))parking ((for the disabled)) spaces and access shall be
11133 provided in accordance with ~~((K.C.C. 21A.18.060))~~ chapter 19.27 RCW and chapter
11134 70.92 RCW.

11135 ~~((B.))~~ E. The minimum parking space and aisle dimensions for the most common
11136 parking angles are shown on the table in this subsection. For parking angles other than
11137 those shown on the chart, the minimum parking space and aisle dimensions shall be
11138 determined by the director. ~~((Regardless of the parking angle, one-way aisles shall be at~~
11139 ~~least ten feet wide, and two-way aisles shall be at least twenty feet wide.))~~ If dead-end
11140 aisles are used in the parking layout, they shall be constructed as two-way aisles.
11141 ~~((Parking plans for angle parking shall use space widths no less than eight feet six inches~~
11142 ~~for a standard parking space design and eight feet for a compact car parking space design.~~

11143 MINIMUM PARKING STALL AND AISLE DIMENSIONS

| <u>A</u> | <u>B</u> | <u>C</u> | <u>D</u> | <u>E</u> | <u>F</u> |
|----------|----------|----------|----------|----------|----------|
|----------|----------|----------|----------|----------|----------|

| PARKING ANGLE | STALL WIDTH | CURB LENGTH | STALL DEPTH | AISLE WIDTH 1-WAY 2-WAY | UNIT DEPTH 1-WAY 2-WAY |
|------------------|----------------|----------------|----------------|---------------------------------------|--------------------------------------|
| 0 — 0 | 8.0* | 20.0* | 8.0 | 12.0 20.0 | ** ** |
| | Min — 8.5 | 22.5 | 8.5 | 12.0 20.0 | 29.0 — 37.0 |
| | Desired 9.0 | 22.5 | 9.0 | 12.0 20.0 | 30.0 — 38.0 |
| 30 — 30 | 8.0* | 16.0* | 15.0 | 10.0 20.0 | ** ** |
| | Min — 8.5 | 17.0 | 16.5 | 10.0 20.0 | 42.0 — 53.0 |
| | Desired 9.0 | 18.0 | 17.0 | 10.0 20.0 | 44.0 — 54.0 |
| 45 — 45 | 8.0* | 11.5* | 17.0* | 12.0 20.0 | ** ** |
| | Min — 8.5 | 12.0 | | 12.0 20.0 | 50.0 — 58.0 |
| | Desired 9.0 | 12.5 | | 12.0 20.0 | 51.0 — 59.0 |
| 60 — 60 | 8.0* | 9.6* | 18.0 | 18.0 20.0 | ** ** |
| | Min — 8.5 | 10.0 | 20.0 | 18.0 20.0 | 58.0 — 60.0 |
| | Desired 9.0 | 10.5 | 21.0 | 18.0 20.0 | 60.0 — 62.0 |
| 90 | 8.0* | 8.0* | 16.0* | 24.0 — 24.0 | ** ** |
| | Min — 8.5 | 8.5 | 18.0 | 24.0 — 24.0 | 60.0 — 60.0 |
| | Desired 9.0 | 9.0 | 18.0 | 23.0 — 24.0 | 60.0 — 60.0)) |

11144

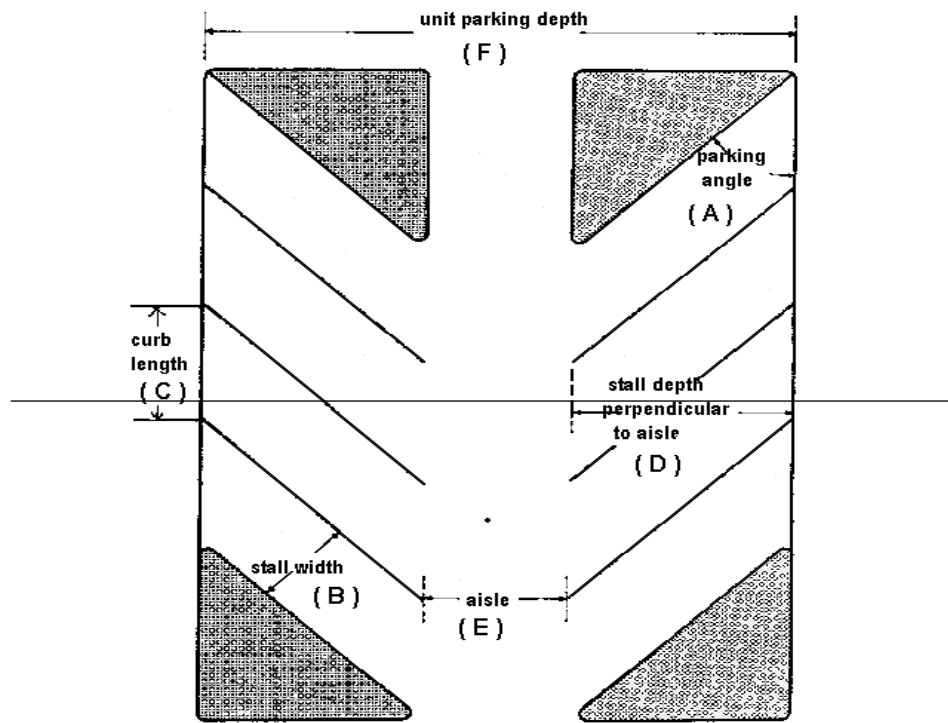
| Minimum Parking Stall and Aisle Dimensions | | | | | |
|--|------------------------------|------------------------------|------------------------------|--------------------|--------------|
| <u>A</u> | <u>B</u> | <u>C</u> | <u>D</u> | <u>E</u> | |
| <u>PARKING</u> <u>ANGLE</u> | <u>STALL</u> <u>WIDTH</u> | <u>CURB</u> <u>LENGTH</u> | <u>STALL</u> <u>DEPTH</u> | <u>AISLE WIDTH</u> | |
| | | | | <u>1-WAY</u> | <u>2-WAY</u> |
| 0 | Minimum 8.0 feet | 20.0 feet | 8.0 feet | 12.0 feet | 20.0 feet |
| | Standard 8.5 feet | 22.5 feet | 8.5 feet | 12.0 feet | 20.0 feet |
| | Desired 9.0 feet | 22.5 feet | 9.0 feet | 12.0 feet | 20.0 feet |
| 30 | Minimum 8.0 feet | 16.0 feet | 15.0 feet | 10.0 feet | 20.0 feet |

| | | | | | |
|-----------|--------------------------|------------------|------------------|------------------|------------------|
| | <u>Standard 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> |
| <u>45</u> | <u>Minimum 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>Standard 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> |
| <u>60</u> | <u>Minimum 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>Standard 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> |
| <u>90</u> | <u>Minimum 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>Standard 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> |

11145 ((~~* for compact stalls only~~

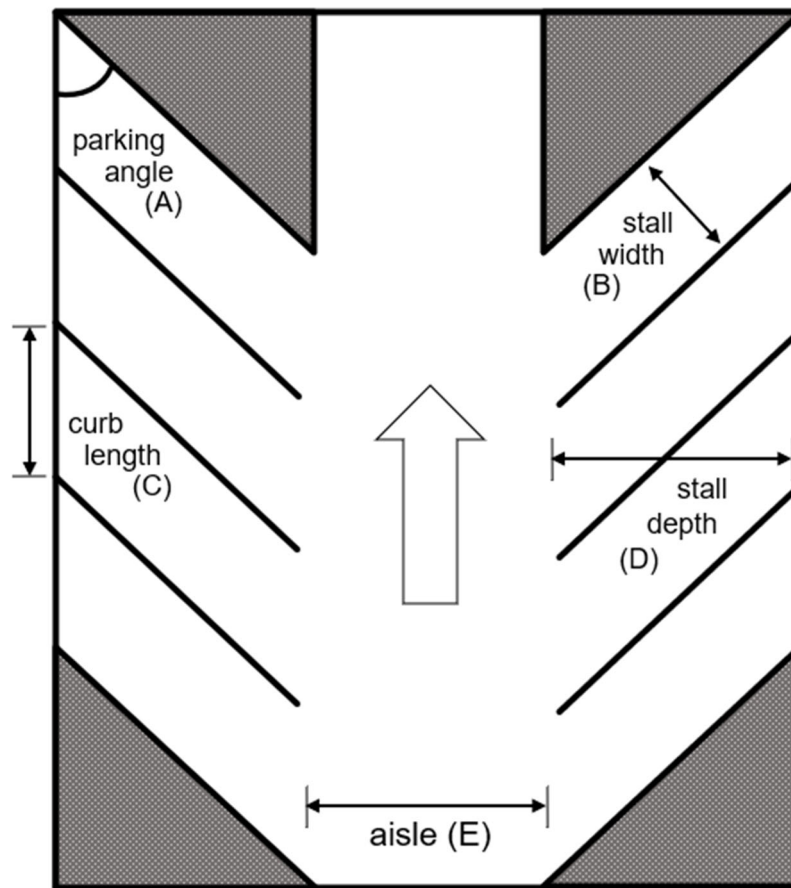
11146 ~~** variable with compact and standard combinations~~

NOMENCLATURE OF OFF-STREET PARKING AREA



11147

))



11148

11149 ((C-)) F. The minimum dimensions of a parking space shall be:

11150 1. For residential developments, eight feet wide by eighteen feet in length.

11151 Tandem or end-to-end parking is allowed at a rate of one space per every twenty linear

11152 feet. Developments shall not combine parking for separate dwelling units in tandem

11153 parking areas; and

11154 2. For all other developments, eight feet six inches wide by eighteen feet.

11155 G. Compact parking measuring eight feet wide by sixteen feet in length shall be

11156 allowed as follows:

11157 1. Developments containing more than twenty parking spaces may designate up

11158 to fifty percent of the total number of parking spaces for compact cars; and

11159 2. Residential developments with less than twenty parking spaces may designate
11160 up to forty percent of the total number of parking spaces for compact cars.

11161 H. Any parking spaces abutting a required landscaped area on the driver or
11162 passenger side of the vehicle shall provide an additional eighteen inches above the
11163 minimum space width requirement to provide a place to step other than in the landscaped
11164 area. The additional width shall be separated from the adjacent parking space by a
11165 parking space division stripe.

11166 ~~((D.))~~ I. The parking stall depth may be reduced if vehicles overhang a walkway,
11167 ~~((or))~~ landscaping, or bioretention planter under the following conditions:

11168 1. Wheelstops, ~~((or))~~ curbs, or other structural barriers are installed to protect
11169 plantings and pedestrians;

11170 2. The remaining walkway provides a minimum of forty-eight inches of
11171 unimpeded passageway for pedestrians; and

11172 3. The amount of space depth reduction is limited to a maximum of eighteen
11173 inches~~((; and~~

11174 ~~4. Landscaping is designed in accordance with K.C.C. 21A.16.070.E.~~

11175 ~~E. Driveways providing ingress and egress between off-street parking areas and~~
11176 ~~abutting streets shall be designed, located and constructed in accordance with K.C.C.~~
11177 ~~chapter 14.42, Road Standards)).~~

11178 J. Driveways may cross required setbacks or landscaped areas to provide access
11179 to the street as follows:

11180 1. ~~((f))~~ For single detached ((dwellings, no more than twenty feet in width,))
11181 residences, ((may cross required setbacks or landscaped areas to provide access between

11182 ~~the off-street parking areas and the street, provided))~~ if the driveway is no more than
11183 twenty feet in width and eliminates no more than fifteen percent of the required
11184 landscaping or setback area ~~((is eliminated by the driveway))~~. Joint use driveways may
11185 be located within required landscaping or setback areas.

11186 2. ~~((Driveways f))~~ For all other developments, ~~((may cross or be located within~~
11187 ~~required setbacks or landscaped areas to provide access between the off-street parking~~
11188 ~~areas and the street,))~~ if no more than ten percent of the required landscaping is displaced
11189 by the driveway and the driveway is located no closer than five feet from any property
11190 line except where intersecting the street.

11191 ~~((F.))~~ K. Parking spaces ~~((required under this title))~~ shall be located as follows:

11192 1. For single detached ~~((dwelling units))~~ residences, duplex, or houseplexes, the
11193 required parking spaces shall be outside of any required setbacks or landscaping, but
11194 driveways crossing setbacks and required landscaping may be used for parking.
11195 However, if the driveway is a joint use driveway, ~~((no))~~ a vehicle parked on the driveway
11196 shall not obstruct any joint user's access to the driveway or parking spaces;

11197 2. For all other developments, parking spaces may be ~~((permitted))~~ allowed by
11198 the director in setback areas in accordance with an approved landscape plan; and

11199 3. For nonresidential uses in ~~((rural area and residential))~~ RA, UR, and R zones,
11200 parking is ~~((permitted))~~ allowed in setback areas ~~((in accordance with K.C.C.~~
11201 21A.12.220)) if such parking areas are located outside of the required landscape area.

11202 ~~((G. Lighting shall be provided for safety of traffic and pedestrian circulation on~~
11203 ~~the site. It shall be designed to minimize direct illumination of abutting properties and~~

11204 adjacent streets. The director shall have the authority to waive the requirement to provide
11205 lighting.

11206 H. ~~Tandem or end-to-end parking is allowed in residential developments.~~

11207 ~~Apartment or townhouse developments may have tandem parking areas for each dwelling~~
11208 ~~unit but shall not combine parking for separate dwelling units in tandem parking areas.~~

11209 I. ~~All vehicle parking and storage for single detached dwellings must be in a~~
11210 ~~garage, carport or on an approved impervious surface. Any impervious surface used for~~
11211 ~~vehicle parking or storage must have direct and unobstructed driveway access.~~

11212 J.) L. The total number of vehicles parked or stored outside of a building on a
11213 single ((family)) detached lot in the R-1 through R-8 zones, excluding recreational
11214 vehicles and trailers, shall not exceed six vehicles on lots that are twelve thousand five
11215 hundred square feet or less and eight vehicles on lots that are greater than twelve
11216 thousand five hundred square feet.

11217 ((K.)) M. Vanpool and carpool parking areas shall meet the following minimum
11218 design standards:

11219 1. A minimum vertical clearance of seven feet three inches shall be provided to
11220 accommodate van vehicles if designated vanpool and carpool parking spaces are located
11221 in a parking structure; and

11222 2. A minimum turning radius of twenty-six feet four inches with a minimum
11223 turning diameter, curb to curb, of fifty-two feet five inches shall be provided from
11224 parking aisles to adjacent vanpool and carpool parking spaces.

11225 ((L. Direct access from the street right-of-way to off-street parking areas shall be
11226 subject to K.C.C. 21A.28.120.

11227 ~~M. No dead-end alley may provide access to more than eight off-street parking~~
11228 ~~spaces.))~~

11229 N. Any parking stalls located in enclosed buildings ~~((must))~~ shall be totally
11230 within the enclosed building.

11231 SECTION 265. Ordinance 10870, Section 416, and K.C.C. 21A.18.120 are
11232 hereby amended to read as follows:

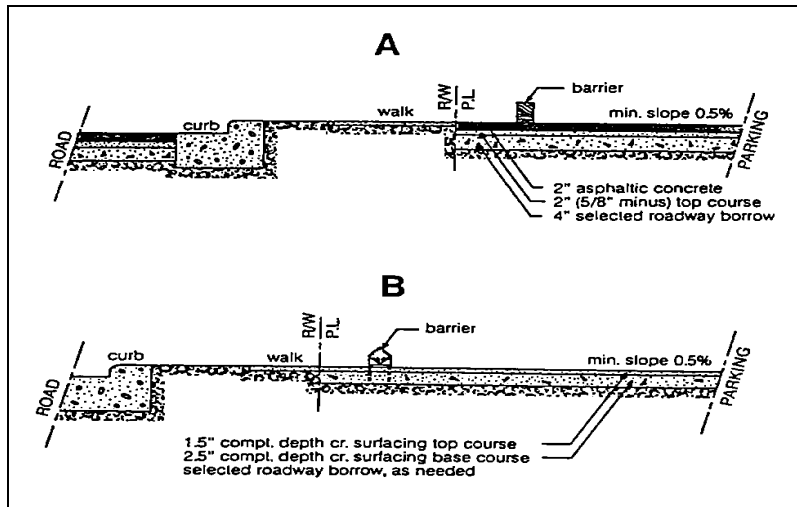
11233 A. Off-street parking areas shall have dust-free, all-weather surfacing. Typical
11234 approved sections are illustrated below.

11235 1. Frequently used (at least five days a week) off-street parking areas shall
11236 conform to the surfacing standards shown in A below or an approved equivalent.

11237 2. If the parking area is to be used more than ~~((30))~~ thirty days per year but less
11238 than five days a week, then the standards to be used shall conform to the standards shown
11239 in subsection B. ~~((below))~~ of this section or an approved equivalent. An exception to
11240 these surfacing requirements may be made for certain uses that require intermittent use of
11241 their parking facilities less than ~~((30))~~ thirty days per year.

11242 3. Any surface treatment other than those graphically illustrated below must be
11243 approved by the director.

11244 **MINIMUM SURFACING REQUIREMENTS**



11245

11246 B. ~~((Grading work for p))~~ Parking areas shall meet the ~~((requirements of))~~ grading
 11247 standards in K.C.C. chapter 16.82((-)) and ((D)) drainage and erosion ~~((sedimentation~~
 11248 ~~control facilities shall be provided in accordance with))~~ control standards in K.C.C.
 11249 chapter 9.04.

11250 C. Internal access roads and driveways shall be designed and constructed in
 11251 accordance with the road standards in K.C.C. chapter 14.42.

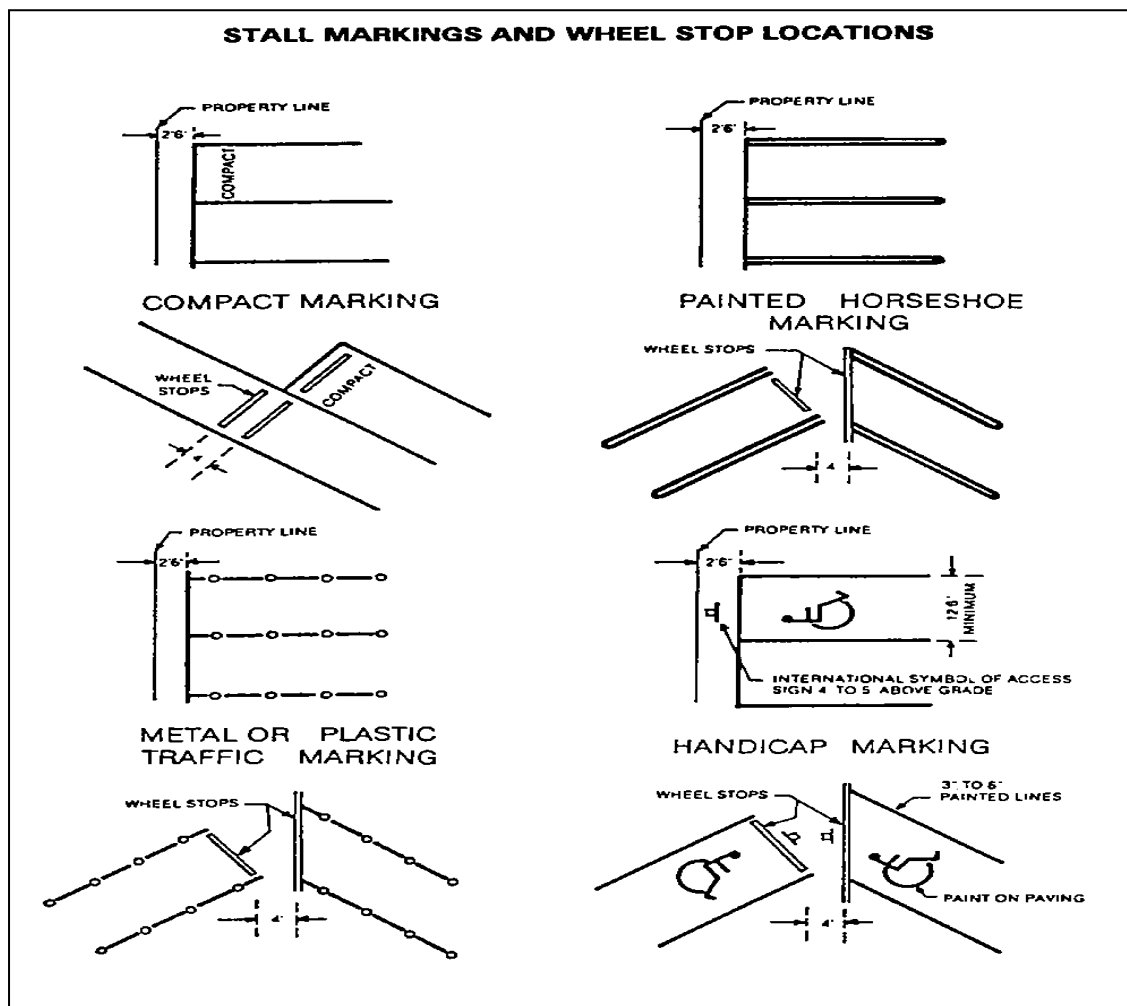
11252 D. Landscaping shall be provided in accordance with K.C.C. 21A.16.070. Any
 11253 parking spaces abutting a required landscaped area on the driver or passenger side of the
 11254 vehicle shall provide an additional eighteen inches above the minimum space width
 11255 requirement to provide a place to step other than in the landscaped area. The additional
 11256 width shall be separated from the adjacent parking space by a parking space division
 11257 stripe.

11258 E.1. Asphalt or concrete surfaced parking areas shall have parking spaces marked
 11259 by surface paint lines or suitable substitute traffic marking material in accordance with
 11260 the Washington State Department of Transportation Standards.

2. Wheel stops or curbs are required where a parked vehicle would encroach on adjacent property, pedestrian access or circulation areas, right-of-way, or landscaped areas.

3. Compact car parking space shall be delineated with the word "COMPACT" in capital letters, a minimum of eight inches high, on the pavement at the base of the parking space and centered between the striping.

4. Typically approved markings and wheel stop locations are illustrated below.



F. Lighting shall be provided for safety of traffic and pedestrian circulation on the site. Lighting shall be designed to minimize direct illumination of abutting properties

and adjacent streets. The director may waive the requirements to provide lighting if the director determines it is not necessary for the safety of traffic and pedestrian circulation.

G. A dead-end alley shall not provide access to more than eight off-street parking spaces.

SECTION 266. Ordinance 10870, Section 421, as amended, and K.C.C. 21A.20.030 are hereby amended to read as follows:

The following signs or displays are exempted from the regulations under this chapter:

- A. Historic site markers or plaques, gravestones, and address numbers;
- B. Signs required by law, including but not limited to:
 - 1. Official or legal notices issued and posted by any public agency or court; or
 - 2. Traffic directional or warning signs;
- C. Plaques, tablets, or inscriptions indicating the name of a building, date of erection, or other commemorative information, which are an integral part of the building structure or are attached flat to the face of the building, which are nonilluminated, and which do not exceed four square feet in surface area;
- D. Incidental signs, which shall not exceed two square feet in surface area, though the size limitation shall not apply to signs providing directions, warnings, or information when established and maintained by a public agency;
- E. State or federal flags;
- F. Religious symbols;

11292 G. The flag of a commercial institution, provided no more than one flag is
11293 permitted per business premises, and further provided the flag does not exceed twenty
11294 square feet in surface area; ~~((and))~~

11295 H. Gateway signs, as adopted by ordinance; and

11296 I. Heritage trail signs located on Vashon-Maury Island.

11297 SECTION 267. Ordinance 13022, Section 26, as amended, and K.C.C.

11298 21A.20.190 are hereby amended to read as follows:

11299 Community identification signs are ~~((permitted))~~ allowed subject to the following
11300 ~~((provisions))~~:

11301 A. ~~((Only Unincorporated Activity Center, urban planned development, Rural~~
11302 ~~Town, or designated and delineated by the Comprehensive Plan,))~~ Unincorporated
11303 activity centers and rural towns are eligible to be identified with community identification
11304 signs~~((Identification signs for Unincorporated Activity Centers, urban planned~~
11305 ~~developments or Rural Towns shall be))~~ placed along the boundaries identified by the
11306 Comprehensive Plan;

11307 B. Two types of community identification signs are ~~((permitted))~~ allowed.
11308 Primary signs are intended to mark the main arterial street entrances to a ~~((designated~~
11309 ~~community, Unincorporated Activity Center, urban planned development, Rural Town))~~
11310 unincorporated activity center or rural town. Auxiliary signs are intended to mark
11311 entrances to a ~~((designated community, Unincorporated Activity Center, urban planned~~
11312 ~~development, Rural Town,))~~ unincorporated activity center or rural town along local
11313 access streets;

11314 C. Primary signs are subject to the following ~~((provisions))~~:

11315 1. No more than four primary signs shall be allowed per ~~((Unincorporated~~
11316 ~~Activity Center, urban planned development, Rural Town or designated community))~~
11317 unincorporated activity center or rural town;

11318 2. Each primary sign shall be no more than thirty-two square feet in area and no
11319 more than six feet in height; and

11320 3. Primary signs shall only be located along arterial streets, outside of the right-
11321 of-way;

11322 D. Auxiliary community identification signs are subject to the following
11323 ~~((provisions))~~:

11324 1. There shall be no limits on the number of auxiliary community identification
11325 signs allowed per ~~((Unincorporated Activity Center, urban planned development, Rural~~
11326 ~~Town or designated community,))~~ unincorporated activity center or rural town; and

11327 2. Each auxiliary sign shall be no more than two square feet, and shall be
11328 located only outside of the right-of-way; ~~((and))~~

11329 E. No commercial advertisement shall be ~~((permitted))~~ allowed on either primary
11330 or auxiliary signs except as follows:

11331 1. When located on property within the RA, UR, and R-1~~((and R-12))~~ through
11332 R-48 zones, signs may have a logo or other symbol of a community service or business
11333 group, such as Kiwanis, Chamber of Commerce, or a similar group, sponsoring
11334 construction of the sign or signs. Any ~~((permitted))~~ allowed logo or symbol shall be
11335 limited to an area of no more than two square feet on primary signs and no more than
11336 seventy-two square inches on auxiliary signs; or

11337 2. When located on properties within the NB, CB, RB, O₂ and I zones, signs
11338 may have a logo or other symbol of the company, community service, or business group
11339 sponsoring construction of the sign or signs. Any (~~(permitted)~~) allowed logo or symbol
11340 shall be limited to an area of no more than four square feet on primary signs and no more
11341 than seventy-two square inches on auxiliary signs; and

11342 F. Community identification signs shall be exempt from the provisions of K.C.C.
11343 21A.20.060.A. that require signs to be (~~(on-premise)~~) on the premises.

11344 SECTION 268. Ordinance 10870, Section 444, as amended, and K.C.C.
11345 21A.22.060 are hereby amended to read as follows:

11346 Except as otherwise provided in K.C.C. 21A.22.040, in addition to requirements
11347 in this title, all uses regulated under this chapter shall comply with the following
11348 standards:

11349 A. The minimum site area shall be ten acres;

11350 B. On sites larger than twenty acres, activities shall occur in phases to minimize
11351 environmental impacts. The size of each phase shall be determined during the review
11352 process in accordance with the following:

11353 1. On sites one hundred acres or less, each phase shall not be more than twenty-
11354 five acres;

11355 2. On sites more than one hundred acres, each phase shall not be more than fifty
11356 acres. Phases that include areas of greater than twenty-five acres shall have setbacks
11357 double those specified in subsections E. and F. of this section;

11358 3. A third phase shall not be initiated until reclamation of the first phase is
11359 substantially complete. More than two phases shall not be allowed to operate at a time

11360 without previous phases having been reclaimed. The status of reclamation shall be
11361 determined by:

11362 a. the Washington state Department of Natural Resources, unless authority has
11363 been ceded to the county under RCW 78.44.390; or

11364 b. the county for sites that are exempt from chapter 78.44 RCW and that are
11365 subject to K.C.C. 21A.22.081; and

11366 4. Minor variation from the standards in subsections B.1. through 3. of this
11367 section may be requested and approved as part of the permit review process where it is
11368 demonstrated to be needed or beneficial for compliant operation of the mineral extraction
11369 based on regulations for protection of water quality, environmental conditions, or safety;

11370 C. If the department determines they are necessary to eliminate a safety hazard,
11371 fences or alternatives to fences shall be:

11372 1. Provided in a manner that discourages access to areas of the site where:

11373 a. active extracting, processing, stockpiling, and loading of materials is
11374 occurring;

11375 b. boundaries are in common with residential or commercial zone property or
11376 public lands; or

11377 c. any unstable slope or any slope exceeding a grade of forty percent is present;

11378 2. At least six feet in height above the grade measured at a point five feet
11379 outside the fence and the fence material shall have no opening larger than two inches;

11380 3. Installed with lockable gates at all openings or entrances;

11381 4. No more than four inches from the ground to fence bottom; and

11382 5. Maintained in good repair;

11383 D. Warning and trespass signs advising of the use shall be placed on the
11384 perimeter of the site adjacent to RA, UR₁ or R zones at intervals no greater than two
11385 hundred feet along any unfenced portion of the site where the items noted in subsection
11386 C.1. of this section are present;

11387 E. Structural setbacks from property lines shall be as follows:

11388 1. Buildings, structures₁ and stockpiles used in the processing of materials shall
11389 be no closer than:

11390 a. one hundred feet from any ~~((residential))~~ R or UR zoned properties except
11391 that the setback may be reduced to fifty feet when the grade where such building or
11392 structures are proposed is fifty feet or greater below the grade of the ~~((residential))~~ R or
11393 UR zoned property;

11394 b. fifty feet from any other zoned property, except when adjacent to another
11395 use regulated under this chapter; and

11396 c. the greater of fifty feet from the edge of any public street or the setback from
11397 ~~((residential))~~ R or UR zoned property on the far side of the street; and

11398 2. Offices, scale facilities, equipment storage buildings₁ and stockpiles,
11399 including those for reclamation, shall not be closer than fifty feet from any property line
11400 except when adjacent to another use regulated under this chapter or M or F zoned
11401 property. Facilities necessary to control access to the site, when demonstrated to have no
11402 practical alternative, may be located closer to the property line;

11403 F. On-site clearing, grading₁ or excavation, excluding that necessary for required
11404 access, roadway₁ or storm drainage facility construction₁ or activities in accordance with
11405 an approved reclamation plan, shall not be ~~((permitted))~~ allowed within fifty feet of any

11406 property line except along any portion of the perimeter adjacent to another use regulated
11407 under this chapter or M or F zoned property. If native vegetation is restored, temporary
11408 disturbance resulting from construction of noise attenuation features located closer than
11409 fifty feet shall be ~~((permitted))~~ allowed;

11410 G. Landscaping consistent with type 1 screening under K.C.C. chapter 21A.16,
11411 except using only plantings native to the surrounding area, shall be provided along any
11412 portion of the site perimeter where site disturbances associated with a use regulated under
11413 this chapter are performed, except where adjacent to another use regulated under this
11414 chapter, forestry operation, or M or F-zoned property;

11415 H. Relevant clearing and grading operating standards from K.C.C. chapter 16.82
11416 shall be applied; ~~((and))~~

11417 I. Lighting shall:

11418 1. Be limited to that required for security, lighting of structures and equipment,
11419 and vehicle operations; and

11420 2. Not directly glare onto surrounding properties; and

11421 J. Uses, buildings, structures, storage of equipment, and stockpile of materials not
11422 directly related to an approved mineral extraction use, reclamation plan, materials
11423 processing use, or fossil fuel facility, are prohibited.

11424 SECTION 269. Ordinance 11621, Section 53, as amended, and K.C.C.
11425 21A.24.386 are hereby amended to read as follows:

11426 The following standards apply to development proposals and alterations on sites
11427 containing wildlife habitat network:

11428 A. Unless allowed as an alteration exception under K.C.C. 21A.24.070, only the
11429 alterations identified in K.C.C. 21A.24.045 are allowed in the wildlife habitat network;
11430 B. The wildlife habitat network is sited to meet the following conditions:
11431 1. The network forms one contiguous tract or setback area that enters and exits
11432 the property where the network crosses the property boundary;
11433 2. To the maximum extent practical, the network maintains a width of three-
11434 hundred feet. The network width shall not be less than one-hundred-fifty feet at any
11435 point; and
11436 3. The network is contiguous with and includes critical areas and their buffers;
11437 4. To the maximum extent practical, the network connects isolated critical areas
11438 or habitat; and
11439 5. To the maximum extent practical, the network connects with wildlife habitat
11440 network segments, open space tracts or wooded areas on adjacent properties, if present;
11441 C. The wildlife habitat network tract must be permanently marked in accordance
11442 with this chapter;
11443 D. An applicant proposing recreation, forestry or any other use compatible with
11444 preserving and enhancing the habitat value of the wildlife habitat network located within
11445 the site must have an approved management plan. The applicant shall include and record
11446 the approved management plan for a binding site plan or subdivision with the covenants,
11447 conditions, and restrictions (CCRs), if any. Clearing within the wildlife habitat network
11448 in a tract or tracts is limited to that allowed by an approved management plan;
11449 E. If the wildlife habitat network is contained in a setback area, a management
11450 plan is not required. Clearing is not allowed within a wildlife habitat network within a

11451 setback area on individual lots, unless the property owner has an approved management
11452 plan;

11453 F. In urban planned developments, fully contained communities, binding site
11454 plans, subdivisions and short subdivisions a homeowners association or other entity
11455 capable of long term maintenance and operation shall monitor and assure compliance
11456 with any approved management plan;

11457 G. ~~((Segments of the wildlife habitat network set aside in tracts, conservation~~
11458 ~~easements or setback area must comply with K.C.C. 16.82.150;~~

11459 H.)) The department may credit a permanent open space tract containing the
11460 wildlife habitat network toward the other applicable requirements such as surface water
11461 management and the recreation space requirement of K.C.C. 21A.14.180, if the proposed
11462 uses within the tract are compatible with preserving and enhancing the wildlife habitat
11463 value. Restrictions on other uses within the wildlife habitat network tract shall be clearly
11464 identified in the management plan; and

11465 ((H.)) H. The director may waive or reduce these standards for public facilities
11466 such as schools, fire stations, parks and road projects.

11467 SECTION 270. Ordinance 15051, Section 231, as amended, and K.C.C.

11468 21A.24.520 are hereby amended to read as follows:

11469 If a property owner is unable to subdivide an RA((-))-zoned parcel twenty acres or
11470 smaller at the density allowed under ~~((K.C.C. 21A.12.030))~~ this title after application of
11471 the requirements of this chapter, the director may approve modifications to requirements
11472 for critical area buffers if:

11473 A. The applicant demonstrates that after the use of all provisions of this title,
11474 including but not limited to, clustering and buffer averaging, reduction in critical area
11475 buffers required by this chapter is necessary to achieve the density allowed under
11476 ~~((K.C.C. 21A.12.030))~~ this title;

11477 B. To the maximum extent practical, the subdivision or short subdivision design
11478 has the least adverse impact on the critical area and critical area buffer;

11479 C. The modification does not pose an unreasonable threat to the public health,
11480 safety, or welfare on or off the development proposal site and is consistent with the
11481 general purposes of this chapter and the public interest; and

11482 D. The applicant provides mitigation to compensate for the adverse impacts to
11483 critical areas and buffers resulting from any modification to critical area buffers approved
11484 under this section.

11485 SECTION 271. Ordinance 3688, Section 303 and K.C.C. 21A.25.050 are hereby
11486 amended to read as follows:

11487 A. The requirements of the shoreline master program apply to all uses and
11488 development occurring within the shoreline jurisdiction. The King County shoreline
11489 jurisdiction consists of shorelines, shorelines of statewide significance, and shorelands as
11490 defined in RCW 90.58.030 and K.C.C. chapter 21A.06, and the one-hundred-year
11491 floodplain.

11492 B. The shoreline jurisdiction does not include Indian tribal reservation lands and
11493 lands held in trust by the federal government for tribes. Nothing in the King County
11494 shoreline master program or action taken under that program shall affect any treaty right
11495 to which the United States is a party.

11496 C. The lakes and segments of rivers and streams constituting the King County
11497 shoreline jurisdiction are set forth in Attachment H to Ordinance 19146. The King
11498 County shoreline jurisdiction is shown on a map adopted in chapter 6 of the King County
11499 Comprehensive Plan. If there is a discrepancy between the map and the criteria
11500 established in subsection A. of this section, the criteria shall constitute the official King
11501 County shoreline jurisdiction. The county shall update the shoreline master program to
11502 reflect the new designation within three years of the discovery of the discrepancy.

11503 NEW SECTION. SECTION 272. There is hereby added to K.C.C. chapter
11504 21A.25 a new section to read as follows:

11505 When a critical area report is required by this chapter, the applicant shall submit a
11506 report documenting the presence, type, and function of critical areas. If the development
11507 proposal will affect only a part of the development proposal site, the department may
11508 limit the scope of the critical area report to include only that part of the site that is
11509 affected by the development proposal. The report shall document how the proposal
11510 avoids and minimizes impacts to the greatest extent feasible and document measures
11511 taken to mitigate unavoidable impacts to ensure the proposal causes no net loss of
11512 ecological function. The applicant may combine a critical area report with any studies
11513 required by other laws and regulations.

11514 SECTION 273. Ordinance 16958, Section 31, as amended, and K.C.C.
11515 21A.25.100 are hereby amended to read as follows:

11516 A. The shoreline use table in this section determines whether a specific use is
11517 allowed within each of the shoreline environments. The shoreline environment is located
11518 on the vertical column and the specific use is located on the horizontal row of the table.

11519 The specific uses are grouped by the shoreline use categories in WAC 173-26-241. The
11520 specific uses are defined by those uses in K.C.C. chapter 21A.08. The table should be
11521 interpreted as follows:

- 11522 1. If the cell is blank in the box at the intersection of the column and the row,
11523 the use is prohibited in that shoreline environment;
- 11524 2. If the letter "P" appears in the box at the intersection of the column and the
11525 row, the use may be allowed within the shoreline environment;
- 11526 3. If the letter "C" appears in the box at the intersection of the column and the
11527 row, the use may be allowed within the shoreline environment subject to the shoreline
11528 conditional use review procedures specified in K.C.C. 21A.44.100((-));
- 11529 4. If a number appears in the box at the intersection of the column and the row,
11530 the use may be allowed subject to the appropriate review process in this section, the
11531 general requirements of this chapter and the specific development conditions indicated
11532 with the corresponding number in subsection C. of this section. If more than one number
11533 appears after a letter, all numbers apply((-));
- 11534 5. If more than one letter-number combination appears in the box at the
11535 intersection of the column and the row, the use is allowed in accordance with each letter-
11536 number combination((-));
- 11537 6. A shoreline use may be allowed in the aquatic environment only if that
11538 shoreline use is allowed in the adjacent shoreland environment((-); and
- 11539 7. This section does not authorize a land use that is not allowed by the
11540 underlying zoning, but may add additional restrictions or conditions or prohibit specific
11541 land uses within the shoreline jurisdiction. When there is a conflict between the

11542 ((~~permitted~~)) allowed land uses in K.C.C. chapter 21A.08 and shoreline uses in this
 11543 section, preference for shoreline uses shall first be given to water-dependent uses, then to
 11544 water related uses, and finally to water enjoyment uses. All uses in the shoreline
 11545 jurisdiction (~~((must))~~) shall comply with all relevant county code provisions and with the
 11546 King County Shoreline Master Program.

11547 B. Shoreline uses.

| | | | | | | | | |
|---|-----------------------|-----------------|-----------|-----------------|----------|--------------|-------------|-------------|
| ((P—Permitted Use C— Shoreline Conditional Use Blank—Prohibited Shoreline uses are allowed only if the underlying zoning allows the use. Shoreline uses are allowed in the aquatic environment only if the adjacent upland environment allows the use.)) | High Intensit y | Residentia l | Rura l | Conservanc y | Resource | Forestr y | Natura l | Aquati c |
| Agriculture | | | | | | | | |
| Agriculture (K.C.C. 21A.08.090) | | P | P | P | P | P | P1 | |
| Aquaculture (fish and wildlife management K.C.C. 21A.08.090) | | | | | | | | |
| Nonnative marine | | | | | | | | |

| | | | | | | | | |
|--|------------|------------|------------|------------|------------|----|----|----|
| finfish aquaculture | | | | | | | | |
| Commercial salmon net pens | | | | | | | | |
| Noncommercial native salmon net pens | P2 | P2 | P2 | P2 | P2 | P2 | P2 | P2 |
| 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 |
| Boating Facilities | | | | | | | | |
| Marinas (K.C.C. 21A.08.040) | C3 | C3 | C3 | | | | | C3 |
| Commercial Development | | | | | | | | |
| ((General)) <u>Personal services</u> (K.C.C. 21A.08.050) | P4 | P5 | P5 | | | | | |
| <u>Temporary lodging</u> (K.C.C. 21A.08.050) | <u>P23</u> | <u>P27</u> | <u>P27</u> | <u>C27</u> | <u>C27</u> | | | |
| <u>Health care services</u> (section 162 of this ordinance) | <u>P4</u> | <u>P5</u> | <u>P5</u> | | | | | |
| Business services, except ((SIC Industry No. 1611,)) automotive parking, and off-street | P6 | | | | | | | |

| | | | | | | | | |
|--|-----|-----|-----|-----|-----|-----|-----|-----|
| required parking lot (K.C.C. 21A.08.060) | | | | | | | | |
| Retail (K.C.C. 21A.08.070) | P7 | P8 | | | | | | |
| Government Services | | | | | | | | |
| Government services except commuter parking lot, utility facility, and private stormwater management facility ((K.C.C. 21A.08.060))) (section 164 of this ordinance) | P9 | P9 | P9 | P9 | P9 | P9 | P9 | C10 |
| Forest Practices | | | | | | | | |
| Forestry (K.C.C. 21A.08.090) | | P11 | P11 | P11 | P11 | P11 | C11 | |
| Industry | | | | | | | | |
| ((Manufacturing)) <u>Industrial</u> (K.C.C. 21A.08.080) | P12 | | | | | | | |
| In-stream structural uses | | | | | | | | |
| Hydroelectric generation facility, wastewater treatment facility, and municipal | C13 | C13 | C13 | | | C13 | | C13 |

| | | | | | | | | |
|---|-----|-----|-----|-----|-----|-----|-----|-----|
| water production (K.C.C. 21A.08.100) | | | | | | | | |
| In-stream utility facilities ((K.C.C. 21A.08.060))) <u>Section 164 of this ordinance</u> | 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))) <u>facilities</u> | | | | | | | | C15 |
| In-stream fish and wildlife management, except aquaculture (K.C.C. 21A.08.090) | | | | | | | | C16 |
| Mining | | | | | | | | |
| Mineral uses (K.C.C. 21A.08.090) | | | | | C17 | C17 | | C17 |
| Recreational Development | | | | | | | | |
| Recreational ((/)) <u>and</u> cultural except for marinas and docks and piers (K.C.C. 21A.08.040) | P18 | P19 | P19 | P20 | | P19 | P21 | C |
| Residential | | | | | | | | |

| Development | | | | | | | | |
|---|-----|-----|-----|-----|-----|-----|-----|--|
| Single detached ((dwelling units)) <u>residences</u> (K.C.C. 21A.08.030), <u>adult</u> <u>family homes, and</u> <u>community residential</u> <u>facility I (section 162</u> <u>of this ordinance)</u> | | P | P | P | P | C22 | C22 | |
| <u>Houseplex,</u> ((Φ)) townhouse, apartment, ((mobile)) <u>manufactured home</u> ((park)) <u>community,</u> cottage housing (K.C.C. 21A.08.030) | P23 | P | | | P | | | |
| ((Group residences)) <u>Congregate residence</u> <u>and senior assisted</u> <u>housing</u> (K.C.C. 21A.08.030), <u>community residential</u> <u>facility II and</u> <u>permanent supportive</u> <u>housing (section 162 of</u> <u>this ordinance)</u> | P23 | P | | | | | | |
| Accessory uses (K.C.C. | P24 | P24 | P24 | P24 | P24 | C22 | C22 | |

| | | | | | | | | |
|--|----------------|----------------|----------------|----------------|----------------|--------|--------|-----|
| 21A.08.030) | | | | | | and 24 | and 24 | |
| ((Temporary lodging (K.C.C. 21A.08.030) | P23 | P27 | P27 | C27 | C27 | | | |
| Live-aboards | P28 | P28 | P28 | | | | | P28 |
| Transportation and parking | | | | | | | | |
| Transportation facilities | P29 | P29 | P29 | C29 | P29 | P29 | C29 | C29 |
| Commuter parking lot ((K.C.C. 21A.08.060))) <u>section 164 of this ordinance</u> | | | | | | | | |
| Automotive parking (K.C.C. 21A.08.060) | | | | | | | | |
| Off-street required parking lot (K.C.C. 21A.08.060) | | | | | | | | |
| Utilities | | | | | | | | |
| Utility facility ((K.C.C. 21A.08.060))) <u>(section 164 of this ordinance)</u> | P26 | P26 | P26 | P26 | P26 | P26 | P26 | C26 |
| Regional land uses | | | | | | | | |
| Regional uses except hydroelectric generation facility, wastewater treatment | P30 | | | | | | | |

| | | | | | | | | |
|--|--|--|--|--|--|--|--|--|
| facility, and municipal water production (K.C.C. 21A.08.100) | | | | | | | | |
|--|--|--|--|--|--|--|--|--|

11548 C. Development conditions:

11549 1. In the Natural environment, limited to low intensity agriculture, such as
11550 livestock use with an animal unit density of no more than one per two acres in the
11551 shoreline jurisdiction, seasonal hay mowing and related activities, and horticulture not to
11552 exceed twenty percent of the site area located within the shoreline jurisdiction.

11553 2.a. The supporting infrastructure for aquaculture may be located landward of
11554 the aquaculture operation, subject to the limitations of K.C.C. Title 21A.

11555 b. The aquaculture operation (~~(must)~~) shall meet the standards in K.C.C.
11556 21A.25.110.

11557 c. In aquatic areas adjacent to the residential shoreline environment, net pen
11558 facilities shall be located no closer than one thousand five hundred feet from the ordinary
11559 high water mark of this environment, unless the department allows a specific lesser
11560 distance that it determines is appropriate based upon a visual impact analysis. Other
11561 types of floating culture facilities may be located within one thousand five hundred feet
11562 of the ordinary high water mark if supported by a visual impact analysis.

11563 d. In aquatic areas adjacent to the rural shoreline environment, net pen
11564 facilities shall be located no closer than one thousand five hundred feet from the ordinary
11565 high water mark of this environment, unless the department allows a specific lesser
11566 distance that it determines is appropriate based upon a visual impact analysis.

11567 e. In the natural shoreline environment and aquatic areas adjacent to the natural
11568 shoreline environment, commercial net pens are prohibited and other aquaculture

11569 activities are limited to activities that do not require structures, facilities, or mechanized
11570 harvest practices and that will not alter the natural systems, features, or character of the
11571 site.

11572 f. Farm-raised geoduck aquaculture requires a shoreline substantial
11573 development permit if a specific project or practice causes substantial interference with
11574 normal public use of the surface waters.

11575 g. A conditional use permit is required for new commercial geoduck
11576 aquaculture only, consistent with WAC 173-26-241(3)(b). All subsequent cycles of
11577 planting and harvest shall not require a new conditional permit.

11578 3.a. New marinas are not allowed along the east shore of Maury Island, from
11579 Piner Point to Point Robinson.

11580 b. Marinas (~~((must))~~) shall meet the standards in K.C.C. 21A.25.120.

11581 4. Water-dependent (~~((general))~~) personal services land uses in K.C.C.
11582 21A.08.050 are allowed. (~~((Non-water))~~) Nonwater-dependent (~~((general))~~) personal
11583 services land uses in K.C.C. 21A.08.050 are only allowed on sites that are not contiguous
11584 with the ordinary high water mark or on sites that do not have an easement that provides
11585 direct access to the water.

11586 5.a. Water-dependent (~~((general))~~) personal services land uses in K.C.C.
11587 21A.08.050 are allowed.

11588 b. (~~((Non-water))~~) Nonwater-dependent (~~((general))~~) personal services land uses
11589 in K.C.C. 21A.08.050 are only allowed as part of a shoreline mixed-use development that
11590 includes water-dependent uses.

11591 c. (~~(Non-water)~~) Nonwater-oriented (~~((general))~~) personal services land uses
11592 (~~((must))~~) shall provide a significant public benefit by helping to achieve one or more of
11593 the following shoreline master program goals:

- 11594 (1) economic development for water-dependent uses;
- 11595 (2) public access;
- 11596 (3) water-oriented recreation;
- 11597 (4) conservation of critical areas, scenic vistas, aesthetics, or fish and wildlife
11598 habitat; and
- 11599 (5) protection and restoration of historic properties.

11600 6. Water-dependent business services uses in K.C.C. 21A.08.050 are allowed.
11601 Water-related business services uses are only allowed as part of a shoreline mixed-use
11602 development and only if they support a water-dependent use. The water-related business
11603 services uses (~~((must))~~) shall comprise less than one-half of the square footage of the
11604 structures or the portion of the site within the shoreline jurisdiction.

11605 7.a Water-dependent retail uses in K.C.C. 21A.08.050 are allowed.

11606 b. (~~(Non-water)~~) Nonwater-dependent retail uses in K.C.C. 21A.08.050 are
11607 only allowed as part of a shoreline mixed-use development if the (~~((non-water))~~) nonwater-
11608 dependent retail use supports a water-dependent use. (~~((Non-water))~~) Nonwater-dependent
11609 uses (~~((must))~~) shall comprise less than one-half of the square footage of the structures or
11610 the portion of the site within the shoreline jurisdiction.

11611 c. (~~(Non-water)~~) Nonwater-oriented retail uses (~~((must))~~) shall provide a
11612 significant public benefit by helping to achieve one or more of the following shoreline
11613 master program goals:

11614 (1) economic development for water-dependent uses;
11615 (2) public access;
11616 (3) water-oriented recreation;
11617 (4) conservation of critical areas, scenic vistas, aesthetics, or fish and wildlife
11618 habitat; and
11619 (5) protection and restoration of historic properties.

11620 8. Water-dependent retail uses in K.C.C. 21A.08.050 are allowed. (~~Non-~~
11621 ~~water~~)) Nonwater-dependent retail uses in K.C.C. 21A.08.050 are only allowed if the
11622 retail use provides a significant public benefit by helping to achieve one or more of the
11623 following shoreline master program goals:

11624 a. economic development for water-dependent uses;
11625 b. public access;
11626 c. water-oriented recreation;
11627 d. conservation of critical areas, scenic vistas, aesthetics, or fish and wildlife
11628 habitat; and
11629 e. protection and restoration of historic properties.

11630 9.a. Water-dependent government services in (~~K.C.C. 21A.08.060~~) section
11631 164 of this ordinance are allowed.

11632 b. (~~Non-water~~)) Nonwater-dependent government services in (~~K.C.C.~~
11633 ~~21A.08.060~~) section 164 of this ordinance are only allowed as part of a shoreline mixed-
11634 use development if the (~~non-water~~)) nonwater-dependent government use supports a
11635 water-dependent use. (~~Non-water~~)) Nonwater-dependent uses (~~(must)~~) shall comprise
11636 less than one-half of the square footage of the structures or the portion of the site within

the shoreline jurisdiction. Only low-intensity water-dependent government services are allowed in the Natural environment.

10. The following standards apply to government services uses within the Aquatic environment:

a. Stormwater and sewage outfalls are allowed if upland treatment and infiltration to groundwater, streams, or wetlands is not feasible and there is no impact on critical saltwater habitats, salmon migratory habitat, and the nearshore zone. However, stormwater and sewage outfalls are not allowed in the Maury Island Aquatic Reserve, except from Piner Point to Point Robinson;

b. Water intakes shall not be located near fish spawning, migratory, or rearing areas. Water intakes ~~((must))~~ shall adhere to Washington state Department of Fish and Wildlife fish screening criteria. To the maximum extent practical, intakes should be placed at least thirty feet below the ordinary high water mark;

c. Desalinization facilities shall not be located near fish spawning, migratory, or rearing areas. Intakes should generally be placed deeper than thirty feet below the ordinary high water mark and ~~((must))~~ shall adhere to Washington state Department Fish and Wildlife fish screening criteria. Discharge of desalination wastewater or concentrated mineral is not allowed in the Maury Island Aquatic Reserve, except that outside the Inner and Outer Harbormaster Harbor, discharge may be considered if there is no impact on critical saltwater habitats, salmon migratory habitat, and the nearshore zone;

d. Cable crossings for telecommunications and power lines shall:

(1) be routed around or drilled below aquatic critical habitat or species;

11659 (2) be installed in sites free of vegetation, as determined by physical or video
11660 seabed survey;

11661 (3) be buried, preferably using directional drilling, from the uplands to
11662 waterward of the deepest documented occurrence of native aquatic vegetation; and

11663 (4) use the best available technology;

11664 e. Oil, gas, water, and other pipelines shall meet the same standards as cable
11665 crossings and in addition:

11666 (1) pipelines ~~((must))~~ shall be directionally drilled to depths of seventy feet or
11667 one half mile from the ordinary high water mark; and

11668 (2) use the best available technology for operation and maintenance;

11669 f. Breakwaters are not allowed within the Maury Island Aquatic Reserve or
11670 within the Aquatic environment adjacent to the Conservancy and Natural shorelines.

11671 11. In the Natural environment, limited to low intensity forest practices that
11672 conserve or enhance the health and diversity of the forest ecosystem or ecological and
11673 hydrologic functions conducted for the purpose of accomplishing specific ecological
11674 enhancement objectives. In all shoreline environments, forest practices ~~((must))~~ shall
11675 meet the standards in K.C.C. 21A.25.130.

11676 12. ~~((Manufacturing))~~ Industrial uses in the shoreline environment ~~((must))~~ shall
11677 give preference first to water-dependent ~~((manufacturing))~~ industrial uses and second to
11678 water-related ~~((manufacturing))~~ industrial uses:

11679 a. ~~((Non-water))~~ Nonwater-oriented ~~((manufacturing))~~ industrial uses are
11680 allowed only:

11681 (1) as part of a shoreline mixed-use development that includes a water-
11682 dependent use, but only if the water-dependent use comprises over fifty percent of the
11683 floor area or portion of the site within the shoreline jurisdiction;

11684 (2) on sites where navigability is severely limited; or

11685 (3) on sites that are not contiguous with the ordinary high water mark or on
11686 sites that do not have an easement that provides direct access to the water; and

11687 (4) all ~~((non-water))~~ nonwater-oriented ~~((manufacturing))~~ industrial uses
11688 ~~((must))~~ shall also provide a significant public benefit, such as ecological restoration,
11689 environmental clean-up, historic preservation, or water-dependent public education;

11690 b. public access is required for all ~~((manufacturing))~~ industrial uses unless it
11691 would result in a public safety risk or is incompatible with the use;

11692 c. shall be located, designed, and constructed in a manner that ensures that
11693 there are no significant adverse impacts to other shoreline resources and values~~((:))~~;

11694 d. restoration is required for all new ~~((manufacturing))~~ industrial uses; and

11695 e. boat repair facilities are not ~~((permitted))~~ allowed within the Maury Island
11696 Aquatic Reserve, except as follows:

11697 (1) engine repair or maintenance conducted within the engine space without
11698 vessel haul-out;

11699 (2) topside cleaning, detailing, and bright work;

11700 (3) electronics servicing and maintenance;

11701 (4) marine sanitation device servicing and maintenance that does not require
11702 haul-out;

11703 (5) vessel rigging; and

11704 (6) minor repairs or modifications to the vessel's superstructure and hull
11705 above the waterline that do not exceed twenty-five percent of the vessel's surface area
11706 above the waterline.

11707 13. The water-dependent in-stream portion of a hydroelectric generation facility,
11708 wastewater treatment facility, and municipal water production are allowed, including the
11709 upland supporting infrastructure, and shall provide for the protection and preservation, of
11710 ecosystem-wide processes, ecological functions, and cultural resources, including, but not
11711 limited to, fish and fish passage, wildlife and water resources, shoreline critical areas,
11712 hydrogeological processes, and natural scenic vistas.

11713 14. New in-stream portions of utility facilities may be located within the
11714 shoreline jurisdiction if:

11715 a. there is no feasible alternate location;

11716 b. provision is made to protect and preserve ecosystem-wide processes,
11717 ecological functions, and cultural resources, including, but not limited to, fish and fish
11718 passage, wildlife and water resources, shoreline critical areas, hydrogeological processes,
11719 and natural scenic vistas; and

11720 c. the use complies with the standards in K.C.C. 21A.25.260.

11721 15. Limited to in-stream infrastructure, such as bridges, and ~~((must))~~ shall
11722 consider the priorities of the King County Shoreline Protection and Restoration Plan
11723 when designing in-stream transportation facilities. In-stream structures shall provide for
11724 the protection and preservation~~((s))~~ of ecosystem-wide processes, ecological functions,
11725 and cultural resources, including, but not limited to, fish and fish passage, wildlife and

11726 water resources, shoreline critical areas, hydrogeological processes, and natural scenic
11727 vistas.

11728 16. Limited to hatchery and fish preserves.

11729 17. Mineral uses:

11730 a. ~~((must))~~ shall meet the standards in K.C.C. chapter 21A.22;

11731 b. ~~((must))~~ shall be dependent upon a shoreline location;

11732 c. ~~((must))~~ shall avoid and mitigate adverse impacts to the shoreline

11733 environment during the course of mining and reclamation to achieve no net loss of

11734 shoreline ecological function. In determining whether there will be no net loss of

11735 shoreline ecological function, the evaluation may be based on the final reclamation

11736 required for the site. Preference shall be given to mining proposals that result in the

11737 creation, restoration, or enhancement of habitat for priority species;

11738 d. ~~((must))~~ shall provide for reclamation of disturbed shoreline areas to achieve

11739 appropriate ecological functions consistent with the setting;

11740 e. may be allowed within the active channel of a river only as follows:

11741 (1) removal of specified quantities of sand and gravel or other materials at

11742 specific locations will not adversely affect the natural processes of gravel transportation

11743 for the river system as a whole;

11744 (2) the mining and any associated permitted activities will not have

11745 significant adverse impacts to habitat for priority species nor cause a net loss of

11746 ecological functions of the shoreline; and

11747 (3) if no review has been previously conducted under this subsection C.17.e.,

11748 ~~((prior to))~~ before renewing, extending, or reauthorizing gravel bar and other in-channel

11749 mining operations in locations where they have previously been conducted, the
11750 department shall require compliance with this subsection C.17.e. If there has been prior
11751 review, the department shall review previous determinations comparable to the
11752 requirements of this section C.17.e. to ensure compliance with this subsection under
11753 current site conditions; and

11754 f. ~~((Must))~~ shall comply with K.C.C. 21A.25.190.

11755 18. Only water-dependent recreational uses are allowed, except for public parks
11756 and trails, in the High Intensity environment and ~~((must))~~ shall meet the standards in
11757 K.C.C. 21A.25.140 for public access and K.C.C. 21A.25.150 for recreation.

11758 19. Water-dependent and water-enjoyment recreational uses are allowed in the
11759 Residential, Rural, and Forestry environments and ~~((must))~~ shall meet the standards in
11760 K.C.C. 21A.25.140 for public access and K.C.C. 21A.25.150 for recreation.

11761 20. In the Conservancy environment, only the following recreation uses are
11762 allowed and ~~((must))~~ shall meet the standards in K.C.C. 21A.25.140 for public access and
11763 K.C.C. 21A.25.150 for recreation:

11764 a. parks; and

11765 b. trails.

11766 21. In the Natural environment, only passive and low-impact recreational uses
11767 are allowed.

11768 22. Single detached ~~((dwelling units must))~~ residences shall be located outside
11769 of the aquatic area buffer and set back from the ordinary high water mark to the
11770 maximum extent practical.

11771 23. Only allowed as part of a water-dependent shoreline mixed-use development
11772 where water-dependent uses comprise more than half of the square footage of the
11773 structures on the portion of the site within the shoreline jurisdiction.

11774 24. Residential accessory uses (~~((must))~~) shall meet the following standards:

11775 a. docks, piers, moorage, buoys, floats, or launching facilities (~~((must-meet))~~)
11776 shall comply with the standards in K.C.C. 21A.25.180;

11777 b. residential accessory structures located within the aquatic area buffer shall
11778 be limited to a total footprint of one-hundred fifty square feet; and

11779 c. accessory structures shall be sited to preserve visual access to the shoreline
11780 to the maximum extent practical.

11781 25. New highway and street construction is allowed only if there is no feasible
11782 alternate location. Only low-intensity transportation infrastructure is allowed in the
11783 Natural environment.

11784 26. Utility facilities are subject to the standards in K.C.C. 21A.25.260.

11785 27. Only bed and breakfast guesthouses.

11786 28. Only in a marina.

11787 29. Transportation facilities are subject to the standards in K.C.C. 21A.25.280.

11788 30. Only solid waste transfer stations and subject to K.C.C. 21A.25.260.

11789 SECTION 274. Ordinance 16985, Section 32, as amended, and K.C.C.

11790 21A.25.110 are hereby amended to read as follows:

11791 An applicant for an aquaculture facility (~~((must))~~) shall use the sequential measures
11792 in K.C.C. 21A.25.080. The following standards apply to aquaculture:

11793 A. Unless the applicant demonstrates that the substrate modification will result in

11794 an increase in native habitat diversity, aquaculture that involves little or no substrate
11795 modification shall be given preference over aquaculture that involves substantial
11796 substrate modification and the degree of proposed substrate modification shall be limited
11797 to the maximum extent practical.

11798 B. The installation of submerged structures, intertidal structures and floating
11799 structures shall be limited to the maximum extent practical.

11800 C. Aquaculture proposals that involve substantial substrate modification or
11801 sedimentation through dredging, trenching, digging, mechanical clam harvesting or other
11802 similar mechanisms, shall not be (~~permitted~~) allowed in areas where the proposal would
11803 adversely impact critical saltwater habitats.

11804 D. Aquaculture activities that after implementation of mitigation measures would
11805 have a significant adverse impact on natural, dynamic shoreline processes or that would
11806 result in a net loss of shoreline ecological functions shall be prohibited.

11807 E. Aquaculture should not be located in areas that will result in significant
11808 conflicts with navigation or other water-dependent uses.

11809 F. Aquaculture facilities shall be designed, located and managed to prevent the
11810 spread of diseases to native aquatic life or the spread of new nonnative species.

11811 G. Aquaculture practices shall be designed to minimize use of artificial chemical
11812 substances and shall use chemical compounds that are least persistent and have the least
11813 impact on plants and animals. Herbicides and pesticides shall be used only in
11814 conformance with state and federal standard and to the minimum extent needed for the
11815 health of the aquaculture activity.

11816 H. Noncommercial native salmon net pen facilities that involve minimal

11817 supplemental feeding and limited use of chemicals or antibiotics as provided in
11818 subsection G. of this section may be located in King County marine waters if they are
11819 consistent with subsections S. and Y. of this section and are:

- 11820 1. Native salmon net pens operated by tribes with treaty fishing rights;
- 11821 2. For the limited penned cultivation of wild salmon stocks during a limited
11822 portion of their lifecycle to enhance restoration of native stocks; or
- 11823 3. For rearing to adulthood in order to harvest eggs as part of a captive brood
11824 stock recovery program for endangered species.

11825 I. If uncertainty exists regarding potential impacts of a proposed aquaculture
11826 activity and for all experimental aquaculture activities, unless otherwise provided for, the
11827 department may require baseline and periodic operational monitoring by a county-
11828 approved consultant, at the applicant's expense, and shall continue until adequate
11829 information is available to determine the success of the project and the magnitude of any
11830 probable significant adverse environmental impacts. Permits for such activities shall
11831 include specific performance measures and provisions for adjustment or termination of
11832 the project at any time if monitoring indicates significant, adverse environmental impacts
11833 that cannot be adequately mitigated.

11834 J. Aquaculture developments approved on an experimental basis shall not exceed
11835 five acres in area, except land-based projects and anchorage for floating systems, and
11836 three years in duration. The department may issue a new permit to continue an
11837 experimental project as many times as it determines is necessary and appropriate.

11838 K. The department may require aquaculture operations to carry liability insurance
11839 in an amount commensurate with the risk of injury or damage to any person or property

as a result of the project. Insurance requirements shall not be required to duplicate requirements of other agencies.

L. If aquaculture activities are authorized to use public facilities, such as boat launches or docks, King County may require the applicant to pay a portion of the cost of maintenance and any required improvements commensurate with the use of those facilities.

M. New aquatic species that are not previously cultivated in Washington state shall not be introduced into King County saltwaters or freshwaters without prior written approval of the Director of the Washington state Department of Fish and Wildlife and the Director of the Washington Department of Health. This prohibition does not apply to: Pacific, Olympia, Kumamoto, Belon or Virginica oysters; Manila, Butter, or Littleneck clams; or Geoduck clams.

N. Unless otherwise provided in the shoreline permit issued by the department, repeated introduction of an approved organism after harvest in the same location shall require approval by the county only at the time the initial aquaculture use permit is issued. Introduction, for purposes of this section, shall mean the placing of any aquatic organism in any area within the waters of King County regardless of whether it is a native or resident organism within the county and regardless of whether it is being transferred from within or without the waters of King County.

O. For aquaculture projects, (~~over-water~~) overwater structures shall be allowed only if necessary for the immediate and regular operation of the facility. (~~Over-water~~) Overwater structures shall be limited to the(~~(;)~~) storage of necessary tools and apparatus in containers of not more than three feet in height, as measured from the surface of the

11863 raft or dock.

11864 P. Except for the sorting or culling of the cultured organism after harvest and the
11865 washing or removal of surface materials or organisms before or after harvest, no
11866 processing of any aquaculture product shall occur in or over the water unless specifically
11867 approved by permit. All other processing and processing facilities shall be located
11868 landward of the ordinary high water mark.

11869 Q. Aquaculture wastes shall be disposed of in a manner that will ensure strict
11870 compliance with all applicable governmental waste disposal standards, including, but not
11871 limited to, the Federal Clean Water Act, Section 401, and chapter 90.48 RCW, Water
11872 Pollution Control. No garbage, wastes or debris shall be allowed to accumulate at the site
11873 of any aquaculture operation.

11874 R. Unless approved in writing by the National Marine Fisheries Service or the
11875 U.S. Fish and Wildlife Service, predator control shall not involve the killing or
11876 harassment of birds or mammals. Approved controls include, but are not limited to,
11877 double netting for seals, overhead netting for birds and three-foot high fencing or netting
11878 for otters. The use of other nonlethal, nonabusive predator control measures shall be
11879 contingent upon receipt of written approval from the National Marine Fisheries Service
11880 or the U.S. Fish and Wildlife Service, as required.

11881 S. Finfish net pens and rafts shall meet the following criteria in addition to the
11882 other applicable regulations of this section:

11883 1. Finfish net pens shall not be located in Quartermaster Harbor. For the
11884 purposes of this subsection, Quartermaster Harbor" means the area of Puget Sound north
11885 of a straight line drawn from the southwest tip of Vashon-Maury Island, which is Piner

11886 Point, to the southeast tip of Vashon-Maury Island, which is Neill Point;

11887 2. Finfish net pens shall meet, at a minimum, state approved administrative

11888 guidelines for the management of net pen cultures. In the event there is a conflict in

11889 requirements, the more restrictive requirement shall prevail;

11890 3. Finfish net pens shall not occupy more than two surface acres of water area,

11891 excluding booming and anchoring requirements. Anchors that minimize disturbance to

11892 substrate, such as helical anchors, shall be employed. Such operations shall not use

11893 chemicals or antibiotics;

11894 4. Aquaculture proposals that include new or added net pens or rafts shall not be

11895 located closer than one nautical mile to any other aquaculture facility that includes net

11896 pens or rafts. The department may authorize a lesser distance if the applicant

11897 demonstrates to the satisfaction of the department that the proposal will be consistent

11898 with the environmental and aesthetic policies and objectives of this chapter and the

11899 shoreline master program. The applicant shall demonstrate to the satisfaction of the

11900 department that the cumulative impacts of existing and proposed operations would not be

11901 contrary to the policies and regulations of the program;

11902 5. Net cleaning activities shall be conducted on a frequent enough basis so as

11903 not to violate state water quality standards. When feasible, the cleaning of nets and other

11904 apparatus shall be accomplished by air drying, spray washing or hand washing; and

11905 6. In the event of a significant fish kill at the site of a net pen facility, the finfish

11906 aquaculture operator shall submit a timely report to public health – Seattle & King

11907 County, environmental health division, and the department stating the cause of death and

11908 shall detail remedial actions to be implemented to prevent reoccurrence.

11909 T. All floating and submerged aquaculture structures and facilities in navigable
11910 waters shall be marked in accordance with United States Coast Guard requirements.

11911 U. The rights of treaty tribes to aquatic resources within their usual and
11912 accustomed areas shall be addressed through direct coordination between the applicant
11913 and the affected tribes through the permit review process.

11914 V. Aquaculture structures and equipment shall be of sound construction and shall
11915 be so maintained. Abandoned or unsafe structures and equipment shall be removed or
11916 repaired promptly by the owner. Where any structure might constitute a potential hazard
11917 to the public in the future, the department shall require the posting of a bond
11918 commensurate with the cost of removal or repair. The department may abate an
11919 abandoned or unsafe structure in accordance with K.C.C. Title 23.

11920 W. Aquaculture shall not be approved where it will adversely impact eelgrass and
11921 macroalgae.

11922 X. Commercial salmon net pens and nonnative marine finfish aquaculture are
11923 prohibited.

11924 Y. Finfish net pens shall be consistent with the applicable aquaculture regulations
11925 in this section and shall meet the following criteria and requirements:

11926 1. Each finfish net pen application shall provide a current, peer-reviewed
11927 science review of environmental issues related to finfish net pen aquaculture;

11928 2. The department shall only approve a finfish net pen application if the
11929 department determines the scientific review demonstrates:

11930 a. that the project construction and activities will achieve no net loss of
11931 ecological function in a manner that has no significant adverse short-term impact and no

11932 documented adverse long-term impact to applicable elements of the environment,
11933 including, but not limited to, habitat for native salmonids, water quality, eel grass beds,
11934 other aquaculture, other native species, the benthic community below the net pen or other
11935 environmental attributes; and

11936 b. that the finfish net pen does not involve significant risk of cumulative
11937 adverse effects, including, but not limited to, risk of interbreeding with wild salmon or
11938 reduction of genetic fitness of wild stocks, parasite or disease transmission or other
11939 adverse effects on native species or threatened or endangered species and their habitats;

11940 3. The department's review shall:

11941 a. include an assessment of the risk to endangered species, non-endangered
11942 species, and other biota that could be affected by the finfish net pen; and

11943 b. evaluate and model water quality impacts utilizing current information,
11944 technology, and assessment models. The project proponent shall be financially
11945 responsible for this water quality assessment;

11946 4. Finfish net pens shall be designed, constructed and maintained to prevent
11947 escapement of fish in all foreseeable circumstances, including, but not limited to, tide,
11948 wind and wave events of record, floating and submerged debris, and tidal action;

11949 5. Finfish net pens shall not be located:

11950 a. within three hundred feet of an area containing eelgrass or a kelp bed;

11951 b. within one thousand five hundred feet of an ordinary high water mark; or

11952 c. in a designated Washington state Department of Natural Resources aquatic
11953 reserve;

11954 6. A finfish net pen may not be used to mitigate the impact of a development

11955 proposal; and

11956 7. For finfish net pens that are not noncommercial native salmon net pens, the
11957 conditional use permit for the net pen (~~((must))~~) shall be renewed every five years. An
11958 updated scientific review shall be conducted as part of the renewal and shall include a
11959 new risk assessment and evaluation of the impact of the operation of the finfish net pen
11960 during the previous five years.

11961 Z. Geoduck aquaculture shall be consistent with WAC 173-26-241(3)(b).

11962 SECTION 275. Ordinance 16985, Section 36, and K.C.C. 21A.25.140 are hereby
11963 amended to read as follows:

11964 A. Except as otherwise provided in subsection B. of this section, public access
11965 shall be required for:

11966 1. Attached residential developments;

11967 2. New (~~((subdivisions))~~) land divisions of more than four lots;

11968 3. Developments for water enjoyment, water related and (~~((non-water))~~)
11969 nonwater-dependent uses;

11970 4. Publicly owned land, including, but not limited to, land owned by public
11971 agencies and public utilities;

11972 5. Marinas; and

11973 6. Publicly financed shoreline stabilization projects.

11974 B. Public access shall:

11975 1. Connect to other public and private public access and recreation facilities on
11976 adjacent parcels to the maximum extent practical;

11977 2. Be sited to ensure public safety is considered; and

11978 3. Be open to the general public;

11979 C. Public access is not required if the applicant demonstrates to the satisfaction of

11980 the department that public access would be incompatible with the proposed use because

11981 of safety or security issues, would result in adverse impacts to the shoreline environment

11982 that cannot be mitigated or there are constitutional or other legal limitations that preclude

11983 requiring public access;

11984 D. Public pedestrian and bicycle pathways and recreation areas constructed as

11985 part of a private development proposal should enhance access and enjoyment of the

11986 shoreline and provide features in scale with the development, such as:

11987 1. View points;

11988 2. Places to congregate in proportion to the scale of the development;

11989 3. Benches and picnic tables;

11990 4. Pathways; and

11991 5. Connections to other public and private public access and recreation

11992 facilities; and

11993 E. Private access from single detached residences to the shoreline shall:

11994 1. Not exceed three feet in width;

11995 2. Avoid removal of significant trees and other woody vegetation to the

11996 maximum extent practical; and

11997 3. Avoid a location that is parallel to the shoreline to the maximum extent

11998 practical.

11999 SECTION 276. Ordinance 16985, Section 39, as amended, and K.C.C.

12000 21A.25.160 are hereby amended to read as follows:

12001 A. The shoreline modification table in this section determines whether a specific
12002 shoreline modification is allowed within each of the shoreline environments. The
12003 shoreline environment is located on the vertical column and the specific use is located on
12004 the horizontal row of the table. The specific modifications are grouped by the shoreline
12005 modification categories in WAC 173-26-231. The table should be interpreted as follows:

12006 1. If the cell is blank in the box at the intersection of the column and the row,
12007 the modification is prohibited in that shoreline environment;

12008 2. If the letter "P" appears in the box at the intersection of the column and the
12009 row, the modification may be allowed within the shoreline environment;

12010 3. If the letter "C" appears in the box at the intersection of the column and the
12011 row, the modification may be allowed within the shoreline environment subject to the
12012 shoreline conditional use review procedures specified in K.C.C. 21A.44.100;

12013 4. If a number appears in the box at the intersection of the column and the row,
12014 the modification may be allowed subject to the appropriate review process indicated in
12015 this section and the specific development conditions indicated with the corresponding
12016 number immediately following the table, and only if the underlying zoning allows the
12017 modification. If more than one number appears at the intersection of the column and
12018 row, both numbers apply;

12019 5. If more than one letter-number combination appears in the box at the
12020 intersection of the column and the row, the modification is allowed within that shoreline
12021 environment subject to different sets of limitations or conditions depending on the review
12022 process indicated by the letter, the specific development conditions indicated in the
12023 development condition with the corresponding number immediately following the table;

12024 6. A shoreline modification may be allowed in the aquatic environment only if
 12025 that shoreline modification is allowed in the adjacent shoreland environment; and
 12026 7. This section does not authorize a shoreline modification that is not allowed
 12027 by the underlying zoning, but may add additional restrictions or conditions or prohibit
 12028 specific modifications within the shoreline jurisdiction. All shoreline modifications in
 12029 the shoreline jurisdiction (~~(must)~~) shall comply with all relevant county code provisions
 12030 and with the King County shoreline master program.

12031 B. Shoreline modifications.

| | High Intensi ty | Residenti al | Rur al | Conservan cy | Resourc e | Forest ry | Natur al | Aquat ic |
|---|-----------------------|-----------------|-----------|-----------------|--------------|--------------|-------------|-------------|
| Shoreline stabilization | | | | | | | | |
| 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 |
| Piers and docks | | | | | | | | |
| Docks, piers, moorage, buoys, floats, or launching facilities | P3 | P3 | P3 | C3 | C3 | C3 | | P3 C3 |

| | | | | | | | | |
|---|----------|----------|----------|----------|----------|----------|----------|----------|
| Fill | | | | | | | | |
| Filling | P4 C4 | P4 C4 | P4 C4 | P4 C4 | P4 C4 | C4 | C4 | P4 C4 |
| Breakwaters, jetties, groins, and weirs | | | | | | | | |
| Breakwaters, jetties, groins, and weirs | P5 C5 | P5 C5 | P5 C5 | P5 C5 | P5 C5 | P5 C5 | P5 C5 | P5 C5 |
| Dredging and dredge material disposal | | | | | | | | |
| Excavation, dredging, dredge material disposal | P6 C6 | P6 C6 | P6 C6 | P6 C6 | P6 C6 | C6 | C6 | P6 C6 |
| Shoreline habitat and natural systems enhancement projects | | | | | | | | |
| Habitat and natural systems enhancement projects | P7 | P7 | P7 | P7 | P7 | P7 | P7 | P7 |
| Vegetation management | | | | | | | | |
| Removal of existing intact native | P8 | P8 | P8 | P9 | P8 | P8 | P9 | P9 |

| | | | | | | | | |
|------------|--|--|--|--|--|--|--|--|
| vegetation | | | | | | | | |
|------------|--|--|--|--|--|--|--|--|

12032 C. Development conditions.

12033 1. New and replacement shoreline stabilization, including bulkheads, ~~((must))~~

12034 shall meet the standards in K.C.C. 21A.25.170;

12035 2.a. Flood protection facilities ~~((must))~~ shall be consistent with the standards in

12036 K.C.C. chapter 21A.24~~((;))~~; the goals, objectives, guiding principles, and policies of the

12037 2024 King County Flood Management Plan~~((;))~~; and the Integrated Stream Protection

12038 Guidelines (Washington state departments of Fish and Wildlife, Ecology, and

12039 Transportation, 2003). New structural flood hazard protection measures are allowed in

12040 the shoreline jurisdiction only when the applicant demonstrates by a scientific and

12041 engineering analysis that the structural measures are necessary to protect existing

12042 development, that nonstructural measures are not feasible and that the impact on

12043 ecological functions and priority species and habitats can be successfully mitigated so as

12044 to assure no net loss of shoreline ecological functions. New flood protection facilities

12045 designed as shoreline stabilization ~~((must meet))~~ shall comply with the standards in

12046 K.C.C. 21A.25.170.

12047 b. Relocation, replacement, or expansion of existing flood control facilities

12048 within the Natural environment are ~~((permitted))~~ allowed, subject to the requirements of

12049 the King County Flood Management Plan and consistent with the Washington State

12050 Aquatic Guidelines Program's Integrated Streambank Protection Guidelines and

12051 bioengineering techniques used to the maximum extent practical. New facilities would

12052 only be ~~((permitted))~~ allowed consistent with an approved watershed resources inventory

12053 area (WRIA) salmon recovery plan under chapter 77.85 RCW.

12054 3. Docks, piers, moorage, buoys, floats, or launching facilities (~~((must-meet))~~)
12055 shall comply with the standards in K.C.C. 21A.25.180;
12056 4.a. Filling (~~((must-meet))~~) shall comply with the standards in K.C.C.
12057 21A.25.190.
12058 b. A shoreline conditional use permit is required to:
12059 (1) Place fill waterward of the ordinary high water mark for any use except
12060 ecological restoration or for the maintenance and repair of flood protection facilities; and
12061 (2) Dispose of dredged material within shorelands or wetlands within a
12062 channel migration zone;
12063 c. Fill shall not be placed in critical saltwater habitats except when all of the
12064 following conditions are met:
12065 (1) the public's need for the proposal is clearly demonstrated and the proposal
12066 is consistent with protection of the public trust, as embodied in RCW 90.58.020;
12067 (2) avoidance of impacts to critical saltwater habitats by an alternative
12068 alignment or location is not feasible or would result in unreasonable and disproportionate
12069 cost to accomplish the same general purpose;
12070 (3) the project including any required mitigation, will result in no net loss of
12071 ecological functions associated with critical saltwater habitat; and
12072 (4) the project is consistent with the state's interest in resource protection and
12073 species recovery(~~((:))~~); and
12074 d. In a channel migration zone, any filling shall protect shoreline ecological
12075 functions, including channel migration.
12076 5.a. Breakwaters, jetties, groins, and weirs:

12077 (1) are only allowed where necessary to support water-dependent uses, public
12078 access, approved shoreline stabilization, or other public uses, as determined by the
12079 director;

12080 (2) are not allowed in the Maury Island Aquatic Reserve except as part of a
12081 habitat restoration project or as an alternative to construction of a shoreline stabilization
12082 structure;

12083 (3) shall not intrude into or over critical saltwater habitats except when all of
12084 the following conditions are met:

12085 (a) the public's need for the structure is clearly demonstrated and the
12086 proposal is consistent with protection of the public trust, as embodied in RCW 90.58.020;

12087 (b) avoidance of impacts to critical saltwater habitats by an alternative
12088 alignment or location is not feasible or would result in unreasonable and disproportionate
12089 cost to accomplish the same general purpose;

12090 (c) the project including any required mitigation, will result in no net loss of
12091 ecological functions associated with critical saltwater habitat; and

12092 (d) the project is consistent with the state's interest in resource protection
12093 and species recovery.

12094 b. Groins are only allowed as part of a restoration project sponsored or
12095 cosponsored by a public agency that has natural resource management as a primary
12096 function.

12097 c. A conditional shoreline use permit is required, except for structures installed
12098 to protect or restore shoreline ecological functions.

12099 6. Excavation, dredging, and filling (~~((must meet))~~) shall comply with the
12100 standards in K.C.C. 21A.25.190. A shoreline conditional use permit is required to
12101 dispose of dredged material within shorelands, ~~((or))~~ wetlands, or side channels within a
12102 channel migration zone.

12103 7.a. If the department determines the primary purpose is restoration of the
12104 natural character and ecological functions of the shoreline, a shoreline habitat and natural
12105 systems enhancement project may include shoreline modification of vegetation, removal
12106 of nonnative or invasive plants, and shoreline stabilization, including the installation of
12107 large woody debris, dredging, and filling. Mitigation actions identified through
12108 biological assessments required by the National Marine Fisheries Services and applied to
12109 flood hazard mitigation projects may include shoreline modifications of vegetation,
12110 removal of nonnative or invasive plants, and shoreline stabilization, including the
12111 installation of large woody debris, dredging, and filling.

12112 b. Within the ~~((U))~~urban ~~((G))~~growth ~~((A))~~area, the county may grant relief
12113 from shoreline master program development standards and use regulations resulting from
12114 shoreline restoration projects consistent with criteria and procedures in WAC 173-27-
12115 215.

12116 8. Within the critical area and critical area buffer, vegetation removal is subject
12117 to K.C.C. chapter 21A.24.

12118 9. Except for forest practices conducted under K.C.C. 21A.25.130, existing
12119 native vegetation located outside of the critical area and critical area buffer shall be
12120 retained to the maximum extent practical. Within the critical area and critical area buffer,
12121 vegetation removal is subject to K.C.C. chapter 21A.24.

12122 SECTION 277. Ordinance 3688, Section 413, as amended, and K.C.C.
12123 21A.25.170 are hereby amended to read as follows:

12124 A. New structural ~~((S))~~shoreline stabilization, including additions that increase or
12125 expand existing structural shoreline stabilization, shall not be ~~((considered an outright use~~
12126 ~~and shall be permitted only))~~ allowed except when determined necessary by the
12127 department ~~((determines that shoreline protection is necessary))~~ for the protection of
12128 ~~((existing legally established primary))~~ structures ~~((, new or existing non-water-~~
12129 ~~dependent development, new or existing water dependent development or projects~~
12130 ~~restoring ecological functions or remediating hazardous substance discharges.~~
12131 ~~Vegetation, berms, bioengineering techniques and other nonstructural alternatives that~~
12132 ~~preserve the natural character of the shore shall be preferred over riprap, concrete~~
12133 ~~revetments, bulkheads, breakwaters and other structural stabilization. Riprap using rock~~
12134 ~~or other natural materials shall be preferred over concrete revetments, bulkheads,~~
12135 ~~breakwaters and other structural stabilization. Lesser impacting measures should be used~~
12136 ~~before more impacting measures. Structural))~~ and projects consistent with this section.

12137 B. New development shall be located and designed to avoid the need for future
12138 shoreline stabilization measures.

12139 1. Subdivisions and short subdivisions shall not create lots that require shoreline
12140 stabilization for reasonable development to occur.

12141 2. New development on steep slopes shall be set back a sufficient distance to
12142 ensure that shoreline stabilization is not needed for the life of the development.

12143 C. New or enlarged shoreline stabilization for existing primary structures,
12144 including single detached residences, may be ~~((permitted subject to the standards in this~~
12145 ~~chapter and as follows))~~ allowed when:

12146 1. ~~((The applicant provides a))~~A geotechnical analysis ~~((that))~~ demonstrates that
12147 the structure is in danger from shoreline erosion ~~((from))~~ caused by tidal action, currents,
12148 or waves ~~((or currents is imminently threatening or that, unless the structural shoreline~~
12149 ~~stabilization is constructed, damage is expected to occur within three years))~~, and not
12150 upland drainage, erosion, landslide hazard areas, or unauthorized clearing or grading;

12151 2. ~~((The erosion is not caused by upland conditions))~~ On-site drainage is
12152 directed away from the shoreline edge;

12153 3. The ~~((proposed structural shoreline protection will provide greater protection~~
12154 ~~than feasible, nonstructural alternatives such as slope drainage systems, vegetative~~
12155 ~~growth stabilization, gravel berms and beach nourishment;))~~ shoreline stabilization will
12156 not result in a net loss of shoreline ecological functions; and

12157 4. ~~((The proposal is the minimum necessary to protect existing legally~~
12158 ~~established primary structures, new or existing non-water dependent development, new~~
12159 ~~or existing water dependent development or projects restoring ecological functions or~~
12160 ~~remediating hazardous substance discharges; and~~

12161 5. ~~Adequate mitigation measures will be provided to maintain existing shoreline~~
12162 ~~processes and critical fish and wildlife habitat and ensure no net loss or function of~~
12163 ~~intertidal or riparian habitat.))~~ The at-risk structure or use cannot be relocated in order to
12164 remove the need for shoreline stabilization.

12165 D. New shoreline stabilization for new nonwater-dependent uses, including
12166 single detached residences, may be allowed when:

12167 1. A geotechnical analysis documents a need to protect primary structures from
12168 shoreline erosion caused by tidal action, currents, or waves, and not upland drainage,
12169 erosion, or landslide hazard areas or unauthorized clearing or grading;

12170 2. Nonstructural measures, such as placing the development further from the
12171 shoreline, planting vegetation, or installing on-site drainage improvements, are not
12172 feasible or not sufficient; and

12173 3. The shoreline stabilization will not result in a net loss of shoreline ecological
12174 functions.

12175 E. New shoreline stabilization for water-dependent uses, including single
12176 detached residences, may be allowed when:

12177 1. A geotechnical analysis documents a need to protect primary structures from
12178 imminent risk of damage of shoreline erosion;

12179 2. Nonstructural measures, such as planting vegetation, or installing on-site
12180 drainage improvements, are not feasible or not sufficient; and

12181 3. The shoreline stabilization will not result in a net loss of shoreline ecological
12182 functions.

12183 F. New shoreline stabilization for ecological function restoration projects or
12184 hazardous substance remediation projects may be allowed when:

12185 1. Nonstructural measures, such as placing the development further from the
12186 shoreline, planting vegetation, or installing on-site drainage improvements, are not
12187 feasible or not sufficient; and

12188 2. The shoreline stabilization will not result in a net loss of shoreline ecological
12189 functions.

12190 G. Existing structural shoreline stabilization may be replaced with a similar
12191 structure if the following is met:

12192 1. The existing shoreline stabilization can no longer adequately serve its
12193 purpose;

12194 ~~((C:)) 2. The ((S))~~shoreline stabilization ~~((to replace existing shoreline~~
12195 ~~stabilization))~~ shall be placed landward of the existing shoreline stabilization ~~((, but may~~
12196 ~~be placed waterward directly abutting the old structure only in cases where removal of~~
12197 ~~the old structure would result in greater impact on ecological functions. In critical~~
12198 ~~saltwater habitats;))~~ and moved as far landward of the ordinary high water mark as
12199 possible;

12200 3. The existing shoreline stabilization shall ((not)) be ((allowed to remain in
12201 place if the existing shoreline stabilization is resulting in the loss of ecological functions.
12202 ~~Adequate mitigation measures that maintain existing shoreline processes and critical fish~~
12203 ~~and wildlife habitat must be provided that ensures no net loss or function of intertidal or~~
12204 ~~riparian habitat.))~~ removed;

12205 4. The replacement structure shall be the minimum size necessary to protect
12206 upland development and uses;

12207 5. The replacement structure shall not enlarge or increase the size of the existing
12208 shoreline stabilization; and

12209 6. The shoreline stabilization shall not result in a net loss of ecological function.

12210 H. Shoreline stabilization shall:

12211 1. Minimize the adverse impact on the property of others to the maximum
12212 extent practical;

12213 2. Use the least impactful shoreline stabilization measure, such as softer or
12214 nonstructural measures, unless demonstrated to not be sufficient to protect primary
12215 structures. Measures are provided as follows in order from the most preferred to least
12216 preferred:

12217 a. nonstructural actions;
12218 b. soft shoreline stabilization; and
12219 c. hard shoreline stabilization;

12220 ~~((D. The))~~ 3. Have a maximum height of ((the proposed shoreline stabilization
12221 shall be)) no more than one foot above the elevation of ((extreme high water)) the highest
12222 observed tide on tidal waters, as determined by ((the National Ocean Survey published
12223 by)) the nearest National Oceanic and Atmospheric Administration long-term tidal gauge,
12224 or four feet in height on lakes((-));

12225 4. Be the minimum width necessary to provide protection against erosion from
12226 waves, currents, and tidal action;

12227 ~~((E. Shoreline stabilization is))~~ 5. Be prohibited along feeder bluffs and critical
12228 saltwater habitat, unless a geotechnical report demonstrates an imminent danger to a
12229 legally established structure or public improvement. If allowed, shoreline stabilization
12230 along feeder bluffs and critical saltwater habitat ((must)) shall be designed to have the
12231 least impact on these resources and on sediment conveyance systems((-));

12232 ~~((F. Shoreline stabilization shall minimize the adverse impact on the property of~~
12233 ~~others to the maximum extent practical.~~

12234 ~~G. Shoreline stabilization shall n~~) 6. Not be used to create new lands(-);

12235 ~~((H. Shoreline stabilization shall n))~~ 7. Not interfere with surface or subsurface

12236 drainage into the water body(-);

12237 ~~((I.))~~ 8. Not use creosote timbers, treated wood, ((A))automobile bodies or other

12238 ~~((junk or waste))~~ materials that may release ((undesirable)) toxic substances ~~((material~~

12239 ~~shall not be used for shoreline stabilization.))~~;

12240 ~~((J. Shoreline stabilization shall be))~~ 9. Be designed so as not to constitute a

12241 hazard to navigation and to not substantially interfere with visual access to the water(-);

12242 ~~((K. Shoreline stabilization shall be designed so as not to))~~ 10. Not create a

12243 need for shoreline stabilization ((elsewhere.)) on adjacent or down-current properties; and

12244 ~~((L. Shoreline stabilization shall comply))~~ 11. Comply with the Marine

12245 Shoreline Design Guidelines in marine waters (Washington state Department of Fish and

12246 Wildlife 2014) or the Integrated Stream Protection Guidelines (Washington state

12247 departments of Fish and Wildlife, Ecology, and Transportation, 2003) ((and shall be

12248 designed to allow for appropriate public access to the shoreline)) in fresh water.

12249 ~~((M.))~~ H. The department shall provide a notice to an applicant for new

12250 development or redevelopment located within the shoreline jurisdiction on ((Vashon and

12251 Maury)) Vashon-Maury Island that the development may be impacted by sea level rise

12252 and recommend that the applicant voluntarily consider setting the development back

12253 further than required by this title to allow for future sea level rise.

12254 SECTION 278. Ordinance 3688, Section 409, as amended, and K.C.C.

12255 21A.25.180 are hereby amended to read as follows:

12256 Any dock, pier, moorage pile or buoy, float₂ or launching facility authorized by
12257 this chapter shall be subject to the following conditions:

12258 A. Docks, piers, moorage piles or buoys, floats₂ or launching facilities are
12259 allowed only for water-dependent uses or for public access and shall be limited to the
12260 minimize size necessary to support the use. New private boat launch ramps are not
12261 allowed;

12262 B. Any dock, pier, moorage pile or buoy, float₂ or launching facility proposal on
12263 marine waters:

12264 1. Must include an evaluation of the nearshore environment and the potential
12265 impact of the facility on that environment; and

12266 2. Avoid impacts to critical saltwater habitats unless an alternative alignment or
12267 location is not feasible;

12268 C. In the High Intensity, Residential, Rural₂ and Conservancy environments, the
12269 following standards apply:

12270 1. Only one dock, pier, moorage pile or buoy, float₂ or launching facility may be
12271 allowed for a single detached residential lot and only if the applicant demonstrates there
12272 is no feasible practical alternative;

12273 2. For subdivisions or short subdivisions or for multiunit (~~dwelling-unit~~)
12274 development proposals:

12275 a. Only one joint use dock, pier, float₂ or launching facility is allowed; and

12276 b. One moorage pile or buoy if a dock, pier, float₂ or launching facility is
12277 allowed or two moorage piles or buoys if a dock, pier, float₂ or launching facility is not
12278 allowed;

12279 3. Only one dock, pier, moorage pile or buoy, float₁ or launching facility is
12280 allowed for each commercial or industrial use; and

12281 4. Multiuser recreational boating facilities serving more than four single
12282 detached residences shall comply with K.C.C. 21A.25.120;

12283 D. In the Conservancy environment, a dock, pier, moorage pile or buoy, float₁ or
12284 launching facility for a commercial or ((~~manufacturing~~)) industrial use must be located at
12285 least two hundred fifty feet from another dock or pier;

12286 E. In the Resource and Forestry Shoreline environments, only one dock, pier,
12287 moorage pile or buoy, float₁ or launching facility is permitted and only as an accessory
12288 use to a residential use or to support a resource or forestry use;

12289 F. In the Natural environment, a dock, pier, moorage pile or buoy, float₁ or
12290 launching facility is prohibited;

12291 G. In freshwater lakes:

12292 1. A new pier, dock₁ or moorage pile for residential uses shall meet the
12293 following requirements:

| New Pier, Dock ₁ or Moorage Piles | | | Dimensional and Design Standards |
|---|---|-----|--|
| a. | Maximum Area: surface coverage, including all attached float decking, ramps, ells ₁ and fingers | (1) | 480 square feet for single dwelling unit; |
| | | (2) | 700 square feet for joint-use facility used by 2 dwelling units; |

| | | | | |
|----|--|-----|---|--|
| | | (3) | 1000 square feet for joint-use facility used by 3 or more dwelling units; | |
| | | (4) | These area limitations shall include platform lifts; | |
| | | (5) | 150 square feet for float for a single dwelling unit; and | |
| | | (6) | Where a pier cannot reasonably be constructed under the area limitation above to obtain a moorage depth of 10 feet measured below ordinary high water, an additional 4 square feet of area may be added for each additional foot of pier length needed to reach 10 feet of water depth at the landward end of the pier, provided that all other area dimensions, such as maximum width and length, have been minimized. | |
| b. | Maximum Length for piers, docks, ells, fingers, and attached floats | (1) | (A) | On Lake Washington and Lake Sammamish, 150 ft, but piers or docks extending further waterward than adjacent piers or docks must demonstrate that they will not have an adverse impact on navigation; and |
| | | | (B) | On all other freshwater lakes, the shorter of: 80 feet or the point where the water depth is 13 feet below ordinary high water |
| | | (2) | 26 feet for ells; and | |
| | | (3) | 20 feet for fingers and float decking attached to a pier | |
| c. | Maximum Width | (1) | 4 feet for pier or dock walkway or ramp; | |
| | | (2) | 6 feet for ells; | |
| | | (3) | 2 feet for fingers; | |
| | | (4) | 6 feet for float decking attached to a pier, must contain a minimum of 2 feet of grating down the center of the entire float; and | |

| | | | |
|----|--|-----|--|
| | | (5) | For piers or docks with no ells or fingers, the most waterward 26-foot section of the walkway may be 6 feet wide. |
| d. | Height of piers and diving boards | (1) | Minimum of 1.5 feet above ordinary high water to bottom of pier stringers, except the floating section of a dock and float decking attached to a pier; |
| | | (2) | Maximum of 3 feet above deck surface for diving boards or similar features; |
| | | (3) | Maximum of 3 feet above deck for safety railing, which shall be an open framework. |
| e. | Minimum Water Depth for ells and float decking attached to a pier | (1) | Must be in water with depths of 10 feet or greater at the landward end of the float |
| | | (2) | Must be in water with depths of 9 feet or greater at the landward end of the ell or finger |
| f. | Decking for piers, docks walkways, platform lifts, ells, and fingers | (1) | If float tubs for docks preclude use of fully grated decking material, then a minimum of 2 feet of grating down the center of the entire float shall be provided |
| | | (2) | Piers, docks, and platform lifts must be fully grated or contain other materials that allow a minimum of fifty percent light transmittance through the material |
| g. | Location of ells, fingers, and deck platforms | (1) | Within 30 feet of the OHWM, only the pier walkway or ramp is allowed |

| | | | |
|----|---------------------------|---|--|
| | | (2) | No closer than 30 feet waterward of the OHWM, measured perpendicular to the OHWM |
| h. | Pilings and Moorage Piles | (1) | Pilings or moorage piles shall not be treated with pentachlorophenol, creosote, chromated copper arsenate (CCA) or comparably toxic compounds. |
| | | (2) | First set of pilings or moorage piles located no closer than 18 feet from OHWM |
| | | (3) | Moorage piles shall not be any farther waterward than the end of the pier or dock |
| i. | Mitigation | Plantings or other mitigation as provided in subsection L. of this section. | |

12294 2. On Lake Washington and Lake Sammamish, the department may approve the
12295 following modifications to a new pier proposal that deviates from the dimensional
12296 standards of subsection G.1. of this section if both the U.S. Army Corps of Engineers and
12297 Washington state Department of Fish and Wildlife have approved an alternate project
12298 design. In addition, the following requirements and all other applicable provisions in this
12299 chapter shall be met:

| | | |
|----|--|---|
| | Administrative Approval for Alternative Design of New Pier or Dock | Requirements |
| a. | State and Federal Agency Approval | U.S. Army Corps of Engineers, and the Washington state Department of Fish and Wildlife have approved proposal |
| b. | Maximum Area | No larger than authorized through state and federal approval |

| | | | |
|----|---------------------|---|---|
| c. | Maximum Width | (1) | Except as provided in c.(2). of this subsection, the pier and all components shall meet the standards noted in subsection G.1. of this section. |
| | | (2) | 4 feet for portion of pier or dock located within 30 feet of the OHWM; and 6 feet for walkways |
| d. | Minimum Water Depth | No shallower than authorized through state and federal approval | |

12300 3.a. A replacement of an existing pier or dock shall meet the following

12301 requirements:

| | Replacement of Existing Pier or Dock | Requirements | |
|-----|---|---|---|
| (1) | Replacement of entire existing pier or dock, including piles OR more than fifty percent of the pier-support piles and more than fifty percent of the decking or decking substructure (e.g. stringers) | Must meet the dimensional decking and design standards for new piers as described in subsection G.1. of this section, except the department may approve an alternative design described in subsection G.3.b. of this section. | |
| (2) | Mitigation | (a) | Existing skirting shall be removed and may not be replaced. |
| | | (b) | Existing in-water and overwater structures other than existing pier or dock located within 30 feet of the OHWM, except for existing or authorized shoreline stabilization measures, shall be removed. |

12302 b. On Lake Washington and Lake Sammamish, the department may approve the
12303 following modifications to a pier replacement proposal that deviates from the
12304 dimensional standards of subsection G.1. of this section, if both the U.S. Army Corps of
12305 Engineers and Washington state Department of Fish and Wildlife have approved an
12306 alternate project design. With submittal of a building permit, the applicant shall provide
12307 documentation that the U.S. Army Corps of Engineers, and the Washington state
12308 Department of Fish and Wildlife have approved the alternative proposal design. In
12309 addition, the following requirements and all other applicable provisions in this chapter
12310 shall be met;

| Administrative Approval for Alternative Design of Replacement Pier or Dock | | Requirements |
|--|--------------------------------------|--|
| (1) | State and Federal Agency Approval | U.S. Army Corps of Engineers and the Washington state Department of Fish and Wildlife have approved proposal |
| (2) | Maximum Area | No larger than existing pier or that allowed under subsection G.1. of this section, whichever is greater |
| (3) | Maximum Length | 26 feet for fingers and float decking attached to a pier. Otherwise, the pier and all components shall meet the standards noted in subsection G.1. of this section |
| (4) | Maximum Width | (a) 4 feet for walkway or ramp located within 30 feet of the OHWM; otherwise, 6 feet for walkways |
| | | (b) 8 feet for ells and float decking attached to a pier |
| | | (c) For piers with no ells or fingers, the most waterward 26 feet section of the walkway may be 8 feet wide |

| | | |
|-----|---------------------|--|
| | | (d) Otherwise, the pier and all components shall meet the standards noted in subsection G.1. of this section |
| (5) | Minimum Water Depth | No shallower than authorized through state and federal approval |

12311 4. Proposals involving the addition to or enlargement of existing piers or docks
12312 must comply with the requirements in the following table. These provisions shall not be
12313 used in combination with the provisions for new or replacement piers in subsection G.1.
12314 or G.3. of this section.

| | Addition to Existing Pier or Dock | Requirements | |
|----|--|--|--|
| a. | Addition or enlargement | (1) | Must demonstrate that there are no alternatives with less impact on the shoreline; and |
| | | (2) | Must demonstrate that there is a need for the enlargement of an existing pier or dock and that there are no alternatives with less impact on the shoreline Examples of need include, but are not limited to safety concerns or inadequate depth of water |
| b. | Dimensional standards | Enlarged portions must comply with the new pier or dock standards for length and width, height, water depth, location, decking, and pilings and for materials as described in subsection G.1. of this section. | |
| c. | Decking for piers, docks walkways, ells, and fingers | Must convert an area of decking within 30 feet of the OHWM to grated decking equivalent in size to the additional surface coverage. Grated or other materials must allow a minimum of fifty percent light transmittance through the material | |
| d. | Mitigation | (1) | Existing skirting shall be removed and may not be replaced |

| | | | |
|--|--|-----|--|
| | | (2) | Existing in-water and overwater structures located within 30 feet of the OHWM, except for existing or authorized shoreline stabilization measures or pier or dock walkways or piers, shall be removed at a 1:1 ratio to the area of the addition |
|--|--|-----|--|

12315 5.a. Repair proposals that replace only decking or decking substructure and less
12316 than fifty percent of the existing pier-support piles must comply with the following
12317 regulations:

| Minor Repair of Existing Pier or Dock | | Requirements | |
|---------------------------------------|--|--|---|
| (1) | Replacement pilings or moorage piles | (a) | Must use materials as described under subsection G.1.h(3) of this section |
| | | (b) | Must minimize the size of pilings or moorage piles and maximize the spacing between pilings to the extent allowed by site-specific engineering or design considerations |
| (2) | Replacement of 50 percent or more of the decking or 50 percent or more of decking substructure | Must replace any solid decking surface of the pier or dock located within 30 feet of the OHWM with a grated surface material that allows a minimum of fifty percent light transmittance through the material | |

12318 b. Other repairs to existing legally established moorage facilities where the
12319 nature of the repair is not described in this subsection shall be considered minor repairs
12320 and are permitted, consistent with all other applicable codes and regulations. If
12321 cumulative repairs of an existing pier or dock would make a proposed repair exceed the
12322 threshold for a replacement pier established in subsection G.3. of this section, the repair
12323 proposal shall be reviewed under subsection G.1. of this section for a new pier or dock,

12324 except as described in subsection G.3.b. of this section for administrative approval of
 12325 alternative design;
 12326 H. Boatlifts, personal watercraft lifts, boatlift canopies, and moorage piles may
 12327 be permitted as an accessory to piers and docks, subject to the following regulations:

| | Boatlift, Personal Watercraft Lift, Boat Canopy, and Moorage Piles | Requirements | |
|----|---|--------------|--|
| 1. | Location | a. | Boat lifts shall be placed as far waterward of the OHWM as feasible and safe, but not more than sixty feet from OHWM |
| | | b. | Boat lifts are not permitted within the Maury Island Environmental Aquatic Reserve |
| | | c. | The bottom of a boatlift canopy shall be elevated above the boatlift to the maximum extent practical, the lowest edge of the canopy must be at least 4 feet above the ordinary high water, and the top of the canopy must not extend more than 7 feet above an associated pier |
| | | d. | Moorage piles shall not be closer than 30 feet from OHWM or any farther waterward than the end of the pier or dock |
| 2. | Maximum Number | a. | 1 free-standing or deck-mounted boatlift per dwelling unit |
| | | b. | 1 personal watercraft lift or 1 fully grated platform lift per dwelling unit |
| | | c. | 1 boatlift canopy per dwelling unit, including joint use piers |
| 3. | Canopy Materials | a. | Must be made of translucent fabric materials. |

| | | | |
|----|-------------------|----|---|
| | | b. | Must not be constructed of permanent structural material. |
| 4. | Fill for Boatlift | a. | Maximum of 2 cubic yards of fill are permitted to anchor a boatlift, subject to the following requirements: |
| | | b. | May only be used if the substrate prevents the use of anchoring devices that can be embedded into the substrate |
| | | c. | Must be clean |
| | | d. | Must consist of rock or precast concrete blocks |
| | | e. | Must only be used to anchor the boatlift |
| | | f. | Minimum amount of fill is used to anchor the boatlift |

12328 I. Moorage buoys shall meet the following conditions:

12329 1. Buoys shall not impede navigation;

12330 2. The use of buoys for moorage of recreational and commercial vessels is
12331 preferred over pilings or float structures;

12332 3. Buoys shall be located and managed in a manner that minimizes impacts to
12333 eelgrass and other aquatic vegetation;

12334 4. Preference should be given mid-line float or all-rope line systems that have
12335 the least impact on marine vegetation;

12336 5. New buoys that would result in a closure of local shellfish beds for future
12337 harvest shall be prohibited; and

12338 6. No more than four buoys per acre are allowed;

12339 J.1. A boat lift, dock, pier, moorage pile or buoy, float, launching facility, or
12340 other overwater structure or device shall meet the following setback requirements:

12341 a. All piers, docks, boatlifts, and moorage piles for detached dwelling unit use
12342 shall comply with the following location standards:

| New Pier, Dock, Boatlift, and Moorage Pile or Buoy | | Minimum Setback Standards |
|---|---|---|
| (1) | Side property lines | 15 feet |
| (2) | Another moorage structure not on the subject property, excluding adjacent moorage structure that does not comply with required side property line setback | 25 feet, except that this standard shall not apply to moorage piles |
| (3) | Outlet of an aquatic area, including piped streams | Maximum distance feasible while meeting other required setback standards established under this section |
| (4) | Public park | Outside of the urban growth area, 25 feet |

12343 b. Joint-use structures may abut property lines when the property owners
12344 sharing the moorage facility have mutually agreed to the structure location in a contract
12345 recorded with the King County division of records and elections to run with the
12346 properties. A copy of the contract must accompany an application for a building permit
12347 or a shoreline permit.

12348 2. An overwater structure may abut property lines for the common use of
12349 adjacent property owners

12350 K. On marine shorelines, a new, repaired, or replaced pier, dock, or float for
12351 residential uses shall meet the following requirements:

| | | |
|--|--|----------------------------------|
| Pier, Dock, or Float on Marine Waters | | Dimensional and Design Standards |
|--|--|----------------------------------|

| | | | |
|----|--|----|---|
| 1. | Maximum Area: surface coverage, including all attached float decking and ramps | a. | 480 square feet for single dwelling unit; |
| | | b. | 700 square feet for joint-use facility used by 2 dwelling units; |
| | | c. | 1000 square feet for joint-use facility used by 3 or more dwelling units; |
| | | d. | These area limitations shall include platform lifts; and |
| | | e. | 240 square feet for float for a single dwelling unit. |
| 2. | Maximum Width | a. | 4 feet for pier or dock for single dwelling unit; |
| | | b. | 6 feet for pier or dock for joint use facility; and |
| | | c. | 4 feet for ramp connecting to a pier or float |
| 3. | Floats | a. | For a single-use structure, the float width must not exceed 8 feet and the float length must not exceed 30 feet. Functional grating must be installed on at least 50% of the surface area of the float; |
| | | b. | For a joint-use structure, the float width must not exceed 8 feet and the float length must not exceed 60 feet. Functional grating must be installed on at least 50% of the surface area of the float; |
| | | c. | To the maximum extent practical, floats must be installed with the length in the north-south direction; |
| | | d. | If the float is removed seasonally, the floats shall be stored above mean high/higher water/ordinary high water line at a department approved location; |

| | | | |
|----|-------------|----|--|
| | | e. | Flotation for the float shall be fully enclosed and contained in a shell, such as polystyrene tubs not shrink wrapped or sprayed coatings, that prevents breakup or loss of the flotation material into the water and is not readily subject to damage by ultraviolet radiation or abrasion caused by rubbing against piling or waterborne debris; |
| | | f. | Flotation components shall be installed under the solid portions of the float, not under the grating; and |
| | | g. | If the float is positioned perpendicular to the ramp, a small float may be installed to accommodate the movement of the ramp due to tidal fluctuations. The dimensions of the small float cannot exceed 6 feet in width and 10 feet in length. |
| 4. | Float stops | a. | To suspend the float above the substrate, the preferred and least impacting option is to suspend the float above the substrate by installing float stops (stoppers) on piling anchoring new floats. The stops must be able to fully support the entire float during all tidal elevations; |
| | | b. | If float stops attached to pilings are not feasible (this must be explained in the application), then up to four 10 inch diameter stub pilings can be installed instead; |
| | | c. | Float feet attached to the float may be considered an option only under these circumstances: (1) in coarse substrate with 25% of the grains are at least 25 mm in size for a grain size sample taken from the upper one foot of substrate; and (2) for elevations of 3 feet below mean high high water and lower, if 25% of the grains are at least 4 mm in size for a grain size sample taken from the upper one foot of substrate; |

| | | | |
|----|--|----|---|
| | | d. | For repair or replacement of existing float feet if: (1) substrate contains mostly gravel; and (2) proposed replacement or repair includes other improvements of the environmental baseline, such as the removal of creosote-treated piling and increased amounts of grating; and |
| | | e. | Floats can be held in place with lines anchored with a helical screw or "duckbill" anchor, piling with stoppers or float support/stub pilings as follows: (1) For a single-use float, a maximum of 4 piling (not including stub piling) or helical screw or "duckbill" anchors can be installed to hold the float in place. (2) For a joint-use float, a maximum of 8 piling or helical screw or "duckbill" anchors can be installed to hold the float in place. (3) If anchors and anchor lines need to be used, the anchor lines shall not rest on the substrate at any time. (4) In rocky substrates where a helical screw or "duckbill" anchor cannot be used, if the applicant submits a rationale why these types of anchors cannot be used and the department concurs with this rationale, a department approved anchor of another type, such as a concrete block, may be permitted. |
| 5. | Decking for piers, docks walkways, platform lifts, ells, and fingers | a. | Grating must not be covered, on the surface or underneath, with any stored items, such as floats, canoes, kayaks, planter boxes, sheds, carpet, boards, or furniture; |
| | | b. | Grating shall be kept clean of algae, mud, or other debris that may impede light transmission; |

| | | | |
|----|----------------------------|----|---|
| | | c. | Piers, docks, and platform lifts must be fully grated or contain other materials that allow a minimum of fifty percent light transmittance through the material; |
| | | d. | Grating openings shall be oriented lengthwise in the east-west direction to the extent practicable and the structures themselves should be oriented to maximize natural light penetration; |
| | | e. | Overwater structures shall incorporate as much functional grating as possible. Grating needs to have a minimum of 60% open area; and |
| | | f. | The area of floating boat lifts to be moored at the overwater structure shall be included in the float grating calculations. |
| 6. | Pier or dock configuration | | Only straight line piers or docks are allowed. Ells, fingers, or "T" shaped docks and piers are not allowed. |
| 7. | Pilings and Moorage Piles | a. | Pilings or moorage piles shall not be treated with pentachlorophenol, creosote, chromated copper arsenate (CCA), or comparably toxic compounds; |
| | | b. | Replacement or proposed new piling can be steel, concrete, plastic, or untreated or treated wood. Any piling subject to abrasion and subsequent deposition of material into the water shall incorporate design features to minimize contact between all of the different components of overwater structures during all tidal elevations; |
| | | c. | New piling associated with a new pier must be spaced at least 20 feet apart lengthwise along the structure, unless the length of structure itself is less than 20 feet. If the structure itself is less than 20 feet in length, piling can only be placed at the ends of the structure. Piles in forage fish spawning areas shall be spaced at least 40 feet apart; |

| | | | |
|----|------------|----|--|
| | | d. | If the project includes the replacement of existing piling, they should be either partially cut with a new piling secured directly on top, fully extracted, or cut 2 feet below the mudline. If treated piling are fully extracted or cut, the holes or piles must be capped with clean, appropriate material. Hydraulic water jets cannot be used to remove piling; |
| | | e. | A maximum of two moorage piles may be installed to accommodate the moorage of boats exceeding the length of the floats; and |
| | | f. | Dolphins are not permitted. |
| 8. | Mitigation | | Plantings or other mitigation as provided in subsection L. of this section; |

12352 L. New, expanded, replacement, or repaired piers, docks, floats, boatlifts, boat
12353 canopies, and moorage piles or buoys shall comply with the following:

12354 1. Existing habitat features, such as large and small woody debris and substrate
12355 material, shall be retained and new or expanded moorage facilities placed to avoid
12356 disturbance of such features;

12357 2. Invasive weeds, such as milfoil, may be removed as provided in K.C.C.
12358 chapter 21A.24; and

12359 3. In order to mitigate the impacts of new or expanded moorage facilities, the
12360 applicant shall plant site-appropriate emergent vegetation and a buffer of vegetation a
12361 minimum of ten feet wide along the entire length of the lot immediately landward of
12362 ordinary high water mark. Planting shall consist of native shrubs and trees and, when
12363 possible, emergent vegetation. At least five native trees will be included in a planting
12364 plan containing one or more evergreen trees and two or more trees that like wet roots,
12365 such as willow species. Such planting shall be monitored for a period of five years

12366 consistent with a monitoring plan approved in accordance with K.C.C. chapter 21A.24.
12367 This subsection is not intended to prevent reasonable access through the shoreline critical
12368 area buffer to the shoreline, or to prevent beach use of the shoreline critical area;

12369 M. Except as otherwise provided for covered boat lifts under subsection H. of
12370 this section, covered docks or piers, covered moorages, and covered floats are not
12371 permitted waterward of the ordinary high water mark; and

12372 N. No dwelling unit may be constructed on a dock or pier. A water related or
12373 water enjoyment use may be allowed on a dock, pier, or other over-water structure only
12374 as part of a mixed-use development and only if accessory to and in support of a water-
12375 dependent use.

12376 SECTION 279. Ordinance 16985, Section 47, as amended, and K.C.C.
12377 21A.25.220 are hereby amended to read as follows:

12378 A. The shoreline dimensions table in subsections B. and C. of this section
12379 establishes the shoreline standards within each of the shoreline environments. The
12380 shoreline environment is located on the vertical column and the density and dimensions
12381 standard is located on the horizontal row of the table. The table should be interpreted as
12382 follows:

12383 1. If the cell is blank in the box at the intersection of the column and the row,
12384 the standards are the same as for the underlying zoning.

12385 2. If the cell has a number in the box at the intersection of the column and the
12386 row, that number is the density or dimension standard for that shoreline environment.

12387 3. If the cell has a parenthetical number in the box at the intersection of the
12388 column and the row, that parenthetical number identifies specific conditions

12389 ~~((immediately following the table))~~ in subsection C. of this section that ~~((are related))~~
 12390 apply to the density and dimension standard for that environment.

12391 B. The dimensions enumerated in this section apply within the shoreline
 12392 jurisdiction. If there is a conflict between the dimension standards in this section and
 12393 ~~((K.C.C. chapter 21A.12))~~ dimensional standards elsewhere in this title, the more
 12394 restrictive shall apply.

12395 **Shoreline dimensions.**

| | HIGH INTEN SITY | RESI DENT IAL | RUR AL | CONS ERVA NCY | RES OUR CE | FORE STRY | NATU RAL | AQU ATIC |
|--|-----------------------|---------------------|-------------------|---------------------|-------------------|----------------|----------------|-------------------|
| Standards | | | | | | | | |
| 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) |
| Maximum density (<u>dwelling</u> units per acre) | 6 (4) | 6 (4) | | | | | | |
| Minimum lot area | | | 5 acres (2) | 5 acres (2) | 10 acres | 80 acres | 80 acres | |
| Minimum lot width | | 50 feet | 100 feet | 150 feet | 150 feet | 150 feet | 330 feet | |

| | | | | | | | | |
|-----------------------|--|--|--|------------|--|--|--|--|
| Impervious surface | | | | 10% (3) | | | | |
|-----------------------|--|--|--|------------|--|--|--|--|

12396 C. Development conditions.

12397 1. This height can be exceeded consistent with the base height for the zone only
12398 if the structure will not obstruct the view of a substantial number of residences on areas
12399 adjoining the shoreline or if overriding considerations of the public interest will be
12400 served, and only for:

- 12401 a. agricultural buildings;
- 12402 b. water-dependent uses and water related uses; and
- 12403 c. regional light rail transit support structures, but no more than is reasonably
12404 necessary to address the engineering, operational, environmental issues at the location of
12405 the structure;

12406 2. The minimum lot areas may be reduced as follows:

- 12407 a. to no less than ~~((10,000))~~ ten thousand square feet or the minimum lot
12408 area~~((s))~~ for the zone, whichever is greater, through lot averaging; and
- 12409 b. when public access is provided and clustering is used, to no less than
12410 ~~((8,000))~~ eight thousand square feet~~((s))~~ or the minimum lot area for the zone, whichever
12411 is greater~~((, through cluster development, as provided in K.C.C. chapter 21A.14))~~.

12412 3. For lots created before the December 10, 2010, if achieving the ten percent
12413 maximum impervious surface limit is not feasible, the amount of impervious surface shall
12414 be limited to the maximum extent practical but not to exceed the amount of impervious
12415 surface allowed for the applicable zone under ~~((K.C.C. 21A.12.030 and 21A.12.040))~~ this
12416 title.

12417 4. Except for a mixed-use development, the density of the underlying zoning or
12418 ~~((6))~~ six dwelling units per acre, whichever is lower. A mixed-use development may
12419 have the density of the underlying zone.

12420 SECTION 280. Ordinance 13129, Section 2, as amended, and K.C.C.
12421 21A.27.010 are hereby amended to read as follows:

12422 A. When a new transmission support structure is proposed, a community meeting
12423 shall be convened by the applicant ~~((prior to))~~ before submittal of an application.

12424 ~~((A-))~~ B. At least two weeks in advance, notice of the meeting shall be provided
12425 as follows:

- 12426 1. Published in the local paper and mailed to the department, and
- 12427 2. Mailed notice shall be provided to all property owners within five hundred
12428 feet or at least twenty of the nearest property owners, whichever is greater, as required by
12429 K.C.C. 21A.26.170 of any potential sites, identified by the applicant for possible
12430 development, to be discussed at the community meeting. When the proposed
12431 transmission support structure exceeds a height of one hundred twenty feet, the mailed
12432 notice shall be provided to all property owners within one thousand feet. The mailed
12433 notice shall at a minimum contain a brief description and purpose of the project, the
12434 estimated height, approximate location noted on an assessor map with address and parcel
12435 number, a photo or sketch of the proposed facility, a statement that alternative sites
12436 proposed by ~~((citizens))~~ the public can be presented at the meeting that will be considered
12437 by the applicant, a contact name and telephone number to obtain additional information,
12438 and other information deemed necessary by King County. Because the purpose of the
12439 community meeting is to promote early discussion, applicants are encouraged to note any

12440 changes to the conceptual information presented in the mailed notice when they submit
12441 an application.

12442 (~~(B.)~~) C. At the community meeting at which at least one employee of the
12443 department of local services, permitting division, assigned by the permitting division
12444 manager or designee, shall be in attendance, the applicant shall provide information
12445 relative to existing transmission support structures and other nonresidential structures,
12446 such as water towers and electrical transmission lines, within one-quarter mile of
12447 potential sites, and shall discuss reasons why those existing structures are unfeasible.
12448 Furthermore, any alternative sites within one-quarter mile, identified by community
12449 members and provided to the applicant in writing at least five days in advance of the
12450 meeting, shall be evaluated by the applicant to the extent possible given the timeframe,
12451 and discussed at the meeting. A listing of the sites, identified in writing and provided to
12452 the applicant at or before the community meetings, shall be submitted to the department
12453 with the proposed application. Applicants shall also provide a list of meeting attendees
12454 and those receiving mailed notice and a record of the published meeting notice at the time
12455 of application submittal.

12456 SECTION 281. Ordinance 13129, Section 11, as amended, and K.C.C.

12457 21A.27.110 are hereby amended to read as follows:

12458 A. The mounting of antenna upon existing structures, such as light and power
12459 poles, located within publicly or privately maintained street, utility, and railroad rights-
12460 of-way((s)) is permitted outright. If an existing structure within a street, utility, or
12461 railroad rights-of-ways cannot accommodate an antenna due to structural deficiency or
12462 does not have the height required to provide adequate signal coverage, the structure may

be replaced with a new structure that will serve the original purpose and will not exceed the original height by forty feet. However, minor communication facilities within street, utility, and railroad right-of-way that propose the construction of a separate structure used solely for antenna shall be subject to the zoning provisions applicable to the property abutting the portion of right-of-way where the structure is proposed except that the setbacks specified in the zoning code shall not apply. Setbacks shall be those specified in the road design standards. In cases where the abutting property on either side of the right-of-way has different zoning, the more restrictive zoning provisions shall apply.

B. The placement of antenna on existing or replacement structures within street, utility, or railroad rights-of-way is the preferred alternative in residential neighborhoods and in the ((Rural Areas)) rural area and natural resource lands and the feasibility of such placement shall be considered by the county whenever evaluating a proposal for a new transmission support structure, except for a new structure that is proposed to collocate antenna for two or more separate service providers.

SECTION 282. Ordinance 10870, Section 512, as amended, and K.C.C. 21A.28.020 are hereby amended to read as follows:

A. All new development proposals including any use, activity, or structure allowed by K.C.C. chapter 21A.08 that requires King County approval shall be adequately served by the following facilities and services ((prior to the time of)) before occupancy, recording, or other land use approval, as further specified in this chapter:

1. ((s))Sewage disposal;
2. ((w))Water supply;
3. ((s))Surface water management;

12486 4. ~~((f))~~Roads and access;

12487 5. ~~((f))~~Fire protection service; and

12488 6. ~~((s))~~Schools.

12489 B. All new development proposals for building permits, plats, short plats, ~~((urban~~
12490 ~~planned developments, fully contained communities))~~ and binding site plans, that will be
12491 served by a sewer or water district, shall include a certificate of water availability and a
12492 certificate of sewer availability to demonstrate compliance with this chapter and other
12493 provisions of the King County Code, the King County Comprehensive Plan, and the
12494 Growth Management Act.

12495 C. Regardless of the number of sequential permits required, ~~((the provisions of))~~
12496 this chapter shall be applied only once to any single development proposal. If changes
12497 and modifications result in impacts not considered when the proposal was first approved,
12498 the county shall consider the revised proposal as a new development proposal.

12499 SECTION 283. Ordinance 10870, Section 513, as amended, and K.C.C.
12500 21A.28.030 are hereby amended to read as follows:

12501 All new development shall be served by an adequate public or private sewage
12502 disposal system, including both collection and treatment facilities as follows:

12503 A. A public sewage disposal system is adequate for a development proposal
12504 ~~((provided that))~~ only if:

12505 1. For the issuance of a building permit, preliminary ~~((plat))~~ subdivision or short
12506 ~~((plat))~~ subdivision approval, the applicant demonstrates that
12507 the site of the proposed development is or can be served by an existing disposal system
12508 consistent with K.C.C. Title 13, and the disposal system has been approved by the

12509 department as being consistent with applicable state and local design and operating
12510 guidelines;

12511 2. For the issuance of a certificate of occupancy for a building or change of use
12512 permit, the approved public sewage disposal system as ~~((set forth))~~ required in subsection
12513 A.1. of this section is installed to serve each building or lot;

12514 3. For recording a final plat, final short plat, or binding site plan, the approved
12515 public sewage disposal system ~~((set forth))~~ required in subsection A.1. of this section
12516 shall be installed to serve each lot respectively~~((;))~~ or a bond or similar security shall be
12517 deposited with King County for the future installation of an adequate sewage disposal
12518 system. The bond may be assigned to a utility to assure the construction of the facilities
12519 within two years of recording; and

12520 4. For a zone reclassification ~~((or urban planned development permit))~~, the
12521 timing of installation of required sewerage improvements shall be contained in the
12522 approving ordinance as specified in K.C.C. 20.22.250; and

12523 B. A private individual sewage system is adequate, if an on-site sewage disposal
12524 system for each individual building or lot is installed to meet the requirements and
12525 standards of ~~((the department of))~~ public health - Seattle & King County as to lot size,
12526 soils, and system design ~~((prior to))~~ before issuance of a certificate of occupancy for a
12527 building or change of use permit.

12528 NEW SECTION. SECTION 284. There is hereby added to K.C.C. chapter
12529 21A.28 a new section to read as follows:

12530 Developments using a community on-site sewage system or large on-site sewage
12531 system may be allowed only in the following circumstances in the rural area and natural
12532 resource lands:

12533 A. Existing on-site systems are failing within an area and public health - Seattle
12534 & King County concurs that long-term individual on-site sewage system repairs are not
12535 feasible or water quality is threatened by the presence of or potential health hazards
12536 resulting from inadequate on-site wastewater disposal methods;

12537 B. An authorized public agency will manage the system;

12538 C. The system is designed only to serve existing structures and lots.

12539 Modifications to existing structures and lots shall not be allowed if the modification
12540 triggers an expansion of sewage capacity above the original approval of the system.

12541 D. The system shall not be used to exceed base density for the zone, special
12542 district overlays, or P-suffix conditions. Substandard vacant lots shall be combined to the
12543 extent feasible to meet rural density policies and regulations;

12544 E. A system serving residentially developed lots cannot be used to:

12545 1. Expand existing nonresidential uses in size or scale;

12546 2. Establish new nonresidential uses; or

12547 3. Serve commercially zoned properties; and

12548 F. For a system serving commercially developed lots:

12549 1. The system is used only to serve commercially zoned properties;

12550 2. Zoning, special district overlays, or development conditions are imposed that
12551 establish a range of allowed uses that can be adequately served by the system at the time
12552 of its construction; and

12553 3. The allowed uses are not more expansive than those allowed in the
12554 underlying zone.

12555 SECTION 285. Ordinance 10870, Section 514, as amended, and K.C.C.
12556 21A.28.040 are hereby amended to read as follows:

12557 All new development shall be served by an adequate public or private water
12558 supply system as follows:

12559 A. A public water system is adequate for a development proposal only if:

12560 1. For the issuance of a building permit, preliminary ~~((plat))~~ subdivision or short
12561 subdivision approval, or other land use approval, the applicant demonstrates that the site
12562 of the proposed development is or can be served by an existing water supply system
12563 ~~((available to serve the site))~~ that:

12564 a. complies with the applicable planning, operating, and design requirements
12565 of:

12566 (1) chapters ~~((WAC))~~ 246-290 and 246-291 WAC;

12567 (2) K.C.C. chapters 14.42 and 14.44 and K.C.C. Title 17;

12568 (3) coordinated water system plans;

12569 (4) K.C.C. Titles 12 and 13 and other applicable rules of the King County

12570 board of health;

12571 (5) applicable rules of the Washington state Board of Health, Department of

12572 Health, Utilities and Transportation Commission, and Department of Ecology;

12573 (6) applicable provisions of King County groundwater management plans and

12574 watershed plans;

12575 (7) applicable provisions of the King County Comprehensive Plan and
12576 development regulations; and

12577 (8) any limitation or condition imposed by the county-approved
12578 comprehensive plan of the water purveyor;

12579 b. ~~((F))~~the proposed improvements to an existing water system have been
12580 reviewed by the department and determined to comply with the design standards and
12581 conditions specified in subsection A.1.a. of this section; and

12582 c. ~~((A))~~ a proposed new water supply system has been reviewed by the
12583 department and determined to comply with the design standards and conditions specified
12584 in subsection A.1.a. of this section;

12585 2. Before issuance of a certificate of occupancy for a building or change of use
12586 permit, the approved public water system, and any system improvements required in
12587 subsection A.1. of this section are installed to serve each building or lot respectively;

12588 3. For recording a final plat, final short plat, or binding site plan, either the
12589 approved public water supply system or system improvements in required subsection
12590 A.1. of this section ~~((are))~~ shall be installed to serve each lot or a bond or similar security
12591 shall be deposited with King County and may be assigned to a purveyor to assure the
12592 construction of required water facilities in Group A systems as defined by board of health
12593 regulations, within two years of recording; and

12594 4. For a zone reclassification ~~((or urban planned development permit))~~, the
12595 timing of installation of required water system improvements ~~((is included))~~ shall be
12596 contained in the approving ordinance as specified in K.C.C. 20.22.250.

12597 B. An on-site individual water system is adequate and the plat or short plat may
12598 receive preliminary and final approval, and a building or change of use permit may be
12599 issued as provided in K.C.C. 13.24.138 and 13.24.140.

12600 SECTION 286. Ordinance 10870, Section 515, as amended, and K.C.C.
12601 21A.28.050 are hereby amended to read as follows:

12602 All new development shall be served by an adequate surface water management
12603 system as follows:

12604 A. The proposed system is adequate if the development proposal site is served by
12605 a surface water management system approved by the department as being consistent with
12606 the design, operating, and procedural requirements of the ((King County)) Surface Water
12607 Design Manual and K.C.C. Title 9;

12608 B. For a subdivision((;)) or zone reclassification ((~~or urban planned~~
12609 ~~development~~)), the phased installation of required surface water management
12610 improvements shall be stated in the approving ordinance as specified in K.C.C.
12611 20.22.250. Such phasing may require that a bond or similar security be deposited with
12612 King County; and

12613 C. A request for an adjustment of the requirements of the Surface Water Design
12614 Manual and K.C.C. Title 9 shall be reviewed in accordance with K.C.C. 9.04.050 and
12615 does not require a variance from this title unless relief is requested from a ((~~building~~
12616 ~~height, setback, landscaping or other~~)) development standard in K.C.C. Title 21A
12617 ((~~chapters 21A.12, 21A.14, 21A.16, 21A.18, 21A.20, 21A.22, 21A.24, 21A.26, 21A.28~~
12618 ~~and 21A.30~~)).

12619 SECTION 287. Ordinance 10870, Section 523, as amended, and K.C.C.
12620 21A.28.130 are hereby amended to read as follows:

12621 All new development shall be served by adequate fire protection as follows:

12622 A. The site of the development proposed is served by a water supply system that
12623 provides at least minimum fire flow and a road system or fire lane system that provides
12624 life safety and rescue access, and other fire protection requirements for buildings as
12625 required by K.C.C. Titles 16 and 17;

12626 B. For a zone reclassification (~~((or urban planned development))~~), the timing of
12627 installation of required fire protection improvements shall be stated in the approving
12628 ordinance as specified in K.C.C. 20.22.250, secured with a bond or similar security, and
12629 deposited with King County; and

12630 C. A variance request from the requirements established by K.C.C. Title 17, Fire
12631 Code, shall be reviewed in accordance with K.C.C. 17.08.090 or chapter 1 of the
12632 currently adopted edition of the International Fire Code and does not require a variance
12633 from this title unless relief is requested from a building height, setback, landscaping, or
12634 other development standard in K.C.C. (~~((chapters 21A.12 through 21A.30))~~) Title 21A.

12635 SECTION 288. Ordinance 10870, Section 524, as amended, and K.C.C.
12636 21A.28.140 are hereby amended to read as follows:

12637 A. The school concurrency standard set out in (~~((Section))~~) K.C.C. 21A.28.160
12638 shall apply to applications for preliminary (~~((plat))~~) subdivisions (~~((or Urban Planned~~
12639 ~~Development (UPD) approval))~~), (~~((mobile))~~) manufactured home (~~((parks))~~) communities,
12640 (~~((requests for multifamily zoning;))~~) and building permits for (~~((multifamily housing~~

~~projects which))~~ multiunit developments that have not been previously evaluated for compliance with the concurrency standard.

B. The county's finding of concurrency shall be made at the time of preliminary ~~((plat or UPD))~~ subdivision or binding site plan approval~~((, at the time that a request to actualize potential multifamily zoning is approved, at the time a mobile home park site plan is approved,))~~ or ~~((prior to))~~ before building permit issuance for ~~((multifamily housing projects which))~~ multiunit developments that have not been previously established for compliance with the concurrency standard. ~~((Once such a finding has been made, the development shall be considered as vested for purposes of the concurrency determination.))~~

C. Excluded from the application of the concurrency standard are:

1. ~~((b))~~ Building permits for individual single ~~((family dwellings))~~ detached residences;

2. ~~((any form of housing exclusively for senior citizens, including nursing homes and retirement centers))~~ Senior assisted housing;

3. ~~((shelters for temporary placement, relocation facilities and transitional housing facilities.))~~ Uses identified in section 162 of this ordinance;

4. Replacement, reconstruction, or remodeling of existing dwelling units;

5. Short subdivisions; and

6. ~~((Building permits for residential units in preliminary planned unit developments which were under consideration by King County on January 22, 1991;~~

7. ~~Building permits for residential units in recorded planned unit developments approved pursuant to K.C.C. Title 21 that have not yet expired per K.C.C. 21.56.060;~~

12664 8. ~~Building permits applied for by December 31, 1993, related to rezone~~
12665 ~~applications to actualize potential zoning which were under consideration by King~~
12666 ~~County on January 22, 1991;~~

12667 9. ~~Building permits applied for by December 31, 1993, related to residential~~
12668 ~~development proposals for site plan review to fulfill P-Suffix requirements of multifamily~~
12669 ~~zoning which were under consideration by King County on January 22, 1991; and~~

12670 10.)) Any residential building permit for any development proposal for which a
12671 concurrency determination has already been made ~~((pursuant to the terms of))~~ in
12672 accordance with K.C.C. Title 21A.

12673 D. All of the development activities ~~((which))~~ that are excluded from the
12674 application of the concurrency standard are subject to school impact fees imposed
12675 ~~((pursuant to))~~ under K.C.C. Title 27.

12676 E. The assessment and payment of impact fees are governed by and shall be
12677 subject to the provisions in K.C.C. Title 27 addressing school impact fees.

12678 F. A ~~((certification))~~ finding of concurrency for a school district shall not
12679 preclude the county from collecting impact fees for the district. Impact fees may be
12680 assessed and collected as long as the fees are used to fund capital and system
12681 improvements needed to serve the new development, and as long as the use of such fees
12682 is consistent with ~~((the requirements of C))~~ chapter 82.02 RCW and this chapter.

12683 ~~((Pursuant to))~~ In accordance with ((C)) chapter 82.02 RCW, impact fees may also be
12684 used to recoup capital and system improvement costs previously incurred by a school
12685 district to the extent that new growth and development will be served by the previously
12686 constructed improvements or incurred costs.

12687 SECTION 289. K.C.C. 21A.28.160, as amended by this ordinance, is hereby
12688 recodified as a new section in K.C.C. chapter 21A.28 to follow K.C.C. 21A.28.140.

12689 SECTION 290. Ordinance 10870, Section 526, as amended, and K.C.C.
12690 21A.28.160 are hereby amended to read as follows:

12691 A. Schools shall be considered to have been provided concurrently with the
12692 development ~~((which))~~ that will impact the schools if:

12693 1. The permanent and interim improvements necessary to serve the development
12694 are planned to be in place at the time the impacts of development are expected to occur;
12695 or

12696 2. The necessary financial commitments are in place to assure the completion of
12697 the needed improvements to meet the school district's standard of service within ~~((3))~~
12698 three years of the time that the impacts of development are expected to occur. Necessary
12699 improvements are those facilities identified by the school district in its capital facilities
12700 plan as reviewed and adopted by King County.

12701 B. Any combination of the following shall constitute the "necessary financial
12702 commitments" for the purposes of subsection A. of this section:

12703 1. The school district either has received voter approval of ~~((and/))~~ a bond or has
12704 bonding authority, or both;

12705 2. The school district has received approval for federal, state, or other ~~((funds))~~
12706 moneys;

12707 3. The school district has received a secured commitment from an ~~((developer))~~
12708 applicant that the ~~((developer))~~ applicant will construct the needed permanent school

12709 facility, and the school district has found such a facility to be acceptable and consistent
12710 with its capital facilities plan; ~~((and/))~~or

12711 4. The school district has other assured funding, including, but not limited to
12712 school impact fees ~~((which))~~ that have been paid.

12713 C. Compliance with ~~((this))~~ the concurrency requirement of this section shall be
12714 sufficient to satisfy ~~((the provisions of))~~ RCW 58.17.060 and ~~((RCW))~~ 58.17.110.

12715 SECTION 291. K.C.C. 21A.28.150, as amended by this ordinance, is hereby
12716 recodified as a new section in K.C.C. chapter 21A.28 to follow K.C.C. 21A.28.160, as
12717 recodified by this ordinance.

12718 SECTION 292. Ordinance 10870, Section 525, as amended, and K.C.C.
12719 21A.28.150 are hereby amended to read as follows:

12720 A. In making a SEPA threshold determination ~~((pursuant to SEPA, the director~~
12721 ~~and/or the hearing examiner, in the course of reviewing proposals))~~ for residential
12722 development, ~~((including applications for plats or UPD's, mobile home parks, or multi-~~
12723 ~~family zoning, and multifamily building permits;))~~ the county shall consider the school
12724 district's capital facilities plan as adopted by the council.

12725 B. Documentation ~~((which))~~ that the school district is required to submit
12726 ~~((pursuant to section))~~ under K.C.C. 21A.28.152 or K.C.C. Title 20((-)) shall be
12727 incorporated into the record in every case without requiring the school district to offer
12728 such plans and data into the record. The school district is also authorized to present
12729 testimony and documents demonstrating a lack of concurrency in the school district and
12730 the inability of the school district to accommodate the students to be generated by a
12731 specific development.

12732 C. Based upon a finding that the impacts generated by the ~~((plat, the UPD,~~
12733 ~~mobile home park, or the multi-family))~~ development were generally not anticipated at
12734 the time of the last council review and approval of a school district capital plan and were
12735 not included in the school district's long-range forecast, the director may require or
12736 recommend phasing or provision of the needed facilities and~~((/or))~~ sites as appropriate to
12737 address the deficiency or deny or condition approval, consistent with ~~((the provisions of))~~
12738 this chapter, the State Subdivision Act, and ~~((the State Environmental Policy Act))~~ SEPA.

12739 D. Determinations of the examiner or director regarding concurrency can be
12740 appealed only ~~((pursuant to))~~ in accordance with the provisions for appeal of the
12741 development permit process for which the determination has been made. Where no other
12742 administrative appeal process is available, an appeal may be taken to the hearing
12743 examiner using the appeal procedures for variances. Any errors in the formula identified
12744 as a result of an appeal should be referred to the council for possible modifications.

12745 E. Where the council has not adopted an impact fee ordinance for a particular
12746 school district, ~~((the language of))~~ this section shall not affect the authority or duties of
12747 the examiner or the director ~~((pursuant to the State Environmental Policy Act))~~ under
12748 SEPA or the State Subdivision Act.

12749 SECTION 293. Ordinance 11621, Section 89, and K.C.C. 21A.28.152 are hereby
12750 amended to read as follows:

12751 A. On an annual basis, each school district shall electronically submit the
12752 following materials to the chair of the ~~((S))~~school ~~((T))~~technical ~~((R))~~review
12753 ~~((C))~~committee created ~~((pursuant to section))~~ in accordance with K.C.C. 21A.28.154:

12754 1. The school district's capital facilities plan adopted by the school board
12755 ~~((which))~~ that is consistent with the Growth Management Act((-));

12756 2. The school district's enrollment projections over the next six ~~((6))~~ years, its
12757 current enrollment, and ~~((the district's enrollment projections and))~~ actual enrollment
12758 from the previous year((-));

12759 3. The school district's standard of service((-)), which may include criteria such
12760 as class size, student-teacher ratios, sports field sizes, building requirements, or other
12761 criteria established by state statute or school district policy;

12762 4. An inventory and evaluation of school district facilities ~~((which))~~ that address
12763 the school district's standard of service((-)); and

12764 5. The school district's overall capacity over the next six ~~((6))~~ years, which
12765 shall be a function of the school district's standard of service as measured by the number
12766 of students ~~((which))~~ that can be housed in school district facilities.

12767 B. To the extent that the school district's standard of service reveals a deficiency
12768 in its current facilities, the school district's capital facilities plan ~~((must))~~ shall
12769 demonstrate a plan for achieving the standard of service, and ~~((must))~~ shall identify the
12770 sources of funding for building or acquiring the necessary facilities to meet the standard
12771 of service.

12772 C. Facilities to meet future demand shall be designed to meet the adopted
12773 standards of service. If sufficient funding is not projected to be available to fully fund a
12774 school district capital facilities plan ~~((which))~~ that meets the standard of service, the
12775 school district's capital plan should document the reason for the funding gap.

12776 D. In accordance with RCW 82.02.070, ((F))if an impact fee ordinance has been
12777 adopted on behalf of a school district, the King County finance and business operations
12778 division or successor agency, shall send the chair of the committee a report showing the
12779 source and amount of all fees collected, interest earned on behalf of each school district,
12780 the amount of moneys distributed to each school district, and the system improvements
12781 that were financed in whole or in part by impact fees and the amount of moneys
12782 expended as reported by the school district. The chair of the committee shall provide a
12783 copy of each report to the respective school district.

12784 E. Each school district shall ((also submit an annual)) annually report on their use
12785 of moneys to the ((School Technical Review)) chair of the ((C))committee showing the
12786 capital improvements ((which)) that were financed in whole or in part by the impact fees.
12787 The chair of the committee shall use the information to confirm expenditures with the
12788 department of executive services, finance and business operations division, and to verify
12789 compliance with RCW 82.02.070.

12790 SECTION 294. Ordinance 11621, Section 90, as amended, and K.C.C.
12791 21A.28.154 are hereby amended to read as follows:

12792 A. There is hereby created ((a)) the school technical review committee ((within
12793 King County. The committee shall consist of three county staff persons,)) consisting of
12794 the following representatives:

12795 1. ((o))One ((each)) from the department of local services((s));

12796 2. One from the regional planning unit of the office of performance, strategy,
12797 and budget; and

12798 3. One from the county council staff, as an ex officio member.

12799 B. The representative from the department of local services shall serve as the
12800 chair of the committee.

12801 C. The committee shall be charged with reviewing each school district's: capital
12802 facilities plan((;)); enrollment projections((;)); standard of service((, the district's));
12803 overall capacity for the next six years to ensure consistency with the Growth
12804 Management Act, King County Comprehensive Plan, and adopted ((community)) subarea
12805 plans((;)); and ((the district's)) calculation and rationale for proposed impact fees.

12806 ~~((C. Notice of the time and place of the committee meeting where the district's~~
12807 ~~documents will be considered shall be provided to the district.))~~

12808 D. Committee meetings shall be open to the public. The chair of the committee
12809 shall post on the county's website a public notice of the time and place of a committee
12810 meeting least two weeks in advance of the meeting. Materials submitted under K.C.C.
12811 21A.28.152.A. shall be posted on the county's website at the same time as the meeting
12812 notice.

12813 E. At the meeting where the committee will review or act upon the school
12814 district's documents, ((the)) school district representatives ((shall have the right to)) may
12815 attend ((or to be represented, and shall be permitted to)) and present testimony to the
12816 committee. ((Meetings shall also be open to the public.

12817 ~~E.))~~ F. In its review, the committee shall consider the following factors:

12818 1. Whether the school district's forecasting system for enrollment projections
12819 has been demonstrated to be reliable and reasonable((;));

12820 2. The historic levels of funding and voter support for bond issues in the school
12821 district;

12822 3. The inability of the school district to obtain the anticipated state funding or to
12823 receive voter approval for school district bond issues;

12824 4. An emergency or emergencies in the school district (~~((which))~~) that required
12825 the closing of a school facility or facilities resulting in a sudden and unanticipated decline
12826 in districtwide capacity; (~~((and))~~)

12827 5. The standards of service set by school districts in similar types of
12828 communities. While community differences will be (~~((permitted))~~) allowed, the standard
12829 established by the school district should be reasonably consistent with the standards set
12830 by other school districts in communities of similar socioeconomic profile; and

12831 6. The standards identified by the state concerning the ratios of certificated
12832 instructional staff to students.

12833 (~~((F-))~~) G. In the event that the school district's standard of service reveals a
12834 deficiency in its current facilities, the committee shall review the school district's capital
12835 facilities plan to determine whether the school district has identified all sources of
12836 funding necessary to achieve the standard of service.

12837 (~~((G-))~~) H. The school district in developing the financing plan component of the
12838 capital facilities plan shall plan on a six-year horizon and shall (~~((demonstrate its best~~
12839 ~~efforts by taking))~~) document that it took the following steps:

12840 1. Establish a six-year financing plan, and propose the necessary bond issues
12841 and levies required by and consistent with that plan and as approved by the school board
12842 and consistent with RCW 28A.53.020, 84.52.052 and 84.52.056, as amended; and

12843 2. Apply to the state for funding, and comply with the state requirement for
12844 eligibility to the best of the school district's ability.

12845 ~~((H-))~~ I. The committee ~~((is authorized to))~~ may request ~~((the))~~ that a school
12846 district ~~((to))~~ review and ~~((to))~~ resubmit its capital facilities plan, ~~((or to))~~ establish a
12847 different standard of service, or ~~((to))~~ review its capacity for accommodating new
12848 students, or any combination thereof, under any of the following circumstances:
12849 1. The standard of service established by the school district is not reasonable in
12850 light of the factors ~~((set forth))~~ in subsection ~~((E-))~~ F. of this section~~((-))~~;
12851 2. The committee finds that the school district's standard of service cannot
12852 reasonably be achieved in light of the secured financial commitments and the historic
12853 levels of support in the school district; or
12854 3. Any other basis that is consistent with this section.
12855 ~~((I-))~~ J. If a school district fails to submit its capital facilities plan for review by
12856 the committee, King County shall assume the school district has adequate capacity to
12857 accommodate growth for the following six years.
12858 ~~((J-))~~ K. The chair of the committee shall document the outcome of the
12859 committee meeting each school district's capital facility plan and associated proposed
12860 impact fees in a report. The report shall include analysis consistent with subsections F.
12861 through J. of this section. The chair of ~~((F))~~the committee shall submit copies of its
12862 ~~((recommendation of concurrency for each school district))~~ report to the director, ~~((to~~
12863 ~~the))~~ hearing examiner, and ~~((to the))~~ school districts and shall post the report on the
12864 county's website.
12865 ~~((K-))~~ L. In accordance with K.C.C. 20.18.060 and 20.18.070 and based on
12866 committee input, ~~((F))~~the chair of the committee shall recommend to the executive, and
12867 the executive shall transmit to the council, a proposed Comprehensive Plan amendment

12868 adopting the school district's capital facilities plan as part of the Comprehensive Plan, for
12869 any plan ~~((which))~~ that the committee concludes accurately reflects the school district's
12870 facilities status. The transmittal shall include the report required by subsection K. of this
12871 section.

12872 ~~((L.))~~ M. In the event that after reviewing ~~((the))~~ a school district's capital
12873 facilities plan and other documents, the committee is unable to recommend ~~((certifying~~
12874 ~~concurrency in a))~~ adoption of the school district's capital facilities plan, the chair of the
12875 committee shall submit a statement to the council, ~~((the))~~ director, ~~((and the))~~ hearing
12876 examiner, and school district stating ~~((that))~~ the committee's ~~((is unable to recommend~~
12877 ~~certifying concurrency in a specific school district))~~ findings. The committee shall then
12878 recommend to the executive ~~((that)), and the executive ((propose))~~ shall transmit to the
12879 council, consistent with the school capital facility plan timelines established in K.C.C.
12880 20.18.060 and 20.18.070, either proposed amendments to the land use element of the
12881 King County Comprehensive Plan or proposed amendments to the development
12882 regulations implementing the plan, or both, to more closely conform county land use
12883 plans and school district capital facilities plans, including, but not limited to, requiring
12884 mandatory phasing of plats~~((, UPDs))~~ or ~~((multifamily))~~ multiunit development located
12885 within the school district's boundary. ~~((The necessary draft amendments shall~~
12886 ~~accompany such recommendations.))~~

12887 SECTION 295. Ordinance 11621, Section 91, as amended, and K.C.C.
12888 21A.28.156 are hereby amended to read as follows:

12889 A. On at least an annual basis in accordance with K.C.C. 20.18.060 and
12890 20.18.070, the King County council shall ~~((certify))~~ adopt the school district's capital

12891 facility plans. ~~((The review may occur in conjunction with any update of the Facilities~~
12892 ~~and Services chapter of the King County Comprehensive Plan proposed by the school~~
12893 ~~technical review committee.))~~

12894 B. The council shall review and consider any proposal or proposals submitted by
12895 the school technical review committee for amending the land use policies of the King
12896 County Comprehensive Plan, or the development regulations implementing the plan,
12897 including but not limited to requiring mandatory phasing of ~~((plats, UPDs))~~ subdivisions
12898 or ~~((multifamily))~~ multiunit development when the committee is unable to recommend
12899 ~~((a certification of concurrency in))~~ adoption for a specific school district in accordance
12900 with K.C.C. 21A.28.154. Any proposed amendments to the ~~((e))~~ Comprehensive
12901 ~~((p))~~ Plan or development regulations shall be subject to the public hearing and other
12902 procedural requirements set out in K.C.C. Title 20 ~~((or 21A, as applicable))~~.

12903 C. The council may ~~((require the committee to submit proposed amendments or~~
12904 ~~may itself))~~ initiate amendments to the land use policies of the King County
12905 Comprehensive Plan, or amendments to the development regulations implementing the
12906 plan, to more closely conform county land use plans and school district capital facilities
12907 plans.

12908 SECTION 296. Ordinance 10870, Section 530, as amended, and K.C.C.
12909 21A.30.020 are hereby amended to read as follows:

12910 The raising, keeping, breeding, or boarding of small animals are subject to K.C.C.
12911 chapter 11.04, King County Board of Health Code chapter 8.03 and the following
12912 requirements:

12913 A.1. Small animals that are kept as household pets in a dwelling unit in
12914 aquariums, terrariums, cages, or similar containers shall not be limited in number, except
12915 as otherwise provided in King County Board of Health Code chapter 8.03 or K.C.C. Title
12916 11.

12917 2. Except as otherwise allowed for a facility licensed under King County Board
12918 of Health Code chapter 8.03 or permitted under K.C.C. chapter 11.04, other small
12919 animals, excluding altered cats, kept as household pets in a dwelling unit shall be limited
12920 to five.

12921 3. Altered cats kept as household pets in a dwelling unit shall not be limited in
12922 numbers.

12923 B.1. Except as otherwise provided in subsection E. of this section, the number
12924 of small animals kept outside a dwelling unit shall be limited as follows:

12925 a. for poultry, chicken, and squab, ten animals per lot on sites less than thirty-
12926 five thousand square feet, with one additional animal allowed per additional half acre, up
12927 to a maximum of twenty animals. Roosters are not allowed in the urban area; and

12928 b. for all other small animals:

12929 (1) on sites of less than twenty thousand square feet, three per dwelling unit;

12930 ~~((b.))~~ (2) on sites of between twenty thousand and thirty-five thousand square
12931 feet, five per dwelling unit; and

12932 ~~((c.))~~ (3) on sites greater than thirty-five thousand square feet, one additional
12933 small animal per dwelling unit for each one-half acre of site area over thirty-five
12934 thousand square feet up to a maximum of twenty.

12935 2. Unaltered animals kept outdoors (~~(must)~~) shall be kept on a leash or in a
12936 confined area, except as otherwise allowed under K.C.C. chapter 11.04 for a hobby
12937 kennel, hobby cattery, or under King County Board of Health Code chapter 8.03 for a
12938 commercial kennel or commercial cattery.

12939 C. Unless otherwise allowed for a facility licensed under King County Board of
12940 Health Code chapter 8.03 or K.C.C. chapter 11.04, the total number of unaltered adult
12941 cats and dogs per dwelling unit shall not exceed three.

12942 D. Small animals considered to be household pets shall be treated as other small
12943 animals under subsection E. of this section when they are kept for breeding, boarding or
12944 training.

12945 E. Small animals kept outside the dwelling unit for breeding, boarding or training
12946 as an accessory use of a resident the dwelling unit are allowed, subject to the following
12947 limitations:

12948 1. Birds shall be kept in an aviary or loft that meets the following standards:

12949 a. The aviary or loft shall provide one-half square foot for each parakeet,
12950 canary or similarly sized birds, one square foot for each pigeon, small parrot or similarly
12951 sized bird and two square feet for each large parrot, macaw, or similarly sized bird;

12952 b. Aviaries or lofts shall not exceed two thousand square feet, (~~(provided)~~)
12953 except that this limit shall not apply in rural, forestry, or agricultural zones; and

12954 c. The aviary is set back at least ten feet from any property line, and twenty
12955 feet from any dwelling unit.

12956 2. Small animals other than birds shall be kept according to the following
12957 standards:

12958 a. The minimum site area shall be one-half acre if more than three small
12959 animals are being kept;

12960 b. All animals shall be confined within a building, pen, aviary, or similar
12961 structure;

12962 c. Any covered structure used to house or contain such animals shall maintain
12963 a distance of not less than ten feet to any property line, except structures used to house
12964 mink and fox shall be a distance of not less than one hundred fifty feet.

12965 d. Poultry, chicken, squab, and rabbits are limited to a maximum of one animal
12966 per one square foot of structure used to house such animals, up to a maximum of two
12967 thousand square feet. This maximum structure size limit shall not apply in (~~(rural area,~~
12968 ~~forestry, or agricultural)~~) RA, F, or A zones;

12969 e. Hamsters, nutria, and chinchilla are limited to a maximum of one animal per
12970 square foot of structure used to house such animals, up to a maximum of two thousand
12971 square feet(~~(;)~~). This maximum structure size limit shall not apply in (~~(rural, forestry or~~
12972 ~~agricultural)~~) the RA, F, and A zones.

12973 f. Mink and fox are (~~(permitted)~~) allowed only on sites having a minimum area
12974 of five acres.

12975 g. Beekeeping is limited as follows:

12976 (1) Beehives are limited to fifty on sites less than five acres;

12977 (2) The number of beehives shall not be limited on sites of five acres or
12978 greater;

12979 (3) Colonies shall be maintained in movable-frame hives at all times;

12980 (4) Adequate space shall be provided in each hive to prevent overcrowding
12981 and swarming;

12982 (5) Colonies shall be requeened following any swarming or aggressive
12983 behavior;

12984 (6) All colonies shall be registered with the county extension agent before
12985 April 1 of each year, on a state registration form acceptable to the county; and

12986 (7) Abandoned colonies, diseased bees, or bees living in trees, buildings, or
12987 any other space except in movable-frame hives shall constitute a public nuisance, and
12988 shall be abated as set forth in K.C.C. chapter 21A.50;

12989 3. Hobby kennels and hobby catteries are subject to the following requirements:

12990 a. For hobby kennels located on ~~((resource rural area or residential))~~ A, F, M,
12991 RA, UR, or R zoned sites:

12992 (1) The minimum site area shall be five acres; and

12993 (2) Structures housing animals and outdoor animal runs shall be a minimum
12994 distance of one hundred feet from property lines abutting ~~((the resource, rural area or~~
12995 ~~residential))~~ A, F, M, RA, UR, or R zones;

12996 b. For hobby kennels located on nonresidential zoned sites, run areas shall be
12997 completely surrounded by an eight foot solid wall or fence, and be subject to the
12998 requirements in K.C.C. 11.04.060; and

12999 c. Hobby catteries shall be on sites of thirty-five thousand square feet or more,
13000 and buildings used to house cats shall be a minimum distance of fifty feet from property
13001 lines abutting the ~~((rural area zone or residential))~~ RA, UR, or R zones.

13002 F. Commercial kennels and commercial catteries are subject to the following
13003 requirements:

13004 1. For commercial kennels located on ~~((resource, rural area or residential))~~ A, F,
13005 M, RA, UR, or R zoned sites:

13006 a. The minimum site area shall be five acres; and

13007 b. Structures housing animals and outdoor animal runs shall be a minimum
13008 distance of one hundred feet from property lines abutting ~~((the resource, rural area or~~
13009 ~~residential))~~ A, F, M, RA, UR, or R zones;

13010 2. For commercial kennels located on nonresidential zoned sites, run areas shall
13011 be completely surrounded by an eight foot solid wall or fence, and be subject to the
13012 requirements in King County Board of Health Code chapter 8.03; and

13013 3. Commercial catteries shall be on sites of thirty-five thousand square feet or
13014 more, and buildings used to house cats shall be a minimum distance of fifty feet from
13015 property lines abutting ~~((the rural area or residential))~~ RA, UR, or R zones.

13016 G. Home-based animal shelters are subject to the following requirements:

13017 1. Only on properties of four acres or more;

13018 2. All animals must be primarily housed and cared for indoors;

13019 3. Portions of buildings or outdoor areas used to care for animals shall be no
13020 less than twenty feet from property lines;

13021 4. Outdoor areas shall be fenced in a manner sufficient to contain the animals;
13022 and

13023 5. There is no limit to the number of cats that may be kept in a home-based
13024 animal shelter. The number of dogs allowed shall be limited to the number allowed for
13025 hobby kennels as provided in K.C.C. 11.04.060.B.

13026 SECTION 297. Ordinance 11168, Section 14, as amended, and K.C.C.
13027 21A.30.075 are hereby amended to read as follows:

13028 In order to ensure that livestock standards and management plans are customized
13029 as much as possible to the stream conditions in each of the various streams, the King
13030 County agriculture commission will, in cooperation with ~~((the Washington State~~
13031 ~~Department of Fisheries and~~)) the Muckleshoot Indian Tribe, the Snoqualmie Indian
13032 Tribe, ~~((and))~~ other affected Indian tribes, and the Washington state Department of
13033 Fisheries, establish a livestock interdisciplinary team consisting of three members, with
13034 expertise in fisheries, water quality, and animal husbandry, to make specific
13035 recommendations to the Conservation District and livestock owners adjacent to the
13036 streams with regard to buffer needs throughout the parts of each stream which have
13037 livestock operations adjoining such streams. The team shall take into account ~~((the~~
13038 ~~recommendations of the adopted Basin Plans and~~)) WRIA recommendations~~((;))~~ and
13039 shall work with the department of natural resources and parks to develop the
13040 recommendations. The findings of the interdisciplinary team shall be reported to the
13041 King County agriculture commission, which shall assist in the dissemination of the
13042 recommendations to owners in the basin. The team shall work initially on those stream
13043 systems in which specific problems have been identified and are believed to be livestock
13044 related.

13045 SECTION 298. Ordinance 10870, Section 536, as amended, and K.C.C.
13046 21A.30.080 are hereby amended to read as follows:

13047 In the R, UR, NB, CB₂ and RB zones, residents of a dwelling unit may conduct
13048 one or more home occupations as accessory activities, ~~((only if))~~ as follows:

13049 A. The total floor area of the dwelling unit devoted to all home occupations shall
13050 not exceed twenty percent of the floor area of the dwelling unit~~((:))~~;

13051 B. Areas within garages and storage buildings shall not be considered part of the
13052 dwelling unit and may be used for activities associated with the home occupation;

13053 C. All the activities of the home occupation or occupations shall be conducted
13054 indoors, except for those related to growing or storing of plants used by the home
13055 occupation or occupations;

13056 D. A home occupation or occupations is not limited in the number of employees
13057 that remain off-site. No more than one nonresident employee shall be ~~((permitted))~~
13058 allowed to work on-site for the home occupation or occupations;

13059 E. The following uses, by the nature of their operation or investment, tend to
13060 increase beyond the limits ~~((permitted))~~ allowed for home occupations. Therefore, the
13061 following shall not be ~~((permitted))~~ allowed as home occupations:

13062 1. Automobile, truck₂ and heavy equipment repair;
13063 2. Auto body work or painting;
13064 3. Parking and storage of heavy equipment;
13065 4. Storage of building materials for use on other properties;
13066 5. Hotels, motels₂ or organizational lodging;
13067 6. Dry cleaning;

13068 7. Towing services;

13069 8. Trucking, storage, or self service, except for parking or storage of one

13070 commercial vehicle used in home occupation;

13071 9. Veterinary clinic;

13072 10. Recreational ((~~marijuana~~)) cannabis processor, recreational ((~~marijuana~~))

13073 cannabis producer, or recreational ((~~marijuana~~)) cannabis retailer; and

13074 11. Winery, brewery, distillery facility I, II and III, and remote tasting room,

13075 except that home occupation adult beverage businesses operating under an active

13076 Washington state Liquor and Cannabis Board production license issued for their current

13077 location before December 31, 2019, and where King County did not object to the location

13078 during the Washington state Liquor and Cannabis Board license application process, shall

13079 be considered legally nonconforming and allowed to remain in their current location

13080 subject to K.C.C. 21A.32.020 through 21A.32.075 if the use is in compliance with this

13081 section as of December 31, 2019. Such nonconforming businesses shall remain subject

13082 to all other requirements of this section and other applicable state and local regulations.

13083 The resident operator of a nonconforming winery, brewery or distillery home occupation

13084 shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.74;

13085 F. In addition to required parking for the dwelling unit, on-site parking is

13086 provided as follows:

13087 1. One stall for each nonresident employed by the home occupations; and

13088 2. One stall for patrons when services are rendered on-site;

13089 G. Sales are limited to:

13090 1. Mail order sales;

13091 2. Telephone, Internet, or other electronic commerce sales with off-site delivery;
13092 and
13093 3. Items accessory to a service provided to patrons who receive services on the
13094 premises;
13095 H. On-site services to patrons are arranged by appointment;
13096 I. The home occupation or occupations use or store a vehicle for pickup of
13097 materials used by the home occupation or occupations or the distribution of products
13098 from the site, only if:
13099 1. No more than one such a vehicle is allowed; and
13100 2. The vehicle is not stored within any required setback areas of the lot or on
13101 adjacent streets; and
13102 3. The vehicle does not exceed an equivalent licensed gross vehicle weight of
13103 one ton;
13104 J. The home occupation or occupations do not:
13105 1. Use electrical or mechanical equipment that results in a change to the
13106 occupancy type of the structure or structures used for the home occupation or
13107 occupations; or
13108 2. Cause visual or audible interference in radio ~~((or))~~ receivers, television
13109 receivers, or electronic equipment located off-premises or cause fluctuations in line
13110 voltage off-premises;
13111 K. There shall be no exterior evidence of a home occupation, other than growing
13112 or storing of plants under subsection C. of this section or an ~~((permitted))~~ allowed sign,
13113 that would cause the premises to differ from its residential character. Exterior evidence

13114 includes, but is not limited to, lighting~~((;))~~ and the generation or emission of noise,
13115 fumes, or vibrations as determined by using normal senses from any lot line or on
13116 average increase vehicular traffic by more than four additional vehicles at any given time;

13117 L. Customer visits and deliveries shall be limited to ~~((the hours of))~~ 8:00 a.m. to
13118 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends; and

13119 M. Uses not allowed as home occupations may be allowed as a home industry
13120 under K.C.C. 21A.30.090.

13121 SECTION 299. Ordinance 15606, Section 20, as amended, and K.C.C.
13122 21A.30.085 are hereby amended to read as follows:

13123 In the A, F₂ and RA zones, residents of a dwelling unit may conduct one or more
13124 home occupations as accessory activities, ~~((under the following provisions))~~ as follows:

13125 A. The total floor area of the dwelling unit devoted to all home occupations shall
13126 not exceed twenty percent of the dwelling unit~~((;))~~;

13127 B. Areas within garages and storage buildings shall not be considered part of the
13128 dwelling unit and may be used for activities associated with the home occupation;

13129 C. Total outdoor area of all home occupations shall be ~~((permitted))~~ as follows:

13130 1. For any lot less than one acre: Four hundred forty square feet; and

13131 2. For lots one acre or greater: One percent of the area of the lot, up to a
13132 maximum of five thousand square feet~~((;))~~;

13133 D. Outdoor storage areas and parking areas related to home occupations shall be:

13134 1. No less than twenty-five feet from any property line; and

13135 2. Screened along the portions of such areas that can be seen from an adjacent
13136 parcel or roadway by the:

13137 a. planting of Type II landscape buffering; or

13138 b. use of existing vegetation that meets or can be augmented with additional

13139 plantings to meet the intent of Type II landscaping;

13140 E. A home occupation or occupations is not limited in the number of employees

13141 that remain off-site. Regardless of the number of home occupations, the number of

13142 nonresident employees is limited to no more than three who work on-site at the same

13143 time ~~((and no more than three who report to the site but primarily provide services off-~~

13144 ~~site)));~~

13145 F. In addition to required parking for the dwelling unit, on-site parking is

13146 provided as follows:

13147 1. One ~~((stall))~~ space for each nonresident employed on-site; and

13148 2. One ~~((stall))~~ space for patrons when services are rendered on-site;

13149 G. Sales are limited to:

13150 1. Mail order sales;

13151 2. Telephone, Internet, or other electronic commerce sales with off-site delivery;

13152 3. Items accessory to a service provided to patrons who receive services on the

13153 premises;

13154 4. Items grown, produced, or fabricated on-site; and

13155 5. On sites five acres or larger, items that support agriculture, equestrian, or

13156 forestry uses except for the following:

13157 a. motor vehicles and parts ~~((North American Industrial Classification System~~

13158 ~~("NAICS" Code 441)))~~ SIC Major Group 55);

13159 b. electronics and appliances (~~((NAICS Code 443))~~) SIC Industry Groups and
13160 Industries 504, 506, 5731, 5734, 5722, and 5946); and

13161 c. building material and garden equipment(~~(s)~~) and supplies (~~((NAICS Code~~
13162 ~~444))~~) SIC Major Group 52);

13163 H. The home occupation or occupations do not:

13164 1. Use electrical or mechanical equipment that results in a change to the
13165 occupancy type of the structure or structures used for the home occupation or
13166 occupations;

13167 2. Cause visual or audible interference in radio or television receivers, or
13168 electronic equipment located off-premises or fluctuations in line voltage off-premises; or

13169 3. Increase average vehicular traffic by more than four additional vehicles at any
13170 given time;

13171 I. Customer visits and deliveries shall be limited to (~~((the hours of))~~) 8:00 a.m. to
13172 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;

13173 J. The following uses, by the nature of their operation or investment, tend to
13174 increase beyond the limits (~~((permitted))~~) allowed for home occupations. Therefore, the
13175 following shall not be (~~((permitted))~~) allowed as home occupations:

13176 1. Hotels, motels, or organizational lodging;

13177 2. Dry cleaning;

13178 3. Automotive towing services, automotive wrecking services, and tow-in
13179 parking lots;

13180 4. Recreational (~~((marijuana))~~) cannabis processor, recreational (~~((marijuana))~~)
13181 cannabis producer, or recreational (~~((marijuana))~~) cannabis retailer; and

13182 5. Winery, brewery, distillery facility I, II and III, and remote tasting rooms,
13183 except that home occupation adult beverage businesses operating under an active
13184 Washington state Liquor and Cannabis Board production license issued for their current
13185 location before December 31, 2019, and where King County did not object to the location
13186 during the Washington state Liquor and Cannabis Board license application process, shall
13187 be considered legally nonconforming and allowed to remain in their current location
13188 subject to K.C.C. 21A.32.020 through 21A.32.075 if the use is in compliance with this
13189 section as of December 31, 2019. Such nonconforming businesses shall remain subject
13190 to all other requirements of this section and all applicable state and local regulations. The
13191 resident operator of a nonconforming home occupation winery, brewery or distillery shall
13192 obtain an adult beverage business license in accordance with K.C.C. chapter 6.74;

13193 K. Uses not allowed as home occupation may be allowed as a home industry
13194 under K.C.C. chapter 21A.30; and

13195 L. The home occupation or occupations may use or store vehicles, as follows:

13196 1. The total number of vehicles for all home occupations shall be:

13197 a. for any lot five acres or less: two;

13198 b. for lots greater than five acres: three; and

13199 c. for lots greater than ten acres: four;

13200 2. The vehicles are not stored within any required setback areas of the lot or on
13201 adjacent streets; and

13202 3. The parking area for the vehicles shall not be considered part of the outdoor
13203 storage area provided for in subsection C. of this section.

13204 SECTION 300. Ordinance 10870, Section 537, as amended, and K.C.C.
13205 21A.30.090 are hereby amended to read as follows:
13206 A resident may establish a home industry as an accessory activity, as follows:
13207 A. The site area is one acre or greater;
13208 B. The area of the dwelling unit used for the home industry does not exceed fifty
13209 percent of the floor area of the dwelling unit(~~(7)~~);
13210 C. Areas within attached garages and storage buildings shall not be considered
13211 part of the dwelling unit for purposes of calculating allowable home industry area but
13212 may be used for storage of goods associated with the home industry;
13213 D. No more than six nonresidents who work on-site at the time;
13214 E. In addition to required parking for the dwelling unit, on-site parking is
13215 provided as follows:
13216 1. One (~~(stall)~~) space for each nonresident employee of the home industry; and
13217 2. One (~~(stall)~~) space for customer parking;
13218 F. Additional customer parking shall be calculated for areas devoted to the home
13219 industry at the rate of one stall per:
13220 1. One thousand square feet of building floor area; and
13221 2. Two thousand square feet of outdoor work or storage area;
13222 G. Sales are limited to items produced on-site, except for items collected, traded,
13223 and occasionally sold by hobbyists, such as coins, stamps, and antiques;
13224 H. Ten feet of Type I landscaping are provided around portions of parking and
13225 outside storage areas that are otherwise visible from adjacent properties or public rights-
13226 of-way;

13227 I. The department ensures compatibility of the home industry by:
13228 1. Limiting the type and size of equipment used by the home industry to those
13229 that are compatible with the surrounding neighborhood;
13230 2. Providing for setbacks or screening as needed to protect adjacent residential
13231 properties;
13232 3. Specifying hours of operation;
13233 4. Determining acceptable levels of outdoor lighting; and
13234 5. Requiring sound level tests for activities determined to produce sound levels
13235 that may be in excess of those in K.C.C. chapter 12.88;

13236 J. Recreational (~~((marijuana))~~) cannabis processors, recreational (~~((marijuana))~~)
13237 cannabis producers, and recreational (~~((marijuana))~~) cannabis retailers shall not be allowed
13238 as home industry; and

13239 K. Winery, brewery, distillery facility I, II and III, and remote tasting room shall
13240 not be allowed as home industry, except that home industry adult beverage businesses
13241 that have, in accordance with K.C.C. 20.20.070, a vested conditional use permit
13242 application before December 31, 2019, shall be considered legally nonconforming and
13243 allowed to remain in their current location subject to K.C.C. 21A.32.020 through
13244 21A.32.075. Such nonconforming businesses remain subject to all other requirements of
13245 this section and all applicable state and local regulations. The resident operator of a
13246 nonconforming winery, brewery or distillery home industry shall obtain an adult
13247 beverage business license in accordance with K.C.C. chapter 6.74.

13248 SECTION 301. Ordinance 13130, Section 5, as amended, and K.C.C.
13249 21A.32.065 are hereby amended to read as follows:

13250 A nonconforming use, structure, or site improvement may be expanded as
13251 follows:

13252 A. The department may review and approve, pursuant to the code compliance
13253 process of K.C.C. 21A.42.030, an expansion of a nonconformance only if:

13254 1. The expansion conforms to all other provisions of this title, except that the
13255 extent of the project-wide nonconformance in each of the following may be increased up
13256 to ten percent:

13257 a. building square footage,
13258 b. impervious surface,
13259 c. parking, or
13260 d. building height; and

13261 2. No subsequent expansion of the same nonconformance shall be approved
13262 under this subsection if the cumulative amount of such expansion exceeds the percentage
13263 prescribed in subsection A.1;

13264 B. A special use permit shall be required for expansions of a nonconformance
13265 within a development authorized by an existing special use or unclassified use permit if
13266 the expansions are not consistent with subsection A. of this section;

13267 C. A conditional use permit shall be required for expansions of a
13268 nonconformance((:

13269 ~~1. Within a development authorized by an existing planned unit development~~
13270 ~~approval; or~~

13271 ~~2. N))~~not consistent with the provisions of subsections A. and B. of this section;
13272 and

13273 D. No expansion shall be approved that would allow for urban growth outside the
13274 ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area boundary, in conflict with King County
13275 Comprehensive Plan rural area and natural resource land policies and constitute
13276 impermissible urban growth outside an ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area.

13277 SECTION 302. Ordinance 10870, Section 555, as amended, and K.C.C.
13278 21A.32.180 are hereby amended to read as follows:

13279 One temporary real estate office may be located on any new residential
13280 development~~((, provided that a))~~ Activities at the office are limited to the initial sale or
13281 rental of property or units within the development. The office use shall be discontinued
13282 within one year of recording of a ~~((short subdivision))~~ final short plat or issuance of a
13283 final certificate of occupancy for a~~((n))~~ duplex, houseplex, apartment, or townhouse
13284 development, and within two years of the recording of a ~~((formal subdivision))~~ final plat.

13285 SECTION 303. Ordinance 10870, Section 559, and K.C.C. 21A.32.220 are
13286 hereby amended to read as follows:

13287 In order to ~~((insure))~~ ensure that significant features of the property are protected
13288 ~~((pursuant to))~~ under K.C.C. chapter 20.62, the following standards shall apply to
13289 conversion of historic buildings:

13290 A. Gross floor area of building additions or new buildings required for the
13291 conversion shall not exceed ~~((20))~~ twenty percent of the gross floor area of the historic
13292 building, unless otherwise allowed by ~~((the zone))~~ this title;

13293 B. Conversions to duplexes, houseplex, apartments, or townhouses shall not
13294 exceed one dwelling unit for each ~~((3,600))~~ three thousand six hundred square feet of lot
13295 area, unless allowed by the zone; and

13296 C. Any construction required for the conversion shall require certification of
13297 appropriateness from the King County Landmark Commission.

13298 SECTION 304. Ordinance 17710, Section 14, as amended, and K.C.C.

13299 21A.32.250 are hereby amended to read as follows:

13300 For those recreational ((~~marijuana~~)) cannabis production and processing facilities
13301 requiring a conditional use permit under this title, as part of the permit review process,
13302 the department may require the applicant to submit an odor management plan for any
13303 areas of indoor processing or ventilation of any structure used to produce or process
13304 ((~~marijuana~~)) cannabis. The purpose of such a plan is to minimize odors and fumes from
13305 chemicals or products used in or resulting from either production or processing, or both,
13306 of ((~~marijuana~~)) cannabis.

13307 SECTION 305. Ordinance 13274, Section 1, as amended, and K.C.C.

13308 21A.37.010 are hereby amended to read as follows:

13309 A. The purpose of the transfer of development rights ("TDR") program is to
13310 transfer residential density from eligible sending sites to eligible receiving sites through a
13311 voluntary process that permanently preserves urban, rural, and resource lands that
13312 provide a public benefit. The TDR provisions are intended to supplement land use
13313 regulations, resource protection efforts, and open space acquisition programs and to
13314 encourage increased residential development density or increased commercial square
13315 footage, especially inside cities, where it can best be accommodated with the least
13316 impacts on the natural environment and public services by:

13317 1. Providing an effective and predictable incentive process for property owners
13318 of rural area, natural resource (~~and~~), urban separator, and other eligible urban land to
13319 preserve lands with a public benefit as described in K.C.C. 21A.37.020; and

13320 2. Providing an efficient and streamlined administrative review system to ensure
13321 that transfers of development rights to receiving sites are evaluated in a timely way and
13322 balanced with other county goals and policies, and are adjusted to the specific conditions
13323 of each receiving site.

13324 B. The TDR provisions in this chapter shall only apply to TDR receiving site
13325 development proposals(~~(~~

13326 ~~1-S))~~submitted on or after September 17, 2001, and applications for approval of
13327 TDR sending sites submitted on or after September 17, 2001;~~and~~

13328 ~~2. For properties within the Skyway West Hill or North Highline community~~
13329 ~~service area subarea geographies, only as provided in K.C.C. chapter 21A.48)).~~

13330 C. For the purposes of this chapter, "conservation easement" includes other
13331 similar encumbrances.

13332 SECTION 306. Ordinance 13274, Section 3, as amended, and K.C.C.
13333 21A.37.020 are hereby amended to read as follows:

13334 A. For the purpose of this chapter, sending site means the entire tax lot or lots
13335 qualified under this subsection. Sending sites shall:

13336 1. Contain a public benefit such that preservation of that benefit by transferring
13337 residential development rights to another site is in the public interest;

13338 2. Meet at least one of the following criteria:

13339 a. designation in the King County Comprehensive Plan or a functional plan as an

13340 agricultural production district or zoned A;

13341 b. designation in the King County Comprehensive Plan or a functional plan as

13342 forest production district or zoned F;

13343 c. designation in the King County Comprehensive Plan as ~~((R))~~rural ~~((A))~~area,

13344 zoned RA-2.5, RA-5₂ or RA-10, and meeting the definition in RCW 84.34.020 of open

13345 space or farm and agricultural land;

13346 d. designation in the King County Comprehensive Plan or a functional plan as a

13347 proposed ~~((R))~~rural ~~((A))~~area or ~~((N))~~natural ~~((R))~~resource ~~((L))~~land regional trail or

13348 ~~((R))~~rural ~~((A))~~area or ~~((N))~~natural ~~((R))~~resource ~~((L))~~land open space site, through

13349 either:

13350 (1) designation of a specific site; or

13351 (2) identification of proposed ~~((R))~~rural ~~((A))~~area or ~~((N))~~natural ~~((R))~~resource

13352 ~~((L))~~land regional trail or ~~((Rural Area or Natural Resource Land))~~ open space sites

13353 which meet adopted standards and criteria, and for ~~((R))~~rural ~~((A))~~area or ~~((N))~~natural

13354 ~~((R))~~resource ~~((L))~~land open space sites, meet the definition of open space land, as

13355 defined in RCW 84.34.020;

13356 e. identification as habitat for federally listed endangered or threatened species in

13357 a written determination by the King County department of natural resources and parks,

13358 Washington state Department of Fish and Wildlife, United States Fish and Wildlife

13359 Services or a federally recognized tribe that the sending site is appropriate for

13360 preservation or acquisition;

13361 f. designation in the King County Comprehensive Plan as urban separator ~~((and))~~

13362 or zoned R-1; or

13363 g.(1) designation in the King County Comprehensive Plan as urban residential
13364 medium or urban residential high;

13365 (2) zoned R-4, R-6, R-8, R-12, R-18, R-24, or R-48; and

13366 (3) approved for conservation futures tax funding by the King County council;

13367 3. Consist of one or more contiguous lots that have a combined area that meets or
13368 exceeds the minimum lot area for construction requirements in K.C.C. 21A.12.100 for
13369 the zone in which the sending site is located. For purposes of this subsection, lots divided
13370 by a street are considered contiguous if the lots would share a common lot line if the
13371 street was removed. This provision may be waived by the interagency committee if the
13372 total acreage of a rural area or natural resource land sending site application exceeds one
13373 hundred acres; and

13374 4. Not be in public ownership, except:

13375 a. as provided in K.C.C. 21A.37.110.C.;

13376 b. for lands zoned RA that are managed by the Washington state Department
13377 of Natural Resources as state grant or state forest lands; ~~((or))~~

13378 c. for lands that are managed by King County for purposes of residential or
13379 commercial development; or

13380 d. for lands participating in the county's forest carbon program established by
13381 K.C.C. chapter 18.35.

13382 B. For the purposes of the TDR program, acquisition means obtaining fee simple
13383 rights in real property or a property right in a form that preserves in perpetuity the public
13384 benefit supporting the designation or qualification of the property as a sending site. A

13385 sending site shall be maintained in a condition that is consistent with the criteria in this
13386 section under which the sending was qualified.

13387 C. If a sending site has any outstanding code violations, the person responsible
13388 for code compliance should resolve these violations, including any required abatement,
13389 restoration, or payment of civil penalties, before a TDR sending site may be qualified by
13390 the interagency review committee created under K.C.C. 21A.37.070. However, the
13391 interagency may qualify and certify a TDR sending site with outstanding code violations
13392 if the person responsible for code compliance has made a good faith effort to resolve the
13393 violations and the proposal is in the public interest.

13394 D. For lots on which the entire lot or a portion of the lot has been cleared or
13395 graded in accordance with a Class II, III, or IV special forest practice as defined in
13396 chapter 76.09 RCW within the six years before application as a TDR sending site, the
13397 applicant (~~(must)~~) shall provide an affidavit of compliance with the reforestation
13398 requirements of the Forest Practices Act, and any additional reforestation conditions of
13399 their forest practice permit. Lots on which the entire lot or a portion of the lot has been
13400 cleared or graded without any required forest practices or county authorization, shall be
13401 not qualified or certified as a TDR sending site for six years unless the six-year
13402 moratorium on development applications has been lifted or waived or the landowner has
13403 a reforestation plan approved by the Washington state Department of Natural Resources
13404 and King County.

13405 SECTION 307. Ordinance 13274, Section 5, as amended, and K.C.C.
13406 21A.37.030 are hereby amended to read as follows:

13407 A. Receiving sites shall be:

13408 1. King County unincorporated urban sites, except as limited in subsection D. of
13409 this section, zoned R-4 through R-48, NB, CB, RB₂ or O(~~(, or any combination thereof)~~).
13410 The sites may also be within potential annexation areas established under the
13411 ~~((e))~~Countywide ~~((p))~~Planning ~~((p))~~Policies; ~~((e))~~

13412 2. Sites in rural towns, when in accordance with the inclusionary housing
13413 program in K.C.C. chapter 21A.48, the TDR maximum density standards for the
13414 applicable zone as established by this title, or the duplex allowances in K.C.C.
13415 21A.08.030, and except as limited in subsection E. of this section;

13416 3. Cities where new growth is or will be encouraged under the Growth
13417 Management Act and the countywide planning policies and where facilities and services
13418 exist or where public investments in facilities and services will be made, or

13419 ~~((3-))~~ 4. RA-2.5 zoned parcels, except as limited in subsection E. of this section,
13420 that meet the criteria listed in this subsection A.~~((3-))~~4. may receive development rights
13421 transferred from rural forest focus areas, and accordingly may be subdivided and
13422 developed at a maximum density of one dwelling per two and one-half acres. Increased
13423 density allowed through the designation of rural area receiving areas shall:

13424 a. ~~((must))~~ be eligible to be served by domestic Group A public water service;
13425 b. ~~((must))~~ be located within one-quarter mile of an existing predominant
13426 pattern of rural lots smaller than five acres in size;

13427 c. ~~((must))~~ not adversely impact ~~((regionally or locally significant resource~~
13428 ~~areas or))~~ critical areas;

13429 d. ~~((must))~~ not require public services and facilities to be extended to create or
13430 encourage a new pattern of smaller lots;

13431 e. ~~((must))~~ not be located within rural forest focus areas; and

13432 f. ~~((must))~~ not be located on Vashon~~((Island or))~~ Maury Island.

13433 B. Except as provided in this chapter, development of an unincorporated King
13434 County receiving site shall remain subject to all zoning code provisions for the base zone,
13435 except TDR receiving site developments shall comply with dimensional standards of the
13436 zone with a base density most closely comparable to the total approved density of the
13437 TDR receiving site development.

13438 C. Except as otherwise provided in this title, ((A))an unincorporated King County
13439 receiving site may accept development rights from one or more sending sites, as follows:

13440 1. ~~((For short subdivisions, u))~~Up to the maximum density ((permitted)) allowed
13441 under ((K.C.C. 21A.12.030 and 21A.12.040)) this title; and

13442 2. For ~~((formal))~~ subdivisions, only ~~((as authorized in a subarea study that~~
13443 ~~includes a comprehensive analysis of the impacts of receiving development rights))~~ if the
13444 hearing examiner finds that the additional density from use of TDRs at the proposed
13445 subdivision does not create unmitigated impacts beyond those created by development at
13446 base density.

13447 D. Property located within the outer boundaries of the Noise Remedy Areas as
13448 identified by the Seattle-Tacoma International Airport may not accept development
13449 rights.

13450 E. Property located within the shoreline jurisdiction or located on Vashon~~Maury~~
13451 ~~Island ((or Maury Island may))~~ shall not accept development rights.

13452 SECTION 308. Ordinance 13274, Section 6, as amended, and K.C.C.
13453 21A.37.040 are hereby amended to read as follows:

13454 A. The number of residential development rights that an unincorporated sending
13455 site is eligible to send to a receiving site shall be determined by applying the TDR
13456 sending site base density established in subsection D. of this section to the area of the
13457 sending site, after deducting the area associated with any existing development allowed
13458 to remain under the terms of the conservation easement conserving the site, any retained
13459 development rights, and any portion of the sending site already in a conservation
13460 easement ~~((or other similar encumbrance))~~. For each existing dwelling unit or retained
13461 development right, the sending site area shall be reduced by an area equivalent to the base
13462 density for that zone ~~((under K.C.C. 21A.12.030))~~.

13463 B. Any fractions of development rights that result from the calculations in
13464 subsection A. of this section shall ~~((not be included in the final determination of total~~
13465 ~~development rights available for transfer))~~ be rounded up to the next largest whole
13466 number if the calculation results in a fraction of 0.5 or greater, or shall be rounded down
13467 to the next smallest whole number if the calculation results in a fraction less than 0.5.

13468 C. For purposes of calculating the amount of development rights a sending site
13469 can transfer, the amount of land contained within a sending site shall be determined as
13470 follows:

13471 1. If the sending site is an entire tax lot, the square footage or acreage shall be
13472 determined by:

13473 a. ~~((by))~~ the King County department of assessments records; ~~((or))~~

13474 b. ~~((by))~~ geographic information system mapping confirmed by King County;

13475 or

13476 c. a survey funded by the applicant that has been prepared and stamped by a
13477 surveyor licensed in the state of Washington; and

13478 2. If the sending site consists of a lot that is divided by a zoning boundary, the
13479 square footage or acreage shall be calculated separately for each zoning classification.
13480 The square footage or acreage within each zoning classification shall be determined by
13481 the King County record of the action that established the zoning and property lines, such
13482 as an approved lot line adjustment. When such records are not available or are not
13483 adequate to determine the square footage or acreage within each zoning classification,
13484 TDR program staff shall calculate, and the department of local services, permitting
13485 division, shall ~~((calculate))~~ confirm, the square footage or acreage through the geographic
13486 information system ~~((GIS)))~~ mapping system.

13487 D. For the purposes of the ~~((transfer of development rights-))~~TDR~~((?))~~ program
13488 only, the following TDR sending site base densities apply:

13489 1. Sending sites designated in the King County Comprehensive Plan as urban
13490 separator ~~((and))~~ or zoned R-1 shall have a base density of four dwelling units per acre;

13491 2. Sending sites zoned RA-2.5 shall have a base density of one unit for each two
13492 and one-half acres. Sending sites zoned RA-2.5 that are vacant and are smaller than 1.25
13493 acres shall be allocated one additional TDR for each vacant lot that is smaller than 1.25
13494 acres;

13495 3. Sending sites zoned RA-5 or RA-10 shall have a base density of one dwelling
13496 unit per five acres. Vacant sending sites that are zone RA-5 and are smaller than two and
13497 one-half acres or that are zoned RA-10 and are smaller than five acres shall be allocated

13498 one additional TDR for each vacant lot that is smaller than two and one-half acres or five
13499 acres, respectively;

13500 4. Sending sites zoned RA and that have a designation under the ((King
13501 County)) Shoreline Master Program of conservancy or natural shoreline environment
13502 shall be allocated one additional TDR per legal lot;

13503 5. Sending sites zoned A-10 and A-35 shall have a base density of one dwelling
13504 unit per five acres for transfer purposes only;

13505 6. Sending sites zoned F within the forest production district shall have a base
13506 density of one dwelling unit per eighty-acres or one dwelling unit per each lot that is
13507 between fifteen and eighty acres in size. A TDR sending site zoned F that is awarded
13508 certified TDRs under K.C.C. 21A.37.070 may be qualified for one additional TDR for
13509 each legal lot that is eligible to create a verified carbon credits under K.C.C. chapter
13510 18.35. Certification of any additional TDRs qualified under this subsection D.6. is
13511 contingent upon applicant enrolling in a verified carbon program under K.C.C. chapter
13512 18.35, which shall occur within five years of initial sending site certification, subject to
13513 interagency committee review and approval; ((or))

13514 7. Vacant marine shoreline sending sites without any hard shoreline stabilization
13515 shall be allocated one additional TDR per legal lot; and

13516 8. Sending sites in the urban unincorporated area that meet the criteria in K.C.C.
13517 21A.37.020.A.2.g. shall be allocated TDRs that are equivalent to the ((zoning)) base
13518 density established for the zone in ((K.C.C. 21A.12.030)) this title for every one acre of
13519 gross land area.

13520 E. A sending site zoned RA, A₂ or F may send one development right for every
13521 legal lot larger than five thousand square feet that was created on or before September 17,
13522 2001, with no retained development rights, if that number is greater than the number of
13523 development rights determined under subsection A. of this section. A sending site zoned
13524 R-1 may send one development right for every legal lot larger than two thousand five
13525 hundred square feet that was created on or before September 17, 2001, with no retained
13526 development rights, if that number is greater than the number of development rights
13527 determined under subsection A. of this section.

13528 F. The number of development rights that a ~~((King County unincorporated))~~ rural
13529 area or natural resource~~((s))~~ land sending site is eligible to send to a ~~((King County))~~
13530 incorporated urban area receiving site shall be determined through the application of a
13531 conversion ratio established by King County and the ~~((incorporated municipal~~
13532 ~~jurisdiction))~~ city or town. The conversion ratio will be applied to the number of
13533 available sending site development rights determined under subsection A. or E. of this
13534 section.

13535 G. Development rights from one sending site may be allocated to more than one
13536 receiving site and one receiving site may accept development rights from more than one
13537 sending site.

13538 H. The determination of the number of residential development rights a sending
13539 site has available for transfer to a receiving site shall be valid for transfer purposes only,
13540 shall be documented in a TDR qualification report prepared by the department of natural
13541 resources and parks and sent to the applicant. The qualification report ~~((and))~~ shall be
13542 considered a final determination, not to be revised due to changes to the sending site's

zoning, and shall be valid unless conditions on the sending site property that would affect the number of development rights the sending site has available for transfer have changed.

I. Each residential ~~((transferable development right))~~ TDR that originates from a sending site zoned RA, A₂ or F shall be designated "Rural" and is equivalent to two additional units above base density in eligible receiving sites located in unincorporated urban King County. Each residential ~~((transferable development right))~~ TDR that originates from a sending site zoned R-1 or designated as urban separator shall be designated "Urban" and is equivalent to one additional unit above base density. Each residential ~~((transferable development right))~~ TDR that originates from a sending site in urban unincorporated area lands meeting the criteria in K.C.C. 21A.37.020.A.2.g. shall be designated "Urban" and is equivalent to one additional unit above the base density.

SECTION 309. Ordinance 14190, Section 7, as amended, and K.C.C. 21A.37.050 are hereby amended to read as follows:

A. Following the transfer of residential development rights, a sending site may subsequently accommodate remaining residential dwelling units, if any, on the buildable portion of the parcel or parcels or be subdivided, consistent with the ~~((zoned))~~ base density ~~((provisions of the density and dimensions tables in K.C.C. 21A.12.030 and 21A.12.040))~~ for the applicable zone as established by this title, the allowable dwelling unit calculations in K.C.C. 21A.12.070, and other King County development regulations. Any remaining residential dwelling units and associated accessory units shall be located in a single and contiguous reserved residential area that shall be adjacent to any existing development or roadways on the property. The reserved residential area shall ~~((be equal~~

~~to~~) not exceed the acreage associated with the minimum lot size of the zone for each remaining residential dwelling unit. For sending sites zoned RA, the subdivision potential remaining after a density transfer may only be actualized through ~~((a clustered subdivision, short subdivision or binding site plan))~~ clustering that creates a permanent preservation tract as large or larger than the portion of the subdivision set aside as lots. Within rural forest focus areas, resource use tracts shall be at least fifteen acres of contiguous forest land.

B. Only those nonresidential uses directly related to, and supportive of the criteria under which the site qualified are allowed on a sending site.

C. The applicable limitations in this section shall be included in the sending site conservation easement.

SECTION 310. Ordinance 14190, Section 8, as amended, and K.C.C. 21A.37.060 are hereby amended to read as follows:

A. ~~((Prior to))~~ Before issuing a certificate for ~~((transferable development rights to))~~ TDRs for a sending site, the department of natural resources and parks~~((;))~~ or its successor, shall record deed restrictions in the form of a conservation easement documenting the development rights that have been removed from the property ~~((and shall place a notice on the title of the sending site))~~. The department of local services, permitting division~~((;))~~ or its successor, shall establish and maintain an internal tracking system that identifies all certified ~~((transfer of developments rights))~~ TDR sending sites.

B. A conservation easement granted to the county or other appropriate land management agency and that meets the requirements of K.C.C. 21A.37.050 shall be required for land contained in the sending site. The conservation easement shall be

13589 documented by a map. The conservation easement shall be placed on the entire lot or
13590 lots. The conservation easement shall identify limitations in perpetuity on future
13591 residential and nonresidential development consistent with this chapter, as follows:

13592 1. A conservation easement(~~((, which))~~) that contains the easement map(~~((;))~~) shall
13593 be recorded on the entire sending site to indicate development limitations on the sending
13594 site;

13595 2. For a sending site zoned A-10 or A-35, the conservation easement shall be
13596 consistent in form and substance with the purchase agreements used in the agricultural
13597 land development rights purchase program. The conservation easement shall preclude
13598 subdivision of the subject property but may permit not more than one dwelling per
13599 sending site, and shall permit agricultural uses as provided in the A-10 or A-35 zone;

13600 3. For a rural area sending site, the conservation easement shall allow for
13601 restoration, maintenance, or enhancement of native vegetation. A present conditions
13602 report shall be required to document the location of existing structures and existing native
13603 vegetation and the baseline conservation values of protected property at the time the
13604 conservation easement is put in place. If residential development will be allowed on the
13605 site under the conservation easement, the present conditions report shall be used to guide
13606 the location of residential development;

13607 4. For a sending site qualifying as habitat for federal listed endangered or
13608 threatened species, the conservation easement shall protect habitat and allow for
13609 restoration, maintenance, or enhancement of native vegetation. A present conditions
13610 report shall be required to document the location of existing structures. If existing or
13611 future residential development will be allowed on the site under the conservation

easement, the present conditions report shall be used by the owner to guide the location of residential development; and

5.a. For a sending site zoned F, the conservation easement shall encumber the entire sending site. ~~((Lots between fifteen acres and eighty acres in size are not eligible to participate in the TDR program if they include any existing dwelling units intended to be retained, or if a new dwelling unit is proposed.))~~ For eligible lots between fifteen acres and eighty acres in size, the sending site ~~((must))~~ shall include the entire lot. For lots greater than eighty acres in size, the sending site shall be a minimum of eighty acres.

b. The conservation easement shall permit forestry uses subject to a forest stewardship plan prepared by the applicant and approved by the county for ongoing forest management practices. The ~~((F))~~forest ~~((S))~~stewardship ~~((P))~~plan shall serve as a present conditions report documenting the baseline conditions of the property and shall include a description of the site's forest resources and the long term forest management objectives of the property owner~~((, and shall not impose standards that exceed Title 222 WAC))~~.

c. Lots between fifteen acres and eighty acres in size are not eligible to participate in the TDR program if they include any existing dwelling units intended to be retained, or if a new dwelling unit is proposed.

SECTION 311. Ordinance 13274, Section 7, as amended, and K.C.C. 21A.37.070 are hereby amended to read as follows:

~~((A. An interagency review committee, chaired by the department of local services permitting division manager and the director of the department of natural resources and parks, or designees, shall be responsible for qualification of sending sites. Determinations on sending site certifications made by the committee are appealable to the~~

13635 ~~examiner under K.C.C. 20.22.040. The department of natural resources and parks shall~~
13636 ~~be responsible for preparing a TDR qualification report, which shall be signed by the~~
13637 ~~director of the department of natural resources and parks or designee, documenting the~~
13638 ~~review and decision of the committee. The qualification report shall:~~

13639 1. ~~Specify all deficiencies of an application, if the decision of the committee is~~
13640 ~~to disqualify the application;~~

13641 2. ~~For all qualifying applications, provide a determination as to whether or not~~
13642 ~~additional residential dwelling units and associated accessory units may be~~
13643 ~~accommodated in accordance with K.C.C. 21A.37.050.A.; and~~

13644 3. ~~Be issued a TDR certification letter within sixty days of the date of submittal~~
13645 ~~of a completed sending site certification application.~~

13646 B.)) Responsibility for preparing a completed application rests exclusively with
13647 the applicant. Application for sending site certification shall include:

13648 ((1.)) A. A legal description of the site;

13649 ((2.)) B. A title report;

13650 ((3.)) C. A brief description of the site resources and public benefit to be
13651 preserved;

13652 ((4.)) D. A site plan showing the existing and proposed dwelling units,
13653 nonresidential structures, driveways, submerged lands, and any area already subject to a
13654 conservation easement ~~((or other similar encumbrance))~~;

13655 ((5.)) E. Assessors map or maps of the lot or lots;

13656 ~~((6.))~~ F. A statement of intent indicating whether the property ownership, after
13657 TDR certification, will be retained in private ownership or dedicated to King County or
13658 another public or private nonprofit agency;

13659 ~~((7.))~~ G. Any or all of the following written in conformance with criteria
13660 established through a public rule consistent with K.C.C. chapter 2.98, if the site is
13661 qualifying as habitat for a threatened or endangered species:

13662 ~~((a.-a))~~ 1. A wildlife habitat conservation plan;

13663 ~~((b.-a))~~ 2. A wildlife habitat restoration plan; or

13664 ~~((c.-a))~~ 3. A wildlife present conditions report;

13665 ~~((8.))~~ H. If the site qualifies as an urban unincorporated area sending site
13666 meeting the criteria in K.C.C. 21A.37.020.A.2.g.;

13667 ~~((9.))~~ I. A forest stewardship plan, written in conformance with criteria
13668 established through a public rule consistent with K.C.C. chapter 2.98, if required under
13669 K.C.C. 21A.37.060.B.3. and 6.;

13670 ~~((10.))~~ J. An affidavit of compliance with the reforestation requirements of the
13671 Forest Practices Act and any additional reforestation conditions of the forest practices
13672 permit for the site, if required under K.C.C. 21A.37.020.D.;

13673 ~~((11.))~~ K. A completed density calculation worksheet for estimating the number
13674 of available development rights; and

13675 ~~((12.))~~ L. The application fee consistent with K.C.C. 27.10.170.

13676 NEW SECTION. SECTION 312. There is hereby added to K.C.C. chapter
13677 21A.37 a new section to read as follows:

13678 A. An interagency review committee, chaired by the department of local services
13679 permitting division manager and the director of the department of natural resources and
13680 parks, or designees, shall be responsible for qualification of sending sites.

13681 Determinations on sending site certifications made by the committee are appealable to the
13682 examiner under K.C.C. 20.22.040. The department of natural resources and parks shall
13683 be responsible for preparing a TDR qualification report, which shall be signed by the
13684 director of the department of natural resources and parks or designee, documenting the
13685 review and decision of the committee. The qualification report shall:

13686 1. Specify all deficiencies of an application, if the decision of the committee is
13687 to disqualify the application;

13688 2. For all qualifying applications, provide a determination as to whether
13689 additional residential dwelling units and associated accessory units may be
13690 accommodated in accordance with K.C.C. 21A.37.050.A.; and

13691 3. Be issued a TDR certification letter within sixty days of the date of submittal
13692 of a completed sending site certification application.

13693 SECTION 313. Ordinance 13274, Section 8, as amended, and K.C.C.
13694 21A.37.080 are hereby amended to read as follows:

13695 A. ~~((TDR development rights w))~~Where both the proposed sending and receiving
13696 sites would be within unincorporated King County, development rights shall be
13697 transferred using the following process:

13698 1. Following interagency review committee review and approval of the sending
13699 site application as described in K.C.C. 21A.37.070, the interagency review committee
13700 shall issue a TDR qualification report~~((;))~~ agreeing to issue a TDR certificate in exchange

13701 for the proposed sending site conservation easement. After signing and notarizing the
13702 conservation easement and receiving the TDR certificate from the county, the sending
13703 site owner may market the TDRs ~~((sending site development rights))~~ to potential
13704 purchasers. The TDR certificate shall be in the name of the property owner and separate
13705 from the land title. If a TDR sending site that has been reviewed and approved by the
13706 interagency review committee changes ownership, the TDR qualification report may be
13707 transferred to the new owner if requested in writing to the department of natural resources
13708 and parks by the person or persons that owned the property when the TDR qualification
13709 report was issued, if documents evidencing the transfer of ownership are also provided to
13710 the department of natural resources and parks;

13711 2. In applying for receiving site approval, the applicant shall provide the
13712 department of local services, permitting division, with one of the following:

- 13713 a. a TDR qualification report issued in the name of the applicant~~((;))~~;
- 13714 b. a TDR qualification report issued in the name of another person or persons
13715 and a copy of a signed option to purchase those TDRs ~~((sending site development~~
13716 ~~rights;))~~;
- 13717 c. a TDR certificate issued in the name of the applicant~~((;))~~; or
- 13718 d. a TDR certificate issued in the name of another person or persons and a
13719 copy of a signed option to purchase those TDRs ~~((sending site development rights))~~;

13720 3. Following building permit approval, but before building permit issuance by
13721 the department of local services, permitting division, or following preliminary ~~((plat))~~
13722 subdivision approval or preliminary short ~~((plat))~~ subdivision approval, but before final
13723 plat or short plat recording of a receiving site development proposal ~~((which))~~ that

includes the use of TDRs ~~((development rights))~~, the receiving site applicant shall deliver the TDR certificate issued in the applicant's name for the number of TDRs ~~((development rights))~~ being used and the TDR extinguishment document to the county;

4. When the receiving site development proposal requires a public hearing under this title or K.C.C. Title 19A ~~((or its successor))~~, that public hearing shall also serve as ~~((the))~~ a hearing on the TDR proposal. The reviewing authority shall make a consolidated decision on the proposed development and use of TDRs ~~((development rights))~~ and consider any appeals of the TDR proposal under the same appeal procedures ~~((set forth))~~ for the development proposal; ~~((and))~~

5. When the development proposal does not require a public hearing under this title or K.C.C. Title 19A, the TDR proposal shall be considered along with the development proposal, and any appeals of the TDR proposal shall be considered under the same appeal procedures ~~((set forth))~~ for the development proposal~~((:))~~; and

6. Development rights from a sending site shall be considered transferred to a receiving site when a final decision is made on the TDR receiving area development proposal, the sending site is permanently protected by a completed and recorded ~~((land dedication or))~~ conservation easement, notification has been provided to the King County assessor's office and a TDR extinguishment document has been provided to the department of natural resources and parks~~((:))~~ or its successor.

B. ~~((TDR development rights w))~~Where the proposed receiving site would be within ~~((an incorporated King County municipal jurisdiction))~~ a city or town, the development proposal shall be reviewed and transferred using that jurisdiction's development application review process.

13747 SECTION 314. Ordinance 13274, Section 9, as amended, and K.C.C.
13748 21A.37.090 are hereby amended to read as follows:
13749 Public notice consistent with the provisions of K.C.C. 20.20.060 ~~((for Type Four~~
13750 ~~land use decisions))~~ shall be provided for parcels identified as TDR receiving sites.
13751 SECTION 315. Ordinance 13733, Section 8, as amended, and K.C.C.
13752 21A.37.100 are hereby amended to read as follows:
13753 The purpose of the TDR bank is to assist in the implementation of the ~~((transfer of~~
13754 ~~development rights-))~~TDR~~((+))~~ program by bridging the time gap between willing sellers
13755 and buyers of development rights by purchasing and selling development rights,
13756 purchasing conservation easements, and facilitating interlocal TDR agreements with
13757 cities in King County through the provision of amenity funds. The TDR bank may
13758 acquire development rights and conservation easements only from sending sites ~~((located~~
13759 ~~in the rural area or in an agricultural or forest land use designation in the King County~~
13760 ~~Comprehensive Plan, or in the urban unincorporated area only from sites meeting the~~
13761 ~~criteria in K.C.C. 21A.37.020.A.2.g))~~ allowed in K.C.C. 21A.37.020. Except for
13762 development rights purchased for use in affordable housing developments in accordance
13763 with K.C.C. 21A.37.130, ((D))development rights purchased from the TDR bank may
13764 only be used for receiving sites in cities, in Snoqualmie Pass Rural Town as provided in
13765 this title, or in the urban unincorporated area as designated in the King County
13766 Comprehensive Plan.
13767 SECTION 316. Ordinance 13733, Section 10, as amended, and K.C.C.
13768 21A.37.110 are hereby amended to read as follows:

13769 A. The TDR bank may purchase development rights from qualified sending sites
13770 at prices not to exceed fair market value and ~~((to))~~ sell development rights at prices not
13771 less than fair market value, except as allowed in K.C.C. 21A.37.130. The TDR bank may
13772 accept donations of development rights from qualified TDR sending sites.

13773 B. The TDR bank may purchase a conservation easement only if the property
13774 subject to the conservation easement is qualified as a sending site as evidenced by a TDR
13775 qualification report, the conservation easement restricts development of the sending site
13776 in the manner required by K.C.C. 21A.37.060₂ and the development rights generated by
13777 encumbering the sending site with the conservation easement are issued to the TDR bank
13778 at no additional cost.

13779 C. Any development rights, generated by encumbering property with a
13780 conservation easement, may be issued to the TDR bank if:

13781 1.a. The conservation easement is acquired through a county park, open space,
13782 trail, agricultural, forestry₂ or other natural resource acquisition program for a property
13783 that is qualified as a TDR sending site as evidenced by a TDR qualification report; or

13784 b. the property is acquired by the county with the intent of conveying the
13785 property encumbered by a reserved conservation easement. The number of development
13786 rights generated by this reserved conservation easement shall be determined by the TDR
13787 qualification report; and

13788 2. Under either subsection C.1.a. or b. of this section, there will be no additional
13789 cost to the county for acquiring the development rights.

13790 D. The TDR bank may use funds to facilitate development rights transfers.
13791 These expenditures may include, but are not limited to, establishing and maintaining

13792 ((~~internet web pages~~)) websites, marketing TDR receiving sites, procuring title reports
13793 and appraisals, and reimbursing the costs incurred by the department of natural resources
13794 and parks, water and land resources division((§)) or its successor, for administering the
13795 TDR bank fund and executing development rights purchases and sales.

13796 E. The TDR bank fund may be used to cover the cost of providing staff support
13797 for identifying and qualifying sending and receiving sites, and the costs of providing staff
13798 support for the TDR interagency review committee.

13799 F. Upon approval of the TDR executive board, proceeds from the sale of TDR
13800 bank development rights shall be available for acquisition of additional development
13801 rights and as amenity funds to facilitate interlocal TDR agreements with cities in King
13802 County and for projects in receiving areas located in urban unincorporated King County.
13803 Amenity funds provided to a city from the sale of TDR bank development rights to that
13804 city are limited to one-third of the proceeds from the sale.

13805 SECTION 317. Ordinance 13733, Section 11, as amended, and K.C.C.
13806 21A.37.120 are hereby amended to read as follows:

13807 A. The department of natural resources and parks, water and land resources
13808 division((§)) or its successor, shall administer the TDR bank fund and execute purchases
13809 of development rights and conservation easements and sales of development rights in a
13810 timely manner consistent with policy set by the TDR executive board. These
13811 responsibilities include, but are not limited to:

- 13812 1. Managing the TDR bank fund;
13813 2. Authorizing and monitoring expenditures;

13814 3. Keeping records of the dates, amounts, and locations of development rights
13815 purchases and sales, and conservation easement purchases;
13816 4. Executing development rights purchases, sales, and conservation easements;
13817 and
13818 5. Providing periodic summary reports of TDR bank activity for TDR executive
13819 board consideration.

13820 B. The department of natural resources and parks, water and land resources
13821 division((;)) or its successor, in executing purchase and sale agreements for acquisition of
13822 development rights and conservation easements shall ensure sufficient values are being
13823 obtained and that all transactions((;)) or conservation easements ((~~or fee simple~~
13824 ~~acquisitions~~)) are consistent with public land acquisition guidelines.

13825 SECTION 318. Ordinance 13733, Section 12, as amended, and K.C.C.
13826 21A.37.130 are hereby amended to read as follows:

13827 A.1. The sale of ((~~development rights~~)) TDRs by the TDR bank shall be at a price
13828 that equals or exceeds the fair market value of the ((~~development rights~~)) TDRs, except
13829 as provided in subsection A.2. of this section. The fair market value of the ((~~development~~
13830 ~~rights~~)) TDRs shall be established by the department of natural resources and parks and
13831 shall be based on the amount the county paid for the development rights and the
13832 prevailing market conditions.

13833 2.a. The department of natural resources and parks shall undertake a "TDR for
13834 affordable housing" pilot program, in which ((~~transferable development rights necessary~~
13835 ~~to construct up to one hundred total units~~)) TDRs sold to build up to one hundred total
13836 units of affordable housing in accordance with K.C.C. 21A.48.020 and K.C.C.

13837 21A.08.030 shall be ~~((sold))~~ priced at the administrative cost incurred by the county or
13838 fifteen percent of the fair market value of the development rights, whichever is less.

13839 b. In order to qualify for this program, all units built using the development
13840 rights ~~((must))~~ shall be either:

13841 (1) rental housing permanently priced to serve households with a total
13842 household income at or below sixty percent of AMI. A covenant on the property that
13843 specifies the income level being served, rent levels, and requirements for reporting to
13844 King County shall be recorded at final approval; or

13845 (2) housing reserved for income- and asset-qualified home buyers with total
13846 household income at or below sixty percent of AMI. The units shall be limited to owner-
13847 occupied housing with prices restricted based on typical underwriting ratios and other
13848 lending standards, and with no restriction placed on resale. Final approval conditions
13849 shall specify requirements for reporting to King County on both buyer eligibility and
13850 housing prices.

13851 c.~~((1))~~ ~~In areas where the inclusionary housing regulations adopted in K.C.C.~~
13852 ~~chapter apply, development rights to build units through this pilot program shall only be~~
13853 ~~sold for units in accordance with K.C.C. 21A.48.020 or K.C.C. 21.48.030.~~

13854 ~~(2) For all other areas in unincorporated King County, in the R-4 through R-~~
13855 ~~48 zones, development rights to build units through this pilot program shall only be sold~~
13856 ~~for units between one hundred fifty percent and two hundred percent of the receiving~~
13857 ~~site's base density as set forth in K.C.C. 21A.12.030.~~

13858 ~~d.))~~(1) The department of natural resources and parks shall track the sale of
13859 development rights and completion of units constructed through this program. When the

13860 one hundred unit threshold is reached, the department shall, within six months of that
13861 date, transmit a report to the council that includes, but is not limited to:

13862 (a) the location of the receiving sites where development rights under this
13863 pilot program were used;

13864 (b) lessons learned from the pilot program, including feedback from
13865 ~~((developers))~~ applicants who purchased development rights through the program; and

13866 (c) a recommendation on whether to make the pilot program permanent,
13867 repeal the program, or modify the program.

13868 (2) the report shall be accompanied by a proposed ordinance effectuating the
13869 recommendation in subsection ~~((A.2.d.(1)(e)))~~ A.2.c.(1)(c) of this section.

13870 (3) the report and proposed ordinance shall be electronically filed ~~((in the~~
13871 ~~form of a paper original and an electronic copy))~~ with the clerk of the council, who shall
13872 retain the original and provide an electronic copy to all councilmembers, the council chief
13873 of staff, and the lead staff to the ~~((mobility))~~ transportation, economy, and environment
13874 committee or its successor.

13875 B. When selling development rights, the TDR bank may select prospective
13876 purchasers based on the price offered for the development rights, the number of
13877 development rights offered to be purchased, and the potential for the sale to achieve the
13878 purposes of the TDR program.

13879 C. The TDR bank may sell development rights only in whole or half increments
13880 ~~((to incorporated receiving sites through an interlocal agreement or, after the county~~
13881 ~~enacts legislation that complies with chapter 365-198 WAC, to incorporated receiving~~
13882 ~~sites in a city that has enacted legislation that complies with chapter 365-198 WAC. The~~

~~TDR bank may sell development rights only in whole increments to unincorporated King County receiving sites)).~~

D. All offers to purchase ~~((development rights))~~ TDRs from the TDR bank shall be in writing, shall include a certification that the ~~((development rights))~~ TDRs, if used, shall be used only inside an identified city or within the urban unincorporated area, ~~((include a minimum ten percent down payment with purchase option;))~~ shall include the number of ~~((development rights))~~ TDRs to be purchased, location of the receiving site, proposed purchase price, and the required date or dates for completion of the sale, not later than three years after the date of receipt by King County of the purchase offer.

E. Payment for purchase of ~~((development rights))~~ TDRs from the TDR bank shall be in full at the time the ~~((development rights))~~ TDRs are transferred unless otherwise authorized by the department of natural resources and parks.

SECTION 319. Ordinance 13733, Section 13, as amended, and K.C.C. 21A.37.140 are hereby amended to read as follows:

A. For development rights sold by the TDR bank to be used in incorporated receiving site areas, the county and the affected city or cities ~~((must))~~ shall either have executed an interlocal agreement and the city or cities ~~((must))~~ shall have enacted appropriate legislation to implement the program for the receiving area or the county and the affected city or cities ~~((must))~~ shall each have enacted legislation that complies with chapter 365-198 WAC.

B.1. At a minimum, each interlocal agreement shall:

a. ~~((shall))~~ describe the legislation that the receiving jurisdiction adopted or will adopt to allow the use of ~~((development rights))~~ TDR;

13906 b. ~~((shall))~~ identify the receiving area;

13907 c. ~~((shall))~~ require the execution of a TDR extinguishment document in

13908 conformance with K.C.C. 21A.37.080; and

13909 d. ~~((shall))~~ address the conversion ratio to be used in the receiving site area.

13910 2. If the city is to receive any amenity funds, the interlocal agreement shall ~~((set~~

13911 ~~forth))~~ establish the amount of funding and the amenities to be provided in accordance

13912 with K.C.C. 21A.37.150.I. Such an interlocal agreement may also indicate that a priority

13913 should be given by the county to acquiring ~~((development rights))~~ TDRs from sending

13914 sites in specified geographic areas. If a city has a particular interest in the preservation of

13915 land in ~~((a))~~ the rural area or a natural resource ~~((area))~~ land, or in the specific conditions

13916 on which it will be preserved, then the interlocal agreement may provide for periodic

13917 inspection or special terms in the conservation easement to be recorded against the

13918 sending site as a pre~~((-))~~acquisition condition to purchases of ~~((development rights))~~

13919 TDRs within specified areas by the TDR bank.

13920 C. A TDR conversion ratio for development rights purchased from a sending site

13921 and transferred to an incorporated receiving site area may express the amount of

13922 additional ~~((development rights))~~ TDRs in terms of any combination of units, floor area,

13923 height, or other applicable development standards that may be modified by the city to

13924 provide incentives for the purchase of ~~((development rights))~~ TDRs.

13925 SECTION 320. Ordinance 13733, Section 14, as amended, and K.C.C.

13926 21A.37.150 are hereby amended to read as follows:

13927 A. Expenditures by the county for amenities to facilitate development rights sales

13928 in cities shall be authorized by the TDR executive board during review of proposed

13929 interlocal agreements, and should be roughly proportionate to the value and number of
13930 development rights anticipated to be accepted in an incorporated receiving site pursuant
13931 to the controlling interlocal agreement, in accordance with K.C.C. 21A.37.040.

13932 Expenditures by the county to fund projects in receiving areas located in urban
13933 unincorporated King County shall be authorized by the TDR executive board and should
13934 be roughly proportionate to the value and number of development rights accepted in the
13935 unincorporated urban area.

13936 B. The county shall not expend funds on TDR amenities in a city before
13937 execution of an interlocal agreement, except that:

13938 1. The executive board may authorize up to twelve thousand dollars be spent by
13939 the county on TDR amenities before a development rights transfer for use at a receiving
13940 site or for the execution of an interlocal agreement if the TDR executive board
13941 recommends that the funds be spent based on a finding that the expenditure will expedite
13942 a proposed transfer of development rights or facilitate acceptance of a proposed transfer
13943 of development rights by the community around a proposed or established receiving site
13944 area;

13945 2. King County may distribute the funds directly to a city if a scope of work,
13946 schedule, and budget governing the use of the funds is mutually agreed to in writing by
13947 King County and the affected city. Such an agreement need not be in the form of an
13948 interlocal agreement; and

13949 3. The funds may be used for project design renderings, engineering, or other
13950 professional services performed by persons or entities selected from the King County
13951 approved architecture and engineering roster maintained by the department of finance or

an affected city's approved architecture and engineering roster, or selected by an affected city through its procurements processes consistent with state law and city ordinances.

C. TDR amenities may include the acquisition, design, or construction of:
~~((P))~~public art~~((;))~~, cultural and community facilities~~((;))~~, parks~~((;))~~, open space~~((;))~~, trails~~((;))~~, roads~~((;))~~, parking~~((;))~~, landscaping~~((;))~~, sidewalks~~((;))~~, other streetscape improvements~~((;))~~, transit-related improvements~~((;))~~, affordable housing for households whose income is at or below area median income, which, for the purposes of this subsection C., is the median household income for the TDR receiving area as established by the United States Department of Housing and Urban Development, adjusted for household size, or other improvements or programs that facilitate increased densities on or near receiving sites.

D. When King County funds amenities in whole or in part, the funding shall not commit the county to funding any additional amenities or improvements to existing or uncompleted amenities.

E. King County funding of amenities shall not exceed appropriations adopted by the council or funding authorized in interlocal agreements, whichever is less.

F. Public transportation amenities shall enhance the transportation system. These amenities may include capital improvements such as passenger and layover facilities, if the improvements are within a designated receiving area or within one thousand five hundred feet of a receiving site. These amenities may also include programs such as the provision of security at passenger and layover facilities and programs that reduce the use of single occupant vehicles, including car sharing and bus pass programs.

13974 G. Road fund amenities shall enhance the transportation system. These amenities
13975 may include capital improvements, such as streets, traffic signals, sidewalks, street
13976 landscaping, bicycle lanes, and pedestrian overpasses, if the improvements are within a
13977 designated receiving site area or within one thousand five hundred feet of a receiving site.
13978 These amenities may also include programs that enhance the transportation system.

13979 H. All amenity funding provided by King County to cities, or to urban
13980 unincorporated receiving areas to facilitate the transfer of development rights shall be
13981 consistent with federal, state, and local laws.

13982 I. The timing and amounts of funds for amenities paid by King County to each
13983 participating city shall be determined in an adopted interlocal agreement. The interlocal
13984 agreement shall set forth the amount of funding to be provided by the county, an
13985 anticipated scope of work, work schedule, and budget governing the use of the amenity
13986 funds. Except for the amount of funding to be provided by the county, these terms may
13987 be modified by written agreement between King County and the city. Such an agreement
13988 need not be in the form of an interlocal agreement. Such an agreement must be
13989 authorized by the TDR executive board. If amenity funds are paid to a city to operate a
13990 program, the interlocal agreement shall set the period during which the program is to be
13991 funded by King County.

13992 J. A city that receives amenity funds from the county is responsible for using the
13993 funds for the purposes and according to the terms of the governing interlocal agreement.

13994 K. To facilitate timely implementation of capital improvements or programs at
13995 the lowest possible cost, King County may make amenity payments as authorized in an
13996 interlocal agreement to a city before completion of the required improvements or

13997 implementation programs, as applicable. If all or part of the required improvements or
13998 implementation programs in an interlocal agreement to be paid for from King County
13999 funds are not completed by a city within five years from the date of the transfer of
14000 amenity funds, then, unless the funds have been used for substitute amenities by
14001 agreement of the city and King County, those funds, plus interest, shall be returned to
14002 King County and deposited into the originating amenity fund for reallocation to other
14003 TDR projects.

14004 L. King County is not responsible for maintenance, operating, and replacement
14005 costs associated with amenity capital improvements inside cities, unless expressly agreed
14006 to in an interlocal agreement.

14007 SECTION 321. Ordinance 13733, Section 15, as amended, and K.C.C.

14008 21A.37.160 are hereby amended to read as follows:

14009 A. The TDR executive board is hereby established. The TDR executive board
14010 shall be composed of the director of the budget office, the director of the department of
14011 natural resources and parks, the director of the department of local services, and the
14012 director of finance, or their designees. A representative from the King County council
14013 staff, designated by the council chair, may participate as an ex officio, nonvoting member
14014 of the TDR executive board. The TDR executive board shall be chaired by the director
14015 of the department of natural resources and parks or designee.

14016 B. The issues that may be addressed by the executive board include, but are not
14017 limited to, using site evaluation criteria established by administrative rules, ranking and
14018 selecting sending sites to be purchased by the TDR bank, recommending interlocal
14019 agreements and the provision of TDR amenities, if any, to be forwarded to the executive,

14020 identifying future funding for amenities in the annual budget process, enter into other
14021 written agreements necessary to facilitate density transfers by the TDR bank, and
14022 otherwise oversee the operation of the TDR bank to measure the effectiveness in
14023 achieving the policy goals of the TDR program.

14024 C. The department of natural resources and parks shall provide lead staff support
14025 to the TDR executive board. Staff duties include, but are not limited to:

14026 1. Making recommendations to the TDR executive board on TDR program and
14027 TDR bank issues on which the TDR executive board must take action;

14028 2. Facilitating development rights transfers through marketing and outreach to
14029 the public, community organizations, ~~((developers))~~ applicants, and cities;

14030 3. Identifying potential receiving sites;

14031 4. Developing proposed interlocal agreements with cities;

14032 5. Assisting in the implementation of TDR executive board policy in
14033 cooperation with other departments;

14034 6. Ranking certified sending sites for consideration by the TDR executive
14035 board;

14036 7. Negotiating with cities to establish city receiving areas with the provision of
14037 amenities;

14038 8. Preparing agendas for TDR executive board meetings;

14039 9. Recording TDR executive board meeting summaries;

14040 10. Preparing administrative rules in accordance with K.C.C. chapter 2.98 to
14041 implement this chapter; and

11. Preparing periodic reports on the progress of the TDR program to the council with assistance from other departments.

NEW SECTION. SECTION 322. There is hereby added to K.C.C. chapter 21A.37 a new section to read as follows:

A.1. The TDR bank may establish in-lieu fee TDRs by collecting a fee-in-lieu of selling TDRs from the TDR bank when TDR inventory is unavailable.

2. TDR executive board shall determine when in-lieu fee TDRs may be made available by considering the following:

- a. inventory of TDR bank and privately owned TDRs;
- b. type of TDR needed by receiving site;
- c. price of available privately owned TDRs; and
- d. opportunities to obtain new TDRs from eligible sending sites.

3. In-lieu fee TDRs may be designated as rural or urban.

4. The TDR bank shall sell in-lieu fee TDRs in accordance with K.C.C. 21A.37.130 and 21A.37.140.

5. In-lieu fee TDRs shall not be used for rural area receiving sites.

B. The county shall establish and maintain an internal tracking system that identifies all funds collected through the sale of in-lieu fee TDRs, the quantity of in-lieu fee TDRs purchased through the TDR bank, and all TDRs purchased using funds collected from the sale of in-lieu fee TDRs.

C. The TDR bank shall use funds collected from the sale of in-lieu fee TDRs to purchase TDRs from qualified sending sites in a type and amount that is appropriate for the development use and in accordance with K.C.C. 21A.37.110. Funds collected from

14065 the sale of in-lieu fee TDRs that were designated as rural shall be used to purchase TDRs
14066 from the rural area or natural resource lands.

14067 NEW SECTION. SECTION 323. There is hereby added to K.C.C. chapter
14068 21A.37 a new section to read as follows:

14069 By May 1, 2026, and every two years thereafter, the executive shall electronically
14070 file a TDR program report with the clerk of the council, who shall retain the original and
14071 provide an electronic copy to all councilmembers, the council chief of staff, and the lead
14072 staff for the transportation, economy, and environment committee or its successor. The
14073 TDR program report should address the following:

- 14074 A. Information on sending site enrollments;
- 14075 B. Information on uses of TDRs at receiving sites;
- 14076 C. An accounting of revenues received and expenditures made through the TDR
14077 bank; and
- 14078 D. The status of amenity funding for receiving areas.

14079 SECTION 324. Ordinance 10870, Section 579, as amended, and K.C.C.
14080 21A.38.030 are hereby amended to read as follows:

- 14081 A. Property-specific development standards, or P-suffix conditions, denoted by
14082 the zoning map symbol -P after the zone's map symbol or a notation in the geographic
14083 information system data layers, shall be established on individual properties through
14084 either reclassifications or area zoning. All property-specific development standards are
14085 contained in Appendix ((of)) A to Ordinance 12824 ~~((as currently in effect or hereinafter~~
14086 ~~amended))~~, as amended, and shall be maintained by the department of local services,
14087 permitting division, in the Property Specific Development Conditions notebook. Upon

14088 the effective date of reclassification of a property to a zone with a "-P" suffix, the
14089 property-specific development standards adopted thereby shall apply to any development
14090 proposal on the subject property subject to county review, including, but not limited to, a
14091 building permit, grading permit, subdivision, short subdivision, subsequent
14092 reclassification to a potential zone, ~~((urban planned development,))~~ conditional use
14093 permit, variance, and special use permit.

14094 B. Property-specific development standards shall address problems unique to
14095 individual properties or a limited number of neighboring properties that are not addressed
14096 or anticipated by general minimum requirements of this title or other regulations.

14097 C. Property-specific development standards shall cite the provisions of this title,
14098 if any, that are to be augmented, limited, or increased, shall be supported by
14099 documentation that addresses the need for such a condition or conditions, and shall
14100 include street addresses, tax lot numbers, or other clear means of identifying the
14101 properties subject to the additional standards. Property-specific development standards
14102 are limited to:

- 14103 1. Limiting the range of ~~((permitted))~~ allowed land uses;
- 14104 2. Requiring special development standards for property with physical
14105 constraints ~~((e.g.)),~~ such as environmental hazards~~((;))~~ or view corridors~~((;))~~;
- 14106 3. Requiring specific site design features ~~((e.g.)),~~ such as building orientation,
14107 lot layout, clustering, trails, or access location~~((;))~~;
- 14108 4. Specifying the phasing of the development of a site;
- 14109 5. Requiring public facility site dedications or improvements ~~((e.g.)),~~ such as
14110 roads, utilities, parks, open space, trails, or school sites~~((;))~~; or

14111 6. Designating sending and receiving sites for transferring density credits as
14112 provided in K.C.C. chapter ~~((21A.36))~~ 21A.37.

14113 D. Property-specific development standards shall not be used to expand
14114 ~~((permitted))~~ allowed uses or reduce minimum requirements of this title.

14115 SECTION 325. Ordinance 10870, Section 579, as amended, and K.C.C.
14116 21A.38.060 are hereby amended to read as follows:

14117 A. The purpose of the office/research park special district overlay, which is SO-
14118 060, is to establish an area for development to occur in a campus setting with integrated
14119 building designs, flexible grouping of commercial and industrial uses, generous
14120 landscaping and buffering treatment, and coordinated auto and pedestrian circulation plans.
14121 Office/research park districts shall only be established in areas designated within a
14122 community plan and zoned RB, O₂ or I zones. Permitted uses shall include all uses
14123 permitted in the RB, O₂ and I zones, as set forth in K.C.C. chapter 21A.08, regardless of the
14124 classification used as the underlying zone on a particular parcel of land.

14125 B. The following development standards shall apply to uses locating in
14126 office/research park overlay districts:

- 14127 1. All uses shall be conducted inside an entirely enclosed building;
- 14128 2. An internal circulation plan shall be developed to facilitate pedestrian and
14129 vehicular traffic flow between major project phases and individual developments;
- 14130 3. The standards in this section shall be applied to the development as a unified
14131 site, notwithstanding any division of the development site under a binding site plan or
14132 subdivision;

14133 4. All buildings shall maintain a fifty-foot setback from perimeter streets and from
14134 ~~((rural area and residential))~~ RA, UR, and R zones;

14135 5. The total permitted impervious lot coverage shall be eighty-percent. The
14136 remaining twenty-percent shall be devoted to open space. Open space may include all
14137 required landscaping, and any unbuildable critical areas and their associated buffers;

14138 6. The landscaping standards in K.C.C. chapter 21A.16 are modified as follows:

14139 a. Twenty-foot wide Type II landscaping shall be provided along exterior streets,
14140 and twenty-foot wide Type III landscaping shall be provided along interior streets;

14141 b. Twenty-foot wide Type I landscaping shall be provided along property lines
14142 adjacent to ~~((rural area and residential))~~ RA, UR, and R zones;

14143 c. Fifteen-foot wide Type II landscaping shall be provided along lines adjacent
14144 to nonresidential zoned areas; and

14145 d. Type IV landscaping shall be provided within all surface parking lots as
14146 follows:

14147 (1) Fifteen percent of the parking area, excluding required perimeter
14148 landscaping, shall be landscaped in parking lots with more than thirty-parking stalls;

14149 (2) At least one tree for every four parking stalls shall be provided, to be
14150 reasonably distributed throughout the parking lot; and

14151 (3) No parking stall shall be more than forty-feet from some landscaping;

14152 e. An inventory of existing site vegetation shall be conducted pursuant to the
14153 procedures in K.C.C. chapter 21A.16, and

14154 f. An overall landscaping plan that conforms to the requirements of this
14155 subsection shall be submitted for the entire district or each major development phase before
14156 the issuance of any site development, grading, or building permits;

14157 7. Lighting within an office/industrial park shall shield the light source from the
14158 direct view of surrounding residential areas;

14159 8. Refuse collection/recycling areas and loading or delivery areas shall be located
14160 at least one hundred feet from residential areas and screened with a solid view-obscuring
14161 barrier;

14162 9. Off-street parking standards as in K.C.C. chapter 21A.18 are modified as
14163 follows:

14164 a. one space for every three hundred square feet of floor area shall be provided
14165 for all uses, except on-site daycare, exercise facilities, eating areas for employees, archive
14166 space for tenants, and retail/service uses;

14167 b. parking for on-site daycare, exercise facilities, eating areas for employees,
14168 archive space for tenants, and retail/service uses shall be no less than one space for every
14169 one thousand square feet of floor area and no greater than one space for every five hundred
14170 square feet of floor area; and

14171 c. at least twenty-five percent of required parking shall be located in a parking
14172 structure; and

14173 10. Sign standards in K.C.C. chapter 21A.20 are modified as follows:

14174 a. Signs visible from the exterior of the park shall be limited to one monument
14175 office/research park identification sign at each entrance. The signs shall not exceed an area
14176 of sixty-four square feet per sign;

14177 b. no pole signs shall be permitted; and

14178 c. all other signs shall be visible only from within the park.

14179 SECTION 326. Ordinance 12809, Section 5, as amended, and K.C.C.

14180 21A.38.120 are hereby amended to read as follows:

14181 A. The purpose of the wetland management area special overlay district, which is
14182 SO-180, is to provide a means to designate certain unique and outstanding wetlands when
14183 necessary to protect their functions and values from the impacts created from geographic
14184 and hydrologic isolation and impervious surface.

14185 B. the following development standards shall be applied in addition to all
14186 applicable requirements of K.C.C. chapter 21A.24 to development proposals located
14187 within a wetland management area district overlay:

14188 1. All subdivisions and short subdivisions on ~~((residentially zoned properties~~
14189 ~~that are identified in an adopted basin plan for impervious surface limitations,))~~ RA, UR
14190 or R zoned lands located within the wetland management area shall have a maximum
14191 impervious surface area of eight percent of the gross acreage of the ~~((plat))~~ subdivision.
14192 ~~((For areas that are not covered by an adopted basin plan, this limit shall apply to all~~
14193 ~~residentially zoned lands located within the wetland management area.))~~ Distribution of
14194 the allowable impervious area among the ~~((platted))~~ subdivided lots shall be recorded on
14195 the face of the plat. Impervious surface of existing roads ~~((need))~~ shall not be counted
14196 towards the allowable impervious area. This condition may be modified by the director
14197 for the minimum necessary to accommodate unusual site access conditions; and
14198 2. All ~~((subdivisions and short subdivisions on properties identified in an~~
14199 ~~adopted basin plan for clustering and setback requirements))~~ development shall be

14200 ~~((required to cluster))~~ sited away from wetlands or the axis of corridors along stream
14201 tributaries and identified swales connecting wetlands in order to minimize land
14202 disturbance and maximize distance from ~~((these sensitive features))~~ critical areas. At
14203 least sixty-five percent of affected portions of RA-zoned properties and at least fifty
14204 percent of all other affected portions of the property shall be left in native vegetation,
14205 preferably forest, and placed in a permanent ~~((open space))~~ natural area tract. ~~((In the~~
14206 ~~absence of a basin plan, these requirements shall apply to all lands containing or adjacent~~
14207 ~~to a wetland, a stream tributary corridor or a swale connecting wetlands; and~~

14208 ~~3. Clearing and grading activity from October 1 through March 31 shall meet~~
14209 ~~the provisions of K.C.C. 16.82.150D wherever not already applicable.))~~

14210 SECTION 327. Ordinance 12823, Section 8, as amended, and K.C.C.

14211 21A.38.130 are hereby amended to read as follows:

14212 A. The purpose of the agricultural production buffer special district overlay, which
14213 is SO-120, is to provide a buffer between agricultural and upslope residential land uses. An
14214 agricultural production buffer special district overlay shall only be established in areas
14215 adjacent to an agricultural production district and zoned RA.

14216 B. The following development standard shall apply to residential subdivisions
14217 locating in an agricultural production buffer special district overlay: Lots shall be clustered
14218 in accordance with K.C.C. 21A.14.040 and at least seventy-five percent of a site shall
14219 remain as open space, unless greater lot area is required by ~~((the Seattle King County~~
14220 ~~department of public health))~~ public health - Seattle & King County.

14221 SECTION 328. Ordinance 12823, Section 10, and K.C.C. 21A.38.150 are hereby
14222 amended to read as follows:

14223 A. The purpose of the (~~((ground water))~~) groundwater protection special district
14224 overlay, which is SO-140, is to limit land uses that have the potential to severely
14225 contaminate groundwater supplies and to provide increased areas of permeable surface to
14226 allow for infiltration of surface water into ground resources.

14227 B. For all commercial and industrial development proposals, at least (~~((40))~~) forty
14228 percent of the site shall remain in natural vegetation or planted with landscaping, which
14229 area shall be used to maintain predevelopment infiltration rates for the entire site. For
14230 purposes of this special district overlay, the following shall be considered commercial
14231 and industrial land uses:

14232 1. (~~((amusement/entertainment))~~) Recreational and cultural land uses as defined
14233 by K.C.C. 21A.08.040, except parks, trails, golf facilities, and arboretums;

14234 2. (~~((general))~~) Personal services and lodging land uses as defined by K.C.C.
14235 21A.08.050, except (~~((health and educational services,))~~) daycare ((1)) I, (~~((churches,~~
14236 ~~synagogues, and temples))~~) and religious facilities;

14237 3. (~~((government/b))~~) Business services land uses as defined by K.C.C.
14238 21A.08.060 (~~((except government services))~~) land uses;

14239 4. (~~((r))~~) Retail (~~((/wholesale))~~) land uses as defined by K.C.C. 21A.08.070, except
14240 forest product sales and agricultural product sales;

14241 5. (~~((manufacturing))~~) Industrial land uses as defined by K.C.C. 21A.08.080;
14242 and((;))

14243 6. (~~((mineral extraction and processing))~~) Resource land uses as defined by
14244 K.C.C. 21A.08.090, except agriculture land uses, forestry and uses, fish and wildlife
14245 management land uses, and accessory uses.

14246 C. ~~((Permitted))~~ Allowed uses within the area of the ~~((ground-water))~~

14247 groundwater protection special district overlay shall be those ~~((permitted))~~ allowed in the

14248 underlying zone, excluding the following ~~((as defined by Standard Industrial~~

14249 ~~Classification number and type))~~:

14250 1. ~~((SIC 4581, airports, flying fields, and airport terminal services;~~

14251 2. ~~SIC 4953, refuse systems, (including landfills and garbage transfer stations~~

14252 ~~operated by a public agency);~~

14253 3. ~~SIC 4952, sewerage systems (including wastewater treatment facilities); and~~

14254 4. ~~SIC 7996, amusement parks; SIC 7948, racing, including track operation; or~~

14255 ~~other commercial establishments or enterprises involving large assemblages of people or~~

14256 ~~automobiles except where excluded by section B above;~~

14257 5. ~~SIC 0752, animal boarding and kennel services;~~

14258 6. ~~SIC 1721, building painting services;~~

14259 7. ~~SIC 3260, pottery and related products manufacturing;~~

14260 8. ~~SIC 3599, machine shop services;~~

14261 9. ~~SIC 3732,))~~ Aircraft, ship, and boat building and repairing;

14262 ~~((10. SIC 3993, electric and neon sign manufacturing;~~

14263 11. ~~SIC 4226, automobile storage services;~~

14264 12. ~~SIC 7334, blueprinting and photocopying services;~~

14265 13.)) 2. Warehousing and wholesale trade;

14266 3. SIC Industry 7534~~((,-t))-Tire ((r))Retreading ((and repair services));~~

14267 ~~((14. SIC 7542, car washes;~~

14268 15. ~~SIC 8731, commercial, physical and biological research laboratory services;~~

14269 ~~16. SIC 02, interim agricultural crop production and livestock quarters or~~
14270 ~~grazing on properties 5 acres or larger in size;~~
14271 ~~17. SIC 0752, public agency animal control facility;~~
14272 ~~18. SIC 2230, 2260, textile dyeing;~~
14273 ~~19. SIC 2269, 2299, textile and textile goods finishing;~~
14274 ~~20. SIC 2700, printing and publishing industries;~~
14275 ~~21. SIC 2834, pharmaceuticals manufacturing;~~
14276 ~~22. SIC 2844, cosmetics, perfumes and toiletries manufacturing;~~
14277 ~~23. SIC 2893, printing ink manufacturing;~~
14278 ~~24. SIC 3000, rubber products fabrication;~~
14279 ~~25. SIC 3111, leather tanning and finishing;~~
14280 ~~26. SIC 3400, metal products manufacturing and fabrication;~~
14281 ~~27. SIC 3471, metal electroplating;~~
14282 ~~28. SIC 3691, 3692, battery rebuilding and manufacturing;~~
14283 ~~29. SIC 3711, automobile manufacturing; and~~
14284 ~~30. SIC 4600, petroleum pipeline operations))~~ 4. SIC Industry Group 754-
14285 Automotive Service; and
14286 5. SIC Major Group 36 - Electronic and Other Electric Equipment.
14287 SECTION 329. Ordinance 12823, Section 11, and K.C.C. 21A.38.160 are hereby
14288 amended to read as follows:
14289 A. The purpose of the aviation facilities special district overlay, which is SO-150,
14290 is to protect existing non-commercial airports from encroaching residential development.

14291 An aviation facilities special district overlay shall only be established in the area up to 1/4
14292 mile around airports and shall be zoned UR or RA.

14293 B. The following development standards shall apply to uses locating in aviation
14294 facilities special overlay districts:

14295 On the title of all properties within pending short subdivisions or subdivisions and
14296 binding site plans, the following statement shall be recorded and be shown to all
14297 prospective buyers of lots or homes:

14298 "This property is located near the (name of airport) which is recognized as a
14299 legitimate land use by King County. Air traffic in this area, whether at current or increased
14300 levels, is consistent with King County land use policies provided it conforms to all
14301 applicable state and federal laws."

14302 SECTION 330. Ordinance 12823, Section 12, and K.C.C. 21A.38.170 are hereby
14303 amended to read as follows:

14304 A. The purpose of the urban aquifer protection area special district overlay, which
14305 is SO-160, is to provide additional protection for urban areas that are highly susceptible to
14306 ~~((ground water))~~ groundwater contamination. An urban aquifer protection area
14307 special district overlay shall only be established within areas designated in the
14308 comprehensive plan as highly susceptible to ground water contamination, including the
14309 surrounding area up to 1/2 mile, and zoned UR, R, NB, CB, O, and I.

14310 B. Permitted uses shall be those permitted in the underlying zone, excluding the
14311 following as defined by Standard Industrial Classification (SIC) number and type:

14312 1. SIC Industry 4953~~((,r))~~-Refuse ((s))Systems ~~((including hazardous waste~~
14313 ~~recycling or treatment and solid waste landfills)))~~;

14314 2. SIC Industry Group 461~~((transportation))~~-Pipelines, ~~((except))~~ ~~((natural))~~ ~~((gas))~~
14315 ~~((including petroleum pipelines)))~~; and

14316 3. businesses maintaining open storage of toxic substances.

14317 C. New septic tank drainfield systems shall be prohibited.

14318 SECTION 331. Ordinance 12823, Section 15, as amended, and K.C.C.
14319 21A.38.200 are hereby amended to read as follows:

14320 A. The purpose of the erosion hazards near sensitive water bodies special district
14321 overlay ~~((district))~~, which is SO-190, is to provide a means to designate sloped areas posing
14322 erosion hazards which drain directly to lakes or streams of high resource value which are
14323 particularly sensitive to the impacts of increased erosion and the resulting sediment loads
14324 from development.

14325 B. The following development standards shall be applied in addition to all
14326 applicable requirements of K.C.C. chapter 21A.24 to development proposals located within
14327 erosion hazards near a sensitive water bodies special district overlay:

14328 1. A no-disturbance area shall be established on the sloped portion of the special
14329 district overlay to prevent damage from erosion. Land clearing or development shall not
14330 occur in the no-disturbance area, except for the clearing activities listed in subsection a.
14331 Clearing activities listed in subsection a, shall only be permitted if they meet the
14332 requirements of subsection b.

14333 a. Clearing activities may be permitted as follows:

14334 i. for the construction of single ~~((family))~~ detached residences on pre-existing
14335 separate lots;

14336 ii. for the construction of utility corridors to service existing development along
14337 existing rights-of-way including any vacated portions of otherwise contiguous rights-of-
14338 way;

14339 iii. for the construction of roads providing sole access to buildable property and
14340 associated utility facilities within those roadways; or

14341 iv. for the construction of development within an isolated no-disturbance area
14342 of two acres or less in size. The isolated no-disturbance area is either geologically
14343 separated from other no-disturbance areas or lies completely within a separate drainage
14344 subbasin and is, therefore, hydrologically isolated from the rest of the no-disturbance area.

14345 b. The clearing activities listed in subsection a. may be permitted only if the
14346 following requirements are met:

14347 i. a report which meets the requirements of K.C.C. 21A.24.120 shall show that
14348 the clearing activities will not subject the area to risk of landslide or erosion and that the
14349 purpose of the no-disturbance area is not compromised in any way;

14350 ii. the clearing activities shall be mitigated, monitored, and bonded consistent
14351 with the mitigation requirements applicable to sensitive areas regulated in K.C.C. chapter
14352 21A.24;

14353 iii. the clearing activities are limited to the minimal area and duration necessary
14354 for construction; and

14355 iv. the clearing activities are consistent with K.C.C. chapter 21A.24.

14356 2. The upslope boundary of the no-disturbance area lies at the first obvious break
14357 in slope from the upland plateau over onto the steep valley walls. The downslope boundary
14358 of this zone includes those areas designated as erosion or landslide hazard areas pursuant to

14359 K.C.C. 21A.24.220 and K.C.C. 21A.24.280. The sensitive areas folio indicates the general
14360 location of these hazard areas, but it cannot be used to specify the areas' precise boundaries.
14361 Maps of the approximate boundaries of these no-disturbance zones shall be available at the
14362 department. ~~((Single family or multi family r))~~ Residential density from the no-disturbance
14363 area may be reallocated onto any buildable portion of the site ~~((pursuant to))~~ consistent
14364 with K.C.C. ~~((21A.12.080,))~~ 21A.12.070 or transferred to other sites pursuant to K.C.C.
14365 chapter 21A.36;

14366 3. New development proposals for sites which drained predeveloped runoff to the
14367 no-disturbance zone shall evaluate the suitability of onsite soils for infiltration. All runoff
14368 from newly constructed impervious surfaces shall be retained on-site unless this
14369 requirement precludes the ability to meet applicable minimum density requirements in
14370 ~~((K.C.C. 21A.12))~~ this title. When minimum density cannot be met, runoff shall be
14371 retained on-site as follows:

14372 a. Infiltration of all site runoff shall be required in granular soils as defined in the
14373 ~~((King County))~~ Surface Water Design Manual.

14374 b. Infiltration of downspouts shall be required in granular soils and in soil
14375 conditions defined as allowable in the Surface Water Design Manual when feasible to fit
14376 the required trench lengths on-site;

14377 c. When infiltration of downspouts is not feasible, downspout dispersion
14378 trenches shall be required when minimum flow paths defined in the Surface Water Design
14379 Manual can be met onsite or into adjacent open space; and

14380 d. When dispersion of downspouts is not feasible, downspouts shall be
14381 connected to the drainage system via perforated pipe.

14382 4. For the portions of proposed subdivisions, short subdivisions, and binding site
14383 plans that cannot infiltrate runoff up to the 100-year peak flow, at least ~~((25))~~ twenty-five
14384 percent shall remain undisturbed and set aside in an ~~((open space))~~ natural area tract
14385 ~~((consistent with K.C.C. 21A.24.150-180))~~; and

14386 5. For the portions of all development proposals that cannot infiltrate runoff up to
14387 the 100-year peak flow, no more than ~~((35))~~ thirty-five percent of the gross site area shall
14388 be covered by impervious surfaces. For new subdivisions and short subdivisions,
14389 maximum lot coverage should be specified for subsequent residential building permits on
14390 individual lots.

14391 6. If the application of this section would deny all reasonable use of property, the
14392 applicant may apply for a reasonable use exception pursuant to K.C.C. 21A.24.070.B.

14393 7. The director may modify the property-specific development standards required
14394 by B.1 through B.5 of this section, when a development proposal complies with the
14395 following:

14396 a. The proposed development is subject to public/private partnerships such as an
14397 approved community block grant or other such water quality program designed to improve
14398 water quality in the basin,

14399 b. The proposed development is designated by King County, in consultation
14400 with the Lake Sammamish Management Committee, as a demonstration project designed
14401 to implement best management practices and state of the art technology that assures the
14402 greatest possible improvement to water quality, and

14403 c. A site-specific study is conducted by the applicant and approved by the
14404 director, which demonstrates that the proposed development substantially increases water
14405 quality by showing the following:

14406 (1) water quality on-site is improved;

14407 (2) the development project will not subject downstream channels to increased
14408 risk of landslide or erosion;

14409 (3) the development project will not subject the nearest sensitive water body to
14410 additional erosion hazards; and

14411 (4) the project is consistent with element a. and b. above, and provides
14412 predictable improvements to the water quality of Lake Sammamish.

14413 SECTION 332. Ordinance 12823, Section 16, as amended, and K.C.C.

14414 21A.38.210 are hereby amended to read as follows:

14415 A. The purpose of the heron habitat protection area special district overlay, which
14416 is SO-200, is to provide a means to designate areas that provide essential feeding, nesting,
14417 and roosting habitat for identified great blue heron rookeries. A district overlay will usually
14418 contain several isolated areas of known heron habitat in the general region surrounding the
14419 heron rookery.

14420 B. The following development standards shall be applied in addition to all
14421 applicable requirements of K.C.C. chapter 21A.24 and Title 25 to development proposals
14422 located within a heron habitat protection area district overlay:

14423 1. The following conditions shall apply to the wetland or along the main channel
14424 of the stream riparian zone containing the heron rookery (tributary streams are excluded):

14425 a. The one-hundred-year floodplain shall be left undisturbed. Development
14426 proposals on individual lots shall require the one-hundred-year floodplain to retain the
14427 native vegetation and be placed in a county-approved conservation easement or notice shall
14428 be placed on the title of the lot. The notice shall be approved by King County and filed
14429 with the records and licensing services division. The notice shall inform the public of the
14430 presence and location of the floodplain and heron habitat on the property and that
14431 limitations on actions in or affecting the area exist. Subdivisions, short subdivisions, and
14432 binding site plans shall require the one-hundred-year floodplain to retain the native
14433 vegetation and be placed in a critical areas tract, to be dedicated to the homeowner's
14434 association or other legal entity that assumes maintenance and protection of the tract.
14435 Determination of the floodplain shall be done for each permit application based on actual
14436 field survey using county-approved floodplain elevations;

14437 b. There shall be a six-hundred-sixty-foot radius buffer maintained around the
14438 periphery of the great blue heron rookery. If the critical areas and buffers are not adequate
14439 to provide the radius, then the buffer shall be expanded to meet the requirement. A rookery
14440 and its buffer shall be designated as critical area tract, easement, or noticed on title as
14441 required in this subsection; and

14442 c. All access shall be restricted under nest trees from February 15 to July 31 and
14443 noted on signage at the floodplain or buffer edge, whichever is further from the rookery.
14444 Access may be further restricted with fencing or dense plantings with native plant material
14445 approved by the county. All developments in R-12 or higher density zones shall restrict
14446 access and provide an interpretive sign that provides information about the stream or
14447 wetland and its wildlife, biological, and hydrological functions. All signs shall be

14448 consistent with critical area signage requirements and subject to review and approval of the
14449 county;

14450 2. Subdivisions, short subdivisions, binding site plans, site development permits,
14451 or other commercial or ((~~multifamily~~)) multiunit permits adjacent to stream reaches and
14452 wetlands designated on the heron habitat protection area district overlay map, shall provide
14453 buffers that are fifty feet greater than required pursuant to K.C.C. chapter 21A.24 along
14454 those streams and wetlands to provide habitat for herons. This additional fifty-foot buffer
14455 shall be planted with dense native plant material to discourage human intrusion into feeding
14456 or nesting and roosting areas. Plantings shall be reviewed and approved by the department.
14457 If conformance with the additional buffer requirement results in an unbuildable lot, then the
14458 minimum variation necessary to accommodate the proposed development shall be
14459 determined in consultation with county biologists and be reviewed and approved by the
14460 department;

14461 3. Along the shoreline of lakes and river corridors included in the heron habitat
14462 protection area, all subdivisions, short subdivisions, binding site plans, site development
14463 permits, or other commercial or ((~~multifamily~~)) multiunit permits shall provide a fifty-foot
14464 buffer in addition to required shoreline setbacks of K.C.C. Title 25 and chapter 21A.24.
14465 Along the shoreline of the major rivers (Sammamish, Green, Cedar, Snoqualmie,
14466 Snohomish, Skykomish, and White rivers), the setback requirement may be waived if a
14467 special wildlife study shows no great blue heron nesting, roosting, and feeding areas on the
14468 site. These studies shall be done by a wildlife biologist and approved by county biologists.
14469 This additional fifty-foot buffer shall be planted with dense native plant material to

14470 discourage human intrusion into feeding or nesting and roosting areas. Plantings shall be
14471 reviewed and approved by the department; and

14472 4. New docks, piers, bulkheads, and boat ramps constructed within the heron
14473 habitat protection area shall mitigate for loss of heron feeding habitat by providing
14474 enhanced native vegetation approved by the county adjacent to the development or between
14475 the development and the shoreline. Bulkheads shall be buffered from the water's edge by
14476 enhanced plantings of native vegetation approved by the county.

14477 SECTION 333. Ordinance 19146, Section 85, as amended, and K.C.C.

14478 21A.38.255 are hereby amended to read as follows:

14479 A. The purpose of the Bear Creek office and retail special district overlay, which is
14480 SO-290, is to provide additional commercial opportunities to support area residents and the
14481 local economy and to provide retail options for employees of the office zones.

14482 B. Allowed uses within the special district overlay shall be those uses allowed in
14483 the office zone in K.C.C. chapter 21A.08 and the following permitted land uses:

- 14484 1. Building materials and hardware stores;
- 14485 2. Retail nursery, garden center, and farm supply stores;
- 14486 3. Department and variety stores;
- 14487 4. ((~~SIC Major Group 54~~)) Food stores;
- 14488 5. ((~~SIC Industry Group 553~~)) Auto supply stores;
- 14489 6. ((~~SIC Industry Group 554~~)) Gasoline service stations;
- 14490 7. ((~~SIC Major Group 56~~)) Apparel and accessory stores;
- 14491 8. Furniture and home furnishings stores;
- 14492 9. ((~~SIC Major Group 58~~ ~~Eating and drinking places~~);

14493 ~~40.))~~ Drug store;

14494 ~~((11. SIC Industry Group 592--))~~ 10. Liquor stores;

14495 ~~((12. SIC Industry Group 593--))~~ 11. Used goods: antiques/secondhand shops;

14496 ~~((13.))~~ 12. Sporting goods and related stores;

14497 ~~((14.))~~ 13. Book, stationary, video, and art supply stores, except adult use

14498 facilities;

14499 ~~((15.))~~ 14. Jewelry stores;

14500 ~~((16.))~~ 15. Hobby, toy, and games shops;

14501 ~~((17.))~~ 16. Photographic and electronic shops;

14502 ~~((18.))~~ 17. Fabric shops;

14503 ~~((19. Florist shops;))~~

14504 ~~((20.))~~ 18. Personal medical supply stores; and

14505 ~~((21.))~~ 20. Pet shops(~~and~~

14506 ~~22. General services--Daycare H)).~~

14507 SECTION 334. Ordinance 19146, Section 83, and K.C.C. 21A.38.265 are hereby

14508 amended to read as follows:

14509 A. The purpose of the Martin Luther King Jr. Way South mixed-use special district

14510 overlay, which is SO-280, is to facilitate linkages to the existing Martin Luther King Jr

14511 Way South Neighborhood Business Center, incentivize commercial opportunities close to

14512 existing high-density housing, incentivize commercial development by allowing more uses

14513 than traditionally found in mixed-use developments, and provide flexibility in current

14514 square footage limitations.

14515 B. The following development standards shall be applied to all development
14516 proposals within the Martin Luther King Jr. Way South mixed-use special district overlay:

14517 1. New buildings shall be limited to mixed-use as defined in K.C.C. 21A.06.753;
14518 and

14519 2. A professional office as defined in K.C.C. 21A.06.910 is an allowed use as part
14520 of a mixed-use building in subsection B.1. of this section(~~(; and~~

14521 ~~3. Any nonresidential component of the building that is personal services allowed~~
14522 ~~in the zone under K.C.C. 21A.08.050 or retail use allowed in the zone under K.C.C.~~
14523 ~~21A.08.070 shall comply with K.C.C. 21A.12.230, except that K.C.C. 21A.12.230.A., B.~~
14524 ~~and C. do not apply to the development))~~).

14525 NEW SECTION. SECTION 335. There is hereby added to K.C.C. chapter
14526 21A.38 a new section to read as follows:

14527 A. The purpose of the Green Energy special district overlay, which is SO-340, is
14528 to advance the county's climate action goals by reducing barriers to generating renewable
14529 energy in King County, on properties whose location within one thousand feet of utility
14530 corridors and existing and historical waste management and mineral extraction sites
14531 makes them uniquely situated for maximizing green and renewable energy production
14532 while reducing transportation costs.

14533 B. The standards of this title and other county codes shall be applicable to
14534 development within the special district overlay, except that the permit requirements and
14535 conditions for the uses listed below shall replace those found for these uses in K.C.C.
14536 chapter 21A.08:

14537 1. The following uses are allowed as permitted uses:

14538 a. nonhydroelectric generation facility, anaerobic digester, and production of
14539 biogas from waste management processes on-site, regardless of whether electricity is
14540 generated on-site from the gas; and

14541 b. local distribution gas storage tank, only to support the biogas use in
14542 subsection B.1.a. of this section.

14543 2. The following uses are allowed as conditional uses:

14544 a. production of renewable hydrogen through electrolyzing water; and

14545 b. only when the use supports the regional solid waste or recycling system, or
14546 the county's diversion efforts:

14547 (1) energy resource recovery facility;

14548 (2) transfer station;

14549 (3) landfill; and

14550 (4) interim recycling facility.

14551 C. Uses and development within the mineral extraction portion of the overlay
14552 shall comply with state and county reclamation requirements.

14553 SECTION 336. Ordinance 13130, Section 6, and K.C.C. 21A.42.075 are hereby
14554 amended to read as follows:

14555 Modifications or expansions approved by the department shall be based on written
14556 findings that the proposed((:

14557 M))modification or expansion of a nonconformance located within a development
14558 governed by an existing conditional use permit, special use permit, or unclassified use
14559 permit((, or planned unit development)) shall provide the same level of protection for and
14560 compatibility with adjacent land uses as the original land use permit approval.

14561 SECTION 337. Ordinance 13130, Section 7, and K.C.C. 21A.42.150 are hereby
14562 amended to read as follows:

14563 For the purposes of this chapter, a land use permit shall mean a conditional use
14564 permit, special use permit, or unclassified use permit(~~((, or planned unit development))~~).

14565 SECTION 338. Ordinance 11621, Section 112, as amended, and K.C.C.
14566 21A.43.030 are hereby amended to read as follows:

14567 A. The fee for each district shall be calculated based on the formula set out in
14568 Attachment A to Ordinance 11621.

14569 B. Separate fees shall be calculated for single (~~((family))~~) detached and (~~((multi-~~
14570 ~~family))~~) multiunit residential units and separate student generation rates (~~((must))~~) shall be
14571 determined by the district for each type of residential unit. For purposes of this chapter,
14572 "single (~~((family))~~) detached units" (~~((shall))~~) means single detached (~~((dwelling units))~~)
14573 residences, and (~~((multi-family))~~) "multiunit units" (~~((shall))~~) means duplexes, houseplexes,
14574 cottage housing, townhouses, and apartments.

14575 C. The fee shall be calculated on a district-by-district basis using the appropriate
14576 factors and data to be supplied by the district, as indicated in Attachment A to Ordinance
14577 11621. The fee calculations shall be made on a district-wide basis to assure maximum
14578 utilization of all school facilities in the district used currently or within the last two years
14579 for instructional purposes.

14580 D. The formula in Attachment A to Ordinance 11621 also provides a credit for
14581 the anticipated tax contributions that would be made by the development based on
14582 historical levels of voter support for bond issues in the school district.

E. The formula in Attachment A to Ordinance 11621 also provides for a credit for school facilities or sites actually provided by an ~~((developer which))~~ applicant that the school district finds to be acceptable.

SECTION 339. Ordinance 11621, Section 114, as amended, and K.C.C. 21A.43.050 are hereby amended to read as follows:

A. In school districts where impact fees have been adopted by county ordinance and except as provided in K.C.C. 21A.43.080, the county shall collect impact fees, based on the schedules ~~((set forth))~~ in each ordinance establishing the fee to be collected for the district, from any applicant seeking development approval from the county where such development activity requires final plat~~((, PUD or UPD))~~ approval or the issuance of a residential building permit or a ~~((mobile))~~ manufactured home permit and the fee for the lot or unit has not been previously paid. ~~((No a))~~ Approval shall not be granted and ~~((no))~~ a permit shall not be issued until the required school impact fees ~~((set forth))~~ in the district's impact fee schedule contained in K.C.C. Title 27 have been paid.

B. For a ~~((plat, PUD or UPD))~~ subdivision applied for on or after the effective date of the ordinance adopting the fee for the district in question receiving final approval, fifty percent of the impact fees due on the ~~((plat, PUD or UPD))~~ subdivision shall be assessed and collected from the applicant at the time of final plat approval, using the impact fee schedules in effect when the plat~~((, PUD or UPD))~~ was approved. The balance of the assessed fee shall be allocated to the dwelling units in the project, and shall be collected when the building permits are issued. Residential developments proposed for short ~~((plats))~~ subdivisions shall be governed by subsection D₂ of this section.

14605 C. If, on the effective date of an ordinance adopting an impact fee for a district, a
14606 ~~((plat, PUD or UPD))~~ subdivision has already received preliminary approval, such ~~((plat,~~
14607 ~~PUD or UPD))~~ subdivision shall not be required to pay fifty percent of the impact fees at
14608 the time of final approval, but the impact fees shall be assessed and collected from the lot
14609 owner at the time the building permits are issued, using the impact fee schedules in effect
14610 at the time of building permit application. If, on the effective date of a district's
14611 ordinance, an applicant has applied for preliminary ~~((plat, PUD or UPD))~~ subdivision
14612 approval, but has not yet received such an approval, the applicant shall follow the
14613 procedures ~~((set forth))~~ in subsection B₂ of this section.

14614 D. For existing lots or lots not covered by subsection B₂ of this section,
14615 application for ~~((single-family))~~ single detached and ~~((multifamily))~~ multiunit residential
14616 building permits, ~~((mobile))~~ manufactured home permits, and site plan approval for
14617 ~~((mobile))~~ manufactured home ~~((parks))~~ communities, the total amount of the impact fees
14618 shall be assessed and collected from the applicant when the building permit is issued,
14619 using the impact fee schedules in effect at the time of permit application.

14620 E. Any application for preliminary ~~((plat, PUD or UPD))~~ subdivision approval or
14621 ~~((multifamily zoning which))~~ rezone that has been approved subject to conditions
14622 requiring the payment of impact fees established ~~((pursuant to))~~ in accordance with this
14623 chapter, shall be required to pay the fee in accordance with the condition of approval.

14624 F. In lieu of impact fee payment ~~((pursuant to))~~ under subsections A. through E.
14625 of this section, each applicant for a ~~((single-family))~~ single detached residential
14626 construction permit may request deferral of impact fee collection for up to the first twenty
14627 ~~((single-family))~~ single detached residential construction building permits per year.

14628 Applicants shall be identified by their contractor registration numbers. Deferred payment
14629 of impact fees shall occur either at the time of final permit inspection by the department
14630 of local services, permitting division, or eighteen months after the building permit is
14631 issued, whichever is earlier.

14632 SECTION 340. Ordinance 11621, Section 116, as amended, and K.C.C.
14633 21A.43.070 are hereby amended to read as follows:

14634 A. The following are excluded from the application of the impact fees:

14635 1. ~~((Any form of housing exclusively for the senior citizen, including nursing~~
14636 ~~homes and retirement centers, so long as these uses are maintained))~~ Senior assisted
14637 housing;

14638 2. Reconstruction, remodeling, or replacement of existing dwelling units
14639 ~~((which))~~ that does not result in additional new dwelling units. In the case of replacement
14640 of a dwelling, a complete application for a building permit ~~((must))~~ shall be submitted
14641 within three years after it has been removed or destroyed;

14642 3. ~~((Shelters for temporary placement, relocation facilities, transitional housing~~
14643 ~~facilities))~~ Uses identified in section 162 of this ordinance and ((€))community
14644 ~~((R))residential ((F))facilities~~ as defined in K.C.C. 21A.06.220;

14645 4. Any development activity that is exempt from the payment of an impact fee
14646 ~~((pursuant to))~~ under RCW 82.02.100, due to mitigation of the same system improvement
14647 under ~~((the State Environmental Policy Act))~~ SEPA;

14648 5. Any development activity for which school impacts have been mitigated
14649 ~~((pursuant to))~~ in accordance with a condition of ~~((plat, PUD or UPD))~~ subdivision
14650 approval to pay fees, dedicate land, or construct or improve school facilities, unless the

14651 condition of the ~~((plat, PUD or UPD))~~ subdivision approval provides otherwise;
14652 ~~((provided that))~~ but only if the condition of the ~~((plat, PUD or UPD))~~ subdivision
14653 approval predates the effective date of a school district's fee implementing ordinance;

14654 6. Any development activity for which school impacts have been mitigated
14655 ~~((pursuant to))~~ in accordance with a voluntary agreement entered into with a school
14656 district to pay fees, dedicate land, or construct or improve school facilities, unless the
14657 terms of the voluntary agreement provide otherwise; ~~((provided that))~~ but only if the
14658 agreement predates the effective date of a school district's fee implementing ordinance;

14659 7. Housing units ~~((which))~~ that fully qualify as housing for persons ~~((age 55))~~
14660 aged fifty-five and over meeting the requirements of the Federal Housing Amendments
14661 Act of 1988, 42 U.S.C. 3607(b)(2)(c) and (b)(3), as subsequently amended, and ~~((which))~~
14662 that have recorded covenants or other legal arrangements precluding school-aged children
14663 as residents in those units;

14664 8. ~~((Mobile))~~ Manufactured homes permitted as temporary dwellings ~~((pursuant~~
14665 ~~to))~~ in accordance with K.C.C. 21A.32.170; and

14666 9. Accessory dwelling units as defined in K.C.C. 21A.06.350 and K.C.C.
14667 21A.08.030.B.7.a.

14668 B. Arrangement may be made for later payment with the approval of the school
14669 district only if the district determines that ~~((it))~~ the school district will be unable to use or
14670 will not need the payment until a later time~~((, provided that s))~~. Sufficient security, as
14671 defined by the district, ~~((is))~~ shall be provided to assure payment. Security shall be made
14672 to and held by the school district, which will be responsible for tracking and documenting
14673 the security interest.

14674 C. The fee amount established in the schedule shall be reduced by the amount of
14675 any payment previously made for the lot or development activity in question, either as a
14676 condition of approval or ~~((pursuant to))~~ in accordance with a voluntary agreement with a
14677 school district entered into after the effective date of a school district's fee implementing
14678 ordinance.

14679 D. After the effective date of a school district's fee implementing ordinance,
14680 whenever a development is granted approval subject to a condition that the ~~((developer))~~
14681 applicant actually provide school sites, school facilities, or improvements to school
14682 facilities acceptable to the district, or whenever the ~~((developer))~~ applicant has agreed,
14683 ~~((pursuant to))~~ in accordance with the terms of a voluntary agreement with the school
14684 district, to provide land, provide school facilities, or make improvements to existing
14685 facilities, the ~~((developer))~~ applicant shall be entitled to a credit for the value of the land
14686 or actual cost of construction against the fee that would be chargeable under the formula
14687 provided by this chapter. The land value or cost of construction shall be estimated and
14688 documented at the time of approval ~~((, but must be documented))~~. If construction costs
14689 are estimated, the documentation shall be confirmed after the construction is completed
14690 to assure that an accurate credit amount is provided. If the land value or construction
14691 costs are less than the calculated fee amount, the difference remaining shall be chargeable
14692 as a school impact fee.

14693 E. Impact fees may be adjusted by the county, at the county's discretion, if one of
14694 the following circumstances exist, ~~((provided that))~~ but only if the discount ~~((set forth))~~ in
14695 the fee formula fails to adjust for the error in the calculation or fails to ameliorate for the
14696 unfairness of the fee:

14697 1. The ~~((developer))~~ applicant demonstrates that an impact fee assessment was
14698 incorrectly calculated; or

14699 2. Unusual circumstances identified by the ~~((developer))~~ applicant demonstrate
14700 that if the standard impact fee amount was applied to the development, it would be unfair
14701 or unjust.

14702 F. An ~~((developer))~~ applicant may provide studies and data to demonstrate that
14703 any particular factor used by the district may not be appropriately applied to the
14704 development proposal, but the district's data shall be presumed valid unless clearly
14705 demonstrated to be otherwise by the proponent.

14706 G. Any appeal of the decision of the director or the hearing examiner with regard
14707 to imposition of an impact ~~((for))~~ fee or fee amounts shall follow the appeal process for
14708 the underlying permit and not be subject to a separate appeal process. Where no other
14709 administrative appeal process is available, an appeal may be taken to the hearing
14710 examiner using the appeal procedures for variances. Any errors in the formula identified
14711 as a result of an appeal should be referred to the council for possible modification.

14712 H. Impact fees may be paid under protest in order to obtain a building permit or
14713 other approval of development activity, when an appeal is filed.

14714 SECTION 341. Ordinance 11621, Section 117, and K.C.C. 21A.43.080 are
14715 hereby amended to read as follows:

14716 A. Low~~((or moderate))~~-income housing projects ~~((being developed by public~~
14717 ~~housing agencies or private nonprofit housing developers))~~, including permanent
14718 supportive housing projects, shall be exempt from the payment of school impact fees.
14719 The amount of the school impact fees not collected from low~~((or moderate))~~-income

14720 household development shall be paid from public funds other than impact fee accounts.
14721 The impact fees for these units shall be considered paid for by the district through its
14722 other funding sources, without the district actually transferring funds from its other
14723 funding sources into the impact fee account. The ~~((planning and community~~
14724 ~~development))~~ housing, homelessness, and community development division shall review
14725 proposed developments of low~~((or moderate))~~-income housing ~~((by such public or~~
14726 ~~nonprofit developers pursuant to))~~ in accordance with criteria and procedures adopted by
14727 administrative rule, and shall advise the department of local services, permitting division,
14728 as to whether the project qualifies for the exemption.

14729 B. ~~((Private developers))~~ Applicants who dedicate residential units for occupancy
14730 by low ~~((or moderate))~~ income-households may apply to the housing, homelessness, and
14731 community development division for reductions in school impact fees ~~((pursuant to the~~
14732 ~~criteria established for public housing agencies and private non-profit housing developers~~
14733 ~~pursuant to))~~ in accordance with subsection A. of this section~~((, and subject to the~~
14734 ~~provisions of subsection A. of this section))~~. The housing, homelessness, and community
14735 development division shall review proposed developments of low~~((or moderate))~~-income
14736 housing by such private ~~((developers pursuant to))~~ applicants in accordance with criteria
14737 and procedures adopted by administrative rule, and shall advise the department of local
14738 services, permitting division, as to whether the project qualifies for the exemption. If the
14739 housing, homelessness, and community development division recommends the
14740 exemption, the department of local services, permitting division, shall reduce the
14741 calculated school impact fee for the development by an amount that is proportionate to
14742 the number of units in the development that satisfy the adopted criteria.

14743 C. ~~((Individual))~~ Developments for low~~((-or moderate))~~-income ~~((home~~
14744 ~~purchasers))~~ homeownership units (as defined pursuant to the King County
14745 Comprehensive Housing Affordability Strategy (CHAS)) who are ~~((purchasing))~~
14746 developing homes at prices within the~~((#))~~ eligibility limits based on standard lending
14747 criteria and meet other means tests established by rule by the housing, homelessness, and
14748 community development division are exempted from payment of the impact fee,
14749 ~~((provided))~~ except that at such time as the property in question is transferred to another
14750 owner who does not qualify for the exemption, at which time the fee shall be due and
14751 payable.

14752 D. The housing, homelessness, and community development division is hereby
14753 instructed and authorized to adopt, pursuant to K.C.C. chapter 2.98, administrative rules
14754 to implement this section. Such rules shall provide for the administration of this program
14755 and shall:

14756 1. Encourage the construction of housing for low~~((-or moderate))~~-income
14757 households ~~((by public housing agencies or private non-profit housing developers~~
14758 ~~participating in publicly sponsored or subsidized housing programs))~~;

14759 2. Encourage the construction ~~((in private developments))~~ of housing units for
14760 low~~((-or moderate))~~-income households that are in addition to units required by another
14761 housing program or development condition;

14762 3. Ensure that housing that qualifies as low~~((-or moderate))~~ cost meets
14763 appropriate standards regarding household income, rent levels or sale prices, location,
14764 number of units, and development size; and

14765 4. Ensure that ~~((developers))~~ applicants who obtain an exemption from or
14766 reduction of school impact fees will in fact build the proposed low ~~((or moderate))~~ cost
14767 housing and make it available to low~~((or moderate))~~-income households ~~((for a~~
14768 ~~minimum of fifteen years))~~.

14769 5. Ensure that individual low~~((or moderate))~~-income purchasers meet
14770 appropriate eligibility standards based on income and other financial means tests.

14771 E. As a condition of receiving an exemption under subsection B. or C. of this
14772 section, the ~~((owner must))~~ applicant shall execute and record a ~~((county drafted lien,))~~
14773 ~~covenant((, and/or other contractual provision))~~ against the property ~~((for a period of ten~~
14774 ~~years for individual owners, and fifteen years for private developers,))~~ guaranteeing that
14775 the proposed development will continue to be used for low~~((or moderate))~~-income
14776 housing. In the event that ~~((the pattern of development or))~~ the use of the development is
14777 no longer for low~~((or moderate))~~-income housing, then the owner shall pay the impact
14778 fee amount from which the owner or any prior owner was exempt. The ~~((lien,))~~
14779 ~~covenant((, or other contractual provision))~~ shall run with the land and apply to
14780 subsequent owners.

14781 F. All school impact fee exemptions, reductions, or waivers shall be approved by
14782 the school district that would receive the school impact fee, except for fee exemptions
14783 allowed under K.C.C. 21A.43.070 and K.C.C. 21A.43.080, fee reductions based on
14784 modifications to permits after issuance, or fee waivers for construction not begun.

14785 SECTION 342. Ordinance 11621, Section 118, and K.C.C. 21A.43.090 are
14786 hereby amended to read as follows:

14787 A. Impact fee receipts shall be earmarked specifically and retained in a special
14788 interest-bearing account established by the county solely for the district's school impact
14789 fees. All interest shall be retained in the account and expended for the purpose or purposes
14790 identified in subsection B. of this section. Annually, the county, based in part on the report
14791 submitted by the district under K.C.C. 21A.28.152, shall prepare a report on each impact
14792 fee account showing the source and amount of all moneys collected, earned, or received,
14793 and capital or system improvements that were financed in whole or in part by impact fees.

14794 B. Impact fees for the district's system improvements shall be expended by the
14795 district for capital improvements including but not limited to school planning, land
14796 acquisition, site improvements, necessary off-site improvements, construction, engineering,
14797 architectural, permitting, financing, and administrative expenses, relocatable facilities,
14798 capital equipment pertaining to educational facilities, and any other expenses which could
14799 be capitalized, and which are consistent with the school district's capital facilities plan.

14800 C. In the event that bonds or similar debt instruments are issued for the advanced
14801 provision of capital facilities for which impact fees may be expended and where consistent
14802 with the bond covenants, impact fees may be used to pay debt service on such bonds or
14803 similar debt instruments to the extent that the facilities or improvements provided are
14804 consistent with the requirements of this section.

14805 D. Impact fees shall be expended or encumbered, which means being committed as
14806 part of the funding for a facility for which the publicly funded share has been assured,
14807 building permits applied for, or construction contracts let, by the district for a permissible
14808 use within ten years of receipt by the county, unless there exists an extraordinary and
14809 compelling reason for fees to be held longer than ten years. Such extraordinary or

14810 compelling reasons shall be identified to the county by the district. The county must
14811 prepare written findings concurring with the district's reasons, and authorizing the later
14812 encumbrance or expenditure of the fees prior to the district so encumbering or expending
14813 the funds, or directing a refund of the fees.

14814 E. The current owner of property on which an impact fee has been paid may
14815 receive a refund of such fees if the impact fees have not been expended or encumbered
14816 within ten years of receipt of the funds by the county. In determining whether impact fees
14817 have been encumbered, impact fees shall be considered encumbered on a first in, first out
14818 basis. The county shall notify potential claimants by first-class mail deposited with the
14819 United States Postal Service addressed to the owner of the property as shown in the county
14820 tax records.

14821 F. An owner's request for a refund must be submitted to the permitting division in
14822 writing within one year of the date the right to claim the refund arises or the date that notice
14823 is given, whichever date is later. Any impact fees that are not expended or encumbered
14824 within these time limitations, and for which no application for a refund has been made
14825 within this one-year period, shall be retained and expended consistent with this section.
14826 Refunds of impact fees shall include any interest earned on the impact fees.

14827 G. Should the county seek to terminate any or all school impact fee requirements,
14828 all unexpended or unencumbered funds, including interest earned, shall be refunded to the
14829 current owner of the property for which a school impact fee was paid. Upon the finding
14830 that any or all fee requirements are to be terminated, the county shall place notice of the
14831 termination and the availability of refunds in a newspaper of general circulation at least two
14832 times and shall notify all potential claimants by first-class mail addressed to the owner of

the property as shown in the county tax records. All funds available for refund shall be retained for a period of one year. At the end of one year, any remaining funds shall be retained by the county, but must be expended for the district, consistent with this section. The notice requirement in this subsection shall not apply if there are no unexpended or unencumbered balances within the account or accounts being terminated.

H. An ~~((developer))~~ applicant may request and shall receive a refund, including interest earned on the impact fees, when:

1. The ~~((developer))~~ applicant does not proceed to finalize the development activity as required by statute or county code; and

2. No impact on the district has resulted. "Impact" shall be deemed to include cases where the district has expended or encumbered the impact fees in good faith prior to the application for a refund. In the event that the district has expended or encumbered the fees in good faith, no refund shall be forthcoming. However, if within a period of three years, the same or subsequent owner of the property proceeds with the same or substantially similar development activity, the owner shall be eligible for a credit. The owner must petition the county and provide receipts of impact fees paid by the owner for a development of the same or substantially similar nature on the same property or some portion thereof. The county shall determine whether to grant a credit, and such determinations may be appealed by following the procedures set forth in K.C.C. 21A.43.070.

I. Interest due upon the refund of impact fees required by this section shall be calculated according to the average rate received by the county or the district on invested funds throughout the period during which the fees were retained.

14856 SECTION 343. Ordinance 15170, Section 6, and K.C.C. 21A.45.010 are hereby
14857 amended to read as follows:

14858 It is the purpose of this chapter to ensure the maintenance of a safe environment
14859 within the homeless encampments and temporary microshelter villages and to address the
14860 potential impacts to neighborhoods by establishment of such ~~((homeless encampments))~~
14861 sites.

14862 SECTION 344. Ordinance 15170, Section 7, and K.C.C. 21A.45.020 are hereby
14863 amended to read as follows:

14864 The definitions in this section apply throughout this chapter and to K.C.C.
14865 20.20.020 unless the context clearly requires otherwise.

14866 A. "Homeless encampment" means a group of homeless persons temporarily
14867 residing out of doors on a site with a host and services provided by a sponsor and
14868 supervised by a managing agency.

14869 B. "Host" means the owner of the site property that has an agreement with the
14870 managing agency to allow the use of property for a homeless encampment or temporary
14871 microshelter village. A "host" may be the same entity as the sponsor or the managing
14872 agency.

14873 C. "Managing agency" means an organization that has the capacity to organize
14874 and manage a homeless encampment or temporary microshelter village. A "managing
14875 agency" may be the same entity as the host or the sponsor.

14876 D. "Temporary microshelter village" means a temporary site containing multiple
14877 microshelters and may provide cooking facilities or meals, hygiene facilities, including
14878 restrooms and showers, and a shared gathering space.

14879 (~~(D.)~~) E. "Public health" means (~~((the Seattle-King County department of))~~) public
14880 health - Seattle & King County.

14881 (~~(E.)~~) F. "Sponsor" means a local church or other local, community-based
14882 organization that has an agreement with the managing agency to provide basic services
14883 and support for the residents of a homeless encampment or temporary microshelter
14884 village and liaison with the surrounding community and joins with the managing agency
14885 in an application for a county permit. A "sponsor" may be the same entity as the host or
14886 the managing agency.

14887 SECTION 345. Ordinance 15170, Section 8, and K.C.C. 21A.45.030 are hereby
14888 amended to read as follows:

14889 A temporary microshelter village in the RA zone and the Snoqualmie Pass and
14890 Fall City Rural Towns or a homeless encampment may be permitted as a temporary use
14891 in accordance with K.C.C. chapter 21A.32 only in compliance with this chapter.

14892 SECTION 346. Ordinance 15170, Section 9, and K.C.C. 21A.45.040 are hereby
14893 amended to read as follows:

14894 The following written agreements shall be provided by the applicant:

14895 A. If the applicant is not the sponsor, an agreement to provide or coordinate basic
14896 services and support for the homeless encampment or temporary microshelter village
14897 residents and to join with the applicant in all applications for relevant permits; and

14898 B. If the applicant is not the host, an agreement granting permission to locate the
14899 homeless encampment or temporary microshelter village at the proposed location and to
14900 join with the applicant in all applications for relevant permits.

14901 SECTION 347. Ordinance 15170, Section 10, as amended, and K.C.C.
14902 21A.45.050 are hereby amended to read as follows:

14903 A. An application for a homeless encampment or temporary microshelter village
14904 shall be submitted to the department at least thirty days in advance of the desired date to
14905 commence the use for a type 1 permit or forty days in advance of the desired date to
14906 commence the use for a type 2 permit.

14907 B. In addition to contents otherwise required for ~~((such))~~ applications in subsection
14908 A., the application for a homeless encampment shall include:

14909 1. A copy of a written code of conduct adopted by the host or entered into
14910 between the host and managing agency addressing the issues identified in the example
14911 code of conduct, Attachment A to Ordinance 15170. The written code of conduct must
14912 require homeless encampment residents to abide by specific standards of conduct to
14913 promote health and safety within the homeless encampment and within the adjoining
14914 neighborhoods. The written code of conduct must prohibit the managing agency from
14915 preventing homeless encampment residents from calling 9-1-1 and from retaliating
14916 against homeless encampment residents who have called 9-1-1. Nothing in this
14917 subsection is intended to preclude the host and the managing agency from agreeing, in
14918 the written code of conduct, to additional terms or standards of conduct stricter than the
14919 example code of conduct;

14920 2. The name of the managing agency and the sponsor including the name and
14921 telephone number of the person available to immediately respond to an on-site problem;

14922 3. The host signature;

14923 4. The name of the on-site camp manager, or designee, who is available to
14924 immediately respond to an onsite problem and whose telephone number is posted at the
14925 encampment entrance and visible from one hundred feet outside the encampment; and

14926 5. The plan through which the managing agency and the sponsor will dispose of
14927 garbage and debris prior to vacating the encampment site at the end of the permit period.

14928 C. In addition to contents otherwise required for applications in subsection A. of
14929 this section, the application for a temporary microshelter village shall include:

14930 1. A description of the staffing and operational characteristics, including
14931 sanitation and basic safety measures required for the facility;

14932 2. Occupancy policies, including a description of the population to be served and
14933 a code of conduct that includes, at a minimum, a prohibition of threatening or unsafe
14934 behavior;

14935 3. A plan for managing the exterior appearance of the site, including keeping the
14936 site litter free;

14937 4. A plan for addressing reported concerns and making this information publicly
14938 available, including a phone number, email, and point of contact at the site of the facility
14939 for the community to report concerns;

14940 5. A plan for outreach with surrounding property owners and residents addressing
14941 items such as noise, smoking areas, parking, security procedures, and litter; and

14942 6. Plans and narrative documenting compliance with all applicable codes,
14943 including:

14944 a. an elevation of the building or buildings to be occupied;

14945 b. a floor plan that describes the capacities of the buildings for the uses intended,
14946 room dimensions, and a designation of the rooms to be used for nonambulatory residents, if
14947 any; and

14948 c. a site plan showing property lines, buildings, driveways, parking, fences,
14949 storage areas, gardens, recreation areas, and site improvements.

14950 NEW SECTION. SECTION 348. There is hereby added to K.C.C. chapter
14951 21A.45 a new section to read as follows:

14952 A temporary microshelter village is subject to the following standards:

14953 A. A temporary microshelter village shall only be allowed in the RA zone or in
14954 the Snoqualmie Pass and Fall City Rural Towns;

14955 B. The maximum number of microshelters at a temporary microshelter village
14956 shall be determined taking into consideration site conditions, but in no case shall be
14957 greater than twenty-five at any one time;

14958 C. The number of residents shall not exceed the number of beds available;

14959 D. The duration of a temporary microshelter village at any specific location shall
14960 not exceed one hundred and eighty days at any one time, including setup and dismantling
14961 of the temporary microshelter village;

14962 E. A temporary microshelter village shall be collocated on a religious facility
14963 property and shall not be located on the same site more than once every twelve months;

14964 F. The managing agency of a temporary microshelter village shall be a social
14965 service provider or nonprofit agency;

14966 G. The temporary microshelter village shall be buffered from surrounding
14967 properties with a minimum setback of ten feet along property lines and provide:

14968 1. ten feet of Type II landscaping consistent with K.C.C. 21A.16.040; or
14969 2. A six-foot high, view-obscuring fence;
14970 H. No permanent structures shall be erected on the temporary microshelter
14971 village;
14972 I. On-site services such as laundry, hygiene, meals, case management, and social
14973 programs shall be limited to use by residents;
14974 J. Supervision shall be provided by on-site staff at all times, unless it can be
14975 demonstrated that this level of supervision is not warranted for the population being
14976 housed;
14977 K. The managing agency shall provide sanitation and basic safety measures;
14978 L. All vehicles on-site shall be licensed and in operational condition.
14979 SECTION 349. Ordinance 15170, Section 13, as amended, and K.C.C.
14980 21A.45.080 are hereby amended to read as follows:
14981 The managing agency, in partnership with the sponsor, shall:
14982 A. At least fourteen days before the anticipated start date of the homeless
14983 encampment or temporary microshelter village, provide notification to all residences and
14984 businesses within five hundred feet of the boundary of the proposed ~~((homeless~~
14985 ~~encampment))~~ site, but the area shall be expanded as necessary to provide notices to at
14986 least twenty different residences or businesses, as well as any homeowner association
14987 representing residents receiving notice. The notice shall contain the following specific
14988 information:
14989 1. Name of sponsor;
14990 2. Name of host if different from the sponsor;

14991 3. ~~((Date the homeless encampment will begin))~~ Beginning and ending date;
14992 4. Length of stay;
14993 5. Maximum number of residents allowed;
14994 6. Planned location ~~((of the homeless encampment))~~;
14995 7. Dates, times, and locations of community informational meetings ~~((about the~~
14996 ~~homeless encampment))~~;
14997 8. Contact information including names and phone numbers for the managing
14998 agency and the sponsor; and
14999 9. A county contact person or agency; and
15000 B. Conduct at least one community informational meeting held on the host site,
15001 or nearby, at least ten days before the anticipated start date ~~((of the homeless~~
15002 ~~encampment))~~. The purpose of the meeting is to provide those residences and businesses
15003 that are entitled to notice under this section with information regarding the proposed
15004 duration and operation ~~((of the homeless encampment))~~, conditions that will be placed on
15005 the operation ~~((of the homeless encampment))~~, and requirements of the written code of
15006 conduct, and to answer questions ~~((regarding the homeless encampment))~~.
15007 SECTION 350. Ordinance 17950, Section 4, and K.C.C. 21A.45.095 are hereby
15008 amended to read as follows:
15009 If a violation of K.C.C. 21A.45.090 is determined to have occurred, the
15010 department may issue a notice of violation to the managing agency and the sponsor.
15011 Within six days of the notice issuance, the managing agency or the sponsor shall
15012 demonstrate to the department that the violation has been cured. If the violation is not
15013 cured within this time period as determined by the department, the department may issue

a notice and order as allowed by K.C.C. Title 23 requiring the residents to vacate the ~~((encampment))~~ site. By accepting the permit, and as a condition of the permit, the managing agency and the sponsor are presumed to agree to vacate the encampment site within seventeen days if a notice and order is issued and not appealed.

SECTION 351. Ordinance 15170, Section 15, and K.C.C. 21A.45.100 are hereby amended to read as follows:

A. An applicant for a homeless encampment or temporary microshelter village may apply for a temporary use permit that applies standards that differ from those established by ~~((K.C.C. 21A.45.030, 21A.45.040, 21A.45.050, 21A.45.060, 21A.45.070, 21A.45.080 and 21A.45.090))~~ this chapter. In addition to all other permit application requirements, the applicant shall submit a description of the requirements to be modified and shall demonstrate how the modification will result in a safe ~~((homeless encampment))~~ site under the specific circumstances of the application.

B. The department shall review the proposed modifications and shall either deny or approve the application, with conditions if necessary, to ensure a safe ~~((homeless encampment))~~ site with minimal impacts to the host neighborhood.

C. The department may impose additional conditions to the temporary use permit to address and mitigate for site-specific circumstances.

D. The hearing examiner shall expedite the hearing on an appeal of the department's decision under this section.

SECTION 352. Ordinance 19555, Section 22, and K.C.C. 21A.48.010 are hereby amended to read as follows:

15036 A. The purpose of the inclusionary housing (~~((regulations))~~) program is to provide for
15037 the creation of new affordable dwelling units in unincorporated King County, particularly in
15038 areas where there is a high risk for displacement and need for affordable housing.

15039 B. (~~((The regulations and incentives in this chapter shall apply only to the Skyway-~~
15040 ~~West Hill and North Highline community service area subarea geographies,))~~) This chapter
15041 shall apply to the urban area and rural towns, as follows:

15042 1.a. The mandatory inclusionary housing standards in K.C.C. 21A.48.020 shall
15043 apply to (~~((areas with an))~~) the following developments in the Skyway and White Center
15044 unincorporated activity center land use designations(~~((;))~~):

15045 (1) construction of a new building with residential units; and

15046 (2) alterations, additions, or change of use of an existing building that results
15047 in an increase to the total number of dwelling units.

15048 b. The following developments shall not be required to meet the mandatory
15049 inclusionary housing standards:

15050 (1) construction or substantial improvement of one or two single detached
15051 residences, one duplex, or accessory dwelling units on a single lot; or

15052 (2) manufactured home communities, cottage housing, senior assisted housing,
15053 and residential care uses in section 162 of this ordinance; and

15054 2. The voluntary inclusionary housing incentive(~~((s))~~) standards in K.C.C.
15055 21A.48.030 shall apply to (~~((areas that do not have an unincorporated activity center land use~~
15056 ~~designation; and~~

15057 3. ~~The standards in K.C.C. 21A.48.040, K.C.C. 21A.48.050, K.C.C. 21A.48.060,~~
15058 ~~K.C.C. 21A.48.070, K.C.C. 21A.48.080 and K.C.C. 21A.48.090 shall apply to any~~

15059 ~~inclusionary housing project.))~~ the urban areas and the Snoqualmie Pass Rural Town that
15060 are:

15061 a. served by public sewers; and

15062 b. zoned R-4 through R-48, NB, CB, RB, or O.

15063 C. ~~((Development or substantial improvement of one dwelling unit, an accessory~~
15064 ~~dwelling unit, mobile home parks, cottage housing or senior citizen assisted housing shall~~
15065 ~~not be subject to this chapter.))~~ Accessory dwelling units shall not be used to meet the
15066 requirements of this section.

15067 SECTION 353. Ordinance 19555, Section 23, and K.C.C. 21A.48.020 are hereby
15068 amended to read as follows:

15069 A. ~~((This section shall apply to the unincorporated activity center land use~~
15070 ~~designation.~~

15071 ~~B. New or substantially improved r))~~ Residential or mixed-use developments shall
15072 provide affordable dwelling units~~((, and may exceed the base density allowed in the zoning~~
15073 ~~classification,))~~ in accordance with the ~~((standards listed below))~~ rates identified in the
15074 table in this subsection.

| <u>Occupancy Type and</u> <u>AMI</u> | <u>Affordable Dwelling</u> <u>Units Required (as</u> <u>Percentage of Total</u> <u>Units)</u> | <u>Maximum Density</u> <u>(As Percentage of Base</u> <u>Density)</u> |
|--|--|--|
| <u>Owner Occupied at</u> <u>80% AMI</u> | <u>10%</u> | <u>150%</u> |
| <u>Rental at 60% AMI</u> | <u>10%</u> | <u>150%</u> |
| <u>Rental at 50% AMI</u> | <u>7%</u> | <u>150%</u> |

15075 B. If an alteration, addition, or change of use to an existing building results in an
15076 increase in the total number of units, only the additional dwelling units are subject to the
15077 requirements of this section.

15078 C. In exchange for providing affordable dwelling units, a development may exceed
15079 the base density as shown in in the table in this subsection and the dimensional standards in
15080 K.C.C. 21A.48.050.

15081 D. The number of required affordable dwelling units shall be calculated by
15082 multiplying the total number of dwelling units in a development by the applicable
15083 percentages of affordable dwelling units. For the purposes of calculating the number of
15084 required affordable dwelling units:

15085 1. Two-bedroom affordable dwelling units shall count as one and one-quarter
15086 affordable dwelling units;

15087 2. Three-bedroom affordable dwelling units shall count as one and one-half
15088 affordable dwelling units; and

15089 3. Four-bedroom affordable dwelling units shall count as one and three-quarters.

15090 E. Developments may earn additional density above one-hundred fifty percent
15091 density through the provision of additional affordable dwelling units consistent with the
15092 table in K.C.C. 21A.48.030.A. and as follows:

15093 1. The percentage of affordable dwelling units provided in a development shall
15094 not be less than those prescribed in this section.

15095 2. The maximum density shall be:

15096 a. two-hundred and twenty-five percent of base density in Skyway-West Hill;

15097 b. two-hundred and seventy-five percent of base density in the urban area; and

15098 c. an additional twenty-five percent of the base density is allowed in the
15099 following circumstances:
15100 (1) projects that are developed by a public agency or nonprofit housing agency;
15101 (2) developments that provide child daycare in accordance with section 239 of
15102 this ordinance; or
15103 ((Additional density is authorized with the use)) (3) for all other developments,
15104 through the purchase of ((transfers of development rights)) TDRs in accordance with
15105 K.C.C. chapter 21A.37((, as shown in the table in this subsection)). Additional units
15106 derived from TDRs shall conform with the percentages at the affordability levels listed.
15107 ((Where projects qualify, the TDR for affordable housing pilot program may be utilized in
15108 accordance with K.C.C. 21A.37.130.

| Mandatory Affordability Requirements | | | TDR Allowance |
|---|--|--|---|
| Occupancy Type and AMI | Minimum Percentage of Total Units Required to be Affordable | Maximum Density (as percentage of base density) | Additional Maximum Density Allowed with purchase of TDRs |
| Owner Occupied at 80% AMI | 100% | 200% | None |
| | 30% | 150% | Additional 50%, up to 200% of base density |
| | 15% | 125% | Additional 50%, up to 175% of base density |

| | | | |
|--|------|------|--|
| Any combination of 80% AMI (Owner) and 60% AMI (Rental) | 100% | 200% | None |
| | 25% | 150% | Additional 50%, up to 200% of base density |
| | 12% | 125% | Additional 50%, up to 175% of base density |
| Rental at 60% AMI | 100% | 200% | None |
| | 20% | 150% | Additional 50%, up to 200% of base density |
| | 10% | 125% | Additional 50%, up to 175% of base density |
| Rental at 50% AMI | 100% | 200% | None |
| | 15% | 150% | Additional 50%, up to 200% of base density |
| | 7% | 125% | Additional 50%, up to 175% of base density)) |

15109 SECTION 354. Ordinance 19555, Section 24, and K.C.C. 21A.48.030 are hereby

15110 amended to read as follows:

15111 A. ~~((This section shall apply within the Skyway West Hill and North Highline~~
15112 ~~community service area subarea geographies except for areas with an unincorporated~~
15113 ~~activity center land use designation.~~

15114 B. ~~New or substantially improved development may only exceed the base density~~
15115 ~~allowed in the zoning classification in accordance with the standards listed below.~~
15116 ~~Additional density is authorized with the use of transfers of development rights in~~
15117 ~~accordance with K.C.C. chapter 21A.37, as shown in the table in this subsection. Additional~~
15118 ~~units derived from TDRs shall conform with the percentages at the affordability levels~~

15119 listed. The price of the TDR shall be determined in accordance with K.C.C. 21A.37.130.

| Affordability Requirements | | | TDR Allowance |
|------------------------------------|---|---|--|
| Occupancy Type and AMI | Minimum Percentage of Total Units Required to be Affordable | Maximum Density (as percentage of base density) | Additional Maximum Density Allowed with purchase of TDRs |
| Developments with 9 or fewer units | 0% | 100% | Up to 150% base density |
| Rental at 60% AMI | 100% | 200% | None |
| | 20% | 150% | Additional 50%, up to 200% of base density |
| | 10% | 125% | Additional 50%, up to 175% of base density |
| Rental at 50% AMI | 100% | 200% | None |
| | 15% | 150% | Additional 50%, up to 200% of base density |
| | 7% | 125% | Additional 50%, up to 175% of base density |
| | 100% | 200% | None |

| | | | |
|--|------|------|--|
| Owner-Occupied at 80% AMI | 30% | 150% | Additional 50%, up to 200% of base density |
| | 15% | 125% | Additional 50%, up to 175% of base density |
| Any combination of 80% AMI (Owner) and 60% AMI (Rental) | 100% | 200% | None |
| | 25% | 150% | Additional 50%, up to 200% of base density |
| | 12% | 125% | Additional 50%, up to 175% of base density)) |

15120 1. Residential or mixed-use development may exceed the base density allowed in
15121 the underlying zone when affordable dwelling units are provided at rates identified in the
15122 table in subsection, up to a maximum density of:

- 15123 a. two-hundred twenty-five percent of base density in Skyway-West Hill;
15124 b. two-hundred seventy-five percent of base density in the urban area; and
15125 c. two-hundred percent in the Snoqualmie Pass Rural Town.

15126 2. An additional twenty-five percent of base density allowed in the following
15127 circumstances:

- 15128 a. For a public agency or nonprofit housing agency developing an inclusionary
15129 housing project;
15130 b. Developments providing child daycare in accordance with section 239 of this

15131 ordinance; or

15132 c. Through the purchase of TDRs in accordance with K.C.C. chapter 21A.37.

15133 Additional density derived from TDRs shall conform with the percentages at the

15134 affordability levels listed.

| <u>Occupancy</u> <u>Type and</u> <u>AMI</u> | <u>Affordable Dwelling Unit Size</u> | | | | |
|---|--|--|--|--|--|
| | <u>Studio</u> | <u>One Bedroom</u> | <u>Two Bedroom</u> | <u>Three</u> <u>Bedrooms</u> | <u>Four or More</u> <u>Bedrooms</u> |
| <u>Rental at</u> <u>50% AMI</u> | <u>2 bonus unit</u> <u>per 1.0</u> <u>affordable unit</u> | <u>2.5 bonus units</u> <u>per 1.0</u> <u>affordable unit</u> | <u>3 bonus units</u> <u>per 1.0</u> <u>affordable unit</u> | <u>3.7 bonus units</u> <u>per 1.0</u> <u>affordable unit</u> | <u>4.5 bonus units</u> <u>per 1.0</u> <u>affordable unit</u> |
| <u>Rental at</u> <u>60% AMI</u> | <u>1.4 bonus units</u> <u>per 1.0</u> <u>affordable unit</u> | <u>1.9 bonus units</u> <u>per 1.0</u> <u>affordable unit</u> | <u>2.4 bonus units</u> <u>per 1.0</u> <u>affordable unit</u> | <u>2.9 bonus units</u> <u>per 1.0</u> <u>affordable unit</u> | <u>3.4 bonus units</u> <u>per 1.0</u> <u>affordable unit</u> |
| <u>Rental at</u> <u>70% AMI¹</u> | <u>0.7 bonus units</u> <u>per 1.0</u> <u>affordable unit</u> | <u>0.9 bonus units</u> <u>per 1.0</u> <u>affordable unit</u> | <u>1.1 bonus units</u> <u>per 1.0</u> <u>affordable unit</u> | <u>1.4 bonus units</u> <u>per 1.0</u> <u>affordable unit</u> | <u>1.6 bonus units</u> <u>per 1.0</u> <u>affordable unit</u> |
| <u>Owner</u> <u>Occupied at</u> <u>80% AMI</u> | <u>1.3 bonus units</u> <u>per 1.0</u> <u>affordable unit</u> | <u>1.8 bonus units</u> <u>per 1.0</u> <u>affordable unit</u> | <u>2.2 bonus units</u> <u>per 1.0</u> <u>affordable unit</u> | <u>2.7 bonus units</u> <u>per 1.0</u> <u>affordable unit</u> | <u>3.2 bonus units</u> <u>per 1.0</u> <u>affordable unit</u> |
| <u>Owner</u> <u>Occupied at</u> <u>100% AMI</u> | <u>0.3 bonus units</u> <u>per 1.0</u> <u>affordable unit</u> | <u>0.4 bonus units</u> <u>per 1.0</u> <u>affordable unit</u> | <u>0.5 bonus units</u> <u>per 1.0</u> <u>affordable unit</u> | <u>0.6 bonus units</u> <u>per 1.0</u> <u>affordable unit</u> | <u>0.7 bonus units</u> <u>per 1.0</u> <u>affordable unit</u> |
| ¹ In Skyway-West Hill, affordable dwelling units provided at 70% AMI shall be three-bedroom or larger. | | | | | |

15135 B. Projects may include more than one occupancy type and AMI combination.

15136 Bonus dwelling units shall be granted at the ratio identified for each affordable unit based

15137 on occupancy type and AMI, up to the maximum density in subsection A. of this section.

15138 C. Developments may exceed other dimensional standards of the underlying zone
15139 in accordance with K.C.C. 21A.48.050.

15140 SECTION 355. Ordinance 19555, Section 25, and K.C.C. 21A.48.040 are hereby
15141 amended to read as follows:

15142 A. ~~((The number of required affordable dwelling units shall be calculated by~~
15143 ~~multiplying the total number of dwelling units to be constructed by the applicable~~
15144 ~~percentages of affordable dwelling units as established in K.C.C. 21A.48.020 or K.C.C.~~
15145 ~~21A.48.030, and for))~~ The maximum density shall be calculated by multiplying the base
15146 density, as established in this title or a property-specific development standard, by the
15147 maximum percentage identified in this chapter. In cases of conflict, the base and
15148 maximum densities in a property-specific development standard or special district
15149 overlay shall apply.

15150 B. The total number of dwelling units in a development, which is the sum of all
15151 market-rate dwelling units, bonus dwelling units, and affordable dwelling units, shall not
15152 exceed the density as established in subsection A. of this section.

15153 C. For the purposes of providing an affordable dwelling unit, fractions shall be
15154 rounded in accordance with K.C.C. 21A.12.070~~((, except as follows:~~

15155 ~~1. F))~~for fractions below 0.50, the applicant shall pay a fee based on the fraction
15156 multiplied by the value of an ~~((single))~~ affordable dwelling unit. The fee and affordable
15157 dwelling unit value shall be calculated using the same method as required for payment in
15158 lieu of providing affordable dwelling units in K.C.C. 21A.48.080. The revenues
15159 generated from the fee shall be dedicated to affordable housing projects in the same
15160 ~~((community service area))~~ subarea geography where the development is occurring~~((; and~~

15161 2. ~~Affordable dwelling units in the development shall be calculated as follows:~~

15162 a. ~~Studio dwelling units shall be counted as one-half of one affordable~~

15163 ~~dwelling unit;~~

15164 b. ~~One bedroom and two bedroom dwelling units shall be counted as one~~

15165 ~~affordable dwelling unit;~~

15166 c. ~~Three bedroom dwelling units shall be counted as one and one-half~~

15167 ~~affordable dwelling units; and~~

15168 d. ~~Dwelling units with four or more bedrooms shall be counted as two~~

15169 ~~affordable dwelling units.~~

15170 B. ~~The total number of market rate dwelling units and affordable dwelling units~~

15171 ~~shall not exceed the total allowed density as established in this chapter and K.C.C.~~

15172 ~~chapter 21A.12.)).~~

15173 SECTION 356. Ordinance 19555, Section 26, and K.C.C. 21A.48.050 are hereby

15174 amended to read as follows:

15175 ~~((For developments subject to this chapter:~~

15176 A. ~~The affordable dwelling units shall:~~

15177 1. ~~Have a similar or larger unit size and bedroom composition as the market rate~~

15178 ~~dwelling units in the development;~~

15179 2. ~~Be integrated throughout the development;~~

15180 3. ~~Be constructed with materials and finishes of comparable quality to the~~

15181 ~~market rate dwelling units in the development;~~

15182 4. ~~Meet accessibility standards at the same ratio as required by the development;~~

15183 ~~and~~

15184 5. ~~Have access equal to that of the market-rate dwelling units to on-site~~
15185 ~~amenities including, but not limited to, parks, outdoor play areas, pools, exercise facilities~~
15186 ~~and equipment, gathering spaces, bicycle repair facilities, shared work spaces, and similar~~
15187 ~~on-site amenities.~~

15188 B.)) A. In exchange for the provision of affordable dwelling units, inclusionary
15189 housing developments that provide at least the minimum amount of affordable housing
15190 identified in the table in K.C.C. 21A.48.020.A. shall be eligible for the incentive
15191 dimensional standards prescribed in this section. All ((the)) other dimensional standards
15192 ((of K.C.C. chapter 21A.12)) in this title and any applicable property-specific
15193 development standards and special district overlays shall apply((, except as specifically
15194 prescribed by this chapter. The following modifications shall only be utilized for
15195 developments that provide housing in conformance with K.C.C. 21A.48.020 or K.C.C.
15196 21A.48.030:)).

15197 ((1-)) B. The maximum height limits are as follows:

15198 ((a-)) 1. In the R-18, R-24, and R-48 zones((;)): eighty feet;

15199 ((b-)) 2. In the NB zone((;)): sixty-five feet;

15200 ((c-)) 3. In the CB zone((;)): eighty feet;

15201 ((d-)) 4. In the RB and O zones((;)): eighty-five feet; ((and))

15202 ((e- For properties subject to P-Suffix NH-PXX (the p-suffix established in
15203 Map Amendment 17 of Attachment D to Ordinance 19555): the height limits set in the P-
15204 Suffix)) 5. Along the North Highline core street type designated in K.C.C. 21A.60.040,

15205 as recodified by this ordinance: fifty-five feet; and

15206 6. In the CB zone in Snoqualmie Pass Rural Town, sixty-five feet.

15207 ~~((2. In the R-18, R-24 and R-48 zones, any portion of a building that exceeds~~
15208 ~~the base height for the zone set forth in K.C.C. chapter 21A.12 shall be set back an~~
15209 ~~additional ten feet from the street property line and interior property line;~~
15210 ~~3. In the NB, CB, RB and O zones, any portion of a building that exceeds the~~
15211 ~~maximum height allowed for the zone by K.C.C. 21A.12.040.B.6. shall be set back an~~
15212 ~~additional ten feet from the street property line and interior property line;))~~
15213 C. Upper-level step back requirements do not apply.
15214 ~~((4.))~~ D. The percentages of residential uses in mixed-use developments in
15215 K.C.C. 21A.14.110 do not apply. ((The percentages are as follows:
15216 ~~a. a maximum of seventy five percent of the total built floor area when located~~
15217 ~~in NB zones; and~~
15218 ~~b. a maximum of eighty five percent of the total built floor area when located~~
15219 ~~in CB, RB and O zones;))~~ Developments subject to K.C.C. 21A.14.110 shall instead
15220 provide ground floor commercial space with a minimum depth of fifty feet along any
15221 public street. Entrances, lobbies, common areas, and other necessary residential
15222 appurtenances are allowed on the ground floor. Outside of the unincorporated activity
15223 centers, up to seventy-five percent of the ground floor commercial space may be
15224 live/work units.
15225 ~~((5.))~~ E. The ((building)) floor area ratios prescribed in ((K.C.C. 21A.14.130))
15226 this title do not apply((--Developments subject to this chapter shall not have a floor area
15227 ratio maximum)); and
15228 ~~((6. The parking and circulation standards of K.C.C. chapter 21A.18 apply,~~
15229 ~~except:~~

15230 a-)) F.1. The minimum number of required parking spaces ((for apartments and
 15231 townhouses shall be one space per dwelling unit;
 15232 b. The minimum required parking spaces for nonresidential uses of the project
 15233 shall be the minimum required in K.C.C. 21A.18.020, or the minimum required in any
 15234 applicable property specific development standard or special district overlay, whichever
 15235 is less; and)) are as follows:

| | <u>White Center Unincorporated Activity Center</u> | <u>Skyway Unincorporated Activity Center</u> | <u>Within 1/2 mile Walkshed of a High Capacity or Frequent Transit Stop¹</u> | <u>All other Urban Areas</u> | <u>Snoqualmie Pass Rural Town</u> |
|--------------------------------|---|---|---|---|---|
| <u>Residential Uses</u> | <u>No minimum required</u> | <u>0.25 spaces per dwelling unit</u> | <u>0.5 spaces per dwelling unit</u> | <u>0.8 spaces per dwelling unit</u> | <u>1.0 spaces per dwelling unit</u> |
| <u>Nonresidential Uses</u> | <u>75% of parking required in K.C.C. 21A.18.030</u> | <u>75% of parking required in K.C.C. 21A.18.030</u> | <u>80% of parking required in K.C.C. 21A.18.030</u> | <u>90% of parking required in K.C.C. 21A.18.030</u> | <u>90% of parking required in K.C.C. 21A.18.030</u> |

15236 ¹As Mapped by the Metro transit department.

15237 ((e-)) 2. The director may authorize a reduction of up to fifty percent of the
 15238 minimum required number of spaces for inclusionary housing projects without a required
 15239 a parking study. The director shall consider proximity to transit, shared parking for two
 15240 or more uses, bedroom composition, availability of on-street parking, and proposed

nonresidential uses when determining the size of the reduction.

G. The required recreational space in K.C.C. 21A.14.180 is reduced by twenty-five percent.

SECTION 357. Ordinance 19555, Section 27, and K.C.C. 21A.48.060 are hereby amended to read as follows:

A.1. Affordable dwelling units constructed under this chapter shall:

a. have a similar or larger unit size and bedroom composition as the market-rate dwelling units in the development;

b. be integrated throughout the development;

c. be constructed with materials and finishes of comparable quality to the market-rate dwelling units in the development;

d. meet accessibility standards at the same ratio as required by the development; and

e. have access equal to that of the market-rate dwelling units to on-site amenities including, but not limited to, parks, outdoor play areas, pools, exercise facilities and equipment, gathering spaces, bicycle repair facilities, shared work spaces, and similar on-site amenities.

2. The director may modify or waive the standards in subsection A.1.a. for a project developed by a public or nonprofit agency if the director determines that the proposal meets the needs of future residents and provides an equivalent or better quality of development.

15262 B. As a condition of development permit issuance, the department shall approve
15263 the calculation of the number of ~~((required))~~ affordable dwelling units and allowed
15264 market-rate dwelling units.

15265 ~~((B-))~~ C. Before issuance of the certificate of occupancy, the applicant shall
15266 record a covenant or deed restriction on the property, in a form and substance acceptable
15267 to the prosecuting attorney's office and department of community of human services,
15268 reflecting the following:

15269 1. A statement that the length of the term of the affordability shall be for the life
15270 of the development project for renter-occupied dwelling units or fifty years from the date
15271 of initial occupancy for owner-occupied dwelling units;

15272 2. The total number of units;

15273 3. The number of market-rate dwelling units;

15274 4. The number and affordability of owner-occupied and rental affordable
15275 dwelling units based on the standards of this chapter;

15276 5. A statement that for any owner-occupied dwelling units, the covenants or
15277 declarations have been reviewed by the director and the terms ensure that the purposes of
15278 this chapter are accomplished;

15279 6. Reporting requirements as required by the department of community and
15280 human services, including subsequent community preference and affirmative marketing
15281 reports after the certificate of occupancy is issued, where applicable under K.C.C.

15282 21A.48.070; and

15283 7. Signatures of the property owner and the director.

15284 SECTION 358. Ordinance 19555, Section 28, and K.C.C. 21A.48.070 are hereby
15285 amended to read as follows:

15286 For developments in the Skyway-West Hill and North Highline subarea
15287 geographies subject to this chapter:

15288 A. As part of a complete permit application, the applicant shall submit a
15289 community preference and affirmative marketing plan. The plan shall include:

15290 1. A tenant selection process for the affordable dwelling units that provides a
15291 preference for housing applicants with a current or past connection to the respective
15292 subarea geography where the project is located. The plan should provide no more than
15293 and aim to provide forty percent of the affordable dwelling units to tenants that meet the
15294 requirements for community preference;

15295 2. An advertising and outreach plan designed to provide information to and
15296 attract potential housing applicants who would otherwise be less likely to apply, without
15297 regard to protected class status as established by federal, state, and local laws. An
15298 affirmative advertising and outreach plan should generally help potential housing
15299 applicants know about vacancies, feel welcome to apply, and have the opportunity to rent
15300 units; and

15301 3. A process for housing applicants to file an appeal regarding the tenant
15302 selection process and verification of eligibility for preference.

15303 B. Before issuance of the building permit or subdivision approval, the community
15304 preference and affirmative marketing plan shall be reviewed and approved by the
15305 department of community and human services.

15306 C.1. At least sixty days before issuance of certificate of occupancy, the applicant
15307 shall submit a community preference and affirmative marketing initial report. The initial
15308 report shall include:

15309 a. information describing the activities conducted to implement the community
15310 preference and affirmative marketing plan; and

15311 b. information regarding the number of housing applicants:

15312 (1) that requested a preference;

15313 (2) deemed eligible under the preference criteria;

15314 (3) eligible for the preference that were selected for housing; and

15315 (4) that appealed the preference selection process and the outcome of each
15316 appeal.

15317 2. Before issuance of the certificate of occupancy, the community preference
15318 and affirmative marketing initial report shall be subject to review and approval by the
15319 department of community and human services.

15320 D. The department of community and human services shall provide guidance and
15321 technical assistance to the applicant to ensure the community preference and affirmative
15322 marketing plan and community preference and affirmative marketing report complies
15323 with federal, state, and local laws and regulations.

15324 SECTION 359. Ordinance 19555, Section 29, and K.C.C. 21A.48.080 are hereby
15325 amended to read as follows:

15326 A. The director may, at their discretion, approve a request for alternative
15327 compliance for the inclusionary housing requirements. Requests for such modifications

15328 shall clearly ~~((set forth))~~ state the facts upon which the request for relief is sought.

15329 Alternative compliance may include:

15330 1. Providing affordable housing units off-site at another location within the
15331 same ~~((community service area))~~ subarea geography where the project is proposed;

15332 2. For developments subject to K.C.C. 21A.48.020, ((P))payment to the county
15333 in lieu of constructing affordable housing units to be used to create affordable housing
15334 units within the same ~~((community services area))~~ subarea geography; or

15335 3. Such other means proposed by the applicant and approved at the discretion of
15336 the director, consistent with the following criteria for alternative compliance.

15337 B. Alternative compliance requests may only be approved when all of the
15338 following requirements are met:

15339 1. The applicant demonstrates that the proposed alternative compliance method
15340 provides the same number and quality affordable housing units as those provided on-site;

15341 2. The affordable housing units provided through the alternative compliance
15342 method will provide the same mix of rental or owner-occupied units as would have
15343 otherwise been provided on-site; and

15344 3. In no case shall the director approve an alternative compliance request that
15345 results in zero affordable housing units being constructed on-site.

15346 C. If an alternative compliance request is approved that includes off-site
15347 affordable housing units, any building permits required for off-site affordable housing
15348 units shall be submitted before issuance of building permits or final ~~((subdivision))~~ plat
15349 approval for the subject property. Certificates of occupancy for off-site affordable

15350 housing units shall be issued before issuance of the final certificate of occupancy for the
15351 subject property.

15352 D. If an alternative compliance request is approved that includes payment in lieu
15353 of constructing affordable (~~((housing))~~) dwelling units, the formula for payments shall be
15354 established by department of community and human services through a public rule under
15355 K.C.C. chapter 2.98. (~~((The formula should be based on the cost to the county to~~
15356 ~~construct and maintain an affordable dwelling unit.))~~) The payment obligation shall be
15357 paid before issuance of any building permits or final subdivision approval for the project.

15358 E. As part of the application review process for an inclusionary housing proposal,
15359 the director may authorize modifications to the dimensional standards in K.C.C. Title
15360 21A. Approval of modifications may only be granted if the applicant demonstrates that
15361 the subject property cannot otherwise reasonably achieve the minimum density.

15362 F.1. As part of the application review process for an inclusionary housing
15363 proposal, the director may modify or waive the requirements for affordable dwelling
15364 units under this chapter if the applicant demonstrates that the cost of complying with this
15365 chapter would deprive the property owner of all economically beneficial use of the
15366 property or would create severe economic impact that unduly burdens the property
15367 owner.

15368 2. Requests for such modifications shall clearly (~~((set forth))~~) state the facts upon
15369 which the request for relief is sought.

15370 3. Review of a modification or waiver of the requirements of this subsection F.
15371 may include the director considering the following factors, at a minimum:

15372 a. The severity of the economic impact caused by the application of the
15373 requirements of this chapter;

15374 b. A modification under subsection E. of this section is not sufficient to
15375 alleviate the severity of economic impact caused by the application of the requirements of
15376 this chapter;

15377 c. The extent to which alternative uses of the property or configurations of the
15378 proposed development would alleviate the need for the requested waiver or modification;

15379 d. The extent to which any economic impact was due to decisions by the
15380 applicant or property owner; and

15381 e. Other factors relevant to whether the burden should be borne by the property
15382 owner.

15383 4. The waiver or modification may be approved only to the extent necessary to
15384 grant relief from the deprivation of all economically beneficial use of the property or
15385 severe economic impact.

15386 5. The following factors, on their own, shall not be a sufficient basis for the
15387 director to grant a waiver or modification for the requirements of this chapter:

15388 a. decrease in property value;

15389 b. inability for a property owner to fully utilize the increase in residential
15390 development capacity through implementation of this chapter; or

15391 c. the fact that any such increase in residential development capacity,
15392 combined with the requirements of this chapter, did not leave the property owner in a
15393 better financial position than would have been the case with no increase in residential
15394 development capacity and no application of the requirements of this chapter.

15395 SECTION 360. Ordinance 19555, Section 30, and K.C.C. 21A.48.090 are hereby
15396 amended to read as follows:

15397 A. The executive shall track the use of the inclusionary housing regulations in
15398 this chapter. The information shall be publicly available on a county website, and shall
15399 include, at a minimum, information describing:

15400 1. The number and location of developments that applied to the department for
15401 approval and the number and location of developments that were subject to the
15402 requirements of this chapter;

15403 2. The number and location of developments that applied for any alternative
15404 compliance, the number and location of developments that were granted such alternative
15405 compliance, and the terms of each alternative compliance;

15406 3. The number of market rate units and the number of affordable units
15407 constructed, including the location of all affordable units; and

15408 4. The amount of revenue collected through in lieu and fractional fees for each
15409 subarea geography, and the amount and location those fees were spent in the subarea
15410 geography.

15411 B.1. In conjunction with the Comprehensive Plan update required by K.C.C.
15412 20.18.060.B., (~~excluding the 2024 Comprehensive Plan update,~~) the executive shall
15413 analyze the inclusionary housing regulations to determine whether the purposes of the
15414 Comprehensive Plan and the inclusionary housing regulations are being met, and shall
15415 propose code changes to address any recommendations from that analysis as part of the
15416 Comprehensive Plan update to improve the efficacy of the regulations.

15417 2. If the executive or council finds that the inclusionary housing regulations are

not effective at providing for affordable housing units, nothing in this section shall prevent the executive from transmitting or the council from adopting an ordinance that modifies the regulations outside of the timeline in K.C.C. 20.18.060.

C. The department shall be available to brief the local services and land use committee or its successor at least once per year on the implementation and overall efficacy of the inclusionary housing regulations and the information required by this section.

SECTION 361. Ordinance 12627, Section 3, as amended, and K.C.C. 21A.55.030 are hereby amended to read as follows:

A. The demonstration projects set forth in this chapter are the only authorized demonstration projects. New or amended demonstration projects to carry out new or different goals or policies shall be adopted as part of this chapter.

B. Demonstration projects must be consistent with the King County Comprehensive Plan. Classification of a demonstration project and its provisions to waive or modify development standards must not require nor result in amendment of the Comprehensive Plan nor the Comprehensive Plan land use map.

C. Unless they are specifically modified or waived pursuant to the provisions of this chapter, the standard requirements of this title and other county ordinances and regulations shall govern all development and land uses within a demonstration project area. Property-specific development standards (P-suffix conditions) as provided in K.C.C. chapter 21A.38 shall supersede any modifications or waivers allowed by the provisions of this chapter.

15440 D. Demonstration project sites should be selected so that any resulting amended
15441 development standards or processes can be applied to similar areas or developments.
15442 Similar areas could include those with similar mixes of use and zoning. Similar
15443 developments could include types of buildings such as commercial or ~~((multifamily))~~
15444 multiunit and types of development such as subdivisions or redevelopment.

15445 SECTION 362. Ordinance 16650, Section 1, as amended, and K.C.C.
15446 21A.55.101 are hereby amended to read as follows:

15447 A.1. The purpose of the sustainable communities and housing demonstration
15448 projects is to provide affordable housing and workforce housing integrated into
15449 developments containing market rate housing and maximize sustainable development,
15450 which includes: bike, pedestrian, and transit connections~~((;))~~; a mix of housing types~~((;))~~;
15451 and the use of recyclable materials. The demonstration projects will provide information
15452 on the application of these techniques to urban infill redevelopment and ~~((urban single~~
15453 ~~family))~~ single detached residential development, some of which may ~~((include mixed~~
15454 ~~use))~~ be mixed-use. The demonstration projects will also assist the county in refining
15455 regulations relating to zoning, subdivision, roads, and stormwater as they relate to
15456 sustainable development.

15457 2. The demonstration projects will also enable the county to evaluate whether
15458 consolidated administrative approval of zoning and subdivision-related modifications or
15459 waivers and any subsequent hearings, if required, effectively speeds the development
15460 review process while maintaining land use coordination and environmental protection
15461 and whether that leads to administrative costs savings for project applicants and King
15462 County.

15463 B. The expected benefits from the demonstration projects include: the use of
15464 innovative design and development techniques to promote sustainable communities((5));
15465 reduced impervious surface areas for site infrastructure; a greater use of recycled-content
15466 building materials and more efficient use of energy and natural resources; and the
15467 opportunity to identify and evaluate potential substantive changes to land use
15468 development regulations that support the development of sustainable and affordable
15469 housing.

15470 C. A request by the applicant to modify or waive development standards for the
15471 development proposals shall be evaluated by the department of local services, permitting
15472 division, based on the criteria in subsection J. of this section. A request shall first be
15473 either approved or denied administratively and may be further reviewed as described in
15474 subsection H.3. of this section. Approval or denial of the proposed modification or
15475 waiver shall not be construed as applying to any other development application either
15476 within the demonstration project area or elsewhere in the county.

15477 D. A modification or waiver approved by the department of local services,
15478 permitting division, in accordance with this section shall be in addition to those
15479 modifications or waivers that are currently allowed by this title. The proposed
15480 modifications or waivers to development regulations that may be considered regarding
15481 sustainable communities and housing demonstration projects shall include only the
15482 following chapters and related public rules:

15483 1. Drainage review requirements: K.C.C. chapter 9.04 and the Surface Water
15484 Design Manual;

15485 2. King County road standards: K.C.C. chapter 14.42 and the King ((e))County

15486 ((~~¶~~))Road Design and Construction ((~~s~~))Standards((~~, 2007 update~~));

15487 3. Density and dimensions: ((~~K.C.C. chapter 21A.12~~)) sections 173, 174, 198,

15488 and 199 of this ordinance;

15489 4. Design requirements: K.C.C. chapter 21A.14;

15490 5. Landscaping and water use: K.C.C. chapter 21A.16 and K.C.C. 21A.60.060,

15491 a recodified by this ordinance;

15492 6. Parking and circulation: K.C.C. chapter 21A.18;

15493 7. Signs: K.C.C. chapter 21A.20;

15494 8. Critical areas: K.C.C. chapter 21A.24, if the modification results in a net

15495 improvement to the functions of the critical area; and

15496 9. Landscape installation timing: K.C.C. chapters 27A.30 and 27A.40.

15497 E. A demonstration project authorized by this section may contain residential and

15498 limited nonresidential uses subject to the following:

15499 1. The demonstration project may include any residential uses as allowed as a

15500 permitted use in the R-12 through R-48 zones, subject to any development conditions in

15501 K.C.C. 21A.08.030, without the need to request a modification or waiver as described in

15502 subsection H. of this section. The applicant may request a modification or waiver of any

15503 of the development conditions for residential uses contained in K.C.C. 21A.08.030,

15504 subject to the review process described in subsection H. of this section and the criteria in

15505 subsection J. of this section;

15506 2. The demonstration project may include, as part of a residential project, any

15507 nonresidential use allowed as a permitted use in the NB zone under K.C.C. 21A.08.030,

15508 21A.08.040, section 162 of this ordinance, 21A.08.050, section 164 of this ordinance,

15509 21A.08.060, and 21A.08.070, subject to any development conditions contained in those
15510 sections without the need to request a modification or waiver as described in subsection
15511 H. of this section, except the following uses are not allowed:

- 15512 a. automotive parking;
- 15513 b. automotive repair(~~(-and)~~);
- 15514 c. automotive service(~~(, K.C.C. 21A.08.050)~~);
- 15515 ~~((e-))~~ d. commuter parking lot, (~~(K.C.C. 21A.08.060-)~~) unless as part of a
15516 transit-oriented development. For the purposes of this subsection (~~(E.2.e-))~~ E.2.d.,
15517 "transit-oriented development" means a development that is designated as a transit-
15518 oriented development in an agreement with the county and that includes the construction
15519 of new housing units at or within one quarter mile of a county transit center or park and
15520 ride lot;
- 15521 ~~((d-))~~ e. gasoline service stations(~~(-as defined in K.C.C. 21A.08.070)~~);
- 15522 ~~((e-))~~ f. off-street required parking lot;
- 15523 g. commercial and industrial accessory uses;
- 15524 ~~((f-))~~ h. private stormwater management facility;
- 15525 ~~((g-))~~ i. self-service storage; and
- 15526 ~~((h-))~~ j. vector waste receiving facility.

15527 3. The nonresidential uses shall be no greater than three thousand square feet
15528 per use, with a total maximum of all nonresidential uses not to exceed ten percent of the
15529 area of the demonstration project site or twenty thousand square feet, whichever is
15530 smaller. The applicant may request a modification or waiver of the development
15531 conditions for nonresidential uses in K.C.C. 21A.08.030, 21A.08.040, section 162 of this

15532 ordinance, 21A.08.050, section 164 of this ordinance, 21A.08.060, and 21A.08.070,
15533 subject to the review process described in subsection H. of this section and the criteria in
15534 subsection J. of this section.

15535 F. A demonstration project authorized by this section allows a residential basics
15536 program for townhouse and apartment building types, consistent with the department of
15537 local services public rules chapter 16-04: residential basics program.

15538 G. All related review processes such as subdivision, building permit, inspection,
15539 and similar processes for a demonstration project shall be expedited if:

15540 1. Fifty percent or more of all residential units proposed for the demonstration
15541 project are affordable to households at eighty percent of area median income, as defined
15542 by Department of Housing and Urban Development income guidelines for King County
15543 and below; or

15544 2. Seventy percent or more of all residential units for the demonstration project
15545 are affordable to households at eighty to one hundred fifteen percent of area median
15546 income, as defined by Department of Housing and Urban Development income
15547 guidelines for King County.

15548 H.1. Requests for a modification or waiver made in accordance with this section
15549 may only be submitted in writing in relation to the following types of applications:

- 15550 a. a site development permit;
15551 b. a binding site plan;
15552 c. a building permit;
15553 d. a short subdivision; or
15554 e. a subdivision.

15555 2. Requests shall be submitted to the department in writing before or in
15556 conjunction with an application for one or more of the permits listed in subsection H.1. of
15557 this section, together with any supporting documentation. The supporting documentation
15558 ~~((must))~~ shall illustrate how the proposed modification meets the criteria in subsection J.
15559 of this section.

15560 3. Except for an applicant's request for a modification or waiver submitted in
15561 conjunction with an application for a subdivision, the notice of application, review, and
15562 approval of a proposed modification or waiver shall be treated as a Type 2 land use
15563 decision in accordance with K.C.C. 20.20.020. The request for a modification or waiver
15564 submitted in conjunction with an application for a subdivision shall be treated as a Type 3
15565 land use decision in accordance with K.C.C. 20.20.020.

15566 4. A preapplication meeting with the applicant and the department of local
15567 services, permitting division, to determine the need for and the likely scope of a proposed
15568 modification or waiver is required before submittal of such a request. If a modification or
15569 waiver requires approval of the department of natural resources and parks or the
15570 department of local services, road services division, that department or division shall be
15571 invited to participate in the preapplication meeting.

15572 5. If the applicant requests an adjustment from the county drainage standards,
15573 the director shall refer the request to the department of natural resources and parks for
15574 decision under K.C.C. chapter 9.04, with the right to appeal within the department of
15575 natural resources and parks as provided in K.C.C. 9.04.050.C.6. The department of
15576 natural resources and parks shall consider the purposes of this demonstration ordinance as
15577 a factor relative to the public interest requirement for drainage adjustments described in

15578 K.C.C.9.04.050.C.

15579 6. If the applicant requests a variance from the county road standards, the
15580 director shall refer the request to the county road engineer for decision under K.C.C.
15581 14.42.060, with the right to appeal within the department of local services, road services
15582 division, as provided in K.C.C. 14.42.060 and the associated public rule. The department
15583 of local services, road services division, shall consider the purposes of this demonstration
15584 ordinance as a factor relative to the public interest requirement for road variances
15585 described in K.C.C. 14.42.060.

15586 7. Administrative appeals of modifications or waivers approved by the director
15587 shall be combined with any appeal of the underlying permit decision, if the underlying
15588 permit is subject to appeal.

15589 I. An approved development proposal for any of the applications listed in
15590 subsection H.1. of this section, including site plan elements or conditions of approval
15591 may be amended or modified at the request of the applicant or the applicant's successor in
15592 interest designated by the applicant in writing. The director may administratively
15593 approve minor modifications to an approved development proposal. Modifications that
15594 result in major changes as determined by the department or as defined by the approval
15595 conditions shall be treated as a new application for purposes of vesting and shall be
15596 reviewed as applicable to the underlying application pursuant to K.C.C. 20.20.020. Any
15597 increase in the total number of dwelling units above the maximum number set forth in the
15598 development proposal permit or approval shall be deemed a major modification. The
15599 county, through the applicable development proposal permit or approval conditions, may
15600 specify additional criteria for determining whether proposed modifications are major or

minor. The modifications allowed under this section supersede other modification or revision provisions of K.C.C. Title 16 and Title 19A and this title.

J.1. To be eligible to use the provisions of this section, a demonstration project ~~((must))~~ shall be located on a demonstration project site identified in ~~((Ordinance 16650, Section 2,))~~ Attachment I to this ordinance, and the applicant has accepted the site as a King County sustainable communities and housing demonstration project.

2. Proposals to modify or waive development regulations for a development application ~~((must))~~ shall be consistent with general health, safety, and public welfare standards, and ~~((must))~~ not violate state or federal law.

3.a. Applications ~~((must))~~ shall demonstrate how the proposed project, when considered as a whole with the proposed modifications or waivers to the code, will meet all of the criteria in this subsection J., as compared to development without the modification or waiver, and:

- (1) achieves higher quality urban development;
- (2) provides quality infill development;
- (3) optimizes site utilization; and
- (4) enhances pedestrian experiences and sense of place and community.

b. Any individual request for a modification or waiver ~~((must))~~ shall meet two or more of the following criteria:

- (1) contributes to the creation of a sustainable community, which includes features such as a connected street network, a mix of housing types, pedestrian or bike routes throughout the development, direct bus connections, no front garages, and front porches.

15624 (2) uses the natural site characteristics to protect the natural systems;
15625 (3)(a) contributes to achievement of a three-star rating for the project site
15626 under the Built Green Communities program administered by the Master Builders
15627 Association of King and Snohomish Counties;
15628 (b) contributes to achievement of a four-star or higher rating for the single
15629 ~~((family units))~~ detached residences under the Built Green program administered by the
15630 Master Builders Association of King and Snohomish Counties or achieve a gold
15631 certification under the U.S. Green Building Council, LEED program, or equivalent
15632 program; or
15633 (c) contributes to achievement of a four-star or higher rating for ~~((the~~
15634 ~~multifamily units))~~ multiunit developments under the Built Green program administered
15635 by the Master Builders Association of King and Snohomish Counties or achieve a gold
15636 certification under the U.S. Green Building Council, LEED program, or other equivalent
15637 program; and
15638 (4) provides attractive, well-designed development that will assist in
15639 improving safety and preventing crime in the development and surrounding area,
15640 including: adequate outdoor lighting along walkways~~((/))~~ and trails~~((/))~~; walkways~~((/))~~
15641 and trails ~~((5'))~~ five feet or wider; and low vegetation along walkways~~((/))~~ and trails.
15642 4. The criteria in this subsection supersede other variance, modification, or
15643 waiver criteria and provisions of K.C.C. Title 21A.
15644 K. Regulatory modification and waiver applications, or both, authorized by this
15645 section shall be filed with the department of local services, permitting division, within
15646 three years of the approval of the development proposal, which includes issuance of a

building permit or site development permit, recording of a plat, short plat, or binding site plan, or by such a later date as may be specified in the conditions of any development approval for any type of modification or waiver for which the opportunity for future application is expressly granted in those conditions. Modifications or waivers contained within an approved development proposal are valid as long as the underlying permit or development application approval is valid. If modifications or waivers are approved as separate applications, they ~~((must))~~ shall be incorporated into a valid permit or development application within three years of approval of the development proposal. The director may extend the date for filing the demonstration project permit and development applications for a maximum of twelve months. Any deadline in this subsection shall be adjusted to include the time for appeal of all or any portion of the project approval.

SECTION 363. Ordinance 19119, Section 2, and K.C.C. 21A.55.125 are hereby amended to read as follows:

- A.1. The purpose of the alternative housing demonstration project is to:
- a. encourage private market development of housing options that are affordable to different segments of the county's population by testing removal of certain regulatory barriers to developing such housing;
 - b. compare ~~((at least two))~~ alternative housing options and their accessibility for populations who are otherwise unable to find suitable housing, such as lower-income one-person households, low-income seniors, people with disabilities, veterans, and persons experiencing homeless; and
 - c. evaluate the public benefit of providing housing options with smaller living

15670 spaces and shared facilities(~~;-and~~
15671 ~~d. implement Phase I of King County Comprehensive Plan Workplan Action 6,~~
15672 ~~as adopted in Ordinance 18427, and as amended by Ordinances 18427 and 18810)).~~

15673 2. The expected benefits from the alternative housing demonstration project
15674 include:

15675 a. the use of innovative design and development techniques to promote
15676 alternative housing options;

15677 b. the development of new affordable housing built to modern building
15678 standards; and

15679 c. the opportunity to identify and evaluate potential substantive changes to land
15680 use and development regulations that support the development of affordable housing
15681 while maintaining community character.

15682 B. (~~For purposes of this section:~~

15683 1. ~~"Congregate residence" means one or more buildings that contain either~~
15684 ~~sleeping units or dwelling units, or both, and where residents share either sanitation~~
15685 ~~facilities or kitchen facilities, or both.~~

15686 2. ~~"Sleeping unit" means a room or space in which people sleep, and can also~~
15687 ~~include permanent provisions for living, eating, and either sanitation or kitchen facilities~~
15688 ~~but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping~~
15689 ~~units.~~

15690 ~~€;))~~ The alternative housing demonstration project shall be implemented in
15691 ~~((North Highline as described in Attachment A to Ordinance 19119 and in the Vashon~~
15692 ~~Rural Town as described in Attachment B to Ordinance 19119)) the Snoqualmie Pass~~

15693 Rural Town as described in Map Amendment 31 in Attachment I to this ordinance.

15694 ((D-)) C. Applications shall demonstrate how the proposed project, when
15695 considered as a whole with the proposed modifications or waivers to the code, will meet
15696 the criteria in this section and, as compared to development without the modification or
15697 waiver, the degree to which the project will:

15698 a. increase the range of affordable housing options, including providing
15699 housing types that meet the needs of the local community;

15700 b. provide housing options for low- to moderate-income households;

15701 c. provide for the development of lower rent housing options through
15702 construction of buildings with shared facilities;

15703 d. seek to prevent displacement of the local community's residents;

15704 e. for projects with public funding, meet or exceed the sustainable
15705 development standards adopted by Washington state Department of Commerce under
15706 RCW 39.35D.080;

15707 f. for projects without public funding, meet or exceed Master Builders
15708 Association of King and Snohomish Counties 4-star Built Green standard; and

15709 g. provide attractive and well-designed development.

15710 ((E-)) D. The following apply to a demonstration project development proposal
15711 under this section and supersede development regulations under this title that are in
15712 conflict((+1)). A demonstration project development proposal for a congregate residence
15713 in ((North Highline identified in Attachment A to Ordinance 19119)) the Snoqualmie
15714 Pass Rural Town as identified in Map Amendment 31 of Attachment I to this ordinance,
15715 is a permitted use under K.C.C. 21A.08.030 and the maximum residential density

15716 provisions ~~((and the base height provisions of K.C.C. 21A.12.030 and 21A.12.040))~~ as
15717 established by this title do not apply if:

15718 ~~((a. the))~~ 1. The proposal is for no more than a combined total of ~~((sixty))~~
15719 forty dwelling units and sleeping units;

15720 ~~((b. each))~~ 2. Each sleeping unit or dwelling unit contains no more than two
15721 hundred twenty square feet of floor area; ~~((and))~~

15722 ~~((e. the))~~ 3. The proposed development does not exceed sixtyfive feet in
15723 height; and

15724 4. The proposed development does not use the provisions of K.C.C. chapter
15725 21A.48.

15726 ~~((2. A demonstration project development proposal for a congregate residence;~~
15727 ~~in Vashon Rural Town as identified in Attachment B to Ordinance 19119 is a permitted~~
15728 ~~use under K.C.C. 21A.08.030 and the maximum residential density provisions of K.C.C.~~
15729 ~~21A.12.030 do not apply if:~~

15730 ~~a. the development proposal is for no more than five buildings with each~~
15731 ~~building containing no more than a combined total of eight dwelling units and sleeping~~
15732 ~~units; and~~

15733 ~~b. except for accessibility units designed to house persons with physical~~
15734 ~~disabilities, sleeping units and dwelling units shall not contain more than three hundred~~
15735 ~~fifty square feet of floor area. Sleeping units and dwelling units designed as accessible~~
15736 ~~for persons with physical disabilities shall contain no more than three hundred eight five~~
15737 ~~feet of net floor area.))~~

15738 ~~((F.))~~ E. A congregate residence under this section shall meet the following

15739 standards:

15740 1. A congregate residence shall include at least one common kitchen facility. In
15741 a congregate residence with more than two floors, at least one common kitchen facility is
15742 required on each floor with sleeping units. In a congregate residence consisting of more
15743 than one building, at least one common kitchen facility is required in each building.

15744 2. A sleeping unit that does not include sanitation facilities in the sleeping unit
15745 shall have access to shared sanitation facilities on the same floor as the sleeping unit.

15746 3. Communal areas, such as common kitchen facilities, lounges, recreation
15747 rooms, dining rooms, living rooms, laundry rooms, foyers, and lobbies, shall be open to
15748 all residents of the congregate residence and shall meet the following standards:

15749 a. The total floor area of communal areas shall be at least twelve percent of the
15750 total floor area of all sleeping and dwelling units; and

15751 b. Service areas, including, but not limited to, hallways and corridors, supply
15752 or janitorial storage areas, operations and maintenance areas, staff areas, and offices, may
15753 not be counted toward the communal area total floor area requirement.

15754 ~~((G.))~~ F.1. An application for a development permit or building permit under this
15755 section shall include a proposed agreement with the department of local services,
15756 permitting division, that addresses at least the following to be undertaken by the
15757 applicant:

15758 a. measures to ensure that rents remain affordable, such as rent and income
15759 restrictions or the inherent affordability of smaller units;

15760 b. ~~((measures to reduce displacement of the local community's residents, such
15761 as affirmative marketing or maintaining wait lists;~~

15762 e. ~~measures to ensure that residents have available transportation choices to~~
15763 ~~enable them reasonable access to retail and services, such as the Metro transit department~~
15764 ~~Access paratransit services, community service vans, bike storage rooms or carshare~~
15765 ~~services;~~

15766 d. ~~for projects in the Vashon Rural Town, services that will be available to~~
15767 ~~residents of the project, such as case management for vulnerable populations or social~~
15768 ~~connectivity programming;~~

15769 e.)) measures to incorporate housing needs of the local community into the
15770 proposed development;

15771 ((f.)) c. measures to involve the local community in the proposed development;
15772 and

15773 ((g.)) d. what information the applicant will collect and when and how it will
15774 be reported to the department of local services, permitting division, and the department of
15775 community and human services to assist in evaluation of the demonstration project.

15776 2. The department shall not approve a development permit or building permit
15777 application under this section until the proposed agreement under this subsection has
15778 been approved by the department of local services, permitting division.

15779 ((H.)) G.1. A modification or waiver approved by the department of local
15780 services, permitting division, in accordance with this section shall be in addition to those
15781 modifications or waivers that are currently allowed by this title, K.C.C. Title 9, K.C.C.
15782 Title 14, and K.C.C. Title 16.

15783 2. An applicant under this section, in conjunction with an application for a site
15784 development permit or a building permit, may request in writing a modification or waiver

15785 of the development regulations under the following chapters and titles. Proposals to
15786 modify or waive development regulations for a development application ~~((must))~~ shall be
15787 consistent with general health, safety, and public welfare standards and ~~((must))~~ shall not
15788 violate state or federal law:

15789 a. drainage review requirements: K.C.C. chapter 9.04 and the Surface Water
15790 Design Manual;

15791 b. King County road standards: K.C.C. chapter 14.42 and the King
15792 ~~((e))~~County ~~((r))~~Road Design and Construction ~~((s))~~Standards~~((, 2016 update))~~;

15793 c. King County building code: K.C.C. Title 16;

15794 d. permitted uses: K.C.C. chapter 21A.08;

15795 e. density and dimensions: ~~((K.C.C. chapter 21A.12))~~ section 213 of this
15796 ordinance;

15797 f. design requirements: K.C.C. chapter 21A.14;

15798 g. landscaping and water use: K.C.C. chapter 21A.16;

15799 h. parking and circulation: K.C.C. chapter 21A.18; and

15800 i. school impact fees: K.C.C. chapter 21A.43.

15801 3. Requests for a waiver or modification made in accordance with this section
15802 shall be submitted to the department of local services, permitting division, in writing
15803 before or in conjunction with a development permit or building permit application
15804 together with any supporting documentation. The supporting documentation ~~((must))~~
15805 shall illustrate how the proposed modification meets the criteria in this section.

15806 4. The notice of application, review, and approval of a proposed modification or
15807 waiver under this section shall be treated as a Type 2 land use decision in accordance

with K.C.C. 20.20.020. Approval or denial of the proposed modification or waiver shall not be construed as applying to any other development application either within a demonstration project area or elsewhere in the county.

5. A preapplication conference with the applicant and the department of local services, permitting division, to determine the need for and the likely scope of a proposed modification or waiver is required before submittal of such a request. If a modification or waiver requires approval of the department of natural resources and parks or the department of local services, roads services division, that department or division shall be invited to participate in the preapplication conference.

6. If the applicant requests an adjustment from the county drainage standards, the director shall refer the request to the department of natural resources and parks for decision under K.C.C. chapter 9.04, with the right to appeal within the department of natural resources and parks as provided in K.C.C. 9.04.050.C.6. The department of natural resources and parks shall consider the purposes of this demonstration project as a factor relative to the public interest requirement for drainage adjustments described in K.C.C. 9.04.050.C.

7. If the applicant requests a variance from the county road standards, the director shall refer the request to the county road engineer for decision under K.C.C. 14.42.060, with the right to appeal to the department of local services, road services division, as provided in K.C.C. 14.42.060 and the associated public rules. The department of local services, road services division, shall consider the purposes of this demonstration project as a factor relative to the public interest requirement for road variances described in K.C.C. 14.42.060.

8. Administrative appeals of modifications or waivers approved by the director shall be combined with any appeal of the underlying permit decision.

~~((F))~~ H. An approved development permit or a building permit under this section, including site plan elements or conditions of approval, may be amended or modified at the request of the applicant or the applicant's successor in interest designated by the applicant in writing. The director may administratively approve minor modifications to an approved permit. Modifications that result in major changes as determined by the department of local services, permitting division, or as defined by the approval conditions, shall be treated as a new application for purposes of vesting and shall be reviewed as applicable to the underlying application in accordance with K.C.C.

20.20.020. Any increase in the total number of sleeping units and dwelling units above the maximum number set forth in the development permit or building permit approval shall be deemed a major modification. The county, through the applicable development permit or building permit approval conditions, may specify additional criteria for determining whether proposed modifications are major or minor. The modifications allowed under this section supersede other modification or revision provisions of K.C.C. Title 16 and this title.

~~((F))~~ I. Demonstration project applications shall be accepted by the department of local services, permitting division, for four years from ~~((July 19, 2020))~~ the effective date of this section. Complete applications submitted before the end of the four years, shall be reviewed and decided on by the department of local services, permitting division.

~~((K))~~ J.1. The executive shall electronically file the following reports ~~((in the form of a paper original and an electronic copy))~~ with the clerk of the council, who shall

15854 retain the original and provide an electronic copy to all councilmembers, the council chief
15855 of staff, and the lead staff to the local services((;)) and land use committee or its
15856 successor ((~~and the lead staff to the community health and housing services committee or~~
15857 ~~its successor~~)):

15858 a. A preliminary report within two years of the final certificate of occupancy
15859 for the first project completed under the demonstration project in this section , as adopted
15860 in either Ordinance 19119 or this ordinance, that describes and evaluates the pertinent
15861 preliminary results; and

15862 b. A final report within two years of the final certificate of occupancy for the
15863 second project completed under the demonstration project, as adopted in either ordinance
15864 19119 or this ordinance, that describes and evaluates the pertinent results and
15865 recommends changes, if appropriate based on evaluation, that should be made to the
15866 county processes and development regulations.

15867 2. If only insufficient or inconclusive data are available when the report required
15868 under subsection ((K-)) J.1. of this section is due, the executive ((~~must~~)) shall
15869 electronically file ((~~in the form of a paper original and an electronic copy~~)) with the clerk
15870 of the council, who shall retain the original and provide an electronic copy to all
15871 councilmembers, the council chief of staff, and the lead staff to the local services and
15872 land use committee or its successor ((~~and the lead staff to the community health and~~
15873 ~~housing services committee or its successor~~)) a report on the demonstration projects that
15874 indicates the date a subsequent report or reports will be transmitted to fully evaluate
15875 outcomes of the demonstration project sites and recommend changes, if appropriate,
15876 based on the evaluation, that should be made to the county processes and development

regulations.

NEW SECTION. SECTION 364. There is hereby added to K.C.C. 21A.55 a new section to read as follows:

A.1. The purpose of the regenerative development demonstration project is to determine whether innovative permit processing, site development, and building construction techniques can facilitate development that goes beyond sustainability and results in significant community and environmental benefits, including: net-positive energy and water use; improved ecological performance; health and wellness through walkability, social interaction, and elimination of toxic materials; and diverse, equitable, and affordable housing. The demonstration project will provide information on application of these techniques to a project with a mix of residential and commercial uses within Vashon Rural Town.

2. The demonstration project will also enable the county to evaluate whether consolidated administrative approval of modifications or waivers and any subsequent hearings, if required, effectively speeds the development review process while maintaining land use coordination and environmental protection, and whether that leads to administrative costs savings for project applicants and King County.

B. Expected benefits from the demonstration project include: restoration and enhancement of local ecosystems, particularly ground and surface waters on site and in the watershed; greater use of non-toxic, sustainable building materials; more efficient use of energy and natural resources; improved resident wellbeing; resilience to climate change; diverse, equitable, and affordable housing; and the opportunity to identify and

15899 evaluate potential substantive changes to land use development regulations that support
15900 these goals.

15901 C. A request by the applicant to modify or waive development standards for the
15902 development proposals shall be evaluated by the department of local services, permitting
15903 division, based on the criteria in subsection J. of this section. A request shall first be
15904 either approved or denied administratively and may be further reviewed as described in
15905 subsection H.3. of this section. Approval or denial of the proposed modification or
15906 waiver shall not be construed as applying to any other development application either
15907 within the demonstration project area or elsewhere in the county.

15908 D. A modification or waiver approved by the department of local services,
15909 permitting division, in accordance with this section shall be in addition to those
15910 modifications or waivers that are currently allowed by this title. The proposed
15911 modifications or waivers to development regulations that may be considered regarding
15912 regenerative development demonstration projects shall include only the following
15913 chapters and related public rules:

15914 1. Drainage review requirements: K.C.C. chapter 9.04 and the Surface Water
15915 Design Manual;

15916 2. King County road standards: K.C.C. chapter 14.42 and the King County
15917 Road Design and Construction Standards;

15918 3. Density and dimensions: section 212 and section 213 of this ordinance,
15919 except that allowed densities shall not be modified or waived;

15920 4. Design requirements: K.C.C. chapter 21A.14;

15921 5. Landscaping and water use: K.C.C. chapter 21A.16;

15922 6. Parking and circulation: K.C.C. chapter 21A.18;
15923 7. Signs: K.C.C. chapter 21A.20;
15924 8. Critical areas: K.C.C. chapter 21A.24, if the modification results in a net
15925 improvement to the functions of the critical area; and
15926 9. Landscape installation timing: K.C.C. chapters 27A.30 and 27A.40.
15927 E. A demonstration project authorized by this section may contain residential and
15928 nonresidential uses subject to the following:
15929 1. The R-8 zoned areas of the demonstration project may include any residential
15930 uses as allowed as a permitted use in the R-12 through R-48 zones, subject to any
15931 development conditions in K.C.C. 21A.08.030, without the need to request a
15932 modification or waiver as described in subsection H. of this section. The applicant may
15933 request a modification or waiver of any of the development conditions for residential uses
15934 contained in K.C.C. 21A.08.030, subject to the review process described in subsection H.
15935 of this section and the criteria in subsection J. of this section;
15936 2. For nonresidential uses anywhere within the demonstration project area, the
15937 applicant may request a modification or waiver of the development conditions for
15938 nonresidential uses in section 211 of this ordinance, subject to the review process
15939 described in subsection H. of this section and the criteria in subsection J. of this section.
15940 F. A demonstration project authorized by this section allows a residential basics
15941 program for townhouse, apartment, and houseplex building types, consistent with the
15942 department of local services public rules chapter 16-04: residential basics program.
15943 G. All related review processes such as subdivision, building permit, inspection,
15944 and similar processes for a demonstration project shall be expedited if:

15945 1. Ten percent or more of all for-sale residential units proposed for the
15946 demonstration project are placed into a Community Land Trust as affordable to
15947 households at eighty percent of area median income; and

15948 2. Either:

15949 a. fifteen percent or more of all rental residential units for the demonstration
15950 project are affordable to households at eighty percent of area median income; or

15951 b. seventy percent or more of all rental residential units for the demonstration
15952 project are affordable to households at eighty to one hundred fifteen percent of area
15953 median income.

15954 H.1. Requests for a modification or waiver made in accordance with this section
15955 may only be submitted in writing in relation to the following types of applications:

15956 a. a site development permit;

15957 b. a binding site plan;

15958 c. a building permit;

15959 d. a short subdivision;

15960 e. a subdivision;

15961 f. a conditional use permit; or

15962 g. a clearing and grading permit.

15963 2. Requests shall be submitted to the department in writing before or in
15964 conjunction with an application for one or more of the permits listed in subsection H.1. of
15965 this section, together with any supporting documentation. The supporting documentation
15966 must illustrate how the proposed modification meets the criteria in subsection J. of this
15967 section.

15968 3. Except for an applicant's request for a modification or waiver submitted in
15969 conjunction with an application for a subdivision, the notice of application, review, and
15970 approval of a proposed modification or waiver shall be treated as a Type 2 land use
15971 decision in accordance with K.C.C. 20.20.020. The request for a modification or waiver
15972 submitted in conjunction with an application for a subdivision shall be treated as a Type 3
15973 land use decision in accordance with K.C.C. 20.20.020.

15974 4. A preapplication meeting with the applicant and the department of local
15975 services, permitting division, to determine the need for and the likely scope of a proposed
15976 modification or waiver, is required before submittal of such a request. If a modification
15977 or waiver requires approval of the department of natural resources and parks or the
15978 department of local services, road services division, that department or division shall be
15979 invited to participate in the preapplication meeting.

15980 5. If the applicant requests an adjustment from the county drainage standards,
15981 the director shall refer the request to the department of natural resources and parks for
15982 decision under K.C.C. chapter 9.04, with the right to appeal within the department of
15983 natural resources and parks as provided in K.C.C. 9.04.050.C.6. The department of
15984 natural resources and parks shall consider the purposes of this demonstration ordinance as
15985 a factor relative to the public interest requirement for drainage adjustments described in
15986 K.C.C.9.04.050.C.

15987 6. If the applicant requests a variance from the county road standards, the
15988 director shall refer the request to the county road engineer for decision under K.C.C.
15989 14.42.060, with the right to appeal within the department of local services, road services
15990 division, as provided in K.C.C. 14.42.060 and the associated public rule. The department

of local services, road services division, shall consider the purposes of this demonstration ordinance as a factor relative to the public interest requirement for road variances described in K.C.C. 14.42.060.

7. Administrative appeals of modifications or waivers approved by the director shall be combined with any appeal of the underlying permit decision, if the underlying permit is subject to appeal.

I. An approved development proposal for any of the applications listed in subsection H.1. of this section, including site plan elements or conditions of approval, may be amended or modified at the request of the applicant or the applicant's successor in interest designated by the applicant in writing. The director may administratively approve minor modifications to an approved development proposal. Modifications that result in major changes as determined by the department or as defined by the approval conditions shall be treated as a new application for purposes of vesting and shall be reviewed as applicable to the underlying application pursuant to K.C.C. 20.20.020. Any increase in the total number of dwelling units above the maximum number set forth in the development proposal permit or approval shall be deemed a major modification. The county, through the applicable development proposal permit or approval conditions, may specify additional criteria for determining whether proposed modifications are major or minor. The modifications allowed under this section supersede other modification or revision provisions of K.C.C. Title 16 and Title 19A and this title.

J.1. To be eligible to use the provisions of this section, a demonstration project must be located on a demonstration project site identified in the regenerative development demonstration project Map Amendment 9 in Attachment I to this ordinance,

and the applicant has accepted the site as a King County regenerative development demonstration project.

2. Proposals to modify or waive development regulations for a development application must be consistent with general health, safety, and public welfare standards, and must not violate state or federal law.

3.a. Applications must demonstrate how the proposed project, when considered as a whole with the proposed modifications or waivers to the code, will meet all of the criteria in this subsection J., as compared to development without the modification or waiver, and:

(1) achieves higher-quality development;

(2) optimizes site utilization; and

(4) enhances pedestrian experiences and sense of place and community.

b. Any individual request for a modification or waiver must meet two or more of the following criteria:

(1) contributes to the creation of a walkable community, which includes features such as a connected street and trail network, a mix of housing types, and pedestrian or bike routes throughout the development.

(2) uses the natural site characteristics to enhance the natural systems, providing a net benefit; and

(3) contributes to achievement of Living Certification through the International Living Future Institute's Living Building Challenge certification program.

4. The criteria in this subsection supersede other variance, modification, or waiver criteria and provisions of K.C.C. Title 21A.

16037 K. Regulatory modification and waiver applications, or both, authorized by this
16038 section shall be filed with the department of local services, permitting division, within
16039 three years of January 1, 2025. Complete applications submitted before the end of the
16040 three years shall be reviewed and decided on by the department of local services,
16041 permitting division. Modifications or waivers contained within an approved development
16042 proposal are valid as long as the underlying permit or development application approval
16043 is valid. If modifications or waivers are approved as separate applications, they must be
16044 incorporated into a valid permit or development application within three years of January
16045 1, 2025. The director may extend the date for filing the demonstration project permit and
16046 development applications for a maximum of twelve months. Any deadline in this
16047 subsection shall be adjusted to include the time for appeal of all or any portion of the
16048 project approval.

16049 SECTION 365. Ordinance 3269, Section 2, and K.C.C. 24.08.010 are hereby
16050 amended to read as follows:

16051 ~~((For the purpose of this title, the following terms have the meanings ascribed to~~
16052 ~~them in this chapter.))~~ The definitions in K.C.C. chapter 21A.06 and the definitions in
16053 this chapter apply to this title.

16054 NEW SECTION. SECTION 366. There is hereby added to K.C.C. chapter 24.08
16055 a new section to read as follows:

16056 Rotating shelter: an emergency shelter where the hosting organizations host
16057 shelter operations on a temporary basis, rotating the shelter operations between its
16058 participating host locations.

16059 SECTION 367. Sections 368 through 373 of this ordinance should constitute a
16060 new chapter in K.C.C. Title 24.

16061 NEW SECTION. SECTION 368.The purpose of this chapter is to provide
16062 standards for certain residential care uses and to address the potential impacts to
16063 neighborhoods.

16064 NEW SECTION. SECTION 369.Recuperative housing is subject to the
16065 following criteria:

16066 A. Prospective residents shall be referred to the facility by off-site providers of
16067 housing and services for people experiencing homelessness;

16068 B. Recuperative housing facilities shall be staffed and in operation twenty-four
16069 hours per day;

16070 C. Specific rooms or units shall be assigned to specific residents for the duration
16071 of their stay;

16072 D. On-site services such as laundry, hygiene, meals, case management, and social
16073 programs are limited to residents;

16074 E. All vehicles on-site shall be licensed and in operational condition; and

16075 F. A lease agreement for residents is allowed but not required.

16076 NEW SECTION. SECTION 370.

16077 A. Emergency shelters that operate twenty-four hours per day, seven days per
16078 week, are subject to the following criteria:

16079 1. Facilities shall be staffed twenty-four hours per day; and

16080 2. Beds or rooms shall be assigned to specific residents for the duration of their
16081 stay;

16082 B. Emergency shelters that operate only overnight and rotating shelters shall
16083 provide on-site supervision while in operation; and

16084 C. A lease agreement for residents is allowed but not required.

16085 NEW SECTION. SECTION 371. Emergency supportive housing is subject to
16086 the following criteria:

16087 A. Facilities shall be staffed and in operation twenty-four hours per day;

16088 B. Specific rooms or units shall be assigned to specific residents for the duration
16089 of their stay;

16090 C. On-site services such as laundry, hygiene, meals, case management, and social
16091 programs shall be limited to residents;

16092 D. All vehicles on-site shall be licensed and in operational condition; and

16093 E. A lease agreement for residents is allowed but not required.

16094 NEW SECTION. SECTION 372. Microshelter villages are subject to the
16095 following criteria:

16096 A. On-site services such as laundry, hygiene, meals, case management, and social
16097 programs shall be limited to residents;

16098 B. Supervision shall be provided by on-site staff at all times, unless it can be
16099 demonstrated that this level of supervision is not warranted for the population being
16100 housed;

16101 C. The organization managing and operating the facility shall provide sanitation
16102 and basic safety measures;

16103 D. All vehicles on-site shall be licensed and in operational condition; and

16104 E. A lease agreement for residents is allowed but not required.

16105 NEW SECTION. SECTION 373. Safe parking sites are allowed subject to the
16106 following criteria:

16107 A. A six-foot clearance shall be provided around each recreational vehicle;

16108 B. All vehicles on-site shall be:

16109 1. Licensed and in operable condition; and

16110 2. Parked within the designated parking area;

16111 C. All personal property shall be stored inside the vehicles;

16112 D. All propane tanks shall be securely fastened to a recreational vehicle's propane
16113 tank mounting bracket;

16114 E. The following are prohibited:

16115 1. Tents, tarps, and other temporary structures, such as lean-tos;

16116 2. Vehicles that leak the following:

16117 a. domestic sewage or other waste fluids or solids; or

16118 b. gasoline, transmission or radiator fluid, engine oil, or other similar fluids,
16119 excluding potable water;

16120 3. Fires; and

16121 4. Audio, video, generator, or other amplified sound that is audible outside the
16122 vehicles; and

16123 F. The organization managing or operating the safe parking site shall comply and
16124 enforce compliance of applicable state statutes and regulations and local ordinances
16125 concerning, but not limited to, drinking water connections, solid waste disposal, human
16126 waste, outdoor fire burning, and electrical systems.

16127 SECTION 374. Ordinance 13332, Section 34, as amended, and K.C.C. 27.10.190

16128 are hereby amended to read as follows:

16129 Preliminary subdivision, short subdivision, (~~((urban planned development))~~) or
16130 binding site plan applications shall be charged fees for planning, fire flow and access, site
16131 engineering, critical area, survey, and state Environmental Policy Act review as follows:

16132 A. Short (~~((plat))~~) subdivision - urban ((2)) 3 to 4 lots, simple \$22,944.00

16133 B. Short (~~((plat))~~) subdivision - urban ((2)) 3 to 4 lots, complex \$26,925.00

16134 C. Short (~~((plat))~~) subdivision - urban 5 to 9 lots \$34,036.00

16135 D. Short (~~((plat))~~) subdivision - rural \$26,925.00

16136 E. Subdivision(~~((, urban planned development,))~~) or binding site plan -

16137 base fee \$42,174.00

16138 F. Subdivision - additional fee per lot \$142.00

16139 G. Microsubdivision – urban 2 lots \$15,000.00

16140 H. Minor plan revisions before or after preliminary approval

16141 1. Microsubdivision – urban 2 lots \$1,800.00

16142 2. Short (~~((plat))~~) subdivision \$2,417.00

16143 (~~((2-))~~) 3. Subdivision(~~((, urban planned development))~~) or binding site plan

16144 \$6,186.00

16145 (~~((H-))~~) I. Extension of (~~((plat))~~) preliminary approval \$284.00

16146 SECTION 375. Ordinance 13332, Section 35, as amended, and K.C.C. 27.10.200

16147 are hereby amended to read as follows:

| | |
|-------|--|
| 16148 | Final (((subdivision))) <u>plat</u> , short (((subdivision))) <u>plat</u> , (urban-planned |
| 16149 | development), binding site plan, subdivisional legal description, or title review, |
| 16150 | approval, and resubmittal shall be charged fees as follows: |
| 16151 | A. Final plan review and approval |
| 16152 | 1. Short plat - urban (((2))) <u>3</u> to 4 lots, simple \$7,223.00 |
| 16153 | 2. Short plat - urban (((2))) <u>3</u> to 4 lots, complex \$10,068.00 |
| 16154 | 3. Short plat - urban 5 to 9 lots \$15,471.00 |
| 16155 | 4. Short plat - rural \$10,068.00 |
| 16156 | 5. (((Subdivision))) <u>Final plat or binding site plan</u> ((, or urban-planned |
| 16157 | development)) \$15,471.00 |
| 16158 | 6. <u>Microplat – urban 2 lots</u> <u>\$5,000.00</u> |
| 16159 | B. Final plan resubmittal |
| 16160 | 1. Short plat - urban (((2))) <u>3</u> to 4 lots, simple \$996.00 |
| 16161 | 2. Short plat - urban (((2))) <u>3</u> to 4 lots, complex \$1,421.00 |
| 16162 | 3. Short plat - urban 5 to 9 lots \$2,845.00 |
| 16163 | 4. Short plat - rural \$1,421.00 |
| 16164 | 5. (((Subdivision))) <u>Final plat or binding site plan</u> ((, or urban-planned |
| 16165 | development)) \$2,845.00 |
| 16166 | 6. <u>Microplat – urban 2 lots</u> <u>\$700.00</u> |
| 16167 | C. Alteration after recordation |
| 16168 | 1. Short plat - urban (((2))) <u>3</u> to 4 lots, simple \$4,835.00 |
| 16169 | 2. Short plat - urban (((2))) <u>3</u> to 4 lots, complex \$6,825.00 |
| 16170 | 3. Short plat - urban 5 to 9 lots \$10,380.00 |

| | | | |
|-------|--|--|-------------------|
| 16171 | 4. | Short plat - rural | \$6,825.00 |
| 16172 | 5. | ((Subdivision,)) <u>Final plat or binding site plan</u> ((or urban planned development)) | |
| 16173 | | | \$12,372.00 |
| 16174 | 6. | <u>Microplat – urban 2 lots</u> | <u>\$3,500.00</u> |
| 16175 | D. | Subdivisional legal description review | |
| 16176 | 1. | 1-50 lots - base fee | \$700.00 |
| 16177 | 2. | 1-50 lots - per lot | \$168.00 |
| 16178 | 3. | 51-100 lots - base fee | \$9,100.00 |
| 16179 | 4. | 51-100 lots - per lot | \$68.00 |
| 16180 | 5. | More than 100 lots - base fee | \$12,500.00 |
| 16181 | 6. | More than 100 lots - per lot | \$16.00 |
| 16182 | 7. | Name change | \$517.00 |
| 16183 | <u>SECTION 376.</u> No later than June 30, 2025, the executive shall transmit the | | |
| 16184 | thirty-year forest plan, clean water healthy habitat strategic plan, and wildfire risk | | |
| 16185 | reduction strategy to the council, along with motions accepting each document. The | | |
| 16186 | documents and motions required by this section shall be filed with the clerk of the | | |
| 16187 | council, who shall retain an electronic copy and provide an electronic copy to all | | |
| 16188 | councilmembers, the council chief of staff, and the lead staff to the transportation, | | |
| 16189 | economy, and environment committee or its successor. | | |
| 16190 | <u>SECTION 377.</u> The following are hereby repealed: | | |
| 16191 | A. | Ordinance 14050, Section 17, and K.C.C. 14.70.300; | |
| 16192 | B. | Ordinance 9614, Section 103, as amended, and K.C.C. 16.82.150; | |
| 16193 | C. | Ordinance 16267, Section 6, and K.C.C. 16.82.151; | |

16194 D. Ordinance 15053, Section 15, as amended, and K.C.C. 16.82.152;
16195 E. Ordinance 15053, Section 16, and K.C.C. 16.82.154;
16196 F. Ordinance 18810, Section 6, and K.C.C. 20.08.175;
16197 G. Ordinance 1096, Sections 1 and 2, as amended, and K.C.C. 20.12.090;
16198 H. Ordinance 8279, Section 1, as amended, and K.C.C. 20.12.150;
16199 I. Ordinance 18623, Section 8, and K.C.C. 20.12.329;
16200 J. Ordinance 11620, Section 18, and K.C.C. 20.12.433;
16201 K. Ordinance 11620, Section 19, and K.C.C. 20.12.435;
16202 L. Ordinance 8380, Section 1, and K.C.C. 20.14.010;
16203 M. Ordinance 8380, Appendix A;
16204 N. Ordinance 8380, Appendix B;
16205 O. Ordinance 10238, Section 1, as amended, and K.C.C. 20.14.020;
16206 P. Ordinance 10293, Attachment A, as amended;
16207 Q. Ordinance 10293, Sections 1, 2, 6, 7, and 9, as amended, and K.C.C.
16208 20.14.025;
16209 R. Ordinance 10293, Attachment A, as amended;
16210 S. Ordinance 10513, Section 1, as amended, and K.C.C. 20.14.030;
16211 T. Ordinance 10513, Attachment A, as amended;
16212 U. Ordinance 11087, Section 1, as amended, and K.C.C. 20.14.040;
16213 V. Ordinance 11087, Attachment A, as amended;
16214 W. Ordinance 11111, Section 1, as amended, and K.C.C. 20.14.050;
16215 X. Ordinance 11111, Attachment A, as amended;
16216 Y. Ordinance 11886, Sections 1 and 4, as amended, and K.C.C. 20.14.060;

16217 Z. Ordinance 11886, Attachment A, as amended;

16218 AA. Ordinance 12809, Section 1, as amended, and K.C.C. 20.14.070;

16219 BB. Ordinance 12809, Attachment A, as amended;

16220 CC. Ordinance 14091, Section 1, and K.C.C. 20.14.080;

16221 DD. Ordinance 14091, Attachment A;

16222 EE. Ordinance 13147, Section 28, as amended, and K.C.C. 20.18.120;

16223 FF. Ordinance 8998, Section 6, and K.C.C. 20.44.145;

16224 GG. Ordinance 11210, Section 22, and K.C.C. 21A.06.027;

16225 HH. Ordinance 10870, Section 99, as amended, and K.C.C. 21A.06.295;

16226 II. Ordinance 17191, Section 20, and K.C.C. 21A.06.318;

16227 JJ. Ordinance 10870, Section 106 and K.C.C. 21A.06.330;

16228 KK. Ordinance 17191, Section 22 and K.C.C. 21A.06.450;

16229 LL. Ordinance 12171, Section 3, and K.C.C. 21A.06.533;

16230 MM. Ordinance 10870, Section 192, and K.C.C. 21A.06.760;

16231 NN. Ordinance 10870, Section 196, and K.C.C. 21A.06.780;

16232 OO. Ordinance 14045, Section 6, and K.C.C. 21A.06.819;

16233 PP. Ordinance 10870, Section 208, and K.C.C. 21A.06.840;

16234 QQ. Ordinance 10870, Section 210, and K.C.C. 21A.06.850;

16235 RR. Ordinance 10870, Section 219, and K.C.C. 21A.06.895;

16236 SS. Ordinance 11210, Section 31, and K.C.C. 21A.06.897;

16237 TT. Ordinance 11210, Section 33, and K.C.C. 21A.06.972;

16238 UU. Ordinance 10870, Section 239, and K.C.C. 21A.06.995;

16239 VV. Ordinance 10870, Section 255, and K.C.C. 21A.06.1075;

16240 WW. Ordinance 10870, Section 301, and K.C.C. 21A.06.1305;
16241 XX. Ordinance 10870, Section 308, and K.C.C. 21A.06.1340;
16242 YY. Ordinance 10870, Section 339, and K.C.C. 21A.12.020;
16243 ZZ. Ordinance 10870, Section 340, as amended, and K.C.C. 21A.12.030;
16244 AAA. Ordinance 10870, Section 341, as amended, and K.C.C. 21A.12.040;
16245 BBB. Ordinance 17539, Section 35, and K.C.C. 21A.12.042;
16246 CCC. Ordinance 10870, Section 345, as amended, and K.C.C. 21A.12.080;
16247 DDD. Ordinance 11555, Section 4, as amended, and K.C.C. 21A.12.085;
16248 EEE. Ordinance 10870, Section 360, as amended, and K.C.C. 21A.12.230;
16249 FFF. Ordinance 16267, Section 30, as amended, and K.C.C. 21A.12.250;
16250 GGG. Ordinance 10870, Section 368, as amended, and K.C.C. 21A.14.080;
16251 HHH. Ordinance 10870, Section 369, as amended, and K.C.C. 21A.14.090;
16252 III. Ordinance 10870, Section 372, and K.C.C. 21A.14.120;
16253 JJJ. Ordinance 10870, Section 373, as amended, and K.C.C. 21A.14.130;
16254 KKK. Ordinance 10870, Section 379, as amended, and K.C.C. 21A.14.190;
16255 LLL. Ordinance 10870, Section 410, as amended, and K.C.C. 21A.18.060;
16256 MMM. Ordinance 10870, Section 417, and K.C.C. 21A.18.130;
16257 NNN. Ordinance 10870, Section 418, and K.C.C. 21A.18.140;
16258 OOO. Ordinance 15170, Section 18, and K.C.C. 21A.32.145;
16259 PPP. Ordinance 10870, Section 560, and K.C.C. 21A.34.010;
16260 QQQ. Ordinance 10870, Section 561, as amended, and K.C.C. 21A.34.020;
16261 RRR. Ordinance 10870, Section 562, as amended, and K.C.C. 21A.34.030;
16262 SSS. Ordinance 10870, Section 563, as amended, and K.C.C. 21A.34.040;

16263 TTT. Ordinance 10870, Section 564, as amended, and K.C.C. 21A.34.050;
16264 UUU. Ordinance 10870, Section 565, as amended, and K.C.C. 21A.34.060;
16265 VVV. Ordinance 10870, Section 566, and K.C.C. 21A.34.070;
16266 WWW. Ordinance 10870, Section 567, and K.C.C. 21A.34.080;
16267 XXX. Ordinance 16267, Section 68, as amended, and K.C.C. 21A.37.055;
16268 YYY. Ordinance 10870, Section 578, as amended, and K.C.C. 21A.38.050;
16269 ZZZ. Ordinance 10870, Section 581, as amended, and K.C.C. 21A.38.080;
16270 AAAA. Ordinance 11567, Section 1, as amended, and K.C.C. 21A.38.100;
16271 BBBB. Ordinance 12823, Section 13, and K.C.C. 21A.38.180;
16272 CCCC. Ordinance 18623, Section 9, and K.C.C. 21A.38.270;
16273 DDDD. Ordinance 19555, Section 19, and K.C.C. 21A.38.275;
16274 EEEE. Ordinance 19555, Section 20, and K.C.C. 21A.38.280;
16275 FFFF. Ordinance 10870, Section 582, and K.C.C. 21A.39.010;
16276 GGGG. Ordinance 10870, Section 583, as amended, and K.C.C. 21A.39.020;
16277 HHHH. Ordinance 10870, Section 584, as amended, and K.C.C. 21A.39.030;
16278 IIII. Ordinance 10870, Section 585, and K.C.C. 21A.39.040;
16279 JJJJ. Ordinance 10870, Section 586, as amended, and K.C.C. 21A.39.050;
16280 KKKK. Ordinance 10870, Section 587, and K.C.C. 21A.39.060;
16281 LLLL. Ordinance 10870, Section 588, and K.C.C. 21A.39.070;
16282 MMMM. Ordinance 10870, Section 589, and K.C.C. 21A.39.080;
16283 NNNN. Ordinance 10870, Section 590, and K.C.C. 21A.39.090;
16284 OOOO. Ordinance 10870, Section 591, and K.C.C. 21A.39.100;
16285 PPPP. Ordinance 10870, Section 592, and K.C.C. 21A.39.110;

16286 RRRR. Ordinance 10870, Section 593, and K.C.C. 21A.39.120;

16287 SSSS. Ordinance 10870, Section 594, and K.C.C. 21A.39.130;

16288 TTTT. Ordinance 12171, Section 8, and K.C.C. 21A.39.200;

16289 UUUU. Ordinance 13130, Section 10, as amended, and K.C.C. 21A.42.180;

16290 VVVV. Ordinance 10870, Section 628, and K.C.C. 21A.44.070;

16291 WWWW. Ordinance 12171, Section 9, and K.C.C. 21A.44.080;

16292 XXXX. Ordinance 13275, Section 1, as amended, and K.C.C. 21A.55.050;

16293 YYYYY. Ordinance 14662, Section 1, as amended, and K.C.C. 21A.55.060;

16294 ZZZZ. Ordinance 19687, Section 10, and K.C.C. 21A.60.020;

16295 AAAAA. Ordinance 17877, Section 1;

16296 BBBB. Ordinance 17877, Section 2;

16297 CCCCC. Ordinance 17877, Section 3;

16298 DDDDD. Ordinance 17878, Section 1;

16299 EEEEE. Ordinance 17878, Section 2;

16300 FFFFF. Ordinance 17878, Section 3;

16301 GGGGG. Ordinance 17950, Section 5;

16302 HHHHH. Ordinance 15170, Section 16, as amended;

16303 IIII. Ordinance 15170, Section 17, as amended;

16304 JJJJ. Attachment A to Ordinance 13875, as amended; and

16305 KKKKK. Ordinance 16650, Attachment B.

16306 SECTION 378. The executive shall submit sections 48, 269, 271, 272, 273, 274,

16307 275, 276, 277, 278, and 279 of this ordinance and amendments to King County

16308 Comprehensive Plan chapter six in Attachment A to this ordinance to the state
16309 Department of Ecology for its approval, as provided in RCW 90.58.090.

16310 SECTION 379. Sections 48, 269, 271, 272, 273, 274, 275, 276, 277, 278, and
16311 279 of this ordinance and amendments to King County Comprehensive Plan chapter six
16312 in Attachment A to this ordinance take effect within the shoreline jurisdiction fourteen
16313 days after the state Department of Ecology provides written notice of final action stating
16314 that the proposal is approved, in accordance with RCW 90.58.090. The executive shall
16315 provide the written notice of final action to the clerk of the council.

16316 SECTION 380. The "Designated Mineral Resource Sites" table shown in Chapter
16317 3 of the King County Comprehensive Plan shall not take effect until the latter of the
16318 following:

16319 A. Sixty-one days after the date of publication of notice of adoption for this
16320 ordinance; or

16321 B. If a petition for review to the growth management hearings board is timely
16322 filed, upon issuance of the board's final order. The executive shall alert the clerk of the
16323 council whether a petition is filed, and if a petition is filed, when a final order is issued.

16324 SECTION 381. The executive is authorized to submit an application to the
16325 Growth Management Planning Council to designate the Skyway and White Center
16326 Unincorporated Activity Centers as countywide centers, as provided in Appendix 6 to the
16327 2021 King County Countywide Planning Policies.

16328 SECTION 382. Severability. If any provision of this ordinance or its application
16329 to any person or circumstance is held invalid, the remainder of the ordinance or the
16330 application of the provision to other persons or circumstances is not affected."

16331

16332 Strike Attachment A, 2024 King County Comprehensive Plan, dated June 2024, and

16333 insert Attachment A, 2024 King County Comprehensive Plan, dated December 2024.

16334 The clerk of the council is instructed to engross changes from any adopted amendments

16335 and correct any scrivener's errors. Upon final adoption, council staff is instructed to

16336 reflect the enactment number throughout Attachment A, incorporate adopted changes into

16337 the King County Comprehensive Plan, modify all Comprehensive Plan and technical

16338 maps in Attachment A to reflect the changes in any adopted amendments, update the

16339 tables of contents to show the engrossed legislative markup, headers, and page numbers,

16340 update footnote numbers as necessary, remove the line numbers, remove background

16341 shading, make the formatting consistent throughout, and provide an electronic copy of

16342 each to the executive.

16343

16344 Strike Attachment B, Appendix A Capital Facilities and Utilities, dated June 2024, and

16345 insert Attachment B, Appendix A Capital Facilities and Utilities, dated December 2024.

16346 The clerk of the council is instructed to engross changes from any adopted amendments

16347 and correct any scrivener's errors. The clerk of the council is instructed to remove line

16348 numbers and update headers to reflect the enactment number in the attachment on the

16349 final version of this legislation adopted by the council before presentation to the

16350 executive.

16351

16352 Strike Attachment C, Appendix B Housing Needs Assessment, dated June 2024, and

16353 insert Attachment C, Appendix B Housing Needs Assessment, December June 2024.

16354 The clerk of the council is instructed to engross changes from any adopted amendments
16355 and correct any scrivener's errors. The clerk of the council is instructed to remove line
16356 numbers and update headers to reflect the enactment number in the attachment on the
16357 final version of this legislation adopted by the council before presentation to the
16358 executive.

16359

16360 Strike Attachment D, Appendix C Transportation, dated June 2024, and insert
16361 Attachment D, Appendix C Transportation, dated December 2024. The clerk of the
16362 council is instructed to engross changes from any adopted amendments and correct any
16363 scrivener's errors. The clerk of the council is instructed to remove line numbers and
16364 update headers to reflect the enactment number in the attachment on the final version of
16365 this legislation adopted by the council before presentation to the executive.

16366

16367 Strike Attachment E, Appendix C1 Transportation Needs Report, dated June 2024, and
16368 insert Attachment E, Appendix C1 Transportation Needs Report, dated December 2024.
16369 The clerk of the council is instructed to engross changes from any adopted amendments
16370 and correct any scrivener's errors. The clerk of the council is instructed to remove line
16371 numbers and update headers to reflect the enactment number in the attachment on the
16372 final version of this legislation adopted by the council before presentation to the
16373 executive.

16374

16375 Strike Attachment F, Appendix C2 Regional Trail Needs Report, dated June 2024, and
16376 insert Attachment F, Appendix C2 Regional Trail Needs Report, December June 2024.

16377 The clerk of the council is instructed to engross changes from any adopted amendments
16378 and correct any scrivener's errors. The clerk of the council is instructed to remove line
16379 numbers and update headers to reflect the enactment number in the attachment on the
16380 final version of this legislation adopted by the council before presentation to the
16381 executive.

16382

16383 Strike Attachment G, Appendix D1 Growth Targets and the Urban Growth Area, dated
16384 June 2024, and insert Attachment G, Appendix D1 Growth Targets and the Urban
16385 Growth Area, dated December 2024. The clerk of the council is instructed to engross
16386 changes from any adopted amendments and correct any scrivener's errors. The clerk of
16387 the council is instructed to remove line numbers and update headers to reflect the
16388 enactment number in the attachment on the final version of this legislation adopted by the
16389 council before presentation to the executive.

16390

16391 Strike Attachment H, Vashon-Maury Island Community Service Area Subarea Plan, As
16392 Amended, dated June 2024, and insert Attachment H, Vashon-Maury Island Community
16393 Service Area Subarea Plan, As Amended, dated December 2024. The clerk of the
16394 council is instructed to engross changes from any adopted amendments and correct any
16395 scrivener's errors. Upon final adoption, council staff is instructed to reflect the enactment
16396 number throughout Attachment H, incorporate adopted changes into the Vashon-Maury
16397 Island CSA Subarea Plan, update the tables of contents as necessary, update footnote
16398 numbers as necessary, and provide an electronic copy of each to the executive.

16399

16400 Strike Attachment I, Land Use and Zoning Map Amendments, dated June 2024, and
16401 insert Attachment I, Land Use and Zoning Map Amendments, dated December 2024.
16402 The clerk of the council is instructed to engross changes from any adopted amendments
16403 and correct any scrivener's errors. Upon final adoption, council staff is instructed to
16404 reflect the enactment number throughout Attachment I, and coordinate with executive
16405 staff to assign new P-suffix or Special District Overlay numbers, modify all
16406 Comprehensive Plan and technical maps, including those that show the urban growth
16407 boundary, and provide an electronic copy of each to the executive.
16408
16409 Strike Attachment J, Snoqualmie Valley-Northeast King County Subarea Plan, dated
16410 June 2024, and insert Attachment J, Snoqualmie Valley-Northeast King County Subarea
16411 Plan, dated December 2024. The clerk of the council is instructed to engross changes
16412 from any adopted amendments and correct any scrivener's errors. Upon final adoption,
16413 council staff is instructed to reflect the enactment number throughout Attachment A,
16414 incorporate adopted changes into the King County Comprehensive Plan, modify all
16415 Comprehensive Plan and technical maps in Attachment J to reflect the changes in any
16416 adopted amendments, update the tables of contents as necessary, update footnote
16417 numbers as necessary, remove the line numbers, and provide an electronic copy of each
16418 to the executive.
16419 **EFFECT prepared by E. Auzins, J. Ngo, J. Tracy:**
16420 Striking Amendment S1 would make the following changes:
16421
16422 Proposed Ordinance 2023-0440.2:
16423 1. Engrosses changes and makes updates to reflect passage of other ordinances for
16424 battery energy storage systems and the Flood Management Plan.
16425 2. Makes clarifying changes and technical corrections, reformatting, and reorganizes
16426 sections.

- 16427 3. Adds and modifies Findings to address the statutory requirements for GMA periodic
16428 review and the adoption of the critical area regulations in 2025; Best Available
16429 Science; climate change planning; formula businesses; and rural growth.
16430 4. Aligns definitions between Titles of the King County Code. Removes outdated
16431 definitions and terminology.
16432 5. Adds special district overlay numbering in the Code.
16433
16434 *Title 2 changes*
16435 6. Modifies the requirement for transmittal of community needs lists to only with the
16436 County budget, rather than with subarea plans and/or the County budget.
16437 7. Removes provision for a rural area advisory commission.
16438
16439 *Title 16 changes*
16440 8. Clearing and grading code permit exemptions:
16441 a. Removes an exemption in wetlands, aquatic areas and their buffers for clearing
16442 related to forest fire prevention.
16443 b. Combines exemptions for clearing for maintenance of utility corridors or
16444 facilities outside of critical areas.
16445 c. Clarifies exemption for clearing for purposes of wildfire preparedness outside
16446 of critical areas to match Executive intent.
16447
16448 *Title 18 changes*
16449 9. Strategic Climate Action Plan (SCAP):
16450 a. Removes a requirement to transmit the SCAP by ordinance.
16451 b. Modifies language regarding consultation with Indian tribes during
16452 development of the SCAP.
16453
16454 *Title 19A changes*
16455 10. Microsubdivisions:
16456 a. Adds a definition for a microsubdivision, which is a two-lot short plat.
16457 b. Modifies the definition of short subdivision to include microsubdivisions.
16458 c. Clarifies terminology between subdivision and plat.
16459 d. Requires a microsubdivision in the urban area to be reviewed as a Type 1 land
16460 use decision and other short subdivisions to be reviewed as a Type 2 land use
16461 decision.
16462 e. Establishes fees.
16463
16464 *Title 20 changes*
16465 11. Removes a method of initiating a subarea plan by motion.
16466 12. Modifies notification methods for Comprehensive Plan and development regulations
16467 to allow for expedited review by the Washington State Department of Commerce.
16468 13. Four-to-One Program:
16469 a. Requires proposals that add 10 or more dwelling units to be 30% affordable to
16470 households at or below 80% AMI for owner-occupied units and/or 60% AMI
16471 for rental units.

- 16472 b. Allows the County to waive requirements that do not apply to four-to-one
16473 proposals.
- 16474 14. Modifies the SEPA substantive authority requirements to match current adopted
16475 policies that the County may use to condition projects subject to SEPA.
- 16476
- 16477 *General Title 21A changes*
- 16478 15. Removes redundant language related to review of essential public facilities.
- 16479 16. Modifies the purpose of mixed-use developments in the NB zone is to provide
16480 workforce housing.
- 16481 17. Adds a definition for community center use.
- 16482 18. Modifies the definition of emergency shelter to state that day, cooling, or warming
16483 center services may be offered.
- 16484 19. Removes a definition of family and replaces the usage of that word with “household.”
- 16485 20. Adds a definition for floor area ratio.
- 16486 21. Adds a definition for formula businesses.
- 16487 22. Adds a definition for industrial uses.
- 16488 23. Modifies the definition of motor vehicle, boat, and mobile home dealer to exclude
16489 aircraft dealers.
- 16490 24. Adds a definition for heritage trail sign.
- 16491 25. Removes changes to temporary use permit regulations.
- 16492 26. Adds a definition for home-based animal shelter in 21A.06.
- 16493
- 16494 *Residential land use table*
- 16495 27. DC (development condition) 17: Limits residential uses in the A zones to farm
16496 residences (this use does not include farm worker housing, which remains allowed),
16497 and requires them to: 1) be accessory to agricultural uses, 2) put notice on title that it
16498 must be occupied by the owner or operator (or family or employee) of an agricultural
16499 operation, and 3) be located on unfarmable land.
- 16500 28. DC 7 for accessory dwelling units:
- 16501 a. Allows, in the urban area, a detached accessory dwelling unit (ADU) to have
16502 up to 1,500 square feet of heated area, if there is a corresponding decrease to
16503 the maximum allowed unheated area. The total square footage of the ADU
16504 remains limited to 2,000 square feet.
- 16505 b. Requires, in the rural area, that detached ADUs are counted as a separate
16506 dwelling unit at the time of a proposed subdivision, and that if an ADU is made
16507 a primary unit on the separate lot, then no additional detached ADUs may be
16508 built on either lot, unless the minimum lot area is twice the amount required.
- 16509
- 16510 *Recreational and cultural land use table*
- 16511 29. Community center:
- 16512 a. Allows a community center in the RA and R-1 to R-8 zones as a Permitted use
16513 as a reuse of a public school facility or surplus nonresidential facility or
16514 accessory to a park, or with a conditional use permit (CUP). Allows a
16515 community center in the R-12 to R-48, NB, CB, RB, and O zones as a
16516 Permitted use.
- 16517

Health care services and residential care services land use table

30. Doctor's office/outpatient clinic:

- a. Adds DC 20, which requires that in the RA zone, when a CUP is required, that the use not exceed 5,000 square feet.
- b. Corrects cross references to the DCs in the R zones and adds back an existing allowance in the I zone to correct a drafting error.

31. Crisis care center:

- a. Prohibits this use in RA-2.5, RA-10, RA-20, R, NB, CB, RB, and O zones outside the urban area.
- b. Modifies DC 4 to limit the size to 16 beds.

32. Hospitals: Modifies DC 6 to not allow psychiatric or other specialty hospital uses in the R-12 or R-18 zones as a permitted use.

33. Permanent supportive housing: Modifies DC 9 and 10 to remove allowance for the use in Rural Towns.

34. Recuperative housing, emergency supportive housing, and emergency shelter:

- a. Corrects allowance to correct a drafting error and allow these uses as a Permitted use in the R-12 to R-48, NB, CB, RB, and O zones.
- b. Removes allowance for the uses in Rural Towns.

35. Microshelter villages: Modifies DC 12 to remove allowance for the use in Rural Towns.

36. Safe parking: Modifies DC 13 to remove allowance for the use in Rural Towns.

Personal services and lodging land use table (was General services)

37. Separates out general personal services into:

- a. Beauty and barber shops, shoe repair shops, and drycleaner and garment pressing, with no substantive changes.
- b. Laundry, cleaning, and garment services, with no substantive changes.
- c. Carpet and upholstery cleaning, and prohibits this use in R zones.
- d. Adds a portrait photographic studios use: as a Permitted use R-4 to R-8 zones with DC 6, which limits the size to 2,500 square feet, prohibits amplified noise, sets maximum parking, sets hours of operation, and in R-12 to R-48 with DC 25, which limits the size to 5,000, prohibits amplified noise, sets maximum parking, sets hours of operation; and without development conditions in the NB, CB, RB zones.

38. Daycare:

- a. Remove DC 6, which requires that outdoor play areas be completely enclosed by a solid wall or fence, with no openings except for gates, and have a minimum height of six feet, from all zones.
- b. Add DC 39, excluding adult daycares and educational uses and stating that daycares in the RA zone are only allowed when primarily serving residents of the rural area or natural resource lands.
- c. Add DC 40, excluding adult daycares and educational uses and stating that daycares in the A zone are only allowed when accessory to an agricultural use, serving only the children of farm workers employed on the site, and no more than thirty children are cared for on site.

16564 *Government and education table (new)*
16565 39. Moves government services and educational uses into a new table.
16566 40. For utility facilities, the Executive’s proposed equity impact review language are
16567 changed in new DC 12 to state that an equity impact review is only required once the
16568 Office of Equity and Racial and Social Justice develops the tool to do so, and to limit
16569 the review for electric lines to new electric transmission lines in regional utility
16570 corridors.
16571
16572 *Business services table (was Government/Business):* No substantive changes in this table.
16573 Government uses are moved into the new government and education table.
16574
16575 *Retail table*
16576 41. Retail Nursery, Garden Center, and Farm Supply Stores: Modifies DC 1 to allow in
16577 the A and RA zones up to 3,500 square feet (an increase from 2,000 square feet) of
16578 covered sales area as a Permitted use, and up to 5,000 square feet (an increase from
16579 3,000 square feet) with a CUP.
16580
16581 *Industrial table (was Manufacturing)*
16582 42. Moves Fossil fuel facility into this table from the regional uses table, consistent with
16583 industrial definition and industrial zone purpose. Adds language to DC 45 to state
16584 that an equity impact review is only required once the Office of Equity and Racial
16585 and Social Justice develops the tool to do so.
16586 43. Clarifying changes to allow cannabis processor I with same permissions as cannabis
16587 processor II.
16588 44. Moves a prohibition on cannabis producers and processors in the White Center
16589 unincorporated activity center from a P-suffix condition that is being deleted.
16590
16591 *Resource table*
16592 45. Anaerobic digester:
16593 a. Removes allowance in M zone.
16594 b. In the NB and CB zones, adds a requirement that the digester is limited to
16595 waste generated on-site. A CUP is required in the underlying.
16596 46. Moves temporary farm worker housing in table to clarify that the use does not need to
16597 be accessory to a farm use on the same site, consistent with the language in DC 14.
16598 Modifies DC 14 to allow temporary farm worker housing when it falls under the
16599 threshold for state licensing.
16600 47. Maintains permanent farm worker housing as a resource accessory use in the table
16601 without change to allowances.
16602 48. Moves a prohibition on cannabis producers and processors in the White Center
16603 unincorporated activity center from a P-suffix condition that is being deleted.
16604 49. Sale of retail agricultural products as part of agricultural activities: Modifies DC 24 to
16605 allow up to 3,500 square feet (an increase from 2,000 square feet) of covered sales
16606 area as a Permitted use, and up to 5,000 square feet (an increase from 3,500 square
16607 feet) with approval from agricultural technical review committee.
16608
16609 *Regional table*

- 16610 50. Language added to DC 12, 14, and 29 to state that an equity impact review for
16611 nonhydroelectric generation facilities and hydroelectric generation facilities is only
16612 required once the Office of Equity and Racial and Social Justice develops the tool to
16613 do so.
16614
- 16615 *North Highline-specific chapter¹*
- 16616 51. Clarifies that density applies only to dwelling units, not sleeping units.
16617 52. Adds a 125% maximum density option and extra floor area ratio allowance for
16618 developments providing child daycares.
16619 53. Increases the maximum density to 300% for: 1) inclusionary housing developments
16620 and 2) developments with less than 10 units and within a ½ mile of a frequent or
16621 high-capacity transit stop.
16622 54. Clarifies that the TDRs bonus applies to North Highline for developments with less
16623 than 10 units at the 150% maximum density provision.
16624 55. Clarifies that inclusionary housing is for the highest maximum density provision.
16625 56. Adds street and interior setbacks standards for nonresidential developments in
16626 residential zones, including for uses with less than 2,500 sf of floor area, government
16627 and institutional uses, battery energy storage systems, regional uses, utility facilities,
16628 and all other nonresidential uses.
16629 57. Modifies the R-12 residential base height limit from 35 feet (properties subject to p-
16630 suffix NH-P01) or 60 feet to 45 feet, and the maximum height limit from between 65
16631 feet to 60 feet. Removes p-suffix NH-P01.
16632 58. Adds impervious surface allowances for the R-4 and R-6 zone for nonresidential
16633 developments consistent with existing K.C.C. 21A.12.220. Impervious surface
16634 allowances for the R-8 through R-48 are the same for residential and nonresidential
16635 uses.
16636 59. Lowers the height limit for the White Center core to 55 feet and removes p-suffix
16637 NH-P04.
16638 60. Changes the upper-level step backs from 15 feet to 10 feet.
16639 61. Removes upper-level step back requirements for the White Center unincorporated
16640 activity center.
16641 62. Adds the cannabis retail limit from p-suffix NH-P02 to commercial properties in
16642 North Highline and removes p-suffix NH-P02.
16643 63. Adds a mixed-use requirement from p-suffix NH-P03 and removes p-suffix NH-P03.
16644 64. Reduces the street setback in commercial zones to 0 feet, except for gas station
16645 pumps and projects subject to the North Highline urban design standards.
16646 65. Reduces the minimum interior setback in commercial zones along residential zones to
16647 10 feet with landscaping.
16648 66. Modifies the floor area ratios for nonresidential developments and adds floor area
16649 ratios for mixed-use developments.
16650 67. Moves standards from SO-100 and SO-310 into the chapter and removes SO-100 and
16651 SO-310.

¹ *Note: Although this is a new chapter that shows only new text, much of the new text is moved from elsewhere in the Code. The changes summarized in this section describe the substantive differences between the new chapter and the committee version of K.C.C. 21A.12.030 and K.C.C. 21A.12.040 for this geography.*

- 16652 68. Adds parking standards specific to the White Center unincorporated activity center,
16653 within ½ mile of high capacity or frequent transit, and other areas of North Highline.
16654 69. Modifies the threshold for the North Highline urban design standards to exclude
16655 residential-only developments with less than 10 units or developments with 20% of
16656 units affordable to households at or below 70% AML.
16657 70. Prohibits formula businesses in the core street type in the White Center
16658 unincorporated activity center, in the Top Hat area.
16659
16660 *Skyway-West Hill-specific chapter^l*
16661 71. Clarifies that density applies only to dwelling units, not sleeping units.
16662 72. Adds a 125% maximum density option and extra floor area ratio allowance for
16663 developments providing child daycares.
16664 73. Increases the maximum density to 255% for inclusionary housing developments.
16665 74. Clarifies that the TDRs bonus applies to Skyway-West Hill for developments with 9
16666 or fewer units at the 150% maximum density provision.
16667 75. Clarifies that inclusionary housing is for the highest maximum density provision.
16668 76. Adds street and interior setbacks standards for nonresidential developments in
16669 residential zones, including for uses with less than 2,500 sf of floor area, government
16670 and institutional uses, battery energy storage systems, regional uses, utility facilities,
16671 and all other nonresidential uses.
16672 77. Adds impervious surface allowances for the R-4 and R-6 zone for nonresidential
16673 developments consistent with existing K.C.C. 21A.12.220. Impervious surface
16674 allowances for the R-8 through R-48 are the same for residential and nonresidential
16675 uses.
16676 78. Changes the upper-level step backs from 15 feet to 10 feet.
16677 79. Adds the cannabis retail limit from p-suffix WH-P11 to commercial properties in
16678 Skyway-West Hill and removes p-suffix WH-P11.
16679 80. Reduces the street and interior setback in the CB to 0 feet, except for gas station
16680 pumps, consistent with existing SO-050.
16681 81. Modifies the floor area ratios for nonresidential developments and adds floor area
16682 ratios for mixed-use developments.
16683 82. Moves standards from SO-050 and SO-300 into the permitted uses, landscaping,
16684 parking, and design standards for the NB zone and CB of the Skyway unincorporated
16685 activity center and removes SO-050 and SO-300.
16686 83. Moves standards from WH-P06 and WH-P07, covering commercial areas along
16687 Martin Luther King, Jr. Way S and Rainier Ave S into the design standards the NB
16688 and O zones, and removes WH-P06 and WH-P07.
16689
16690 *Other urban areas-specific chapter^l*
16691 84. Clarifies that density applies only to dwelling units, not sleeping units.
16692 85. Adds a 125% maximum density option and extra floor area ratio allowance for
16693 developments providing child daycares.
16694 86. Increases the maximum density to 300% for inclusionary housing developments.
16695 87. Clarifies that the TDRs bonus is for the 150% maximum density provision and
16696 inclusionary housing is for the highest maximum density provision.

- 16697 88. Adds street and interior setbacks standards for nonresidential developments in
16698 residential zones, including for uses with less than 2,500 sf of floor area, government
16699 and institutional uses, battery energy storage systems, regional uses, utility facilities,
16700 and all other nonresidential uses.
- 16701 89. Adds impervious surface allowances for the R-4 and R-6 zone for nonresidential
16702 developments consistent with existing K.C.C. 21A.12.220. Impervious surface
16703 allowances for the R-8 through R-48 are the same for residential and nonresidential
16704 uses.
- 16705 90. Changes upper-level step backs from 15 feet to 10 feet.
- 16706 91. Modifies the floor area ratios for nonresidential developments and adds floor area
16707 ratios for mixed-use developments.
- 16708
- 16709 *Snoqualmie Pass and Vashon Rural Towns-specific chapter^l*
- 16710 92. Clarifies that density applies only to dwelling units, not sleeping units.
- 16711 93. Removes RB zoning, which is inapplicable in these geographies, from the table.
- 16712 94. Lowers base density in the CB and O zones in Vashon Rural Town from 48 units/acre
16713 to 12 units/acre.
- 16714 95. For Snoqualmie Pass, clarifies that the TDR bonus is for the 150% maximum density
16715 provision and inclusionary housing is for the highest maximum density provision.
- 16716 96. For Vashon, removes inclusionary housing and related dimensional changes,
16717 including density and height.
- 16718 97. For Vashon, changes the maximum density for manufactured home communities to 6
16719 du/ac in the R-4 and R-6 and 8 du/ac in the R-8.
- 16720 98. Adds street and interior setbacks standards for nonresidential developments in
16721 residential zones, including for uses with less than 2,500 sf of floor area, government
16722 and institutional uses, battery energy storage systems, regional uses, utility facilities,
16723 and all other nonresidential uses.
- 16724 99. Corrects a drafting error in the Committee version to consistently remove the 40-foot
16725 height limit in the Vashon Rural Town and implement the intended 3-story limit.
- 16726 100. Changes the upper-level step backs from 15 feet to 10 feet.
- 16727 101. Modifies the floor area ratios for nonresidential developments and adds floor area
16728 ratios for mixed-use developments.
- 16729 102. Adds impervious surface allowances for the R-4 and R-6 zone for nonresidential
16730 developments consistent with existing K.C.C. 21A.12.220.
- 16731 103. Moves standards from p-suffix conditions VS-P28, VS-P29, and VS-30 into the
16732 chapter and removes VS-P28, VS-P29, and VS-30.
- 16733 104. Prohibits formula businesses, except for general business services, food stores, or
16734 building materials and hardware stores in the CB zone, in the Town Core and
16735 Vashon Center portions of the Vashon Rural Town.
- 16736 105. For Vashon, reduces the parking standard for houseplexes, townhouses, and
16737 apartments to 1 space per unit.
- 16738
- 16739 *Fall City Rural Town-specific chapter^l*
- 16740 106. Clarifies that density applies only to dwelling units, not sleeping units.
- 16741 107. Moves the requirements of SO-260 into the chapter with the following changes in
16742 the CB zone:

- 16743 a. Increase the maximum density to 8 du/ac when 10% of units are affordable to
16744 households at or below 60% AMI for rental.
- 16745 b. Removes a limitation in new buildings that recreational and cultural land uses,
16746 general services land uses, health care and residential care services land uses,
16747 government/ business land uses, retail land uses, resource land uses, and
16748 regional land uses are only allowed on the ground floor.
- 16749 108. Changes the floor area ratio to 2/1 for mixed-use and nonresidential developments
16750 in the CB zone.
- 16751 109. Moves the requirements of SO-xxx (the new special district overlay for the R-4
16752 zone in Fall City) into the chapter with the following changes in the R-4 zone:
16753 a. Changes the street setback to 20 feet.
- 16754 110. Adds street and interior setbacks standards for nonresidential developments in
16755 residential zones, including government and institutional uses, battery energy
16756 storage systems, regional uses, utility facilities, and all other nonresidential uses.
16757
- 16758 *Other rural areas and natural resource lands-specific chapter¹*
- 16759 111. Clarifies that density applies only to dwelling units, not sleeping units.
- 16760 112. Moves rural industrial standards concerning impervious surface, height, and
16761 setbacks to the dimensional table for the Industrial zone, and other design and
16762 landscaping standards to the permitted uses section.
- 16763 113. Modifies Development 2, related to historic buildings, to include the language in
16764 K.C.C. 21A.12.042 instead of a cross reference, and removes K.C.C. 21A.12.042.
- 16765 114. Adds street and interior setbacks standards for nonresidential developments in
16766 residential zones, including government and institutional uses, battery energy
16767 storage systems, regional uses, utility facilities, and all other nonresidential uses.
- 16768 115. Changes the upper-level step backs from 15 feet to 10 feet.
- 16769 116. Adds impervious surface and interior setbacks for nonresidential developments in
16770 the RA zones consistent with existing K.C.C. 21A.12.220.
- 16771 117. Moves impervious surface standards for county fairground facilities into the
16772 permitted uses table.
- 16773 118. Adds Development Condition 17, which concerns subdivisions in the R-1 and RA
16774 zones within the North Fork and Upper Issaquah Creek subbasins to the
16775 dimensional table for the RA zones.
16776
- 16777 *Chapter 21A.12 changes*
- 16778 119. 21A.12.060:
- 16779 a. Removes a provision allowing proposals to be phased if compliance with the
16780 minimum density results in noncompliance with the public facilities and
16781 services requirements in K.C.C. 21A.28.
- 16782 b. Removes an allowance for single detached residences to not meet minimum
16783 density by locating the dwelling unit within 15 feet of an interior lot line.
- 16784 120. 21A.12.070:
- 16785 a. Moves information on site areas for calculating base and maximum density and
16786 floor area from K.C.C. 21A.12.080 into this section.
- 16787 b. Moves the calculation method for minimum density from K.C.C. 21A.12.085
16788 into this section.

- 16789 c. Removes K.C.C 21A.12.080 and K.C.C. 21A.12.085.
16790 121. 21A.12.220:
16791 a. Moves impervious surface for the R-4 and R-6 to the density and dimensional
16792 tables in the new geography-specific chapters of Code described above.
16793 Impervious surface limitations for nonresidential uses in the R-8 to R-48 zones
16794 is removed.
16795 b. Moves setback requirements to the density and dimensional tables in the new
16796 geography-specific chapters of Code described above.
16797 c. Removes information on accessory single detached dwelling units meeting the
16798 setback of the zone.
16799 d. Moves an allowance for parking areas to be in the setback outside of landscape
16800 areas into K.C.C. 21A.18.110.
16801 e. Removes information on the base height conforming to the zone in which the
16802 use is located.
16803 122. 21A.12.240: Moves standards for joint use driveways from K.C.C. 21A.12.030 into
16804 this section.
16805

16806 *Daycare Incentive*

- 16807 123. Daycares:
16808 a. In the urban area, for every 6 child daycare slots, provides 1 bonus dwelling
16809 unit up to 25% of the base density or 1,000 sf of nonresidential floor area.
16810 b. Requires facilities to reserve 20% of slots for households at or below 80%
16811 AMI.
16812 c. Requires facilities to obtain an operating license from Washington State, all
16813 other necessary permits or approvals, and comply with regulations related to
16814 the operation of child daycare providers.
16815 d. Requires facilities to operate 8 hours a day, 5 days per week, 48 hours per year.
16816 Facilities serving school-aged children may operate for 4 hours a day.
16817 e. Requires the facility to be dedicated to child daycare use for 20 years and
16818 property owners to include provisions for lease renewal.
16819 f. Includes covenant and deed requirements, including length of term, number of
16820 daycare slots, number of affordable daycare slots, and a signed agreement with
16821 a child daycare provider.
16822

16823 *Chapter 21A.14 changes*

- 16824 124. Moves the density requirements for manufactured home communities to the density
16825 and dimensional tables in the new geography-specific chapters of Code described
16826 above.
16827 125. Modifies requirement for hazardous liquid and gas transmission pipelines to state
16828 that an equity impact review is required after the Office of Equity and Racial and
16829 Social Justice has the developed the tool.
16830

16831 *Chapter 21A.16 changes*

- 16832 126. Modifies the landscaping standards to reflect reorganization of permitted use tables.
16833 127. Requires use of low-impact development BMPs to the maximum extent practical.

128. Moves an alternative landscape option for pedestrian district overlays to the new geography-specific chapters of Code described above.

Chapter 21A.18 changes

129. Modifies the off-street parking standards to reflect reorganization of new geography-specific chapters of Code described above.
130. Modifies the parking width to reflect new state law changes in SSB 6015 (2024).
131. Modifies standards for parking lots to allow use of bioretention planters.
132. Moves parking construction standards related to internal access roads and driveways, additional space adjacent to landscaping areas, compact parking markings, lighting, and limitations for dead-end alleys into this section.

Chapter 21A.20 changes

133. Exempts heritage trail signs on Vashon-Maury Island from the sign code.

Chapter 21A.28 changes

134. Modifies a proposed allowance for community on-site sewage systems so that modifications to existing structures are not allowed if they expand beyond the systems capacity, rather than uses.

Chapter 21A.30 changes

135. Home-based animal shelter:
- a. Adds the use as a residential accessory use in 21A.08.030.
 - b. In 21A.30, allows home-based shelters to establish on properties that are 4.0 acres or more, where the animals are primarily indoors, requiring a 20-foot setback from property lines, requiring a fence, and limiting dogs to the number allowed for hobby kennels.

Chapter 21A.37 changes

136. Allows affordable housing to be eligible for transfer of development rights amenity funding.

Chapter 21A.45 changes

137. Temporary Microshelter Villages:
- a. Adds a definition.
 - b. Allows with a temporary use permit in the RA zones and in the Snoqualmie Pass and Fall City Rural Towns.
 - c. Establishes application requirements.
 - d. Establishes criteria, including:
 - 137.d.1. a maximum of 25 microshelters,
 - 137.d.2. a maximum number of residents to match the number of beds available,
 - 137.d.3. a maximum duration at a single location of 180 days,
 - 137.d.4. collocation with a religious facility,
 - 137.d.5. a prohibition on using the same site more than once every twelve months,

- 137.d.6. requiring the managing agency to be a social service provider or nonprofit agency,
- 137.d.7. requiring a 10-foot setback from property lines with landscaping and fencing,
- 137.d.8. prohibiting permanent structures,
- 137.d.9. requiring on-site services to be used only by residents,
- 137.d.10. requiring supervision,
- 137.d.11. requiring basic sanitation and safety measures, and
- 137.d.12. requiring all vehicles to be licensed and operable.
- e. The existing requirements for homeless encampments also apply to temporary microshelter villages.

Chapter 21A.48 changes

- 138. Modifies when mandatory inclusionary housing requirements are triggered, including raising the exemption to two units and changing the applicability threshold to new construction of residential units and alterations, additions, or change of use that adds dwelling units.
- 139. Modifies the voluntary inclusionary housing area to urban unincorporated areas and the Snoqualmie Pass Rural Town that are served by sewer.
- 140. Modifies the maximum density for inclusionary housing projects to 250% in Skyway-West Hill, 300% in North Highline and all other urban areas, and 225% in Snoqualmie Pass.
- 141. For the mandatory inclusionary housing program elements as follows:
 - a. Modifies the minimum percentage of affordable housing required to 7% for rental at 50% AMI, 10% for owner occupied at 80% AMI, and 10% for rental at 60% AMI, and providing a 150% maximum density.
 - b. Allows developments to exceed 150% through use the voluntary inclusionary housing requirements, the purchase of TDRs, the provision of child daycares, and/or if the developer is a public or nonprofit housing agency.
 - c. In existing buildings undergoing alterations, additions, or a change of use, only requires additional units to be subject to the affordability requirements.
 - d. Modifies the ratios for two- and three-bedroom affordable units and adding a ratio for four-bedroom units.
- 142. For the voluntary inclusionary housing program elements as follows:
 - a. Transitions to a bonus unit ratio system based on unit size, occupancy type, and AMI and modifying density bonuses.
 - b. Adds options for rental at 70% AMI, owner occupied at 100% AMI, and studio to four-bedroom units.
 - c. Allows for a combination of unit size, occupancy type, and AMI levels in a single development.
- 143. Updates calculation methodology to reflect changes to the program.
- 144. Exempts projects meeting the inclusionary housing standards from upper-level step backs, modifies commercial requirements and allowing live-work units outside of the unincorporated activity center, reduces parking ratios for inclusionary housing developments depending on location, and reduces recreational space requirements by 25%.

145. Allows the director to modify or waive the requirement for similar or larger unit sizes for public or nonprofit agencies.

146. Removes language describing the formula for calculating an affordable dwelling unit.

Chapter 21A.55 changes

147. Alternative Housing Demonstration Project: removes authority to use the demonstration project in North Highline and Vashon Rural Town.

148. Adds a Regenerative Development Demonstration Project, and applies it to four parcels in the Vashon Rural Town. It allows for residential and nonresidential uses, and is applicable for a period of three years, with the possibility of a one-year administrative extension.

Attachment A, 2024 King County Comprehensive Plan, dated December 2024

Global

149. Engrosses changes and makes updates to reflect passage of other ordinances, including for battery energy storage systems, and the Flood Management Plan.

150. Makes clarifying changes, technical corrections, and reformatting.

Chapter 1, Regional Growth Management Planning

151. Updates the Land Use map to reflect other changes made.

| Ch 1 | Transmitted Policy Number | Striker Policy Number | Topic | Description of Change |
|------|---------------------------|-----------------------|----------------------------------|--|
| 152. | RP-115 | n/a | Subarea Plans | Removes a policy related to subarea plans, outside of the subarea plan program in Chapter 11. |
| 153. | n/a | RP-105 | Collaboration with Indian tribes | Adds a new policy requiring the County to collaborate, support, and consider Indian tribal places, culture, and practices. |
| 154. | U-190 | RP-125 | 4-to-1 Program | Removes language about returning the urban portion of a 4-to-1 proposal if the developer fails to record a final plat. |

Chapter 2, Urban Communities

155. Adds lead-in text regarding the growth targets, tying the growth targets to the Regional Growth Targets and addressing ongoing work at the Growth Management Planning Council on reconciliation.

156. Adds lead-in text that urban growth is prioritized in areas that are connected to high-capacity transit; stating the White Center and Skyway unincorporated activity centers are High-Capacity Communities in VISION.

| Ch 2 | Transmitted Policy Number | Striker Policy Number | Topic | Description of Change |
|------|---------------------------|-----------------------|--|---|
| 157. | U-125 | U-246 | Zoning reclassifications | Specifies that equity impact reviews are required on zoning reclassifications when they are proposed by the executive. |
| 158. | U-171 | U-258 | Design of developments in the urban area | Clarifies language that not all improvements are required for all types of developments by adding "where appropriate" at the start of the list. Removes "comfortable" access to transit. |

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Chapter 3, Rural Area and Natural Resource Lands

159. Adds language on growth in the rural area, including residential dwelling units, and strategies that the County uses to reduce growth in the rural area.
160. Updates the Mineral Resources map to fix an error.

| Ch 3 | Transmitted Policy Number | Striker Policy Number | Topic | Description of Change |
|------|---------------------------|-----------------------|---|---|
| 161. | R-202 | R-202 | Rural Area geography | Modifies language, for clarity, on the presence of critical areas. |
| 162. | n/a | R-302 | Rural affordable housing | Adds a new policy on opportunities for rural affordable housing, with criteria limiting it to 1% of growth in King County, protecting rural character, and at existing levels of service. |
| 163. | R-302 | R-303 | Residential development in the Rural Area | Adds language that housing in the rural neighborhood commercial centers is for workforce housing. |
| 164. | R-310 | Still R-310 | Accessory dwelling units in the rural area | Maintains an existing policy on how to treat ADUs in subdivisions in the rural area. |
| 165. | n/a | R-326 | Daycares in the Rural Area and Natural Resource Lands | Modifies the policy that daycares in the Rural Area and Natural Resource "shall primarily service" residents of those areas, rather than "should serve." |
| 166. | R-401 | R-333 | Services in the Rural Area and Natural Resource Lands | Modifies a requirement on services not encouraging urban development to add that it also not |

| Ch 3 | Transmitted Policy Number | Striker Policy Number | Topic | Description of Change |
|------|---------------------------|-----------------------|---|---|
| | | | | require a "substantial investment in public infrastructure". |
| 167. | R-513 | R-337 | Industrial developments in the Rural Area | Clarifies that industrial "developments" are limited, not industrial "uses." |
| 168. | R-514 | R-338 | Development regulations for new industrial developments | Clarifies that the development regulations are for industrial developments in I-zoned properties, consistent with existing zoning code. |
| 169. | R-501 | R-401 | Rural Neighborhood Commercial Center allowed uses | Adds language that housing in the rural neighborhood commercial centers is for workforce housing. |
| 170. | R-501 | R-402 | Rural Neighborhood Commercial Centers | Maintains existing language that no new rural neighborhood commercial centers are needed. |
| 171. | R-505 | R-407 | Development standards in Rural Towns | Modifies language to state that parking, landscaping, and street improvements "should be scaled and designed to protect rural character." |
| 172. | n/a | R-408 | Universal design and complete streets in Rural Town | Removes reference to universal design, and adds "enhance walkability" as a part of complete streets infrastructure. |
| 173. | R-506 | R-409 | Housing in Rural Towns | Removes language that development in Rural Towns may approach that in the Cities in the Rural Area. |

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Chapter 4, Housing & Human Services

| Ch 4 | Transmitted Policy Number | Striker Policy Number | Topic | Description of Change |
|------|---------------------------|-----------------------|--|---|
| 174. | H-126 | H-131 | ADUs and middle housing in urban residential areas | Removes language applying this policy to Rural Towns. |
| 175. | H-133 | H-132 | New housing models | Removes language applying this policy to Rural Towns. |
| 176. | H-127 | H-133 | Provision of affordable housing | Adds language requiring regular monitoring of creation of affordable housing units. |

| Ch 4 | Transmitted Policy Number | Striker Policy Number | Topic | Description of Change |
|---------|---------------------------------|-----------------------------|---|--|
| 177. | n/a | H-154 | Anti-displacement | Removes a policy encouraging anti-displacement measures prior to or concurrent with capacity increases or capital investments. |
| 178. | n/a | H-155 | Monitoring of elimination of racial and other disparities in housing and neighborhood choices | Adds new policy requiring monitoring of progress to eliminating disparities. |
| 179. | H-168 | H-166 | Housing stability | Clarifies that the intake system is done in coordination with King County Regional Homelessness Authority. |

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Chapter 5, Environment

| Ch 5 | Transmitted Policy Number | Striker Policy Number | Topic | Description of Change |
|---------|---------------------------------|-----------------------------|-------------------------------|--|
| 180. | n/a | E-234 | Climate resilience hubs | Adds language that resilience hubs are intended to be "in new and existing multipurpose facilities." |
| 181. | E-496 | E-450 | Groundwater policy monitoring | Requires monitoring of groundwater policies on quantity and quality of groundwater every 10 years. |

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Chapter 6, Shorelines

182. Updates the goals of the Flood Management Plan.

| Ch 6 | Transmitted Policy Number | Striker Policy Number | Topic | Description of Change |
|---------|---------------------------------|-----------------------------|----------|-------------------------------------|
| 183. | S-810 | S-840 | Dredging | Removes reference to an old policy. |

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Chapter 7, Parks, Open Space, & Cultural Resources

No substantive changes

Chapter 8, Transportation

184. Modifies and adds lead-in text explaining the Road Division's funding crisis and strategies for addressing the shortfall.

| Ch 9 | Transmitted Policy Number | Striker Policy Number | Topic | Description of Change |
|------|---------------------------|-----------------------|---|---|
| 185. | F-202 | F-101 | Provision of public services and facilities | Removes "a full range of" public facilities and services. |
| 186. | n/a | F-405 | Displacement coordination | Adds a new policy encouraging coordination between major capital investments and equitable engagement and anti-displacement measures, in areas at risk of displacement. |
| 187. | F-226 | F-425 | Essential public facilities (EPF) | Clarifies that King County should ensure that new or expanded EPF are sited consistent with the KCCP. |
| 188. | F-229 | F-430 | Essential public facilities | Clarifies that King County shall determine if a facility is an EPF. |
| 189. | F-230 | F-431 | Essential public facilities | Clarifies that a proponent for siting an EPF completes a siting analysis, not King County. |
| 190. | n/a | F-432 | Essential public facilities | Clarifies that a proponent for siting an EPF conduct public involvement and consider any prior review, not King County. |
| 191. | F-262 | F-452 | Community on-site sewage systems | Clarifies that existing modifications to existing "structures" are not allowed if they expand beyond the system's capacity, rather than "uses." |
| 192. | F-263 | F-454 | Innovative technologies in wastewater | Adds language encouraging advocacy for state-level changes on use of composting toilets, and to reduce the demand on rather than eliminate the need for on-site septic systems in ADUs. |
| 193. | F-299a | F-478 | Development in flood hazard areas | Removes language encouraging coordination with other partners to prevent development in flood hazard areas in other jurisdictions. |
| 194. | n/a | F-504 | Equity impact review | Clarifies that an equity impact review is required for new electric transmission lines in regional utility corridors. |

16983 *Chapter 10, Economic Development*
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| Ch 10 | Transmitted Policy Number | Striker Policy Number | Topic | Description of Change |
|----------|---------------------------------|-----------------------------|----------------------------------|--|
| 195. | ED-102 | ED-104 | Economic growth | Removes "innovation" in rural economic development. |
| 196. | ED-106 | ED-109 | Cultural opportunities | Removes language about protecting and preventing displacement of cultural resources. |
| 197. | n/a | ED-113 | Tourism and economic development | Removes a policy about tourism and economic development associated with the Washington Scenic and Recreational Highways. |
| 198. | ED-402 | ED-402 | Freight movement | Modifies language regarding electrification of the freight transportation system. |

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 16986 *Chapter 11, Subarea Planning*
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| Ch 11 | Transmitted Policy Number | Striker Policy Number | Topic | Description of Change |
|----------|---------------------------------|-----------------------------|-----------------------------|------------------------------------|
| 199. | CP-126 | CP-126 | Northwest Pipeline property | Modifies language on allowed uses. |

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 16989 *Chapter 12, Implementation, Amendments, & Evaluation*

16990 200. Add language acknowledging properties without a land use designation or zoning
 16991 classification.
 16992 201. Adds deadlines for all Work Plan actions.
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| Ch 12 | Transmitted Policy Number | Striker Policy Number | Topic | Description of Change |
|----------|---------------------------------|-----------------------------|--------------------------------|--|
| 202. | I-203 | I-104 | Annual update allowances | Removes an allowance for subarea plans initiated by motion. Specifies that amendments to critical area policies is for 2025 only. |
| 203. | I-207 | I-108 | Analysis for policy amendments | Removes requirement to include analysis of consistency with other plans and policies. |
| 204. | I-503 | I-305 | Environmental review | Removes reference to community plans. |

| Ch 12 | Transmitted Policy Number | Striker Policy Number | Topic | Description of Change |
|----------|---------------------------------|-----------------------------|---------------------------------------|---|
| 205. | Action 1 | Action 1 | Performance Measures Framework Update | Removes a requirement for annual reports. |
| 206. | n/a | Action 7 | Rural Economic Strategies Update | Adds components for evaluation of farmworker housing, and tourism and economic development on scenic and recreational highways. |
| 207. | n/a | Action 9 | Surface Water Management Code Update | Adds a second phase for streamlining regulations with a later due date. |
| 208. | n/a | Action 15 | Legacy Business Program | Adds a Work Plan action to evaluate implementing a legacy business program. |

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16995 *Glossary*

16996 No substantive changes.

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16998 Attachment B, Appendix A Capital Facilities and Utilities, dated December 2024

16999 209. Updates to known capital facilities providers since transmittal.

17000

17001 Attachment C, Appendix B Housing Needs Assessment, dated December 2024

17002 210. Clarifying changes, technical corrections, and reformatting.

17003 211. Adds language about the use of the guidance from the Washington State

17004 Department of Commerce for meeting housing needs goals.

17005

17006 Attachment D, Appendix C Transportation, dated December 2024

17007 212. Adds figures for the County's land transportation system and sidewalks.

17008 213. Adds language about planned WSDOT projects in the Regional Transportation Plan
17009 on the PSRC Travel Model.

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17011 Attachment E, Appendix C1 Transportation Needs Report, dated December 2024

17012 No substantive changes.

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17014 Attachment F, Appendix C2 Regional Trail Needs Report, dated December 2024

17015 No substantive changes.

17016

17017 Attachment G, Appendix D1 Growth Targets and the Urban Growth Area, dated
17018 December 2024

17019 214. Adds language about PAA Growth Targets and Zoned Capacity, and ongoing work
17020 with the GMPC on reconciliation of the growth targets.

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Attachment H, Vashon-Maury Island Community Service Area Subarea Plan, As Amended, dated December 2024

215. Modifies a map depicting the Rural Town and Town Core boundaries.

Attachment I, Land Use and Zoning Map Amendments, December 2024

216. Clarifying changes, technical corrections, and reformatting.

217. Map Amendment 2: Removes WH-P06 (design requirements), WH-P07 (design requirements), WH-P11 (limitations on cannabis retail uses), SO-050 (pedestrian-oriented), SO-300 (microenterprise). The standards under this P-Suffix and Special District Overlay are moved to a Skyway-West Hill-specific chapter in Title 21A. Substantive changes to those standards are described under the PO striker changes above.

218. Map Amendment 4: Removes NH-P01 (residential height limitation), NH-P02 (limitations on cannabis retail uses), NH-P03 (mixed-use requirement), NH-P04 (White Center core height limitation), SO-100 (commercial and industrial standards), SO-310 (pedestrian-oriented), and Alternative Housing Demonstration Project. The standards under this P-Suffix and Special District Overlay are moved to a North Highline-specific chapter in Title 21A. Substantive changes to those standards are described under the PO striker changes above.

219. Map Amendment 5:

- a. Modifies the land use designation from "um" (Urban Residential, Medium) to "uh" (Urban Residential, High), and zoning from R-6 to R-12, R-6 to R-18, R-12 to R-18, R-18 to R-48, and R-24 to R-48, for portions of North Highline.
- b. Removes NH-P01 (residential height limitation), and Alternative Housing Demonstration Project.

220. Map Amendment 8: Removes changes to "os" (King County Open Space System) for parcels that are within an Agricultural Production District.

221. Map Amendment 9:

- a. Removes VS-P26 (setback and design requirements), VS-P28 (Town Core design requirements), VS-P29 (and the proposed SDO) (uses in CB zone), and VS-P30 (and the proposed SDO) (uses in I zone). The standards under this P-Suffix and Special District Overlay are moved to a Vashon-Maury Island-specific chapter in Title 21A. Substantive changes to those standards are described under the PO striker changes above.
- b. Changes the zoning of R-1 parcels to R-4.
- c. Changes the zoning of one parcel from I to RA-5 (there already is a land use change from "rt" (Rural Town) to "os" (Open Space)).
- d. Adds a Regenerative Development demonstration project to four parcels in Vashon Rural Town.

222. Map Amendment 18: Removes Alternative Housing Demonstration Project.

223. Map Amendment 23: Removes SO-260 (uses in CB zone). The standards under this Special District Overlay are moved to a Fall City-specific chapter in Title 21A. Substantive changes to those standards are described under the PO striker changes above.

224. Map Amendment 24 is removed. The SDO proposed for the residential areas of the Fall City Rural Town are moved to a Fall City-specific chapter in Title 21A.

- 17068 Substantive changes to those standards are described under the PO striker changes
 17069 above.
 17070 225. Map Amendment 31: A proposed P-Suffix (landscaping buffer) is moved to a
 17071 Snoqualmie Pass-specific chapter in Title 21A. Substantive changes to those
 17072 standards are described under the PO striker changes above.
 17073 226. New Map Amendment 38: Modifies an existing P-suffix in the East Sammamish
 17074 area to recognize existing uses as legal nonconforming uses that may not be
 17075 enlarged or intensified.
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17077 Attachment J, Snoqualmie Valley-Northeast King County Subarea Plan, December 2024
 17078

| SVNE | Transmittal Policy Number | Striker Policy Number | Topic | Description of Change |
|------|---------------------------|-----------------------|---|--|
| 227. | n/a | n/a | Coordination with Indian tribes | Removes a policy on coordination and collaboration with Indian tribes. This policy is moved to the KCCP. |
| 228. | SVNE-10 | SVNE-12 | Housing at Snoqualmie Pass | Modifies a policy about housing at the Snoqualmie Pass Rural Town from encouraging "increased housing supply" to "workforce housing." |
| 229. | n/a | SVNE-16 | Manufactured home communities | Adds a policy for support of existing manufactured home communities. |
| 230. | n/a | SVNE-24 | Snoqualmie Valley Trail | Modifies a policy to advocate for funding for connections to Snoqualmie Valley Trail. |
| 231. | SVNE-23 | SVNE-28 | Redmond-Fall City Road | Modifies a policy to specify the types of improvements to pedestrian connections between businesses in Fall City. |
| 232. | n/a | n/a | Preston-Fall City Road | Removes a policy considering Preston-Fall City Road as a historic or scenic corridor. |
| 233. | n/a | SVNE-31 | Alternative to driving to Snoqualmie Pass | Modifies a policy to look at alternatives to driving "alone." |
| 234. | SVNE-29 | SVNE-34 | Local businesses | Modifies a policy to look for opportunities for assisting local businesses, and in collaboration with the Snoqualmie Tribe, cities, and local organizations. |

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