



# KING COUNTY

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

## Signature Report

### Ordinance 19881

**Proposed No.** 2023-0440.3

**Sponsors** Perry

1 AN ORDINANCE related to comprehensive planning;  
2 amending Ordinance 11955, Section 5, as amended, and  
3 K.C.C. 2.16.055, Ordinance 8300, Section 3, as amended,  
4 and K.C.C. 2.48.030, Ordinance 18326, Section 3, and  
5 K.C.C. 6.70.010, Ordinance 18326, Section 4, and K.C.C.  
6 6.70.020, Ordinance 18326, Section 5, and K.C.C.  
7 6.70.030, Ordinance 18326, Section 6, as amended, and  
8 K.C.C. 6.70.040, Ordinance 18326, Section 8, as amended,  
9 and K.C.C. 6.70.060, Ordinance 18326, Section 9, and  
10 K.C.C. 6.70.070, Ordinance 9163, Section 2, as amended,  
11 and K.C.C. 9.04.020, Ordinance 9163, Section 5, as  
12 amended, and K.C.C. 9.04.060, Ordinance 13625, Section  
13 22, as amended, and K.C.C. 13.24.035, Ordinance 1709,  
14 Section 7, as amended, and K.C.C. 13.24.090, Ordinance  
15 11616, Section 10, as amended, and K.C.C. 13.24.132,  
16 Ordinance 18420, Section 37, and K.C.C. 14.01.360,  
17 Ordinance 18420, Section 61, as amended, and K.C.C.  
18 14.40.0104, Ordinance 8421, Section 3, as amended, and  
19 K.C.C. 14.56.020, Ordinance 8421, Section 4, as amended,  
20 and K.C.C. 14.56.030, Ordinance 1488, Section 5, as

Ordinance 19881

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21 amended, and K.C.C. 16.82.020, Ordinance 15053, Section  
22 3, as amended, and K.C.C. 16.82.051, Ordinance 1488,  
23 Section 7, as amended, and K.C.C. 16.82.060, Ordinance  
24 12560, Section 148, as amended, and K.C.C. 17.04.200,  
25 Ordinance 12560, Section 149, as amended, and K.C.C.  
26 17.04.280, Ordinance 16147, Section 2, as amended, and  
27 K.C.C. 18.17.010, Ordinance 19402, Section 8, and K.C.C.  
28 18.17.050, Ordinance 17270, Section 2, as amended, and  
29 K.C.C. 18.25.010, Ordinance 17971, Section 4, as  
30 amended, and K.C.C. 28.30.030, Ordinance 13694,  
31 Section 5, and K.C.C. 19A.04.030, Ordinance 17841,  
32 Section 1, and K.C.C. 19A.04.205, Ordinance 13694, as  
33 amended, and K.C.C. 19A.04.310, Ordinance 13694,  
34 Section 42, as amended, and K.C.C. 19A.08.070,  
35 Ordinance 13694, Section 56, as amended, and K.C.C.  
36 19A.12.020, Ordinance 13694, Section 57, as amended,  
37 and K.C.C 19A.12.030, Ordinance 13694, Section 80, as  
38 amended, and K.C.C. 19A.28.020, Ordinance 18810,  
39 Section 3, and K.C.C. 20.08.037, Ordinance 263, Art. 3  
40 (part), and K.C.C. 20.08.060, Ordinance 263, Article 2,  
41 Section 1, as amended, and K.C.C. 20.12.010, Ordinance  
42 3692, Section 2, as amended, and K.C.C. 20.12.200,  
43 Ordinance 13147, Section 19, as amended, and K.C.C.

Ordinance 19881

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44 20.18.030, Ordinance 13147, Section 20, as amended, and  
45 K.C.C. 20.18.040, Ordinance 3688, Section 813, as  
46 amended, and K.C.C. 20.18.056, Ordinance 13147, Section  
47 22, as amended, and K.C.C. 20.18.060, Ordinance 13147,  
48 Section 23, as amended, and K.C.C. 20.18.070, Ordinance  
49 13147, Section 24, as amended, and K.C.C. 20.18.080,  
50 Ordinance 13147, Section 25, as amended, and K.C.C.  
51 20.18.090, Ordinance 13147, Section 27, and K.C.C.  
52 20.18.110, Ordinance 13147, Section 30, as amended, and  
53 K.C.C. 20.18.140, Ordinance 13147, Section 31, and  
54 K.C.C. 20.18.150, Ordinance 13147, Section 32, and  
55 K.C.C. 20.18.160, Ordinance 14047, Section 9, and K.C.C.  
56 20.18.170, Ordinance 14047, Section 10, and K.C.C.  
57 20.18.180, Ordinance 12196, Section 9, as amended, and  
58 K.C.C. 20.20.020, Ordinance 16950, Section 10, as  
59 amended, and K.C.C. 20.20.035, Ordinance 12196, Section  
60 16, as amended, and K.C.C. 20.20.090, Ordinance 12196,  
61 Section 17, as amended, and K.C.C. 20.20.100, Ordinance  
62 12196, Section 19, as amended, and K.C.C. 20.20.120,  
63 Ordinance 4461, Section 10, as amended, and K.C.C.  
64 20.22.150, Ordinance 9544, Section 16, as amended, and  
65 K.C.C. 20.22.180, Ordinance 10511, Section 7, as  
66 amended, and K.C.C. 20.36.100, Ordinance 15137, Section

Ordinance 19881

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67 10, as amended, and K.C.C. 20.36.190, Ordinance 6949,  
68 Section 7, as amended, and K.C.C. 20.44.050, Ordinance  
69 6949, Section 10, as amended, and K.C.C. 20.44.080,  
70 Ordinance 4828, Section 2, as amended, and K.C.C.  
71 20.62.020, Ordinance 4828, Section 4, as amended, and  
72 K.C.C. 20.62.040, Ordinance 11620, Section 12, as  
73 amended, and K.C.C. 20.62.150, Ordinance 10870, Section  
74 17, as amended, and K.C.C. 21A.02.070, Ordinance 10870,  
75 Section 27, as amended, and K.C.C. 21A.04.060,  
76 Ordinance 10870, Section 28, as amended, and K.C.C.  
77 21A.04.070, Ordinance 10870, Section 29, as amended,  
78 and K.C.C. 21A.04.080, Ordinance 10870, Section 30, as  
79 amended, and K.C.C. 21A.04.090, Ordinance 10870,  
80 Section 31, as amended, and K.C.C. 21A.04.100,  
81 Ordinance 10870, Section 32, as amended, and K.C.C.  
82 21A.04.110, Ordinance 10870, Section 33, and K.C.C.  
83 21A.04.120, Ordinance 10870, Section 44, as amended,  
84 and K.C.C. 21A.06.020, Ordinance 10870, Section 48, as  
85 amended, and K.C.C. 21A.06.040, Ordinance 10870,  
86 Section 54, as amended, and K.C.C. 21A.06.070,  
87 Ordinance 10870, Section 5, and K.C.C. 21A.06.355,  
88 Ordinance 17710, Section 2, and K.C.C. 21A.06.7341,  
89 Ordinance 17710, Section 3, and K.C.C. 21A.06.7342,

Ordinance 19881

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90 Ordinance 17710, Section 4, as amended, and K.C.C.  
91 21A.06.7344, Ordinance 17710, Section 5, as amended,  
92 and K.C.C. 21A.06.7346, Ordinance 17710, Section 6, as  
93 amended, and K.C.C. 21A.06.7348, Ordinance 10870,  
94 Section 84, and K.C.C. 21A.06.220, Ordinance 12243,  
95 Section 4, and K.C.C. 21A.06.247, Ordinance 15032,  
96 Section 4, and K.C.C. 21A.06.358, Ordinance 15606,  
97 Section 5, and K.C.C. 21A.06.196, Ordinance 10870,  
98 Section 92, as amended, and K.C.C. 21A.06.260,  
99 Ordinance 10870, Section 98, and K.C.C. 21A.06.290,  
100 Ordinance 10870, Section 101, as amended, and K.C.C.  
101 21A.06.305, Ordinance 15051, Section 31, and K.C.C.  
102 21A.06.333, Ordinance 10870, Section 109, and K.C.C.  
103 21A.06.345, Ordinance 10870, Section 125, as amended,  
104 and K.C.C. 21A.06.425, Ordinance 10870, Section 144, as  
105 amended, and K.C.C. 21A.06.520, Ordinance 10870,  
106 Section 148, and K.C.C. 21A.06.540, Ordinance 10870,  
107 Section 153, and K.C.C. 21A.06.565, Ordinance 10870,  
108 Section 172, and K.C.C. 21A.06.660, Ordinance 15051,  
109 Section 74, and K.C.C. 21A.06.732, Ordinance 10870,  
110 Section 191, and K.C.C. 21A.06.755, Ordinance 10870,  
111 Section 195, and K.C.C. 21A.06.775, Ordinance 10870,  
112 Section 77, and K.C.C. 21A.06.185, Ordinance 15051,

Ordinance 19881

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113 Section 87, and K.C.C. 21A.06.957, Ordinance 14045,  
114 Section 7, and K.C.C. 21A.06.1013, Ordinance 10870,  
115 Section 252, as amended, and K.C.C. 21A.06.1060,  
116 Ordinance 10870, Section 634 (part), as amended, and  
117 K.C.C. 21A.06.1062, Ordinance 3688, Section 251, as  
118 amended, and K.C.C. 21A.06.1082C, Ordinance 11922,  
119 Section 2, and K.C.C. 21A.06.1170, Ordinance 10870,  
120 Section 292, as amended, and K.C.C. 21A.06.1260,  
121 Ordinance 13733, Section 5, as amended, and K.C.C.  
122 21A.06.1273B, Ordinance 10870, Section 114, and K.C.C.  
123 21A.06.370, Ordinance 10870, Section 297, as amended,  
124 and K.C.C. 21A.06.1285, Ordinance 10870, Section 315, as  
125 amended, and K.C.C. 21A.06.1375, Ordinance 10870,  
126 Section 330, as amended, and K.C.C. 21A.08.030,  
127 Ordinance 10870, Section 331, as amended, and K.C.C.  
128 21A.08.040, Ordinance 10870, Section 332, as amended,  
129 and K.C.C. 21A.08.050, Ordinance 10870, Section 333, as  
130 amended, and K.C.C. 21A.08.060, Ordinance 10870,  
131 Section 334, as amended, and K.C.C. 21A.08.070,  
132 Ordinance 10870, Section 335, as amended, and K.C.C.  
133 21A.08.080, Ordinance 10870, Section 336, as amended,  
134 and K.C.C. 21A.08.090, Ordinance 10870, Section 337, as  
135 amended, and K.C.C. 21A.08.100, Ordinance 19687,

Ordinance 19881

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136 Section 14, and K.C.C. 21A.60.060, Ordinance 19687,  
137 Section 9, and K.C.C. 21A.60.010, Ordinance 19687,  
138 Section 12, and K.C.C. 21A.60.040, 21A.60.050,  
139 Ordinance 19687, Section 16, and K.C.C. 21A.60.080,  
140 Ordinance 19687, Section 17, and K.C.C. 21A.60.090,  
141 Ordinance 19687, Section 11, and K.C.C. 21A.60.030,  
142 Ordinance 19687, Section 18, and K.C.C. 21A.60.100,  
143 Ordinance 19687, Section 19, and K.C.C. 21A.60.110,  
144 Ordinance 17485, Section 43, as amended, and K.C.C.  
145 21A.38.260, Ordinance 10870, Section 340, as amended,  
146 and K.C.C. 21A.12.030, Ordinance 10870, Section 341, as  
147 amended, and K.C.C. 21A.12.040, Ordinance 10870,  
148 Section 343, as amended, and K.C.C. 21A.12.060,  
149 Ordinance 10870, Section 344, as amended, and K.C.C.  
150 21A.12.070, Ordinance 10870, Section 354, as amended,  
151 and K.C.C. 21A.12.170, Ordinance 10870, Section 355, as  
152 amended, and K.C.C. 21A.12.180, Ordinance 10870,  
153 Section 357, as amended, and K.C.C. 21A.12.200,  
154 Ordinance 10870, Section 3559, as amended, and K.C.C.  
155 21A.12.220, Ordinance 10870, Section 360, as amended,  
156 and K.C.C. 21A.12.230, Ordinance 16267, Section 29, and  
157 K.C.C. 21A.12.240, Ordinance 16267, Section 30, as  
158 amended, and K.C.C. 21A.12.250, Ordinance 15032,

Ordinance 19881

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159 Section 18, as amended, and K.C.C. 21A.14.025,  
160 Ordinance 10870, Section 364, as amended, and K.C.C.  
161 21A.14.040, Ordinance 10870, Section 365, as amended,  
162 and K.C.C. 21A.14.050, Ordinance 10870, Section 367, as  
163 amended, and K.C.C. 21A.14.070, Ordinance 10870,  
164 Section 376, as amended, and K.C.C. 21A.14.160,  
165 Ordinance 10870, Section 377, as amended, and K.C.C.  
166 21A.14.170, Ordinance 10870, Section 378, as amended,  
167 and K.C.C. 21A.14.180, Ordinance 14045, Section 35, and  
168 K.C.C. 21A.14.195, Ordinance 10870, Section 381, and  
169 K.C.C. 21A.14.210, Ordinance 14045, Section 30, and  
170 K.C.C. 21A.14.225, Ordinance 13694, Section 88, and  
171 K.C.C. 21A.14.310, Ordinance 14045, Section 43 and  
172 K.C.C. 21A.14.330, Ordinance 10870, Section 387, as  
173 amended, and K.C.C. 21A.16.020, Ordinance 10870,  
174 Section 388, as amended, and K.C.C. 21A.16.030,  
175 Ordinance 10870, Section 390, as amended, and K.C.C.  
176 21A.16.050, Ordinance 10870, Section 391, as amended,  
177 and K.C.C. 21A.16.060, Ordinance 11210, Section 9, as  
178 amended, and K.C.C. 21A.16.085, Ordinance 10870,  
179 Section 395, as amended, and K.C.C. 21A.16.100,  
180 Ordinance 10870, Section 406, as amended, and K.C.C.  
181 21A.18.020 Ordinance 10870, Section 407, as amended,



Ordinance 19881

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182 and K.C.C. 21A.18.030, Ordinance 10870, Section 410, as  
183 amended, and K.C.C. 21A.18.050, Ordinance 10870,  
184 Section 413, as amended, and K.C.C. 21A.18.090,  
185 Ordinance 10870, Section 414, as amended, and K.C.C.  
186 21A.18.100, Ordinance 10870, Section 415, as amended,  
187 and K.C.C. 21A.18.110, Ordinance 10870, Section 416,  
188 and K.C.C. 21A.18.120, Ordinance 10870, Section 421, as  
189 amended, and K.C.C. 21A.20.030, Ordinance 13022,  
190 Section 26, as amended, and K.C.C. 21A.20.190,  
191 Ordinance 10870, Section 444, as amended, and K.C.C.  
192 21A.22.060, Ordinance 11621, Section 53, as amended,  
193 and K.C.C. 21A.24.386, Ordinance 15051, Section 231, as  
194 amended, and K.C.C. 21A.24.520, Ordinance 3688, Section  
195 303 and K.C.C. 21A.25.050, Ordinance 16958, Section 31,  
196 as amended, and K.C.C. 21A.25.100, Ordinance 16985,  
197 Section 32, as amended, and K.C.C. 21A.25.110,  
198 Ordinance 16985, Section 36, as amended, and K.C.C.  
199 21A.25.140, Ordinance 16985, Section 39, as amended,  
200 and K.C.C. 21A.25.160, Ordinance 3688, Section 413, as  
201 amended, and K.C.C. 21A.25.170, Ordinance 3688, Section  
202 409, as amended, and K.C.C. 21A.25.180, Ordinance  
203 16985, Section 47, as amended, and K.C.C. 21A.25.220,  
204 Ordinance 13129, Section 2, as amended, and K.C.C.

Ordinance 19881

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205 21A.27.010, Ordinance 13129, Section 11, as amended,  
206 and K.C.C. 21A.27.110, Ordinance 10870, Section 512, as  
207 amended, and K.C.C. 21A.28.020, Ordinance 10870,  
208 Section 513, as amended, and K.C.C. 21A.28.030,  
209 Ordinance 10870, Section 514, as amended, and K.C.C.  
210 21A.28.040, Ordinance 10870, Section 515, as amended,  
211 and K.C.C. 21A.28.050, Ordinance 10870, Section 523, as  
212 amended, and K.C.C. 21A.28.130, Ordinance 10870,  
213 Section 524, as amended, and K.C.C. 21A.28.140,  
214 Ordinance 10870, Section 526, as amended, and K.C.C.  
215 21A.28.160, Ordinance 10870, Section 525, as amended,  
216 and K.C.C. 21A.28.150, Ordinance 11621, Section 89, and  
217 K.C.C. 21A.28.152, Ordinance 11621, Section 90, as  
218 amended, and K.C.C. 21A.28.154, Ordinance 11621,  
219 Section 91, as amended, and K.C.C. 21A.28.156,  
220 Ordinance 10870, Section 530, as amended, and K.C.C.  
221 21A.30.020, Ordinance 11168, Section 14, as amended,  
222 and K.C.C. 21A.30.075, Ordinance 10870, Section 536, as  
223 amended, and K.C.C. 21A.30.080, Ordinance 15606,  
224 Section 20, as amended, and K.C.C. 21A.30.085,  
225 Ordinance 10870, Section 537, as amended, and K.C.C.  
226 21A.30.090, Ordinance 13130, Section 5, as amended, and  
227 K.C.C. 21A.32.065, Ordinance 10870, Section 555, as

Ordinance 19881

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228 amended, and K.C.C. 21A.32.180, Ordinance 10870,  
229 Section 559, and K.C.C. 21A.32.220, Ordinance 17710,  
230 Section 14, as amended, and K.C.C. 21A.32.250,  
231 Ordinance 13274, Section 1, as amended, and K.C.C.  
232 21A.37.010, Ordinance 13274, Section 3, as amended, and  
233 K.C.C. 21A.37.020, Ordinance 13274, Section 5, as  
234 amended, and K.C.C. 21A.37.030, Ordinance 13274,  
235 Section 6, as amended, and K.C.C. 21A.37.040, Ordinance  
236 14190, Section 7, as amended, and K.C.C. 21A.37.050,  
237 Ordinance 14190, Section 8, as amended, and K.C.C.  
238 21A.37.060, Ordinance 13274, Section 7, as amended, and  
239 K.C.C. 21A.37.070, Ordinance 13274, Section 8, as  
240 amended, and K.C.C. 21A.37.080, Ordinance 13274,  
241 Section 9, as amended, and K.C.C. 21A.37.090, Ordinance  
242 13733, Section 8, as amended, and K.C.C. 21A.37.100,  
243 Ordinance 13733, Section 10, as amended, and K.C.C.  
244 21A.37.110, Ordinance 13733, Section 11, as amended,  
245 and K.C.C. 21A.37.120, Ordinance 13733, Section 12, as  
246 amended, and K.C.C. 21A.37.130, Ordinance 13733,  
247 Section 13, as amended, and K.C.C. 21A.37.140,  
248 Ordinance 13733, Section 14, as amended, and K.C.C.  
249 21A.37.150, Ordinance 13733, Section 15, as amended,  
250 and K.C.C. 21A.37.160, Ordinance 10870, Section 579, as

Ordinance 19881

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251 amended, and K.C.C. 21A.38.030, Ordinance 10870,  
252 Section 579, as amended, and K.C.C. 21A.38.060,  
253 Ordinance 12809, Section 5, as amended, and K.C.C.  
254 21A.38.120, Ordinance 12823, Section 8, as amended, and  
255 K.C.C. 21A.38.130, Ordinance 12823, Section 10, and  
256 K.C.C. 21A.38.150, Ordinance 12823, Section 11, and  
257 K.C.C. 21A.38.160, Ordinance 12823, Section 12, and  
258 K.C.C. 21A.38.170, Ordinance 12823, Section 15, as  
259 amended, and K.C.C. 21A.38.200, Ordinance 12823,  
260 Section 16, as amended, and K.C.C. 21A.38.210,  
261 Ordinance 19146, Section 85, as amended, and K.C.C.  
262 21A.38.255, Ordinance 19146, Section 2083, and K.C.C.  
263 21A.38.265, Ordinance 13130, Section 6, and K.C.C.  
264 21A.42.075, Ordinance 13130, Section 7, and K.C.C.  
265 21A.42.150, Ordinance 11621, Section 112, as amended,  
266 and K.C.C. 21A.43.030, Ordinance 11621, Section 114, as  
267 amended, and K.C.C. 21A.43.050, Ordinance 11621,  
268 Section 116, as amended, and K.C.C. 21A.43.070,  
269 Ordinance 11621, Section 117, and K.C.C. 21A.43.080,  
270 Ordinance 11621, Section 118, and K.C.C. 21A.43.090,  
271 Ordinance 15170, Section 6, and K.C.C. 21A.45.010,  
272 Ordinance 15170, Section 7, and K.C.C. 21A.45.020,  
273 Ordinance 15170, Section 8, and K.C.C. 21A.45.030,

Ordinance 19881

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274 Ordinance 15170, Section 9, and K.C.C. 21A.45.040,  
275 Ordinance 15170, Section 10, as amended, and K.C.C.  
276 21A.45.050, Ordinance 15170, Section 13, as amended,  
277 and K.C.C. 21A.45.080, Ordinance 17950, Section 4, and  
278 K.C.C. 21A.45.095, Ordinance 15170, Section 15, and  
279 K.C.C. 21A.45.100, Ordinance 19555, Section 22, and  
280 K.C.C. 21A.48.010, Ordinance 19555, Section 23, and  
281 K.C.C. 21A.48.020, Ordinance 19555, Section 24, and  
282 K.C.C. 21A.48.030, Ordinance 19555, Section 25, and  
283 IK.C.C. 21A.48.040, Ordinance 19555, Section 26, and  
284 K.C.C. 21A.48.050, Ordinance 19555, Section 27, and  
285 K.C.C. 21A.48.060, Ordinance 19555, Section 28, and  
286 K.C.C. 21A.48.070, Ordinance 19555, Section 29, and  
287 K.C.C. 21A.48.080, Ordinance 19555, Section 30, and  
288 K.C.C. 21A.48.090, Ordinance 12627, Section 3, as  
289 amended, and K.C.C. 21A.55.030, Ordinance 16650,  
290 Section 1, as amended, and K.C.C. 21A.55.101, Ordinance  
291 19119, Section 2, and K.C.C. 21A.55.125, Ordinance 3269,  
292 Section 2, and K.C.C. 24.08.010, Ordinance 13332, Section  
293 34, as amended, and K.C.C. 27.10.190, and Ordinance  
294 13332, Section 35, as amended, and K.C.C. 27.10.200,  
295 adding a new section to K.C.C. chapter 13.28, adding a  
296 new section to K.C.C. chapter 14.01, adding a new section

Ordinance 19881

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297 to K.C.C. chapter 19.04, adding a new section to K.C.C.  
298 chapter 20.12, adding new sections to K.C.C. chapter  
299 20.18, adding new sections to K.C.C. chapter 21A.06,  
300 adding new sections to K.C.C. chapter 21A.08, adding a  
301 new section to 21A.12, adding a new section to K.C.C.  
302 chapter 21A.14, adding a new section to K.C.C. chapter  
303 21A.25, adding new sections to K.C.C. chapter 21A.28,  
304 adding new sections to K.C.C. chapter 21A.37, adding a  
305 new section to K.C.C. chapter 21A.38, adding a new  
306 section to K.C.C. chapter 21A.45, adding a new section to  
307 K.C.C. 21A.55, adding a new section to K.C.C. chapter  
308 24.08, adding new chapters to K.C.C. Title 21A, adding a  
309 new chapter to K.C.C. Title 18, adding a new chapter to  
310 K.C.C. Title 24, recodifying K.C.C 28.30.010, K.C.C.  
311 8.30.020, K.C.C. 28.30.030, K.C.C. 21A.06.355, K.C.C.  
312 21A.06.7341, K.C.C. 21A.06.7342, K.C.C. 21A.06.7344,  
313 K.C.C. 21A.06.7346, K.C.C. 21A.06.7348, K.C.C.  
314 21A.06.358, K.C.C. 21A.06.185, K.C.C. 21A.06.370,  
315 K.C.C. 21A.60.060, K.C.C. 21A.60.010, K.C.C.  
316 21A.60.040, K.C.C. 21A.60.050, K.C.C. 21A.60.070,  
317 K.C.C. 21A.60.080, K.C.C. 21A.60.090, K.C.C.  
318 21A.60.030, K.C.C. 21A.60.100, K.C.C. 21A.60.110,  
319 K.C.C. 21A.38.260, K.C.C. 21A.14.280, K.C.C.

Ordinance 19881

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320 21A.28.160, and K.C.C. 21A.28.150, repealing Ordinance  
321 14050, Section 17, and K.C.C. 14.70.300, Ordinance 9614,  
322 Section 103, as amended, and K.C.C. 16.82.150, Ordinance  
323 16267, Section 6, and K.C.C. 16.82.151, Ordinance 15053,  
324 Section 15, as amended, and K.C.C. 16.82.152, Ordinance  
325 15053, Section 16, and K.C.C. 16.82.154, Ordinance  
326 18810, Section 6, and K.C.C. 20.08.175, Ordinance 1096,  
327 Sections 1 and 2, as amended, and K.C.C. 20.12.090,  
328 Ordinance 8279, Section 1, as amended, and K.C.C.  
329 20.12.150, Ordinance 18623, Section 8, and K.C.C.  
330 20.12.329, Ordinance 11620, Section 18, and K.C.C.  
331 20.12.433, Ordinance 11620, Section 19, and K.C.C.  
332 20.12.435, Ordinance 8380, Section 1, and K.C.C.  
333 20.14.010, Ordinance 8380, Appendix A, Ordinance 8380,  
334 Appendix B, Ordinance 10238, Section 1, as amended, and  
335 K.C.C. 20.14.020, Ordinance 10293, Attachment A, as  
336 amended, Ordinance 10293, Sections 1, 2, 6, 7, and 9, as  
337 amended, and K.C.C. 20.14.025, Ordinance 10293,  
338 Attachment A, as amended, Ordinance 10513, Section 1, as  
339 amended, and K.C.C. 20.14.030, Ordinance 10513,  
340 Attachment A, as amended, Ordinance 11087, Section 1, as  
341 amended, and K.C.C. 20.14.040, Ordinance 11087,  
342 Attachment A, as amended, Ordinance 11111, Section 1, as

Ordinance 19881

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343 amended, and K.C.C. 20.14.050, Ordinance 11111,  
344 Attachment A, as amended, Ordinance 11886, Sections 1  
345 and 4, as amended, and K.C.C. 20.14.060, Ordinance  
346 11886, Attachment A, as amended, Ordinance 12809,  
347 Section 1, as amended, and K.C.C. 20.14.070, Ordinance  
348 12809, Attachment A, as amended, Ordinance 14091,  
349 Section 1, and K.C.C. 20.14.080, Ordinance 14091,  
350 Attachment A, Ordinance 13147, Section 28, as amended,  
351 and K.C.C. 20.18.120, Ordinance 8998, Section 6, and  
352 K.C.C. 20.44.145, Ordinance 11210, Section 22, and  
353 K.C.C. 21A.06.027, Ordinance 10870, Section 99, as  
354 amended, and K.C.C. 21A.06.295, Ordinance 17191,  
355 Section 20, and K.C.C. 21A.06.318, Ordinance 10870,  
356 Section 106 and K.C.C. 21A.06.330, Ordinance 17191,  
357 Section 22, as amended, and K.C.C. 21A.06.450,  
358 Ordinance 12171, Section 3, and K.C.C. 21A.06.533,  
359 Ordinance 10870, Section 192, and K.C.C. 21A.06.760,  
360 Ordinance 10870, Section 196, and K.C.C. 21A.06.780,  
361 Ordinance 14045, Section 6, and K.C.C. 21A.06.819,  
362 Ordinance 10870, Section 208, and K.C.C. 21A.06.840,  
363 Ordinance 10870, Section 210, and K.C.C. 21A.06.850,  
364 Ordinance 10870, Section 219, and K.C.C. 21A.06.895,



Ordinance 19881

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365 Ordinance 11210, Section 31, and K.C.C. 21A.06.897,  
366 Ordinance 11210, Section 33, and K.C.C. 21A.06.972,  
367 Ordinance 10870, Section 239, and K.C.C. 21A.06.995,  
368 Ordinance 10870, Section 255, and K.C.C. 21A.06.1075,  
369 Ordinance 10870, Section 301, and K.C.C. 21A.06.1305,  
370 Ordinance 10870, Section 308, and K.C.C. 21A.06.1340,  
371 Ordinance 10870, Section 339, and K.C.C. 21A.12.020,  
372 Ordinance 10870, Section 340, as amended, and K.C.C.  
373 21A.12.030, Ordinance 10870, Section 341, as amended,  
374 and K.C.C. 21A.12.040, Ordinance 17539, Section 35, and  
375 K.C.C. 21A.12.042, Ordinance 10870, Section 345, as  
376 amended, and K.C.C. 21A.12.080, Ordinance 11555,  
377 Section 4, as amended, and K.C.C. 21A.12.085, Ordinance  
378 10870, Section 368, as amended, and K.C.C. 21A.14.080,  
379 Ordinance 10870, Section 369, as amended, and K.C.C.  
380 21A.14.090, Ordinance 10870, Section 372, and K.C.C.  
381 21A.14.120, Ordinance 10870, Section 373, as amended,  
382 and K.C.C. 21A.14.130, Ordinance 10870, Section 379, as  
383 amended, and K.C.C. 21A.14.190, Ordinance 10870,  
384 Section 410, as amended, and K.C.C. 21A.18.060,  
385 Ordinance 10870, Section 417, and K.C.C. 21A.18.130,  
386 Ordinance 10870, Section 418, and K.C.C. 21A.18.140,  
387 Ordinance 15170, Section 18, and K.C.C. 21A.32.145,

Ordinance 19881

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388 Ordinance 10870, Section 560, and K.C.C. 21A.34.010,  
389 Ordinance 10870, Section 561, as amended, and K.C.C.  
390 21A.34.020, Ordinance 10870, Section 562, as amended,  
391 and K.C.C. 21A.34.030, Ordinance 10870, Section 563, as  
392 amended, and K.C.C. 21A.34.040, Ordinance 10870,  
393 Section 564, as amended, and K.C.C. 21A.34.050,  
394 Ordinance 10870, Section 565, as amended, and K.C.C.  
395 21A.34.060, Ordinance 10870, Section 566, and K.C.C.  
396 21A.34.070, Ordinance 10870, Section 567, and K.C.C.  
397 21A.34.080, Ordinance 16267, Section 68, as amended,  
398 and K.C.C. 21A.37.055, Ordinance 10870, Section 578, as  
399 amended, and K.C.C. 21A.38.050, Ordinance 10870,  
400 Section 581, as amended, and K.C.C. 21A.38.080,  
401 Ordinance 11567, Section 1, as amended, and K.C.C.  
402 21A.38.100, Ordinance 12823, Section 13, and K.C.C.  
403 21A.38.180, Ordinance 18623, Section 9, and K.C.C.  
404 21A.38.270, Ordinance 19555, Section 19, and K.C.C.  
405 21A.38.275, Ordinance 19555, Section 20, and K.C.C.  
406 21A.38.280, Ordinance 10870, Section 582, and K.C.C.  
407 21A.39.010, Ordinance 10870, Section 583, as amended,  
408 and K.C.C. 21A.39.020, Ordinance 10870, Section 584, as  
409 amended, and K.C.C. 21A.39.030, Ordinance 10870,  
410 Section 585, and K.C.C. 21A.39.040, Ordinance 10870,

Ordinance 19881

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411 Section 586, as amended, and K.C.C. 21A.39.050,  
412 Ordinance 10870, Section 587, and K.C.C. 21A.39.060,  
413 Ordinance 10870, Section 588, and K.C.C. 21A.39.070,  
414 Ordinance 10870, Section 589, and K.C.C. 21A.39.080,  
415 Ordinance 10870, Section 590, and K.C.C. 21A.39.090,  
416 Ordinance 10870, Section 591, and K.C.C. 21A.39.100,  
417 Ordinance 10870, Section 592, and K.C.C. 21A.39.110,  
418 Ordinance 10870, Section 593, and K.C.C. 21A.39.120,  
419 Ordinance 10870, Section 594, and K.C.C. 21A.39.130,  
420 Ordinance 12171, Section 8, and K.C.C. 21A.39.200,  
421 Ordinance 13130, Section 10, as amended, and K.C.C.  
422 21A.42.180, Ordinance 10870, Section 628, and K.C.C.  
423 21A.44.070, Ordinance 12171, Section 9, and K.C.C.  
424 21A.44.080, Ordinance 13275, Section 1, as amended, and  
425 K.C.C. 21A.55.050, Ordinance 14662, Section 1, as  
426 amended, and K.C.C. 21A.55.060, Ordinance 19687,  
427 Section 10, and K.C.C. 21A.60.020, Ordinance 17877,  
428 Section 1, Ordinance 17877, Section 2, Ordinance 17877,  
429 Section 3, Ordinance 17878, Section 1, Ordinance 17878,  
430 Section 2, and Ordinance 17878, Section 3, Ordinance  
431 17950, Section 5, Ordinance 15170, Section 16, as  
432 amended, Ordinance 15170, Section 17, as amended,  
433 Ordinance 15170, Section 18, and K.C.C. 21A.32.145,

Ordinance 19881

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434 Attachment A to Ordinance 13875, as amended, and  
435 Ordinance 16650, Attachment B, and establishing an  
436 effective date.

437 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

438 SECTION 1. Findings:

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

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

444 C. The GMA requires King County to take action not later than December 31,  
445 2024, to review and, if needed, revise its comprehensive plan and development  
446 regulations to ensure the plan and regulations comply with the requirements of the GMA.  
447 This ordinance adopts the 2024 King County Comprehensive Plan ("2024 update"),  
448 which is compliant with the GMA and completes the requirements for the update in RCW  
449 36.70A.130. Additional work on critical areas regulations is ongoing, as allowed under  
450 the reasonable progress exception in RCW 36.70A.130(7)(b) and as described in  
451 subsection D. of this section.

452 D. The GMA requires counties to include best available science ("BAS") in  
453 developing policies and development regulations to protect the functions and values of  
454 critical areas; give special consideration to conservation or protection measures necessary  
455 to preserve or enhance anadromous fisheries; ensure no net loss of ecological functions  
456 and values; and consider critical areas regulations as part of the comprehensive plan

Ordinance 19881

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457 review and evaluation required by RCW 36.70A.130. The county began the BAS and  
458 critical area regulatory review in 2022 in accordance with GMA requirements and state  
459 guidance and developed draft updates in consultation with Indian tribes, state and federal  
460 agencies, and community partners. Public notice of the potential areas of change was  
461 provided in May 2022, June 2022, January 2023, and June 2023. The county's current  
462 BAS review builds on the county's 2004 BAS review and was informed by GMA  
463 requirements and state guidance documents, updated BAS for critical areas developed by  
464 state natural resources agencies, supplemental scientific literature, county experience in  
465 implementing critical areas regulations since 2004, consideration of the county's unique  
466 land use context, and the need to meet sometimes competing GMA goals. A BAS and  
467 critical areas regulatory review progress report that summarized the current BAS  
468 requirements, BAS review approach, and identified regulatory changes under  
469 consideration was published in December 2023. An initial BAS report and proposed  
470 policy and code updates were published and transmitted to the Council in March 2024.  
471 The final environmental impact statement for the 2024 update, which included evaluation  
472 of potential changes to critical areas regulations, was published in November 2024. BAS  
473 review was included in the identification and development of relevant critical areas and  
474 environmental policies for the 2024 update. The October 2024 Best Available Science  
475 Review and Updates to Critical Areas Protections report summarizes GMA requirements  
476 for review and inclusion of BAS in updates to comprehensive plan policies and codes,  
477 describes tribal consultation and community engagement, details the approach and scope  
478 for BAS review, reviews Comprehensive Plan considerations, and identifies regulatory  
479 updates and nonregulatory actions to strengthen protection and ensure no net loss of

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Ordinance 19881

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480 critical areas functions and values. Additional review and refinement of proposed critical  
481 areas regulations is ongoing. The county intends to complete the BAS review and  
482 updates to critical areas regulations in 2025 with additional opportunities for public input.  
483 Under the reasonable progress exception in RCW 36.70A.130(7)(b), the county has until  
484 December 2025 to complete this portion of the statutory update.

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

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

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

500 H. The changes included in this ordinance for the shoreline master program  
501 constitute a locally initiated amendment allowed under WAC 173-26-090. Changes  
502 include updates to shoreline policies and development regulations. Those changes are

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Ordinance 19881

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503 required to be approved by the Washington state Department of Ecology before they  
504 become effective.

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

508 J. Ordinance 19384 directed the King County Growth Management Planning  
509 Council ("the GMPC") to review the Four-to-One program in the Countywide Planning  
510 Policies ("the CPPs"), Comprehensive Plan, and King County Code. The Four-to-One  
511 program, Comprehensive Plan, and King County Code amendments adopted in the 2024  
512 update are substantially consistent with the GMPC recommendations for the program and  
513 the related changes in the CPPs.

514 K. Motion 16287 directed the executive to complete a code study related to  
515 expanded multiunit developments in low- and medium-density urban residential zones,  
516 also known as "middle housing." As required by the motion, a draft of the code study  
517 was issued in June 2023 as part of the Public Review Draft of the 2024 update, and a  
518 final report and associated recommended King County Code changes were included in  
519 the transmittal of the 2024 update.

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

Ordinance 19881

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526 The subarea planning program provides improved coordination, accountability, and  
527 service delivery in the area of long-range planning for unincorporated areas of King  
528 County.

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

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

539 O. Vashon-Maury Island Subarea Plan Workplan Action 1 adopted in Ordinance  
540 18623, as amended, directs the executive to comprehensively review and update the  
541 property-specific development conditions, which are also known as P-Suffixes, and  
542 special district overlays, which are also known as SDOs, on Vashon-Maury Island.  
543 Workplan Action 1 required a report and a proposed ordinance to implement the  
544 recommendations in the report be transmitted to the council for consideration by June 30,  
545 2022. Due to the COVID-19 pandemic, the timeline for completing the final evaluation  
546 was delayed beyond the required date. In 2022, the scope of work for the 2024 update  
547 directed inclusion of the report and King County Code changes as part of the 2024  
548 update. As required by the subarea plan and scope of work, the report and associated



Ordinance 19881

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549 recommended King County Code changes were included in the transmittal of the 2024  
550 update.

551 P. Ordinance 18623 adopted the Vashon Rural Town Affordable Housing Special  
552 District Overlay ("the Vashon affordable housing overlay") and directed the executive to  
553 complete a series of written evaluations assessing the efficacy of the scope and standards  
554 of the Vashon affordable housing overlay. As required by Ordinance 18623, preliminary  
555 evaluations were issued in 2018, 2019, and 2020. A draft of the fourth and final required  
556 evaluation of the Vashon affordable housing overlay was required to be completed within  
557 ninety days of the occurrence of one the following, whichever comes first: issuance of  
558 the first permit necessary for construction that would result in a cumulative total of one  
559 hundred twenty affordable housing units within the overlay; or four years after the  
560 effective date of Ordinance 18623, which would have been December 26, 2021. No  
561 permits have been issued up to now utilizing the Vashon affordable housing overlay.  
562 Due to the COVID-19 pandemic, the timeline for completing the draft final evaluation  
563 was delayed beyond four years and ninety days of the effective date of Ordinance 18623,  
564 which would have been March 24, 2022. In 2022, the scope of work for the 2024 update  
565 directed inclusion of a report on the fourth and final evaluation and any recommended  
566 implementing zoning and King County Code changes as part of the 2024 update. As  
567 required by Ordinance 18623 and the scope of work, the report and implementing zoning  
568 and King County Code changes were included in the transmittal of the 2024 update.

569 Q. The GMA calls for "containing or otherwise controlling rural development,"  
570 among other goals for the rural area. The Regional Growth Strategy anticipates rural  
571 growth to be no more than one percent of all growth within King County. Policies in

Ordinance 19881

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572 chapter 3 of the Comprehensive Plan carryover those goals and apply them to the rural  
573 unincorporated area. The GMA, VISION, and the Comprehensive Plan also have goals  
574 for rural economic opportunity and lifestyle choices at low densities and intensities, and  
575 at rural levels of service. The 2024 Comprehensive Plan adopts several provisions that  
576 reduce or minimize growth in the rural area while also allowing for important cultural,  
577 economic, and rural lifestyle opportunities, including, but not limited to:

- 578           1. Not expanding the Urban Growth Area boundary, or converting any RA  
579 zoned land to a higher density zone;
- 580           2. Continuing a prohibition on new rural towns and rural neighborhood  
581 commercial centers and maintaining policies that require limiting growth in the rural area  
582 and natural resource lands;
- 583           3. Clarifying policies that:
  - 584           a. require agencies providing services in the rural area and natural resource  
585 lands to establish standards that do not require substantial investment in public  
586 infrastructure in these areas; and
  - 587           b. scale site improvements for commercial and industrial developments to  
588 protect rural character;
- 589           4. Calling for rural affordable housing strategies to allow for workforce housing,  
590 aging in place, and provision of housing needed in the rural area, at an appropriate size  
591 and scale that protects rural character;
- 592           5. Reducing the size of accessory dwelling units in the RA zone by removing an  
593 allowance to use a TDR as a way to increase the allowable size, and reducing the

Ordinance 19881

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594 numbers of accessory dwelling units by adding a requirement that a detached accessory  
595 dwelling unit be considered a primary unit when a lot is subdivided;

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

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

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

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

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

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

Ordinance 19881

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

624           T. The 2016 King County Comprehensive Plan, as amended, included Work Plan  
625 Action 17, which directed the executive to update the residential density incentive  
626 program in K.C.C. chapter 21A.34 in the 2024 update, as recommended by the related  
627 code study included in the transmittal of the 2020 update to the 2016 King County  
628 Comprehensive Plan. As required by Work Plan Action 17, this ordinance adopts  
629 updates to the residential density incentive program regulations, which repeals the  
630 program and replaces it with updated regulations in the inclusionary housing program in  
631 K.C.C. chapter 21A.48.

632           U. As part of the 2024 Comprehensive Plan update, the land use designation and  
633 zoning classifications were reviewed on parcel 1522049162 and the surrounding area in  
634 urban unincorporated King County near Kent. The site is the location of a pet cemetery,  
635 which was designated as a historic landmark in 2022. The current Industrial land use  
636 designation and zoning classification on the parcel does not allow the cemetery uses on  
637 the site as permitted or conditional uses. Urban residential zoning, and a corresponding  
638 land use designation, would allow the cemetery uses on the site to become legal  
639 conforming uses. The zoning of other cemeteries in unincorporated urban King County

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Ordinance 19881

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640 was also analyzed, based on a survey of cemeteries completed by the King County  
641 historic preservation program. The survey identified two cemeteries in the Potential  
642 Annexation Areas for Carnation and Duvall; however, because those have a land use  
643 designation of Cities in the Rural Area Urban Growth Area, they have different zoning  
644 considerations not applicable to this site within the contiguous Urban Growth Area. The  
645 survey identified one other currently operating urban unincorporated cemetery, which is  
646 also near Kent and has a R-1 zone classification; this was found to be a good model for  
647 the zoning of the pet cemetery site. A R-1 zone classification also best supports the  
648 historic designation by not imposing zoning that would allow for and incentivize more-  
649 intensive uses or densities on the site; the R-1 zone is the least-intensive zone  
650 classification allowed in the continuous Urban Growth Area. This zoning is supported by  
651 Comprehensive Plan Policies P-221 and P-222.

652 V. The King County Comprehensive Plan and King County Strategic Climate  
653 Action Plan call on the county to act with urgency in addressing the climate crisis.  
654 Increasing the generation of renewable energy and reducing greenhouse gas emissions  
655 associated with waste are both critical to this effort. Specifically, the Comprehensive  
656 Plan calls on King County to:

- 657 1. Reduce greenhouse gas emissions from its operations and actions to meet  
658 ambitious emissions reduction targets (Policies E-202, E-203);
- 659 2. Achieve carbon neutrality within its solid waste division (Policy E-205);
- 660 3. Encourage the use of renewable energy and support its expansion through  
661 development regulations and incentive programs (Policy E-209);

Ordinance 19881

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- 662           4. Make properties it owns available for renewable energy production (Policy F-  
663 304);
- 664           5. Maximize the capture, use, and marketing of renewable energy at the Cedar  
665 Hills landfill (Policy F-507);
- 666           6. Provide leadership in, and foster the development and increased use of, clean,  
667 renewable, and alternative fuel and energy technologies, such as anaerobic digestion and  
668 co-digestion of organic material, with a particular emphasis on creating renewable natural  
669 gas (Policy F-508);
- 670           7. Work with industry partners to reduce energy and fossil fuel use and  
671 greenhouse gas emissions while promoting green jobs, products, and services (Policy E-  
672 241);
- 673           8. Encourage development of markets for reusable and recyclable materials  
674 (Policy F-442);
- 675           9. Allow for renewable energy technologies in the rural area (Policy R-332);
- 676           10. Allow for infrastructure in the rural area that requires a rural location or that  
677 provides or supports infrastructure for nearby residents (Policy R-323);
- 678           11. Allow for siting of green energy and distributed energy resources, while  
679 considering appropriate use of land and associate impacts, including protection of  
680 designated natural resource lands and open spaces (Policy F-517); and
- 681           12. Make land use decisions that consider the impacts of renewable energy  
682 siting with open space, agriculture, and housing needs (Policy F-510).
- 683           W. The creation of a green energy overlay contributes to all of the goals in  
684 subsection V. of this section by reducing permitting barriers to generating renewable

Ordinance 19881

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685 energy and reducing greenhouse gas emissions from waste. The green energy overlay is  
686 appropriate for this chosen area because it is:

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

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

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

694 X. The GMA was amended by Chapter 228, Laws of Washington 2023, to  
695 require a climate change and resiliency element as part of the next periodic update. For  
696 King County, this includes an update to the transportation element and incorporate a  
697 climate change and resiliency element into the King County Comprehensive Plan as part  
698 of the 2029 midpoint update. The climate change and resiliency element will include  
699 greenhouse gas emissions reduction and resiliency subelements. The transportation  
700 element will include a multimodal level of service, which will align with provisions of  
701 VISION for a multimodal level of service standard.

702 Y. Within the White Center unincorporated activity center, there is a core street,  
703 along on 16th Avenue SW between SW Roxbury Street and SW 100th Street. This area,  
704 and the Top Hat area of North Highline subarea geography, as described in the  
705 Environmental Impact Statement ("EIS") for the 2024 Comprehensive Plan, as pre-war  
706 urban centers that are organized within a grid of streets, with compact rectangular lots  
707 centered around a main street with commercial buildings on both sides. The EIS states,

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Ordinance 19881

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708 "[m]ain street commercial buildings tend to be 1 or 2 stories high, sometimes with  
709 apartments above a commercial ground floor. They tend to be oriented towards the street  
710 or sidewalk and have large windows, creating an engaging pedestrian environment. Such  
711 buildings are often "zero lot line" buildings, meaning their side walls touch, and they  
712 typically have limited off- street parking. Relatively affordable rents in older  
713 commercial buildings are supportive of small, independent businesses and often serve as  
714 cultural anchors for local communities." This unique character of these areas is not found  
715 elsewhere in urban unincorporated King County.

716 Z. The North Highline Community Service Area Subarea Plan ("North Highline  
717 Plan") includes a guiding principle to "support a thriving and equitable economy, with  
718 racially and ethnically diverse, community-minded small business owners, entrepreneurs,  
719 and employers." The North Highline Plan supports the preservation of the unique and  
720 thriving White Center historic core. Several North Highline Plan policies call for  
721 preserving the small size and scale of existing businesses and allowing for new  
722 commercial spaces for small business needs, in the core of the White Center  
723 unincorporated activity center. This core street character is an aspect of this geography  
724 that the County has taken steps to protect, including adoption of existing regulations on  
725 maximum tenant size, pedestrian-oriented design standards, and sign regulations.

726 AA. As part of the development of the North Highline design standards in  
727 Ordinance 19687, a consultant's report noted aspects of the existing character that the  
728 community valued included its "welcoming storefronts with weather protection and  
729 lighting," "color and signage add character to this business," "[l]ocal pride can be seen in  
730 this 'White Center' mural," and "[f]abric and scale of White Center main street," as

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Ordinance 19881

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731 examples. Existing businesses include small businesses that provide goods and services  
732 to the surrounding residents, and are a draw for the rest of the county and region. The  
733 consultant's report states that "[t]he North Highline Subarea has a distinctive character  
734 and neighborhood form composed of its buildings, public realm, landscape, natural  
735 environment, and the infrastructure that supports it. These guidelines are intended to  
736 preserve the desirable existing design characteristics and support future enhancements to  
737 meet the community's vision by accomplishing these specific goals." This includes,  
738 "traditional neighborhood-scale commercial pattern," "human scale," "visible cultural  
739 diversity," and "historic and traditional elements" in the neighborhood composition.

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

743 CC. The Vashon Rural Town is an historical settlement that provides for more  
744 intensive commercial uses and has developed in a main street pattern similar to White  
745 Center and Top Hat. As described in Chapter 3 of the Comprehensive Plan, each of the  
746 County's three "Rural Towns has unique features and needs, and therefore different  
747 standards may be appropriate for each, while meeting the purposes described above."  
748 "Vashon, accessible mainly by ferry and limited in terms of water supply, has natural  
749 constraints upon the type and intensity of development that can occur." Further, the  
750 Vashon-Maury Island Community Service Area Subarea Plan ("Vashon-Maury Island  
751 Plan") establishes a guiding principle to "[p]lan the Rural Town of Vashon as the mixed  
752 use and vibrant center of the community." The Vashon Rural Town includes the Town  
753 Core and Vashon Center, where most commercial businesses are located. Policy LU-3 in

Ordinance 19881

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754 the Vashon-Maury Island Plan calls for development of these areas to "maintain rural  
755 character" and provide "compact, pedestrian-friendly development." Policy LU-5 also  
756 calls for reduced parking in the Vashon Town Core. The main street character of the  
757 Vashon Rural Town is an aspect of this geography that the County has taken steps to  
758 protect, including adoption of existing regulations on pedestrian-oriented design, height  
759 restrictions, and allowed uses.

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

766 EE. This ordinance furthers the vision, guiding principles, and policies of the  
767 Comprehensive Plan, subarea plans, and adopted development regulations, by prohibiting  
768 formula businesses within these areas of North Highline and in the Vashon Rural Town.  
769 This regulation on the location and design of formula business establishments is intended  
770 to maintain the existing main street character, the diversity of the each of these  
771 community's unique commercial areas, the breadth of commercial options available to  
772 residents, and the resiliency of the community's vibrant, small-scale, diversified  
773 commercial character, and to thereby protect and ensure the community's quality. Once  
774 multiple formula businesses locate in a community, that unique character is irreparably  
775 lost and cannot be recaptured. Small, independent businesses cannot compete with  
776 pricing and the marketing power of formula businesses, pushing them out, along with the

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Ordinance 19881

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777 distinctive character that comes with the individual design, product offerings, and  
778 marketing approaches made by small businesses.

779 SECTION 2.

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

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

785 C. The elements of the King County Shoreline Master Program in sections 48,  
786 270, 272, 273, 274, 275, 276, 277, 278, 279, and 280 of this ordinance and in King  
787 County Comprehensive Plan chapter six of Attachment A to this ordinance are hereby  
788 amended to read as set forth in this ordinance and are incorporated herein by this  
789 reference.

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

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

796 F. The land use and zoning amendments in sections 325 through 336 of this  
797 ordinance, sections 363 through 365 of this ordinance, section 3798 of this ordinance, and  
798 Attachment I to this ordinance are hereby adopted as amendments to Appendix A to  
799 Ordinance 12824, as amended, and as the official land use and zoning controls for those

Ordinance 19881

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800 portions of unincorporated King County defined in those sections of this ordinance and  
801 attachments to this ordinance.

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

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

809 I. "Appendix H Natural Resources" in Technical Appendices Volume 2 to the  
810 1994 King County Comprehensive Plan is hereby readopted as "Appendix E 1994  
811 Natural Resource Lands."

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

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

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

Ordinance 19881

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

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

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

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

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

835           c. improving the delivery, responsiveness, and quality of local services to the  
836 people, businesses, and communities of unincorporated King County through unified  
837 accountability;

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

840           e. strengthening unincorporated communities by supporting local planning and  
841 community initiatives; and

842           f. pursuing innovative funding strategies.

843           B.1. The department shall also manage the development and implementation of  
844 ~~((community service area))~~ subarea plans for the six rural community service area and

Ordinance 19881

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845 five urban unincorporated potential annexation area geographies in coordination with the  
846 regional planning function in K.C.C. 2.16.025 and in accordance with the King County  
847 Comprehensive Plan and ~~((state))~~ the Growth Management Act.

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

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

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

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

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

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

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

863 d. use the tools and resources developed by the office of equity and racial and  
864 social justice to develop the scope of work and to develop, review, amend, adopt, and  
865 implement the subarea plan, including, but not limited to, community engagement,  
866 language access, and equity impact review tools. The county shall use, at minimum, the  
867 ~~((County engages in dialogue and))~~ "County and community work together" levels of

Ordinance 19881

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868 engagement as outlined in the office of equity and racial and social justice's Community  
 869 Engagement Guide for the scoping, development, review, amendment, adoption, and  
 870 implementation of the subarea plan. The county shall include as an appendix to the  
 871 subarea plan information detailing the community engagement completed during the  
 872 development of the subarea plan and how the community engagement meets the  
 873 requirements of this subsection B.2.d.;

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

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

881 g. review the land use designations and zoning classifications in the subarea  
 882 geography, including all special district overlays and property-specific development  
 883 conditions, and transmit map amendments necessary to implement land use and zoning  
 884 updates and the vision, guiding principles, and policies within the subarea plan, and for  
 885 the five urban unincorporated potential annexation area geographies, the subarea plan  
 886 shall include modifications to the land use designations and zoning classifications to  
 887 meaningfully and substantially increase residential density in order to accelerate housing  
 888 production (~~and~~

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

Ordinance 19881

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

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

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

903           2. Each community needs list shall:

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

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

909           c. be developed, reviewed, prioritized, amended, adopted, and implemented  
910 using tools and resources developed by the office of equity and racial and social justice,  
911 including, but not limited to, community engagement, language access, and equity impact  
912 review tools. The county shall use, at minimum, the (~~"County engages in dialogue"~~  
913 ~~and~~) "County and community work together" level(~~(s)~~) of engagement as outlined in the



Ordinance 19881

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914 office of equity and racial and social justice's Community Engagement Guide for the  
915 development, review, amendment, adoption, and implementation of the community needs  
916 list. The county shall include as an appendix to the community needs list information  
917 detailing the community engagement completed during the development of the  
918 community needs list and how the community engagement meets the requirements of this  
919 subsection C.2.c.

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

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

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

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

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

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

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

Ordinance 19881

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

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

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

943 d. For each request from the initial catalog that is not advanced to the  
944 community needs list, the executive shall state why the request was not advanced. The  
945 county shall clearly communicate why the request was not advanced to the community.  
946 For items that cannot be accomplished by the county because they are outside of the  
947 scope of county operations, the county shall provide information on how noncounty  
948 entities may be able to accomplish the item, including consideration of potential  
949 partnerships with noncounty entities; and

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

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

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

Ordinance 19881

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

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

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

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

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

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

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

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

Ordinance 19881

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980 D.1. The department shall also manage the community service area framework  
981 adopted by Ordinance 17139, which shall be called the community service area program.  
982 The community service area program shall develop and implement programs and services  
983 to help all residents of unincorporated King County be more knowledgeable of, better  
984 served by, and heard by King County departments and agencies. The community service  
985 area program shall work with all county departments and agencies whose services,  
986 programs, and projects are of interest to unincorporated area residents, to promote  
987 successful public engagement.

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

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

993 b. address the required elements in Ordinance 17139;

994 c. list potential action items for the area;

995 d. list known planning activities for the area;

996 e. identify public meetings for the area;

997 f. include the current adopted community needs list as required in subsection  
998 C. of this section; and

999 g. establish an ongoing communications and community engagement plan  
1000 using tools and resources developed by the office of equity and racial and social justice,  
1001 including, but not limited to, community engagement, language access, and equity impact  
1002 review tools. The county shall use, at minimum, the (~~"County engages in dialogue"~~

Ordinance 19881

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1003 ~~and~~) "County and community work together" level((s)) of engagement as outlined in the  
1004 office of equity and racial and social justice's Community Engagement Guide for the  
1005 development, review, amendment, adoption, and implementation of the community needs  
1006 list; and

1007 h. establish performance metrics to monitor the implementation of the work  
1008 program.

1009 3. The community service area program shall provide regular updates to the  
1010 councilmember or councilmembers who represent the subarea geography on the progress  
1011 of the work program throughout the year and shall publish regular reports on the work  
1012 program to its website((r)) at least once per quarter.

1013 4. The work program shall be updated on an annual basis.

1014 E.1. The department of local services shall monitor and report on performance  
1015 metrics for subarea plans described in subsection B. of this section, for community needs  
1016 lists described in subsection C. of this section, and for the work program described in this  
1017 subsection D. of this section.

1018 2. The timing for reporting on performance metrics and monitoring shall be:

1019 a. for transmitting a report to the council:

1020 (1) for subarea geographies that have a subarea plan adopted as of December  
1021 2022, reviewed and jointly reported on by December 30, 2024, and every two years  
1022 thereafter; and

1023 (2) for subarea geographies that do not have a subarea plan adopted as of  
1024 December 2022, reviewed and reported on the timelines established in subsection  
1025 B.2.c.(1)(a) of this section beginning no sooner than two years after adoption; and

Ordinance 19881

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1026            b. for reporting outside of the timeframe in subsection E.2.a. of this section,  
1027 reporting is required every year by the last business day of December, by posting the  
1028 performance metrics and monitoring information on the department's website.

1029            3. Performance monitoring shall be informed and monitored by the community  
1030 and the council.

1031            F.1. The department shall also establish service partnership agreements with each  
1032 executive branch agency that provides programs, services, or facilities in the  
1033 unincorporated area, including those agencies that provide regional services to  
1034 unincorporated area residents and businesses. The service partnership agreements shall  
1035 inform budget development for programs, services, or facilities in the unincorporated  
1036 area.

1037            2. Service partnerships agreements shall:

1038            a. be consistent with and implement the subarea plans in subsection B. of this  
1039 section, the community needs lists in subsection C. of this section, the community service  
1040 area work programs in subsection D. of this section, and other county plans;

1041            b. use tools and resources developed by the office of equity and racial and  
1042 social justice by the partner agency to deliver the programs, services, and facilities  
1043 described in the service partnership agreements((;)).

1044            3. Each service partnership agreement shall include, at a minimum:

1045            a. roles and responsibilities for the department of local services and the partner  
1046 agency;

Ordinance 19881

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1047           b. a general description of the programs, services, or facilities provided by the  
1048 partner agency for unincorporated area residents and businesses and, where applicable, in  
1049 the subarea geographies;

1050           c. goals for the partner agency to achieve the emphasis on local service  
1051 delivery described in Motion 15125 and this section, including:

1052           (1) the desired outcomes for provision of each program, service, or facility;

1053 and

1054           (2) service level goals for each program, service, or facility;

1055           d. performance metrics to monitor progress of implementing the outcomes and  
1056 service level goals for each program, service, or facility;

1057           e. use of the community service area work programs in local service delivery  
1058 by the partner agency; and

1059           f. the current adopted community needs lists and associated performance  
1060 metrics for monitoring and reporting on the progress the county agencies have made on  
1061 items on the lists that they are responsible for.

1062           4. ~~((A schedule for completing the service partnership agreements with county  
1063 agencies shall be established as part of the executive's proposed 2021-2022 biennial  
1064 budget and is subject to council approval by motion. The schedule is expected to show  
1065 service partnership agreements with all required agencies in effect no later than  
1066 transmittal of the executive's proposed 2023-2024 biennial budget.~~

1067           5.)) The service partnership agreements, after they are established, shall be  
1068 updated concurrent with the development of the annual or biennial budget and shall be  
1069 transmitted to the council as part of the supporting material for the executive's proposed

Ordinance 19881

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1070 annual or biennial budget. In addition to the requirements for service partnership  
 1071 agreements described in this subsection (~~(E. of this section)~~) F., the updates shall include  
 1072 evaluation and reporting on the goals and performance metrics identified in the previous  
 1073 service partnership agreement and in the community needs list.

1074 (~~(F.)~~) G. Until an ordinance that makes changes to the King County Code  
 1075 required in Ordinance 18791, Section 217, is effective, the permitting division shall be  
 1076 considered the successor agency to the department of permitting and environmental  
 1077 review. Therefore, upon effectiveness of Ordinance 18791 and until an ordinance  
 1078 required by Ordinance 18791, Section 217, is effective, where the code states or intends a  
 1079 decision to be made or action to be implemented by the department of permitting and  
 1080 environmental review, those decisions or actions shall be performed by the permitting  
 1081 division.

1082 (~~(G.)~~) H.1. The duties of the permitting division shall include the following:

1083 a. ensuring consistent and efficient administration of environmental, building,  
 1084 and land use codes and regulations for commercial and residential projects by means of  
 1085 permit review and approval, construction inspections, and public information;

1086 b. participating on the interbranch regional planning team as specified in  
 1087 K.C.C. 2.16.025;

1088 c. administering the ~~(s)~~State Environmental Policy Act and acting as lead  
 1089 agency, including making the threshold determinations, determining the amount of  
 1090 environmental impact and reasonable mitigation measures, and coordinating with other  
 1091 departments and divisions in the preparation of county environmental documents or in  
 1092 response to environmental documents from other agencies;



Ordinance 19881

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1093 d. effective processing and timely review of land development proposals,  
1094 including zoning variances, ~~((and))~~ zoning reclassifications, master drainage plans,  
1095 variances from the ~~((s))~~Surface ~~((w))~~Water ~~((d))~~Design ~~((m))~~Manual and the King  
1096 County ~~((r))~~Road Design and Construction ~~((s))~~Standards, critical area, subdivision,  
1097 right-of-way use, ~~((urban-planned-development,))~~ clearing and grading, shoreline, special  
1098 use, and conditional use applications;

1099 e. pursuing and resolving code violations, including preparing for  
1100 administrative or legal actions, evaluating the department's success in obtaining  
1101 compliance with King County rules and regulations, and designing measures to improve  
1102 compliance;

1103 f. regulating the operation, maintenance, and conduct of county-licensed  
1104 businesses, except taxicab, ~~((and))~~ for-hire, and transportation network company drivers  
1105 and vehicles; and

1106 g. developing and implementing an inspection program to identify fire hazards  
1107 and require conformance with K.C.C. Title 17, reviewing building plans and applications  
1108 for compliance with K.C.C. Title 17, and conducting inspections, including inspections of  
1109 new construction, for compliance with K.C.C. Title 17.

1110 2. The permitting division manager shall be the:

1111 a. county planning director;

1112 b. zoning adjuster;

1113 c. responsible official for purposes of administering the ~~((s))~~State

1114 Environmental Policy Act;

1115 d. county building official; and

Ordinance 19881

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1116 e. county fire marshal.

1117 3. The manager may delegate the functions in subsection (~~(G.2.)~~) H.2. of this  
1118 section to qualified subordinates.

1119 (~~(H.)~~) I. The road services division is responsible for designing, constructing,  
1120 maintaining, and operating a comprehensive system of roadways and other transportation  
1121 facilities and services to support a variety of transportation modes for the safe and  
1122 efficient movement of people and goods and delivery of services. The duties of the  
1123 division shall include the following:

1124 1. Designing, constructing, and maintaining county roads, bridges, and  
1125 associated drainage facilities;

1126 2. Designing, installing, and maintaining county traffic signs, markings, and  
1127 signals;

1128 3. Designing, installing, and maintaining (~~(bicycle and pedestrian)~~) roadway  
1129 active transportation facilities;

1130 4. Managing intergovernmental contracts or agreements for services related to  
1131 road maintenance and construction and to other transportation programs supporting the  
1132 transportation plan;

1133 5. Inspecting utilities during construction and upon completion for compliance  
1134 with standards and specifications(~~(; assuring)~~), and ensuring that public facilities  
1135 disturbed due to construction are restored;

1136 6. Performing detailed project development of roads capital improvement  
1137 projects that are consistent with the transportation element of the county's Comprehensive

Ordinance 19881

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1138 Plan, and coordinating such programming with other county departments and divisions  
1139 assigned responsibilities for Comprehensive Plan implementation;

1140 7. Incorporating into the roads capital improvement program those projects  
1141 identified in the transportation needs report, (~~community plans~~) related functional  
1142 plans, and elsewhere consistent with the county's Comprehensive Plan;

1143 8. Preparing, maintaining, and administering the county road standards;

1144 9. Preparing and administering multiyear roads maintenance and capital  
1145 construction plans and periodic updates;

1146 10. Administering the transportation concurrency and mitigation payment  
1147 programs; and

1148 11.a. Performing the duties of the office of the county road engineer, which is  
1149 hereby established as an administrative office of the road services division. The office of  
1150 the county road engineer shall be an office of record, supervised by the county road  
1151 engineer hired in accordance with RCW 36.80.010 and reporting to the manager of the  
1152 road services division. The office of the county road engineer shall be located within the  
1153 corporate limits of the county seat.

1154 b. The county road engineer shall carry out all duties assigned to the county  
1155 road engineer as prescribed by state statute, except as modified by the county executive  
1156 as authorized in subsection (~~H.11.e.~~) I.11.c. of this section.

1157 c. The county executive may assign professional engineering duties of the  
1158 county road engineer to someone other than the county road engineer, except as  
1159 otherwise assigned by the King County Code, and only if the individual assigned those  
1160 duties shall be qualified as required under RCW 36.80.020. The executive shall provide

Ordinance 19881

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1161 to the county council and the Washington state County Road Administration Board, in  
1162 writing, those specific professional engineering duties not assigned to the county road  
1163 engineer, the name and position of each person responsible for carrying out those  
1164 assigned duties, the specific reporting and working relationships with the county road  
1165 engineer, and the duration for which those duties have been assigned.

1166 SECTION 4. Ordinance 8300, Section 3, as amended, and K.C.C. 2.48.030 are  
1167 hereby amended to read as follows:

1168 A. It is the policy of King County to foster the excellence, vitality, and diversity  
1169 of cultural programs in the county and to make opportunities to experience cultural  
1170 programs available to all ~~((citizens))~~ residents of the county because:

1171 1. King County recognizes that arts and heritage institutions and organizations,  
1172 and professional artists, heritage specialists, and historic preservationists, working in  
1173 partnership with the region's tourism industry, attract visitors and enhance the county's  
1174 national and international reputation as a cultural center.

1175 2. King County recognizes that the transmission of historical and cultural values  
1176 and traditions from one generation to the next is essential to the sense of identity of  
1177 communities, ethnic and cultural groups, and of all ~~((citizens))~~ residents of King County.

1178 3. King County recognizes that a healthy and well-balanced future ~~((citizenry))~~  
1179 is dependent upon the promotion of comprehensive cultural education programs for  
1180 today's youth and that cultural education, in the classroom and in the community, is an  
1181 integral part of building audiences, appreciation, and support for cultural programs.

Ordinance 19881

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1182           4. King County recognizes that the loss or destruction of historic structures,  
1183 sites, and artifacts constitutes an irreplaceable loss to the quality of life and character of  
1184 King County.

1185           5. King County recognizes that its support for the cultural community should be  
1186 distributed to major regional, midsized, emerging, and community-based organizations.

1187           6. King County recognizes that support for the development of cultural  
1188 activities should be distributed throughout all parts of the county, including urban,  
1189 suburban, rural, and incorporated and unincorporated areas;

1190           7. King County recognizes that meeting its goals for regional distribution of  
1191 cultural activities requires regional planning, outreach to cities and communities  
1192 throughout the county, and a regional investment strategy; and

1193           8. King County recognizes that support for the work of individual artists and  
1194 heritage specialists is important to ensure the continuance of diverse creative expression.

1195           B. To carry out this policy, the cultural development authority is hereby  
1196 authorized to develop and implement cultural programs in King County.

1197           C. The county is committed to ensuring the success of cultural programs and  
1198 facilitating strong partnerships between the county, cultural development authority, and  
1199 cultural community. The executive shall ensure county departments and agencies  
1200 perform their duties related to cultural programs and fully cooperate with the cultural  
1201 development authority in its performance of its responsibilities.

1202           D. King County shall consider equity and racial, social, and environmental  
1203 justice in its promotion and protection of cultural resources.

Ordinance 19881

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1204            SECTION 5. Ordinance 18326, Section 3, and K.C.C. 6.70.010 are hereby  
1205 amended to read as follows:

1206            It is the purpose of this chapter to establish business licensing standards for  
1207 ~~((marijuana))~~ cannabis retail activities and businesses licensed by the Washington state  
1208 Liquor and Cannabis Board and located in unincorporated King County, in order to  
1209 promote and protect the health, safety, and general welfare of unincorporated King  
1210 County's residents.

1211            SECTION 6. Ordinance 18326, Section 4, and K.C.C. 6.70.020 are hereby  
1212 amended to read as follows:

1213            A person or entity shall not operate or maintain a retail ~~((marijuana))~~ cannabis  
1214 business in unincorporated King County unless the business has obtained a business  
1215 license issued by the director as provided by this chapter. A current ~~((marijuana))~~  
1216 cannabis retail business license issued under this chapter shall be prominently displayed  
1217 on the licensed premises.

1218            SECTION 7. Ordinance 18326, Section 5, and K.C.C. 6.70.030 are hereby  
1219 amended to read as follows:

1220            An application for a retail ~~((marijuana))~~ cannabis business license or license  
1221 renewal ~~((must))~~ shall be submitted in the name of the person or persons or the entity  
1222 proposing to operate the business. The application shall be signed by each person, or a  
1223 responsible ~~((principle))~~ principal or officer of any entity, proposing to operate the  
1224 business, certified as true under penalty of perjury. All applications shall be submitted on  
1225 a form supplied by the director, and shall include the following:

Ordinance 19881

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1226 A. The full name, birthdate, and current residential street, email, and mailing  
 1227 address of each person, including all partners if the applicant is a partnership, and all  
 1228 officers or ((principles)) principals if the applicant is a corporation or limited liability  
 1229 company, with a financial interest in the business; and the Universal Business Identifier  
 1230 number, the identity of the registered agent, and the address of the ((principle)) principal  
 1231 office, if the applicant is a corporation or limited liability company;

1232 B. The name, street address, and telephone number of the retail ((marijuana))  
 1233 cannabis business;

1234 C. A copy of the Washington state Liquor and Cannabis Board retail  
 1235 ((marijuana)) cannabis license associated with the business address or, if a state license  
 1236 has not been issued, a complete copy of a retail ((marijuana)) cannabis license application  
 1237 submitted to and accepted by the Washington state Liquor and Cannabis Board; and

1238 D. A copy of a medical ((marijuana)) cannabis endorsement approval letter  
 1239 issued by the Washington state Liquor and Cannabis Board, if applicable.

1240 SECTION 8. Ordinance 18326, Section 6, as amended, and K.C.C. 6.70.040 are  
 1241 hereby amended to read as follows:

1242 An applicant for a retail ((marijuana)) cannabis business license or renewal under  
 1243 this chapter shall pay an application fee at the time of application submittal. The  
 1244 nonrefundable application fee for a retail ((marijuana)) cannabis business license or  
 1245 renewal is one thousand dollars. The nonrefundable application fee for a retail  
 1246 ((marijuana)) cannabis business license or renewal shall be reduced by fifty percent if, at  
 1247 the time of application, the applicant shows proof of a current medical ((marijuana))  
 1248 cannabis endorsement issued by the Washington state Liquor and Cannabis Board.

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Ordinance 19881

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1249            SECTION 9. Ordinance 18326, Section 8, as amended, and K.C.C. 6.70.060 are  
1250 hereby amended to read as follows:

1251            A retail (~~marijuana~~) cannabis business license expires one year from the date the  
1252 business license is issued by the department of local services, permitting division. To  
1253 avoid a lapse in the effectiveness of a license, an application to renew a license (~~must~~)  
1254 shall be submitted to the director, on a form provided by the director, at least thirty days  
1255 before the expiration of the business license. A retail (~~marijuana~~) cannabis business  
1256 license renewal expires one year from the previous license's expiration date.

1257            SECTION 10. Ordinance 18326, Section 9, and K.C.C. 6.70.070 are hereby  
1258 amended to read as follows:

1259            Within thirty days of the director's receipt of a complete retail (~~marijuana~~)  
1260 cannabis business license application, the director shall issue or deny the license. Within  
1261 thirty days of the director's receipt of a complete renewal application, the director shall  
1262 issue or deny the renewal.

1263            SECTION 11. Ordinance 9163, Section 2, as amended, and K.C.C. 9.04.020 are  
1264 hereby amended to read as follows:

1265            The definitions in this section apply throughout this chapter unless the context  
1266 clearly requires otherwise.

1267            A. "Adjustment" means a department-approved variation in the application of the  
1268 requirements of K.C.C. 9.04.050 and the Surface Water Design Manual to a particular  
1269 project in accordance with K.C.C. 9.04.050.C. "Adjustment" replaces "variance," which  
1270 was used in prior editions of the Surface Water Design Manual.



Ordinance 19881

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1271 B. "Applicant" means a property owner, ~~((or))~~ a public agency, or public or  
1272 private utility that owns a right-of-way or other easement or has been adjudicated the  
1273 right to such an easement ~~((under RCW 8.12.090))~~ in accordance with RCW 8.08.040, or  
1274 any person or entity designated or named in writing by the property or easement owner to  
1275 be the applicant, in an application for a development proposal, permit, or approval.

1276 C. "Basin" means a geographic area that contains and drains to a stream or river  
1277 named and noted on common maps, such as the Cedar river, Sammamish river, Green  
1278 river, Snoqualmie river, Skykomish river, or White river, or a geographic area that drains  
1279 to a nonflowing water body named and noted on common maps, such as Lake  
1280 Washington or Puget Sound.

1281 D. "Basin plan" means a plan and all implementing regulations and procedures  
1282 including, but not limited to, capital projects, public education activities, and land use  
1283 management adopted by ordinance for managing surface water and stormwater within the  
1284 basin.

1285 E. "Best management practice" or "BMP" means any schedule of activities,  
1286 prohibition of practices, maintenance procedure, or structural and ~~((or))~~ managerial  
1287 practice approved by King County, or any combination thereof, that, when used singly or  
1288 in combination, prevents or reduces the release of pollutants and other adverse impacts to  
1289 surface water, stormwater, and groundwater.

1290 F. "Closed depression" means an area greater than five thousand square feet at  
1291 overflow elevation that is low-lying and that has no or such a limited surface water outlet  
1292 that the area acts as a stormwater retention facility.

Ordinance 19881

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1293 G. "Construct or modify" means to install a new drainage pipe or ditch or to  
1294 make improvements to an existing drainage pipe or ditch, for purposes other than  
1295 maintenance, that either serves to concentrate previously unconcentrated surface water or  
1296 stormwater runoff or serves to increase, decrease, or redirect the conveyance of surface  
1297 water or stormwater runoff. "Construct or modify" does not include installation or  
1298 maintenance of a driveway culvert installed as part of a ~~((single family))~~ single detached  
1299 residential building permit.

1300 H. "Construction stormwater pollution prevention BMP" means a control or  
1301 measure that prevents or reduces the discharge of pollutants and sediments resulting from  
1302 construction activities.

1303 I. "Conveyance system" means the drainage facilities and features, both natural  
1304 and constructed, that provide for the collection and transport of surface water or  
1305 stormwater runoff. The natural elements of the "conveyance system" include swales and  
1306 small drainage courses, streams, rivers, lakes, and wetlands. The constructed elements of  
1307 the "conveyance system" include gutters, ditches, pipes, catch basins, channels, and most  
1308 flow control and water quality facilities.

1309 J. "Department" means the department of natural resources and parks or its  
1310 successor.

1311 K. "Development" means any activity that requires a permit or approval,  
1312 including, but not limited to, a building permit, grading permit, shoreline substantial  
1313 development permit, conditional use permit, special use permit, zoning variance or  
1314 reclassification, subdivision, short subdivision, ~~((urban planned development,))~~ binding

Ordinance 19881

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1315 site plan, site development permit, or right-of-way use permit. "Development" does not  
1316 include forest management activities, as defined in K.C.C. chapter 21A.06.

1317 L. "Directed drainage review" means the drainage review for a proposed (~~single-~~  
1318 ~~family~~) single detached residential project or agricultural project that is not subject to  
1319 simplified or large project drainage review.

1320 M. "Director" means the director of the department of natural resources and  
1321 parks, or the authorized representatives of the director, including compliance officers and  
1322 inspectors whose responsibility includes the detection and reporting of code violations.

1323 N. "Drainage" means the collection, conveyance, containment, or discharge, or  
1324 any combination thereof, of stormwater runoff or surface water.

1325 O. "Drainage facility" means a constructed or engineered feature that collects,  
1326 conveys, stores, treats, or otherwise manages stormwater runoff or surface water.

1327 "Drainage facility" includes, but is not limited to, a constructed or engineered stream,  
1328 lake, wetland or closed depression, or a pipe, channel, ditch, gutter, flow control facility,  
1329 flow control BMP, water quality facility, erosion and sediment control facility, and any  
1330 other structure and appurtenance that provides for drainage.

1331 P. "Drainage review" means an evaluation by King County staff of a proposed  
1332 project's compliance with the drainage requirements in the Surface Water Design Manual.

1333 The types of drainage review include simplified drainage review, targeted drainage  
1334 review, directed drainage review, full drainage review, and large project drainage review.

1335 Q. "Erosion and sediment control" means any temporary or permanent measures  
1336 taken to reduce erosion, control siltation, and sedimentation and to ensure that sediment-  
1337 laden water does not leave the site or enter into wetlands or aquatic areas.

Ordinance 19881

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1338 R. "Financial guarantee" means a form of financial security posted to do one or  
1339 more of the following: ensure timely and proper completion of improvements; ensure  
1340 compliance with the King County Code; or provide secured warranty of materials, quality  
1341 of work of the improvements, and design. "Financial guarantees" include assignments of  
1342 funds, cash deposit, surety bonds, or other forms of financial security acceptable to the  
1343 department of local services permitting division manager or designee. "Performance  
1344 guarantee," "maintenance guarantee," and "defect guarantee" are considered  
1345 subcategories of financial guarantee.

1346 S. "Flood management plan" means a plan and all implementing goals,  
1347 objectives, guiding principles, policies, and programs, including, but not limited to,  
1348 capital projects, public outreach and education activities, and enforcement programs for  
1349 reduction of flood risks and prepared in accordance with RCW 86.12.200.

1350 T. "Flow control BMP" means small scale drainage facility or feature that is part  
1351 of a development site strategy to use processes such as infiltration, dispersion, storage,  
1352 evaporation, transpiration, forest retention, and reduced impervious surface (~~foot print~~)  
1353 footprint to mimic predeveloped hydrology and minimize (~~stormwater~~) stormwater  
1354 runoff. "Flow control BMPs" include the methods and designs specified in the Surface  
1355 Water Design Manual. Flow control BMPs are also known as low impact development  
1356 BMPs(~~(s)~~) or LID(~~(s)~~) BMPs.

1357 U. "Flow control facility" means a drainage facility designed in accordance with  
1358 the drainage requirements in this chapter to mitigate the impacts of increased stormwater  
1359 runoff generated by site development. A "flow control facility" is designed either to hold  
1360 water for a considerable length of time and then release it by evaporation, plant

Ordinance 19881

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1361 transpiration, or infiltration into the ground or to hold runoff for a short (~~period of~~) time  
1362 and then release it to the conveyance system.

1363 V. "Full drainage review" means the evaluation required by K.C.C. 9.04.030 for  
1364 any proposed project, unless the project is subject to simplified drainage review, directed  
1365 drainage review, targeted drainage review, or large project drainage review, that:

1366 1. Would result in two thousand square feet or more of new impervious surface,  
1367 replaced impervious surface, or new plus replaced impervious surface; or

1368 2. Would result in seven thousand square feet or more of land disturbing  
1369 activity.

1370 W. "Groundwater" means all water found in the soil and stratum beneath the land  
1371 surface or beneath the bed of any surface water.

1372 X. "High-use site" means the area of a commercial, industrial, or road  
1373 intersection site that generates a higher than average number of vehicle turnovers or has  
1374 other characteristics that generate the potential for chronic oil accumulation. "High use  
1375 site" includes:

1376 1. The area of a commercial or industrial site subject to:

1377 a. an expected daily traffic count greater than one hundred vehicles per one  
1378 thousand square feet of gross building area;

1379 b. petroleum storage or transfer in excess of one thousand five hundred gallons  
1380 per year, not including routine heating oil storage or transfer at the end-user point of  
1381 delivery; or publi

1382 c. use, storage, or maintenance of a fleet of twenty-five or more diesel or jet  
1383 fuel vehicles each weighing over ten tons; or

Ordinance 19881

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1384           2. A road intersection with average daily traffic counts of twenty-five thousand  
1385 vehicles or more on the main roadway and fifteen thousand or more vehicles on any  
1386 intersecting roadway, excluding pedestrian or bicycle use improvement projects.

1387           Y. "Hydraulically connected" means connected through surface flow or water  
1388 features such as wetlands or lakes.

1389           Z. "Impervious surface" means a hard surface area that either prevents or retards  
1390 the entry of water into the soil mantle as under natural conditions before development or  
1391 that causes water to run off the surface in greater quantities or at an increased rate of flow  
1392 from the flow present under natural conditions before development. Common  
1393 impervious surfaces include, but are not limited to, roofs, walkways, patios, driveways,  
1394 parking lots, storage areas, areas that are paved, graveled, or made of packed or oiled  
1395 earthen materials or other surfaces that similarly impede the natural infiltration of surface  
1396 water or stormwater. For purposes of applying the impervious surface thresholds in this  
1397 chapter, permeable pavement, vegetated roofs, and underdrained pervious surfaces are  
1398 considered "impervious surface," while an open uncovered flow control or water quality  
1399 facility is not.

1400           AA. "Improvement" means a permanent, human-made, physical change to land  
1401 or real property including, but not limited to, buildings, streets, driveways, sidewalks,  
1402 crosswalks, parking lots, water mains, sanitary and storm sewers, drainage facilities, and  
1403 landscaping.

1404           BB. "Land disturbing activity" means an activity that results in a change in the  
1405 existing soil cover, both vegetative and nonvegetative, or to the existing soil topography.  
1406 "Land disturbing activity" includes, but is not limited to, demolition, construction,

Ordinance 19881

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1407 clearing, grading, filling, excavation, and compaction. "Land disturbing activity" does  
 1408 not include tilling conducted as part of agricultural practices, landscape maintenance, or  
 1409 gardening.

1410 CC. "Lake management plan" means a plan describing the lake management  
 1411 recommendations and requirements adopted by public rule for managing water quality  
 1412 within individual lake basins.

1413 DD. "Large project drainage review" means the evaluation required by K.C.C.  
 1414 9.04.030 for any proposed project that:

1415 1. ~~((Has an urban plan development land use designation in the King County~~  
 1416 ~~Comprehensive Plan land use map;~~

1417 2.) Would, at full buildout of the project site, result in fifty acres or more of  
 1418 new impervious surface within a drainage subbasin or a number of subbasins  
 1419 hydraulically connected across subbasin boundaries; or

1420 ~~((3.))~~ 2. Has a project site of fifty acres or more within a critical aquifer  
 1421 recharge area, as defined in K.C.C. Title 21A.

1422 EE. "Licensed civil engineer" means a person registered with the state of  
 1423 Washington as a professional engineer in civil engineering.

1424 FF. "Maintenance" means those usual activities taken to prevent a decline, lapse,  
 1425 or cessation in the use of currently serviceable structures, facilities, equipment, or  
 1426 systems, if there is no expansion of the structure, facilities, equipment, or system and  
 1427 there are no significant hydrologic impacts. "Maintenance" includes the repair or  
 1428 replacement of nonfunctional facilities or the replacement of existing structures with  
 1429 different types of structures, if the repair or replacement is required by one or more

Ordinance 19881

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1430 environmental permits or to meet current engineering standards and the functioning  
1431 characteristics of the original facility or structure are not changed.

1432 GG. "Master drainage plan" means a comprehensive drainage control plan  
1433 required for projects subject to large project drainage review and intended to prevent  
1434 significant adverse impacts to surface water and groundwater, both ~~((onsite))~~ on-site and  
1435 ~~((offsite))~~ off-site.

1436 HH. "Native vegetated surface" means a surface in which the soil conditions,  
1437 ground cover, and species of vegetation are like those of the original native condition for  
1438 the site, as more specifically ~~((set forth))~~ established in the Surface Water Design  
1439 Manual.

1440 II. "Natural discharge location" means the location where runoff leaves the  
1441 project site under existing site conditions as defined in the Surface Water Design Manual.

1442 JJ. "Natural hazard" means a condition in land or water, or both, that arises in  
1443 whole or in part out of natural processes and that creates a threat of immediate and  
1444 substantial harm. A "natural hazard" may include, but is not limited to, a beaver dam, a  
1445 debris dam in a stream, severe erosion at the base of a steep slope, or a stream displaced  
1446 from its original channel.

1447 KK. "New impervious surface" means the creation of impervious surface or the  
1448 addition of a more compacted surface such as the paving of existing dirt or gravel.

1449 LL. "New pervious surface" means the conversion of a native vegetated surface  
1450 or other native surface to a nonnative pervious surface, including, but not limited to,  
1451 pasture land, grassland, cultivated land, lawn, landscaping, or bare soil, or any alteration



Ordinance 19881

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1452 of existing nonnative pervious surface that results in increased stormwater runoff as  
1453 defined in the Surface Water Design Manual.

1454 MM. "Pollution-generating impervious surface" means an impervious surface  
1455 considered to be a significant source of pollutants in stormwater runoff. "Pollution-  
1456 generating impervious surface" includes: those surfaces subject to vehicular use;  
1457 industrial activities; or storage of erodible or leachable materials, wastes, or chemicals  
1458 and that receive direct rainfall or the run-on or blow-in of rainfall. A covered parking  
1459 area would be included if runoff from uphill could regularly run through it or if rainfall  
1460 could regularly blow in and wet the pavement surface. Metal roofs are also considered  
1461 pollution-generating impervious surface unless they are treated to prevent leaching.  
1462 Roofs exposed to the venting of significant amounts of dusts, mists, or fumes from  
1463 manufacturing, commercial, or other indoor activities are also included, as are vegetated  
1464 roofs exposed to pesticides, fertilizers, or loss of soil.

1465 NN. "Pollution-generating pervious surface" means a nonimpervious surface  
1466 considered to be a significant source of pollutants in stormwater runoff. "Pollution-  
1467 generating pervious surfaces" include: surfaces subject to vehicular use, industrial  
1468 activities, storage of erodible or leachable materials, wastes or chemicals, and that receive  
1469 direct rainfall or the run-on or blow-in of rainfall; or surfaces subject to the use of  
1470 pesticides and fertilizers to the loss of soil. "Pollution-generating pervious surface"  
1471 includes, but is not limited to, the lawn and landscaped areas of a residential, commercial,  
1472 or industrial site or land use, golf course, park, sports field, and county-standard grassed  
1473 modular grid pavement.

Ordinance 19881

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1474 OO. "Project" means any proposed action to alter or develop a site that may also  
1475 require drainage review.

1476 PP. "Project site" means the portion of a site and any (~~offsite~~) off-site areas  
1477 subject to proposed project activities, alterations, and improvements including those  
1478 required by this chapter.

1479 QQ. "Redevelopment project" means a project that proposes to add, replace, or  
1480 modify impervious surface for purposes other than a residential subdivision or  
1481 maintenance on a site that:

1482 1. Is already substantially developed in a manner that is consistent with its  
1483 current zoning or with a legal nonconforming use; or

1484 2. Has an existing impervious surface coverage of thirty-five percent or more.

1485 RR. "Replaced impervious surface" means an existing impervious surface  
1486 proposed to be removed and reestablished as impervious surface, excluding impervious  
1487 surface removed for the sole purpose of installing utilities or performing maintenance.  
1488 For structures, "removed" means the removal of buildings down to the foundation. For  
1489 other impervious surfaces, "removed" means the removal down to base course or bare  
1490 soil. For purposes of this definition, "base course" means the layer of crushed rock that  
1491 typically underlies an asphalt or concrete pavement.

1492 SS. "Salmon conservation plan" means a plan and all implementing regulations  
1493 and procedures including, but not limited to, land use management adopted by ordinance,  
1494 capital projects, public education activities, and enforcement programs for conservation  
1495 and recovery of salmon within a water resource inventory area designated by the state  
1496 under WAC 173-500-040.

Ordinance 19881

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1497 TT. "Shared facility" means a drainage facility designed to meet one or more of  
 1498 the requirements of K.C.C. 9.04.050 for two or more separate projects contained within a  
 1499 basin. "Shared facilities" usually include shared financial commitments for those  
 1500 drainage facilities.

1501 UU. "Simplified drainage review" means the drainage review for a proposed  
 1502 ~~((single-family))~~ single detached residential project or agricultural project that:

1503 1. Would result in impervious and new pervious surface insufficient to require a  
 1504 flow control or water quality facility as specified in K.C.C. 9.04.050 and the Surface  
 1505 Water Design Manual; and

1506 2. Meets the simplified drainage requirements and BMPs specified in the  
 1507 Surface Water Design Manual, including flow control BMPs, construction stormwater  
 1508 pollution prevention BMPs, and drainage plan submittal requirements.

1509 VV. "Site" means a single parcel, or either two or more contiguous parcels that  
 1510 are under common ownership or documented legal control, or a portion of single parcel  
 1511 under documented legal control separate from the remaining parcel, used as a single  
 1512 parcel for a proposed project for purposes of applying for authority from King County to  
 1513 carry out a proposed project. For projects located primarily within dedicated rights-of-  
 1514 way, "site" includes the entire width of right-of-way subject to improvements proposed  
 1515 by the project.

1516 WW. "Stormwater" means the water produced during precipitation or snowmelt,  
 1517 ~~((which))~~ that runs off, soaks into the ground, or is dissipated into the atmosphere.  
 1518 Stormwater that runs off or soaks into the ground ultimately becomes surface water or  
 1519 groundwater.

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Ordinance 19881

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1520 XX. "Stormwater compliance plan" means a plan or study and all regulations and  
1521 procedures that have been adopted by the county to implement the plan or study,  
1522 including, but not limited to, capital projects, public education activities, and enforcement  
1523 programs for managing stormwater quantity and quality discharged from the county's  
1524 municipal separate storm sewer system in compliance with the National Pollutant  
1525 Discharge Elimination System permit program under the Clean Water Act.

1526 YY. "Stormwater runoff" means stormwater that flows over, or just below, the  
1527 surface where it fell or melted. "Stormwater runoff" contributes to and becomes surface  
1528 water or groundwater.

1529 ZZ. "Subbasin" means a geographic area that:

- 1530 1. Drains to a stream or water body named and noted on common maps; and
- 1531 2. Is contained within the basin of the stream or water body.

1532 AAA. "Surface water" means the water that exists on land surfaces before,  
1533 during, and after stormwater runoff occurs and includes, but is not limited to, the water  
1534 found on ground surfaces and in drainage facilities, rivers, streams, springs, seeps, ponds,  
1535 lakes, wetlands, and Puget Sound. ((#)) "Surface water" also includes shallow  
1536 groundwater.

1537 BBB. "Surface Water Design Manual" means the manual, and supporting  
1538 documentation referenced or incorporated in the manual, describing surface and  
1539 stormwater design and analysis requirements, procedures, and guidance. The "Surface  
1540 Water Design Manual" is formally adopted by rule under the procedures of K.C.C.  
1541 chapter 2.98 and is available from the department of local services, permitting division,

Ordinance 19881

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1542 or the department of natural resources and parks, water and land resources division, or  
1543 their successors.

1544 CCC. "Targeted drainage review" means an abbreviated evaluation required by  
1545 K.C.C. 9.04.030 for certain types of proposed projects that are not subject to full or large  
1546 project drainage review. Targeted drainage review may be required for some projects in  
1547 simplified drainage review.

1548 DDD. "Water quality facility" means a drainage facility designed in accordance  
1549 with the drainage requirements in this chapter to mitigate the impacts of increased  
1550 pollutants in stormwater runoff generated by site development. A "water quality facility"  
1551 uses processes that include, but are not limited to, settling, filtration, adsorption, and  
1552 absorption to decrease pollutant concentrations and loadings in stormwater runoff.

1553 SECTION 12. Ordinance 9163, Section 5, as amended, and K.C.C. 9.04.060 are  
1554 hereby amended to read as follows:

1555 A. A proposed project required to have drainage review by K.C.C. 9.04.030 must  
1556 meet each of the following core requirements, which are described in detail in the Surface  
1557 Water Design Manual. Projects subject only to simplified drainage review that meet the  
1558 simplified drainage requirements and BMPs specified in the Surface Water Design  
1559 Manual, including flow control BMPs, construction stormwater pollution prevention  
1560 BMPs and drainage plan submittal requirements are deemed to comply with the  
1561 following core requirements:

1562 1. Core requirement 1: Discharge at the natural location. All stormwater runoff  
1563 and surface water from a project shall be discharged at the natural location so as not to be  
1564 diverted onto, or away from, downstream properties. The manner in which stormwater

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Ordinance 19881

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1565 runoff and surface water are discharged from the project site shall not create a significant  
1566 adverse impact or significantly aggravate an existing adverse impact to downhill  
1567 properties or drainage facilities as specified in the discharge requirements of the Surface  
1568 Water Design Manual;

1569           2. Core requirement 2: Offsite analysis. The initial application submittal for  
1570 proposed projects shall include an offsite analysis report that assesses potential offsite  
1571 drainage and water quality impacts associated with development of the proposed site and  
1572 proposes appropriate mitigations to those impacts. This initial submittal shall include, at  
1573 minimum, a Level One downstream analysis as described in the Surface Water Design  
1574 Manual. If impacts are identified, the proposed projects shall meet any applicable  
1575 problem-specific requirements as specified in the Surface Water Design Manual;

1576           3. Core requirement 3: Flow control facilities. Proposed projects that would  
1577 result in five thousand square feet or more of new plus replaced impervious surface or  
1578 three quarters of an acre or more of new pervious surface shall provide flow control  
1579 facilities to control stormwater runoff generated by new impervious surface, new  
1580 pervious surface, replaced impervious surface and any existing impervious surface added  
1581 on or after January 8, 2001, as specified in the Surface Water Design Manual. Flow  
1582 control facilities shall meet the area-specific flow control facility requirements and the  
1583 flow control facility implementation requirements applicable to the project site as  
1584 specified in the Surface Water Design Manual. Projects subject to area-specific flow  
1585 control facility requirements shall meet one of the flow control facility performance  
1586 criteria listed in a. through c. of this subsection A.3., as directed by the Surface Water  
1587 Design Manual:

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Ordinance 19881

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1588           a. Level One shall match the predeveloped site's peak discharge rates for the  
1589 two-year and ten-year return periods;

1590           b. Level Two shall meet Level One criteria and also match the predeveloped  
1591 site's discharge durations for the predeveloped peak discharge rates between the fifty  
1592 percent of the two-year peak flow through the fifty-year peak flow; or

1593           c. Level Three shall meet Level Two criteria and also match the predeveloped  
1594 site's peak discharge rate for the one hundred-year return period;

1595           4. Core requirement 4: Conveyance system. All engineered conveyance system  
1596 elements for proposed projects shall be analyzed, designed and constructed to provide the  
1597 minimum level of protection against overtopping, flooding, erosion and structural failure  
1598 as specified by the conveyance requirements for new and existing systems and  
1599 conveyance implementation requirements described in the Surface Water Design Manual;

1600           5. Core requirement 5: Construction stormwater pollution prevention. All  
1601 proposed projects that will conduct construction activities onsite or offsite or will clear,  
1602 grade or otherwise disturb the site shall provide stormwater pollution prevention controls,  
1603 spill controls, and erosion and sediment controls-to-prevent, reduce or eliminate the  
1604 discharge of pollutants including sediment to onsite or adjacent drainage facilities,  
1605 adjacent properties and surface water or groundwater. Erosion and sediment controls  
1606 shall be applied in accordance with K.C.C. chapter 16.82 and as specified by the  
1607 temporary erosion and sediment control measures and performance criteria and  
1608 implementation requirements in the King County Surface Water Design Manual;

1609           6. Core requirement 6: Maintenance and operation. Maintenance of all  
1610 drainage facilities in compliance with King County maintenance standards is the

Ordinance 19881

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1611 responsibility of the applicant or property owner as described in the Surface Water  
1612 Design Manual, except those facilities for which King County assumes maintenance and  
1613 operation as described in K.C.C. 9.04.115 and 9.04.120 and the Surface Water Design  
1614 Manual;

1615           7. Core requirement 7: Financial guarantees and liability. All drainage  
1616 facilities constructed or modified for projects, except downspout infiltration and  
1617 dispersion systems for single family residential lots, must comply with the liability  
1618 requirements of K.C.C. 9.04.100 and the financial guarantee requirements of K.C.C. Title  
1619 27A;

1620           8. Core requirement 8: Water quality facilities. Proposed projects that would  
1621 result in five thousand square feet or more of new plus replaced pollution generating  
1622 impervious surface or three quarters of an acre or more of new pollution-generating  
1623 pervious surface, or that are redevelopment projects that would result in a total of five  
1624 thousand square feet or more of new and replaced pollution-generating impervious  
1625 surface, shall provide water quality facilities to treat polluted stormwater runoff generated  
1626 by new or replaced pollution-generating impervious surface, new pollution-generating  
1627 pervious surface and any existing pollution-generating impervious surface added on or  
1628 after January 8, 2001, as specified in the Surface Water Design Manual. However,  
1629 pervious surfaces are specifically excluded if there is a good faith agreement with the  
1630 King Conservation District to implement a farm management plan for agricultural uses,  
1631 and pervious areas for other uses are specifically excluded if King County department of  
1632 local services, permitting division, approves a landscape management plan that controls  
1633 solids, pesticides, fertilizers and other erodible or leachable materials leaving the site.

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Ordinance 19881

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1634 Water quality facilities shall meet the area-specific water quality facility requirements  
1635 and the water quality implementation requirements applicable to the project site as  
1636 specified in the Surface Water Design Manual. The facilities specified by these  
1637 requirements are designed to reduce pollutant loads according to the applicable annual  
1638 average performance goals listed in a. through d. of this subsection A.8. for ninety-five  
1639 percent of the annual average runoff volume:

1640 a. for basic water quality: remove eighty percent of the total suspended solids;

1641 b. for enhanced basic water quality: remove sixty percent dissolved zinc and  
1642 thirty percent of dissolved copper;

1643 c. for sensitive lake protection: remove fifty percent of the total phosphorus;  
1644 and

1645 d. for sphagnum bog protection: remove fifty percent of the total phosphorus  
1646 and forty percent of the total nitrate plus nitrite. The discharge shall maintain a pH of  
1647 less than 6.5 and an alkalinity of less than ten milligrams per liter.

1648 9. Core requirement 9: Flow control BMPs. Proposed projects that would  
1649 result in two thousand square feet or more of new plus replaced impervious surface or  
1650 seven thousand square feet or more of land disturbing activity shall provide flow control  
1651 BMPs that use processes such as infiltration, dispersion, storage, evaporation,  
1652 transpiration, forest retention and reduced impervious surface footprint to mimic pre-  
1653 developed hydrology and minimize stormwater runoff generated by new impervious  
1654 surface, new pervious surface, replaced impervious surface and any existing impervious  
1655 surface added on or after January 8, 2001, as specified in the Surface Water Design  
1656 Manual. Flow control BMPs shall be applied to manage stormwater runoff from the

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Ordinance 19881

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1657 aforementioned surfaces to the maximum extent feasible using lists of flow control BMPs  
1658 specific to the project location, size and impervious coverage; or as required to  
1659 demonstrate that developed discharge durations from the surfaces match predeveloped  
1660 durations for those surfaces for the range of predeveloped discharge rates from eight  
1661 percent of the two-year peak flow to fifty percent of the two-year peak flow as specified  
1662 in the Surface Water Design Manual.

1663           B. A proposed project required by K.C.C. 9.04.030 to have drainage review shall  
1664 meet any of the following special requirements that apply to the site and that are  
1665 described in detail in the Surface Water Design Manual. The department performing  
1666 drainage review as specified in K.C.C. 9.04.070 shall verify if a proposed project is  
1667 subject to and must meet any of the following special requirements.

1668           1. Special requirement 1: Other adopted area-specific requirements. If a  
1669 proposed project is in a designated critical drainage area, or is in an area included in an  
1670 adopted master drainage plan, basin plan, salmon conservation plan, stormwater  
1671 compliance plan, flood management plan, lake management plan or shared facility plan,  
1672 then the proposed project shall meet the applicable drainage requirements of the critical  
1673 drainage area, master drainage plan, basin plan, salmon conservation plan, stormwater  
1674 compliance plan, flood management plan, lake management plan or shared facility plan;

1675           2. Special requirement 2: Floodplain/floodway delineation. If a proposed  
1676 project contains or is adjacent to a stream, lake, wetland or closed depression, or if other  
1677 King County regulations require study of flood hazards relating to the proposed project,  
1678 the one hundred year floodplain boundaries and floodway shall be determined and  
1679 delineated on the site improvement plans and profiles and any final maps prepared for the

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Ordinance 19881

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1680 proposed project. The flood hazard study shall be prepared as specified in the Surface  
1681 Water Design Manual;

1682           3. Special requirement 3: Flood protection facilities. If a proposed project  
1683 contains or is adjacent to a stream that has an existing flood protection facility, such as a  
1684 levee, revetment or berm, or proposes to either construct a new or modify an existing  
1685 flood protection facility, then the flood protection facilities shall be analyzed and  
1686 designed as specified in the Surface Water Design Manual;

1687           4. Special requirement 4: Source Control. If a proposed project requires a  
1688 commercial building or commercial site development permit, then water quality source  
1689 controls shall be applied to prevent rainfall and runoff from coming into contact with  
1690 pollutants to the maximum extent practicable. Water quality source controls shall be  
1691 applied in accordance with K.C.C. chapter 9.12, the King County stormwater pollution  
1692 prevention manual and the Surface Water Design Manual. All structural source controls  
1693 shall be identified on the site improvement plans and profiles or final maps prepared for  
1694 the proposed project; and

1695           5. Special requirement 5: Oil control. If a proposed project is any of the  
1696 following, then oil control shall be applied to all runoff from the high-use portion of a site  
1697 as specified in the Surface Water Design Manual:

1698           a. a project that creates a high-use site;

1699           b. a redevelopment project proposing one hundred thousand dollars or more of  
1700 improvements to an existing high-use site; or

Ordinance 19881

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1701 c. a redevelopment project that results in new plus replaced pollution-  
1702 generating impervious surface of five thousand square feet or more or new pollution-  
1703 generating pervious surface of three quarters of an acre or more.

1704 C.1. An adjustment to the requirements contained in this section or other  
1705 requirements in the Surface Water Design Manual may be proposed. The resulting  
1706 development shall be subject to all of the remaining terms and conditions of this chapter  
1707 and the adjustment shall:

1708 a. produce a compensating or comparable result in the public interest; and  
1709 b. meet this chapter's objectives of safety, function, appearance, environmental  
1710 protection and maintainability based upon sound engineering judgment.

1711 2. If complying with subsection C.1.a. of this section will deny all reasonable  
1712 use of a property, the best practicable alternative shall be obtained as determined by the  
1713 department of local services permitting division manager or designee according to the  
1714 adjustment process defined in the Surface Water Design Manual.

1715 3. Requests for adjustments that may conflict with the requirements of any other  
1716 King County division shall require review and concurrence with that division. The  
1717 director shall coordinate to resolve conflicts between adjustments to the Surface Water  
1718 Design Manual and requirements of other divisions.

1719 4. A request for an adjustment is a Type 1 land use decision as provided for in  
1720 K.C.C. 20.20.020 and shall be processed in accordance with the procedures specified in  
1721 the Surface Water Design Manual.

Ordinance 19881

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1722           5. The county may require monitoring of experimental designs and technology  
1723 or untested applications proposed by the applicant in order to determine compliance with  
1724 subsection C.1. of this section and the approved plans and conditions.

1725           6. The applicant may appeal an adjustment decision by following the appeal  
1726 procedures as specified in the Surface Water Design Manual.

1727           ~~((D. The drainage review requirements in this section and in the Surface Water  
1728 Design Manual may be modified or waived under the procedures in K.C.C. 21A.55.060.))~~

1729           SECTION 13. Ordinance 13625, Section 22, as amended, and K.C.C. 13.24.035  
1730 are hereby amended to read as follows:

1731           A. All development within the ~~((#))~~Urban ~~((g))~~Growth ~~((a))~~Area shall be served  
1732 by public sewer service except on-site sewage systems may be allowed temporarily in  
1733 some parts of the ~~((#))~~Urban ~~((g))~~Growth ~~((a))~~Area in accordance with K.C.C. 13.24.136.

1734           B.1. Public sewer service shall also be provided in rural towns when the service  
1735 provision has been approved by King County. As of May 17, 2021, Vashon and  
1736 Snoqualmie Pass are the only rural towns that have been approved for public sewer  
1737 service.

1738           2. The boundary of the Vashon sewer local service area is the boundary of the  
1739 rural town of Vashon as adopted in the King County Comprehensive Plan Land Use Map  
1740 in Attachment ~~((A to Ordinance 19146))~~ A to this ordinance.

1741           3. The boundary of the Snoqualmie Pass sewer local service area is the  
1742 boundary of the rural town of Snoqualmie Pass as adopted in the King County  
1743 Comprehensive Plan Land Use Map in Attachment A to Ordinance 19146.

Ordinance 19881

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1744 C. Public sewer service shall not be provided outside the ~~((u))~~Urban ~~((g))~~Growth  
1745 ~~((a))~~Area or any rural town designated to receive the service, except as described in  
1746 K.C.C. 13.24.134.

1747 D. Sewer extensions under subsections A. and C. of this section shall be  
1748 approved by the council, if it is determined that the extension meets the criteria in this  
1749 section and is consistent with all other adopted King County policies and regulations.  
1750 Decisions on sewer extensions in the rural area or natural resource ~~((areas))~~ lands shall be  
1751 made by the council in the form of a sewer comprehensive plan or an amendment to a  
1752 sewer comprehensive plan.

1753 E. The required elements of a sewerage general plan in RCW 36.94.010(3) are  
1754 included in the 1994 King County Comprehensive Plan and its technical appendix, as  
1755 adopted in K.C.C. Title 20.

1756 SECTION 14. Ordinance 1709, Section 7, as amended, and K.C.C. 13.24.090 are  
1757 hereby amended to read as follows:

1758 A. The utilities technical review committee shall ensure that the provisions of  
1759 K.C.C. 13.24.005 regarding the purposes of this chapter are carried out, and shall be  
1760 responsible for providing the notification to tribal governments provided for in K.C.C.  
1761 13.20.020 for actions under that section that fall within the authority of the committee.

1762 B. The utilities technical review committee shall:

1763 1. Review and make recommendations to the King County executive and the  
1764 King County council on the adequacy of all sewer and water system comprehensive plans  
1765 and related matters, and determine their consistency with the King County  
1766 Comprehensive Plan;

Ordinance 19881

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1767           2. Have the authority to approve additions and betterments to council-approved  
1768 sewer and water comprehensive plans without referral to the council in order to serve  
1769 developments that have received preliminary approval from the King County council;

1770           3.a. Serve as the appeal body to hear all issues relating to the creation of new  
1771 public water systems and the extension of existing public water service within the  
1772 boundaries of a critical water supply service area (~~(as provided for in the utility service~~  
1773 ~~review procedures contained in the coordinated water system plans)), based on whether~~  
1774 an existing water purveyor can provide service in a timely and reasonable manner (WAC  
1775 246-293-190).

1776           b. An appeal under subsection B.3.a. of this section is subject to all of the  
1777 following:

1778           (1) A notice of appeal or request to find that water service is or is not  
1779 available in a timely and reasonable manner shall be filed with the utilities technical  
1780 review committee and shall be accompanied by a nonrefundable fee as prescribed in  
1781 K.C.C. 4A.710.100;

1782           (2) Written materials from the appellant and the water purveyor and any  
1783 interested parties may be submitted on forms developed by the utilities technical review  
1784 committee. The committee shall evaluate such submittals and any other submitted  
1785 written materials in light of applicable state laws, regulations, and policies. The  
1786 committee shall issue a final written determination, including findings and conclusions,  
1787 within thirty days of the date that the written record is complete;

1788           (3) The utilities technical review committee shall provide its written  
1789 determination together with the procedures for administrative appeals, to the appellant, to

Ordinance 19881

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1790 the water purveyor, and to any person, who, before the determination, has requested  
1791 notice of the determination; and

1792 (4) The written determination by the utilities technical review committee  
1793 shall be the final county action, unless further appeal is made to the office of the hearing  
1794 examiner, in accordance with K.C.C. 20.22.040 and 20.22.080. In such an appeal to the  
1795 hearing examiner, the written determination shall constitute the department report for the  
1796 purposes of K.C.C. 20.22.130.

1797 c. The utilities technical review committee is authorized to establish by rule the  
1798 procedures and timeframes for submittal to the committee of any requests for an appeal  
1799 as provided for under this chapter and K.C.C. chapter 13.28; and

1800 4. Issue the findings required under K.C.C. 13.24.132, 13.24.134, and 13.24.136  
1801 relative to sewer expansion in the rural area and natural resource (~~areas~~) lands. The  
1802 determination that sewer expansion in rural and resource areas is necessary shall be based  
1803 on information concerning the feasibility of alternative treatment technologies as  
1804 provided by ~~the~~ public health - Seattle(-) & King County (~~department of public~~  
1805 ~~health~~).

1806 SECTION 15. Ordinance 11616, Section 10, as amended, and K.C.C. 13.24.132  
1807 are hereby amended to read as follows:

1808 New sewer facilities shall be allowed to cross ~~the~~ rural (~~areas~~) and natural  
1809 resource lands only if the facilities are:

1810 A. Limited to serving areas within ~~an~~ the Urban Growth Area(~~, rural city~~) or  
1811 a rural town approved for public sewer service;



Ordinance 19881

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1812 B. Tightlined or otherwise subject to access restrictions precluding service to  
1813 adjacent rural (~~areas~~) or natural resource lands; and

1814 C. Identified in a King County-approved comprehensive sewage system plan and  
1815 upon a finding by the utilities technical review committee that it is technically necessary.

1816 NEW SECTION. SECTION 16. There is hereby added to K.C.C. chapter 13.28  
1817 a new section to read as follows:

1818 In case of conflict or inconsistency between an adopted coordinated water system  
1819 plan and the King County Comprehensive Plan, the King County Comprehensive Plan  
1820 shall govern.

1821 NEW SECTION. SECTION 17. There is hereby added to K.C.C. chapter 14.01  
1822 a new section to read as follows:

1823 "Active transportation" means pedestrian, bicycle, and equestrian travel including,  
1824 but not limited to, the use of: wheelchairs and personal assistive mobility devices  
1825 powered by electricity that are used by persons with physical impairments; skateboards  
1826 and scooters; and micromobility devices, such as motorized foot scooters and electric  
1827 assisted bicycles. Any moped, motorcycle, or, except as otherwise provided for in this  
1828 definition, personal assistive mobility device, is considered motorized transportation.

1829 SECTION 18. Ordinance 18420, Section 37, and K.C.C. 14.01.360 are hereby  
1830 amended to read as follows:

1831 "Transportation facilities" means principal, minor, and collector arterial roads and  
1832 state highways, as well as associated sidewalks, bike lanes, and other facilities supporting  
1833 (~~nonmotorized travel~~) one or more forms of active transportation.

Ordinance 19881

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1834            SECTION 19. Ordinance 18420, Section 61, as amended, and K.C.C. 14.40.0104  
1835 are hereby amended to read as follows:

1836            A. Upon receipt of a petition, the county road engineer shall determine whether  
1837 owners of the majority of the lineal footage of the frontage of the ~~((right-of-way))~~ right-  
1838 of-way proposed for vacation have signed the petition. If the county road engineer  
1839 determines the signatories of the petition own less than the majority of the lineal footage  
1840 of the frontage of the ~~((right-of-way))~~ right-of-way proposed for vacation, the county road  
1841 engineer shall notify the petitioners that the petition does not have sufficient signatories.  
1842 The petitioners shall have thirty days from the date of that notice to supplement the  
1843 petition by filing with the department of local services, road services division, a sufficient  
1844 number of additional petition signatures to establish that a majority of owners of the  
1845 lineal footage of the frontage of the ~~((right-of-way))~~ right-of-way proposed for vacation  
1846 support the petition. Failure to include the signature of a majority of the owners of the  
1847 lineal footage of the frontage of the ~~((right-of-way))~~ right-of-way proposed for vacation is  
1848 grounds for the county road engineer to find that the petition is deficient. In that event,  
1849 no further action will be taken on the petition and the county road engineer shall inform  
1850 the petitioners of the determination.

1851            B. If either directed by the council in accordance with K.C.C. 14.40.010.A., or if  
1852 under subsection A. of this section, the county road engineer determines that a petition is  
1853 valid, then the county road engineer shall examine the ~~((right-of-way))~~ right-of-way  
1854 proposed to be vacated and abandoned and complete a report that complies with the  
1855 requirements in RCW 36.87.040, including the county road engineer's opinion of whether  
1856 the ~~((right-of-way))~~ right-of-way should be vacated. The report should address:

Ordinance 19881

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- 1857           1. Whether the county (~~(right-of-way)~~) right-of-way should be vacated and  
1858 abandoned;
- 1859           2. Whether the county (~~(right-of-way)~~) right-of-way is in use or has been in use;
- 1860           3. The condition of the (~~(right-of-way)~~) right-of-way;
- 1861           4. Whether it is advisable to preserve all or a portion of the (~~(right-of-way)~~)  
1862 right-of-way for the county transportation system of the future, including use as a public  
1863 trail;
- 1864           5. Whether the public will be benefited by the vacation of the county (~~(right-of~~  
1865 ~~way))~~ right-of-way;
- 1866           6. The appraised value of the county (~~(right-of-way)~~) right-of-way or portion  
1867 thereof proposed for vacation as well as the county road engineer's recommendation for  
1868 compensation to be determined in accordance with the factors listed in K.C.C.  
1869 14.40.020.A.;
- 1870           7.a. Whether the proposed county (~~(right-of-way)~~) right-of-way to be vacated  
1871 serves as access to property abutting the county (~~(right-of-way)~~) right-of-way that is  
1872 subject of the vacation request; and
- 1873           b. a recommendation for requiring access easements for all abutting properties  
1874 as a condition of granting the vacation;
- 1875           8.a. Whether the proposed county (~~(right-of-way)~~) right-of-way to be vacated  
1876 contains utilities; and
- 1877           b. a recommendation for retaining an easement for the construction, repair, and  
1878 maintenance of public utilities and services that are authorized at the time the ordinance

Ordinance 19881

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1879 is adopted or are physically located on a portion of the (~~right-of-way~~) right-of-way  
1880 being vacated;

1881 9. Other matters that may be of interest, including any fees charged under  
1882 K.C.C. 14.40.0106.B.;

1883 10. Whether the proposed area to be vacated abuts a body of salt or fresh water  
1884 as (~~set forth~~) established in RCW 36.87.130;

1885 11. A list of the property owners whose property abuts the county (~~right-of~~  
1886 ~~way~~) right-of-way or any portion thereof proposed for vacation who are not petitioners;  
1887 and

1888 12. If not waived in accordance with K.C.C. 14.40.106.C., a list of all costs  
1889 incurred in preparing the report.

1890 C. Upon completion of the report by the county road engineer, the executive shall  
1891 transmit the report, any petition, and a proposed ordinance to the council. The hearing  
1892 examiner is appointed by the council to conduct the public hearing of any proposed  
1893 vacation of a county (~~right-of-way~~) right-of-way.

1894 SECTION 20. Ordinance 8421, Section 3, as amended, and K.C.C. 14.56.020 are  
1895 hereby amended to read as follows:

1896 There is established an an (~~nonmotorized~~) active transportation program. The  
1897 program shall consist of:

1898 A. (~~†~~)The (~~nonmotorized~~) active transportation policies in the King County  
1899 Comprehensive Plan and the respective functional plans of the responsible county  
1900 agencies(~~(,nonmotorized)~~);

Ordinance 19881

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1901            B. Active transportation project needs contained in agency capital improvement  
1902 programs; and

1903            C. ((e))Operational activities that:

1904            ~~((A.))~~ 1. Identify and document the ~~((nonmotorized))~~ active transportation needs  
1905 in the county ~~((for bicyclists, pedestrians, equestrians and)),~~ emphasizing special  
1906 populations such as school children or people with limited mobility and wheelchair users;

1907            ~~((B.))~~ 2. Determine ways that ~~((nonmotorized))~~ active transportation can be  
1908 integrated into the current and future county transportation network and services,  
1909 including transit;

1910            ~~((C.))~~ 3. Inform and educate the public on issues relating to ~~((nonmotorized))~~  
1911 active transportation, including compliance with traffic laws; ~~((and))~~ or

1912            ~~((D.))~~ 4. Consider ~~((nonmotorized))~~ active transportation safety and other needs  
1913 in all related county programs, and encourage the same consideration on an interlocal and  
1914 regional basis.

1915            SECTION 21. Ordinance 8421, Section 4, as amended, and K.C.C. 14.56.030 are  
1916 hereby amended to read as follows:

1917            The department of local services, in consultation with the department of natural  
1918 resources of parks, shall:

1919            A. Implement the ~~((nonmotorized))~~ active transportation program;

1920            B. Provide support to any ad hoc ~~((nonmotorized))~~ active transportation advisory  
1921 committee; and

Ordinance 19881

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1922 C. Work with other (~~jurisdictions~~) authorities and nongovernmental  
1923 organizations to identify, develop, and promote programs that encourage the use of  
1924 (~~nonmotorized~~) active modes of transportation.

1925 SECTION 22. Ordinance 1488, Section 5, as amended, and K.C.C. 16.82.020 are  
1926 hereby amended to read as follows:

1927 (~~Certain words and phrases used in this chapter, unless otherwise clearly~~  
1928 ~~indicated by their context, mean as follows:)~~ The definitions in this section apply  
1929 throughout this chapter unless the context clearly requires otherwise.

1930 A. "Applicant" means a property owner, (~~or~~) a public agency, or public or  
1931 private utility that owns a right-of-way or other easement or has been adjudicated the  
1932 right to such an easement in accordance with RCW (~~8.12.090~~) 8.08.040, or any person  
1933 or entity designated or named in writing by the property or easement owner to be the  
1934 applicant, in an application for a development proposal, permit, or approval.

1935 B. "Bench" means a relatively level step excavated or constructed on the face of a  
1936 graded slope surface for drainage and maintenance purposes.

1937 C. "Civil engineer" means an engineer who is licensed as a professional engineer  
1938 in the branch of civil engineering by the state of Washington.

1939 D. "Clearing" means the cutting, killing, grubbing, or removing of vegetation or  
1940 other organic material by physical, mechanical, chemical, or any other similar means.

1941 E. "Clearing and grading permit" means the permit required by this chapter for  
1942 grading and clearing activities, including temporary permits.

1943 F. "Compaction" means the densification of a fill by mechanical means.

Ordinance 19881

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- 1944            ~~((F.))~~ G. "Cutting" means the severing of the main trunk or stem of woody  
1945 vegetation at any point.
- 1946            ~~((G.))~~ H. "Department" means the department of local services or its successor.
- 1947            ~~((H.))~~ I. "Director" means the department of local services permitting division  
1948 manager or designee.
- 1949            ~~((I.))~~ J. "Earth material" means any rock~~((,))~~ or natural soil<sub>2</sub> or any combination  
1950 thereof.
- 1951            ~~((J.))~~ K. "Erosion" means the wearing away of the ground surface as the result of  
1952 the movement of wind, water<sub>2</sub> or ice.
- 1953            ~~((K.))~~ L. "Excavation" means the removal of earth material.
- 1954            ~~((L.))~~ M. "Fill" means a deposit of earth material or recycled or reprocessed  
1955 waste material consisting primarily of organic or earthen materials, or any combination  
1956 thereof, placed by mechanical means.
- 1957            ~~((M.))~~ N. "Geotechnical engineer" means an engineer who is licensed as a  
1958 professional engineer by the state of Washington and who has at least four years of  
1959 relevant professional employment.
- 1960            ~~((N.))~~ O.1. "Grade" means the elevation of the ground surface.
- 1961            ~~((1.))~~ 2. "Existing grade" means the grade before grading.
- 1962            ~~((2.))~~ 3. "Finish grade" means the final grade of the site that conforms to the  
1963 approved plan as required in K.C.C. 16.82.060.
- 1964            ~~((3.))~~ 4. "Rough grade" means the stage at which the grade approximately  
1965 conforms to the approved plan as required in K.C.C. 16.82.060.

Ordinance 19881

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1966            ~~((O-))~~ P. "Grading" means any excavating, filling, or land-disturbing activity, or  
1967 combination thereof.

1968            ~~((P. "Grading and clearing permit" means the permit required by this chapter for  
1969 grading and clearing activities, including temporary permits.))~~

1970            Q. "Habitable space" means a space in a building for living, sleeping, eating, or  
1971 cooking. Bathrooms, toilet rooms, closets, halls, storage, or utility spaces, and similar  
1972 areas are not "habitable spaces."

1973            R. "Land disturbing activity" means an activity that results in a change in the  
1974 existing soil cover, both vegetative and nonvegetative, or to the existing soil topography.

1975            ~~((R-))~~ S. "Pruning" means cutting or removal of branches and leaving at least  
1976 two-thirds of the existing tree branch structure.

1977            T. "Reclamation" means the final grading and restoration of a site to establish the  
1978 vegetative cover, soil surface water, and groundwater conditions appropriate to  
1979 accommodate and sustain all ~~((permitted))~~ allowed uses of the proposed zone appropriate  
1980 for the site.

1981            ~~((S-))~~ U. "Shorelines" means those lands defined as shorelines in the state  
1982 Shoreline~~((s))~~ Management Act of 1971, chapter 90.58 RCW.

1983            ~~((T-))~~ V. "Site" means a single lot or parcel of land, or two or more contiguous  
1984 lots that are under common ownership or documented legal control, used as a single  
1985 parcel for a development proposal in order to calculate compliance with the standards and  
1986 regulations of this chapter. For purposes of this definition:



Ordinance 19881

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1987           1. "Documented legal control" includes fee simple or leasehold rights, or an  
 1988 easement, or any combination thereof, that allows uses associated with the overall  
 1989 development proposal; and

1990           2. Lots that are separated only by a public road right-of-way shall be considered  
 1991 to be contiguous.

1992           ~~((U-))~~ W. "Slope" means inclined ground surface, the inclination of which is  
 1993 expressed as a ratio of horizontal distance to vertical distance.

1994           ~~((V-))~~ X. "Structural engineer" means an engineer who is licensed as a  
 1995 professional engineer in the branch of structural engineering by the state of Washington.

1996           ~~((W-))~~ Y. "Structure" means ~~((that which is built or constructed, an edifice or  
 1997 building of any kind, or any piece of work artificially built up or composed of parts  
 1998 jointed together in some definite manner))~~ anything permanently constructed in or on the  
 1999 ground, or over the water; excluding fences six feet or less in height, decks less than  
 2000 eighteen inches above grade, paved areas, and structural or non-structural fill.

2001           ~~((X-))~~ Z. "Tree" means a large woody perennial plant usually with a single main  
 2002 stem or trunk and generally over twelve feet tall at maturity.

2003           ~~((Y-))~~ AA. "Tree crown" means the primary and secondary branches growing out  
 2004 from the main stem, together with twigs and foliage.

2005           BB. "Understory" means the vegetation layer of a forest that includes shrubs,  
 2006 herbs, grasses, and grass-like plants, but excludes native trees.

2007           ~~((Z-))~~ CC. "Vegetation" means any organic plant life growing at, below, or above  
 2008 the soil surface.

Ordinance 19881

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2009 DD. "Wildfire risk assessment certification" means completion of a National Fire  
2010 Protection Association Assessing Structure Ignition Potential training, a National Fire  
2011 Protection Association Certified Wildfire Mitigation Specialist certification program, or a  
2012 National Wildfire Coordinating Group S-215 training on Fire Operations in the Wildland  
2013 Urban Interface.

2014 SECTION 23. Ordinance 15053, Section 3, as amended, and K.C.C. 16.82.051  
2015 are hereby amended to read as follows:

2016 A. For the purposes of this section, the definitions in K.C.C. chapter 21A.06  
2017 apply to the activities described in this section, if the terms are not defined in K.C.C.  
2018 16.82.020. Where definitions in K.C.C. 16.82.020 differ from the definitions in K.C.C.  
2019 chapter 21A.06, the definitions in K.C.C. 16.82.020 shall apply.

2020 B. The ~~((following))~~ activities in subsection D. of this section are ~~((excepted))~~  
2021 exempted from the requirement of obtaining a clearing or grading permit ~~((before~~  
2022 ~~undertaking forest practices or clearing or grading activities, as long as))~~ but only if those  
2023 activities conducted in critical areas are in compliance with the standards in this chapter  
2024 and in K.C.C. chapter 21A.24. Activities exempt from a clearing and grading permit are  
2025 not exempt from other code requirements and may require other permits, including, but  
2026 not limited to, a floodplain development permit.

2027 C. Clearing and grading permit requirement exemptions in the table in subsection

2028 D. of this section shall be interpreted as follows:

2029 1. The use of "NP" in a cell means that a clearing or grading permit is not  
2030 required if the listed conditions are met;

Ordinance 19881

2031 2. A number in a cell means the numbered condition in subsection E. of this  
 2032 section applies, and:

2033 a. where a series of numbers separated by commas are in a cell, each of the  
 2034 numbered conditions for that activity applies; and

2035 b. if more than one letter-number combination appears in a cell, the conditions  
 2036 of at least one letter-number combinations shall be met for a given exemption to apply;

2037 3. In cases where an activity may be included in more than one activity  
 2038 category, the most-specific description of the activity shall govern whether a permit is  
 2039 required((-);

2040 4. For activities involving more than one critical area, compliance with the  
 2041 conditions applicable to each critical area is required((-); and

2042 5. Clearing and grading permits are required when a cell ((in this table)) is  
 2043 empty and for activities not listed on the table. ((Activities not requiring a clearing and  
 2044 grading permit may require other permits, including, but not limited to, a floodplain  
 2045 development permit.))

2046 D. Clearing and grading permit requirement exemptions.

<del>(("NP" in a cell means no clearing or grading permit required if conditions are met. A number in a cell</del>	Out	Coa	Erosi	Floo	Cha	Land	Seis	Vol	Stee	Criti	Wet	Aqu	Wild
<del>of</del>	of	l	on	d	nnel	slide	mic	cani	p	cal	land	atic	life
<del>Critical</del>	Criti	Min	Haza	Haz	Mig	Haza	Haz	c	Slop	Aqui	and	Are	<u>Habit</u>
<del>required if</del>	cal	e	rd	ard	ratio	rd	ard	Haz	e	fer	Buff	a	<u>at</u>
<del>conditions are met.</del>	Are	Haz			n	and		ard	Haz	Rech	er	and	<u>Cons</u>
<del>A number in a cell</del>	a	ard				Buff			ard	arge		Buff	<u>ervat</u>

Ordinance 19881

means the Numbered condition in subsection C. applies. "Wildlife area and network" column applies to both Wildlife Habitat Conservation Area and Wildlife Habitat Network))	((La nd))  <u>and</u> Buff er					er			and Buff er	Area		er	<u>ion</u> Area, <u>Habit</u> <u>at</u> <u>Netw</u> <u>ork</u> and Buff er
<b>ACTIVITY</b>													
<b>Grading and Clearing</b>													
Grading	NP 1, 2	NP 1, 2	NP 1, 2				NP 1, 2	NP 1, 2		NP 1, 2			
Clearing	NP 3 <u>NP</u> <u>23</u> NP	NP 3	NP 3	NP 3			NP 3	NP 3		NP 3	NP 4 <u>((N</u> <u>P</u> <u>23)</u>	NP 4 <u>((N</u> <u>P</u> <u>23)</u>	

Ordinance 19881

	24										)	)	
Covering of garbage	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5
Emergency tree removal	NP	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6
Hazard tree removal	NP 25	NP 25	NP 25	NP 25			NP 25	NP 25		NP 25			
Removal of noxious weeds	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Removal of invasive vegetation	NP 7	NP 7	NP 7	NP 7	NP 7		NP 7	NP 7		NP 7	NP 8	NP 8	NP 8
Forest management activity	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9
Emergency action	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10
<b>Roads</b>													
Grading within the roadway	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11			NP 11
Clearing within the roadway	NP	NP 12	NP 12	NP 12	NP 12	NP 12	NP 12	NP 12	NP 12	NP	NP 12	NP 12	NP 12
Maintenance of	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP

Ordinance 19881

driveway or private access road	13	13	13	13	13	13	13	13	13	13	13	13	13
Maintenance of bridge or culvert	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15
Construction of farm field access drive	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16
Maintenance of farm field access drive	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17
<b>Utilities</b>													
Construction or maintenance of utility corridors or facility within the right-of-way	NP 18	NP 19	NP 19	NP 19	NP 19	NP 19	NP 19	NP 19	NP 19	NP 18	NP 19	NP 19	NP 19
Construction or maintenance of utility corridors or facility outside of	NP 1, 2, 3 <u>NP</u>		NP 1, 2, 3				NP 1, 2, 3	NP 1, 2, 3		NP 1, 2, 3			

Ordinance 19881

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the right-of-way	<u>27</u>												
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
<b>Recreation areas</b>													
Maintenance of outdoor public park facility, trail, or publicly	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

Ordinance 19881

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improved recreation area													
<b>Habitat and science projects</b>													
Habitat restoration or enhancement project	NP	NP 21	NP 21	NP 21	NP 21	NP 21	NP 21	NP 21	NP 21	NP	NP 21	NP 21	NP 21
Drilling and testing for critical areas report	NP 1, 2	NP 1, 2	NP 1, 2	NP 22	NP 22	NP 22	NP 1, 2	NP 1, 2	NP 22	NP 1, 2	NP 22	NP 22	NP 22
<b>Agriculture</b>													
Horticulture activity including tilling, discing, planting, seeding, harvesting, preparing soil, rotating crops, and related activity	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Grazing livestock	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Construction and maintenance of	NP 16	NP 16	NP 16	NP 16	NP 16		NP 16	NP 16		NP 16	NP 16	NP 16	



Ordinance 19881

livestock manure storage facility													
Maintenance or replacement of agricultural drainage	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15
Maintenance of agricultural waterway	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26
Maintenance of farm pond, fish pond, livestock watering pond	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15
<b>Other</b>													
Excavation of cemetery grave in established and approved cemetery	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Maintenance of cemetery grave	NP	NP 13	NP 13	NP	NP 13	NP 13	NP	NP	NP 13	NP	NP 13	NP 13	NP 13
Maintenance of lawn, landscaping,	NP	NP 13	NP 13	NP	NP 13	NP 13	NP	NP	NP 13	NP	NP 13	NP 13	NP 13

Ordinance 19881

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and gardening for personal consumption													
Maintenance of golf course	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13				NP 13	NP 13	NP 13	NP 13

2047 ~~((C-))~~ E. The following conditions apply:

2048 1. Excavation less than five feet in vertical depth, or fill less than three feet in  
 2049 vertical depth that, cumulatively ~~((over time))~~ on a single site since January 1, 2005, does  
 2050 not involve more than one hundred cubic yards on a single site.

2051 2. Grading that produces less than two thousand square feet of new impervious  
 2052 surface on a single site added after January 1, 2005, or that produces less than two  
 2053 thousand square feet of replaced impervious surface or less than two thousand square feet  
 2054 of new plus replaced impervious surface after October 30, 2008. For purposes of this  
 2055 subsection ~~((C-))~~ E.2., "new impervious surface" and "replaced impervious surface" are  
 2056 defined in K.C.C. 9.04.020.

2057 3. Cumulative clearing ~~((of))~~ on a single site since January 1, 2005 shall be  
 2058 limited to less than seven thousand square feet, including, but not limited to, collection of  
 2059 firewood and removal of vegetation for fire safety. This ~~((exception))~~ exemption shall  
 2060 not apply to development proposals:

- 2061 a. regulated as a Class IV forest practice under chapter 76.09 RCW;
- 2062 b. in a critical drainage areas established by administrative rules;
- 2063 c. subject to clearing limits included in property-specific development
- 2064 standards and special district overlays under K.C.C. chapter 21A.38; or

Ordinance 19881

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- 2065 d. subject to ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area significant tree retention  
2066 standards under K.C.C. 16.82.156 and K.C.C. Title 21A~~((38.230))~~.
- 2067 4. Cutting firewood for personal use in accordance with a forest management  
2068 plan or rural stewardship plan approved under K.C.C. Title 21A. For the purpose of this  
2069 condition, personal use shall not include the sale or other commercial use of the firewood.
- 2070 5. Limited to material at any solid waste facility operated by King County.
- 2071 6. Allowed to prevent imminent danger to persons or structures.
- 2072 7. Cumulative clearing of less than seven thousand square feet annually or  
2073 conducted in accordance with an approved farm management plan, forest management  
2074 plan, or rural stewardship plan.
- 2075 8. Cumulative clearing on a single site since January 1, 2005, of less than seven  
2076 thousand square feet and either:
- 2077 a. conducted in accordance with a farm management plan, forest management  
2078 plan, or a rural stewardship plan; or
- 2079 b. limited to removal with hand labor.
- 2080 9. When ~~((conducted))~~ conducted as a Class I, II, III or IV-S forest practice as  
2081 defined in chapter 76.09 RCW and Title 222 WAC.
- 2082 10. If done in compliance with K.C.C. 16.82.065.
- 2083 11. Only when conducted by or at the direction of a government agency in  
2084 accordance with the regional road maintenance guidelines and K.C.C. 9.04.050, creates  
2085 less than two thousand square feet of new impervious surface on a single site added after  
2086 January 1, 2005, and is not within or does not directly discharge to an aquatic area or

Ordinance 19881

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2087 wetland. For purposes of this subsection (~~(C)~~)E.11., "new impervious surface" is  
2088 defined in K.C.C. 9.04.020.

2089 12. Limited to clearing conducted by or at the direction of a government agency  
2090 or by a private utility that does not involve:

2091 a. slope stabilization or vegetation removal on slopes; or

2092 b. ditches that are used by salmonids.

2093 13. In conjunction with normal and routine maintenance activities, if:

2094 a. there is no alteration of a ditch or aquatic area that is used by salmonids:

2095 b. the structure, condition, or site maintained was constructed or created in  
2096 accordance with law; and

2097 c. the maintenance does not expand the roadway, lawn, landscaping, ditch,  
2098 culvert, or other improved area being maintained.

2099 14. If a culvert is used by salmonids or conveys water used by salmonids and  
2100 there is no adopted farm management plan, the maintenance is limited to removal of  
2101 sediment and debris from the culvert and its inlet, invert, and outlet and the stabilization  
2102 of the area within three feet of the culvert where the maintenance disturbed or damaged  
2103 the bank or bed and does not involve the excavation of a new sediment trap adjacent to  
2104 the inlet.

2105 15. If used by salmonids, only in compliance with an adopted farm plan in  
2106 accordance with K.C.C. Title 21A and only if the maintenance activity is inspected by:

2107 a. The King Conservation District;

2108 b. King County department of natural resources and parks;

2109 c. King County department of local services, permitting division; or

Ordinance 19881

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- 2110 d. Washington state Department of Fish and Wildlife.
- 2111 16. Only if consistent with an adopted farm plan in accordance with K.C.C.
- 2112 Title 21A.
- 2113 17. Only if consistent with a farm plan.
- 2114 18. In accordance with a ((franchise)) right-of-way construction permit.
- 2115 19. Only within the roadway in accordance with a ((franchise)) right-of-way
- 2116 construction permit.
- 2117 20. When:
- 2118 a. conducted by a public agency;
- 2119 b. the height of the facility is not increased;
- 2120 c. the linear length of the facility is not increased;
- 2121 d. the footprint of the facility is not expanded waterward;
- 2122 e. done in accordance with the Regional Road Maintenance Guidelines;
- 2123 f. done in accordance with the adopted King County Flood Management Plan
- 2124 and the Integrated Streambank Protection Guidelines (Washington State Aquatic Habitat
- 2125 Guidelines Program, 2002); and
- 2126 g. monitoring is conducted for three years following maintenance or repair and
- 2127 an annual report is submitted to the department.
- 2128 21. Only if:
- 2129 a. the activity is not part of a mitigation plan associated with another
- 2130 development proposal or is not corrective action associated with a violation; and

Ordinance 19881

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2131 b. the activity is sponsored or (~~co-sponsored~~) cosponsored by a (~~public~~)  
2132 government agency that has natural resource management as its primary function (~~or a~~  
2133 ~~federally recognized tribe,~~) and the activity is limited to:

2134 (1) revegetation of the critical area and its buffer with native vegetation or the  
2135 removal of noxious weeds or invasive vegetation;

2136 (2) placement of weirs, log controls, spawning gravel, woody debris, and  
2137 other specific salmonid habitat improvements;

2138 (3) hand labor except:

2139 (a) the use of riding mower or light mechanical cultivating equipment and  
2140 herbicides or biological control methods when prescribed by the King County noxious  
2141 weed control board for the removal of noxious weeds or invasive vegetation; or

2142 (b) the use of helicopters or cranes if they have no contact with or otherwise  
2143 disturb the critical area or its buffer.

2144 22. If done with hand equipment and does not involve any clearing.

2145 23. (~~Limited to removal of vegetation for forest fire prevention purposes in~~  
2146 ~~accordance with best management practices approved by the King County fire marshal~~)  
2147 Clearing for the purposes of wildfire preparedness that does not otherwise require another  
2148 permit and that is not subject to K.C.C. 16.82.156 or K.C.C. Title 21A, as follows:

2149 a. understory clearing within fifteen feet of a residential structure containing  
2150 habitable space or an attached deck;

2151 b. understory clearing and tree removal and pruning within ten feet of an  
2152 installed aboveground nonportable liquefied petroleum gas tank;

Ordinance 19881

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2153 c. within thirty feet of a residential structure containing habitable space,  
2154 understory clearing and tree pruning underneath a tree crown to provide up to ten feet of  
2155 vertical clearance from the ground to remove ladder fuels. Tree pruning shall not exceed  
2156 one-third of the tree height;

2157 d. within thirty feet of a residential structure containing habitable space, tree  
2158 removal and pruning to provide up to fifteen feet of vertical clearance over driveways and  
2159 roads used for emergency vehicle access;

2160 e. within thirty feet of a residential structure containing habitable space, tree  
2161 removal and pruning to provide up to eighteen feet between tree crowns;

2162 f. tree removal and pruning to provide up to ten feet between tree crowns and  
2163 decks, chimneys, overhead communication cables and electrical wires, or other  
2164 structures; and

2165 g. clearing may be allowed up to one hundred feet from a residential structure  
2166 containing habitable space if advised by a wildfire risk assessment conducted by a  
2167 professional holding a wildfire risk assessment certification or a forest stewardship plan  
2168 approved by the department of natural resources and parks that includes best management  
2169 practices to reduce wildfire risk. The removal and pruning of trees under this subsection  
2170 to provide clearance between tree crowns is limited to:

2171 (1) twelve feet between tree crowns for trees between thirty and sixty feet  
2172 from a residential structure containing habitable space; and

2173 (2) six feet between tree crowns for trees between sixty and one hundred feet  
2174 from a residential structure containing habitable space.

2175 24. Limited to the removal of downed trees.

Ordinance 19881

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2176 25. Except on properties that are:

2177 a. subject to clearing limits included in property-specific development

2178 standards and special district overlays under K.C.C. chapter 21A.38; or

2179 b. subject to ~~((#))~~Urban ~~((#))~~Growth ~~((#))~~Area significant tree retention

2180 standards under K.C.C. 16.82.156.

2181 26. Only if allowed under K.C.C. 21A.24.045.D.69. and if the maintenance

2182 activity is inspected by the:

2183 a. King Conservation District;

2184 b. department of natural resources and parks;

2185 c. department of local services, permitting division; or

2186 d. Washington state Department of Fish and Wildlife.

2187 27. Clearing for the purposes of wildfire preparedness that does not otherwise

2188 require another permit, that is not subject to K.C.C. 16.82.156 or K.C.C. Title 21A., and

2189 that maintains any require screening consistent with K.C.C. chapter 21A.16, as follows:

2190 a. tree pruning to provide up to ten feet of vertical clearance from overhead

2191 communication cables and electrical wire components of utility facilities, if:

2192 (1) all debris is removed following the pruning activity;

2193 (2) the activity is authorized by a right-of-way construction permit, if

2194 applicable; and

2195 (3) pruning activities do not extend fifteen feet beyond the right-of-way;

2196 b. understory clearing within fifteen feet of a utility facility structure; and



Ordinance 19881

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2197 c. within thirty feet of a utility facility structure, understory clearing and tree  
2198 pruning underneath a tree crown to provide up to ten feet of vertical clearance from the  
2199 ground to remove ladder fuels. Tree pruning shall not exceed one-third of the tree height;

2200 d. within thirty feet of a utility facility structure, tree removal and pruning to  
2201 provide up to fifteen feet of vertical clearance over driveways and roads used for  
2202 emergency vehicle access;

2203 e. within thirty feet of a utility facility structure, tree removal to provide up to  
2204 eighteen feet between tree crowns;

2205 f. tree removal and pruning to provide up to ten feet between tree crowns and  
2206 utility and facility structures; and

2207 g. clearing may be allowed up to one hundred feet from the utility facility  
2208 structure if such clearing activity is advised by a wildfire risk assessment conducted by a  
2209 professional holding a wildfire risk assessment certification or a forest stewardship plan  
2210 approved by the department of natural resources and parks that includes best management  
2211 practices to reduce wildfire risks. The removal and pruning of trees to provide clearance  
2212 between tree crowns is limited to:

2213 (1) twelve feet between tree crowns for trees located between thirty and sixty  
2214 feet from a utility facility structure; and

2215 (2) six feet between tree crowns for trees located between sixty and one  
2216 hundred feet from a utility facility structure.

2217 SECTION 24. Ordinance 1488, Section 7, as amended, and K.C.C. 16.82.060 are  
2218 hereby amended to read as follows:

Ordinance 19881

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2219           A. To obtain a permit, the applicant shall first file an application in writing on a  
2220 form prescribed by the department that, in addition to the requirements of K.C.C.

2221 20.20.040, shall include, at a minimum:

2222           1. Identification and description of the work to be covered by the permit for  
2223 which application is made;

2224           2. An estimate of the quantities of work involved by volume and the total area  
2225 cleared or graded as a percentage of the total site area;

2226           3. An identification and description of:

2227           a. all critical areas on the site or visible from the boundaries of the site; and

2228           b. ~~((all clearing restrictions applicable to the site in K.C.C. 16.82.150;))~~ critical  
2229 drainage areas requirements established by administrative rules or property-specific  
2230 development standards and special district overlays under K.C.C. chapter 21A.38;

2231           4. Location of any ~~((open space))~~ natural area tracts or conservation easements  
2232 if required under:

2233           a. ~~((K.C.C. 16.82.152;~~

2234           ~~b.))~~ K.C.C. chapter 21A.14;

2235           ~~((e.))~~ b. K.C.C. chapter 21A.37;

2236           ~~((f.))~~ c. critical drainage areas; or

2237           ~~((g.))~~ d. property-specific development standards or special district overlays  
2238 under K.C.C. chapter 21A.38;

2239           5. Plans and specifications that, at a minimum, include:

2240           a. property boundaries, easements, and setbacks;

2241           b. a 1:2000 scale vicinity map with a north arrow;

Ordinance 19881

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- 2242 c. horizontal and vertical scale;
- 2243 d. size and location of existing improvements on and within fifty feet of the
- 2244 project, indicating which will remain and which will be removed;
- 2245 e. location of all proposed cleared areas;
- 2246 f. existing and proposed contours at maximum five foot intervals, and
- 2247 extending for one hundred feet beyond the project edge;
- 2248 g. at least two cross sections, one in each direction, showing existing and
- 2249 proposed contours and horizontal and vertical scales; and
- 2250 h. a proposed erosion and sediment control plan as required by K.C.C.
- 2251 16.82.095.
- 2252 B. Materials in addition to those required in subsection A. of this section may be
- 2253 necessary for the department to complete the review. The following materials shall be
- 2254 submitted when required by the department((-));
- 2255 1. Higher accuracy contours and more details of existing terrain and area
- 2256 drainage, limiting dimensions, elevations or finished contours to be achieved by the
- 2257 grading, and proposed drainage channels and related construction;
- 2258 2. As required by K.C.C. 20.20.040, all drainage plans and documentation
- 2259 consistent with the King County Surface Water Design Manual;
- 2260 3. Restoration plan if required under K.C.C. (~~(16.82.110)~~) 21A.22.081; and
- 2261 4. Studies prepared by qualified specialists, as necessary to substantiate any
- 2262 submitted materials and compliance with this chapter or other law, particularly if clearing
- 2263 or grading is proposed to take place in or adjacent to a critical area.

Ordinance 19881

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2264 C. Plans and specifications shall be prepared and signed by a civil engineer if  
2265 they are prepared in conjunction with the proposed construction or placement of a  
2266 structure, include permanent drainage facilities or, if required by the department, propose  
2267 alterations in steep slope or landslide hazard areas.

2268 D. The department shall specify the formats in which application materials may  
2269 be submitted.

2270 E. The director may waive specific submittal requirements if they are determined  
2271 to be unnecessary for the acceptance and subsequent review of an application.

2272 SECTION 25. Ordinance 12560, Section 148, as amended, and K.C.C. 17.04.200  
2273 are hereby amended to read as follows:

2274 Section 104.1 of the International Fire Code is not adopted and the following is  
2275 substituted:

2276 **General (IFC 104.1).** The fire marshal is authorized to render interpretations of  
2277 this code and make and enforce such rules and regulations, in accordance with K.C.C.  
2278 chapters 2.98 and 2.100, for the prevention and control of fires and fire hazards as  
2279 necessary to execute the application and the intent of this code, including but not limited  
2280 to:

2281 1. Procedures to ensure that building permits for structures shall conform to the  
2282 requirements of this code.

2283 2. Procedures to ensure that applicable standards of this code shall be reviewed as  
2284 part of the subdivision, short subdivision, (~~urban planned development,~~) rezone,  
2285 conditional use, special use, site development permit, binding site plan, and building  
2286 permit processes.

Ordinance 19881

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2287           3. Procedures to assure that the standard known as NFPA 13R shall be applied as  
2288 a minimum standard to all R occupancies.

2289           4. Procedures to allow for relaxation of the hydrant spacing requirements by as  
2290 much as 50 percent, except when such allowances would unreasonably reduce fire  
2291 protection to the area or structures served.

2292           SECTION 26. Ordinance 12560, Section 149, as amended, and K.C.C. 17.04.280  
2293 are hereby amended to read as follows:

2294           Section 104 of the International Fire Code is supplemented with the following:

2295           **Notice to fire districts (IFC 104.12).**

2296           A. ~~((Prior to))~~ Before submitting an application for a commercial building permit,  
2297 site development permit, binding site plan, a preliminary subdivision or short subdivision  
2298 approval, final ~~((subdivision))~~ plat or short ~~((subdivision))~~ plat, ~~((urban planned~~  
2299 ~~development,))~~ zoning reclassification, conditional use permit, and special use permit~~((s))~~  
2300 to the department:

2301           1. the applicant shall submit a copy of the application to the fire district  
2302 providing fire protection services to the proposed development;

2303           2. subdivisions and short subdivisions applied for and/or recorded before  
2304 February 1, 1989, shall be submitted once to the applicable fire district for review at the  
2305 time of the first building permit by the applicant for that building permit;

2306           3. it shall be the responsibility of the fire district to issue a receipt to the  
2307 applicant the same day it receives a copy of a permit application. The receipt shall  
2308 constitute proof to the director of the notification;

Ordinance 19881

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2309           4. the applicant shall include the fire district receipt with the permit application  
2310 to the department;

2311           5. it shall be the responsibility of the fire district to notify the fire marshal of any  
2312 comments within seven days of the receipt of an applied for permit.

2313           SECTION 27. Ordinance 16147, Section 2, as amended, and K.C.C. 18.17.010  
2314 are hereby amended to read as follows:

2315           The definitions in this section apply throughout this chapter unless the context  
2316 clearly requires otherwise.

2317           A. "Alternative green building rating system" means a third-party green building  
2318 certification other than LEED or the King County Sustainable Infrastructure Scorecard.  
2319 The following are accepted alternative green building rating systems, but the executive  
2320 may also accept certification through other rating systems as appropriate:

2321           1. Built Green Four-Star, Built Green Five-Star, or Built Green Emerald Star, or  
2322 any combination thereof;

2323           2. Envision;

2324           3. Evergreen Sustainable Development Standard;

2325           4. Fitwel;

2326           5. Greenroads;

2327           6. Living Building Challenge;

2328           7. Passive House;

2329           8. Salmon Safe;

2330           9. SITES; and

2331           10. WELL.

Ordinance 19881

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2332 B. "Built Green Four-Star," "Built Green Five-Star," and "Built Green Emerald  
2333 Star" mean a third-party residential green building certification((;)) developed and  
2334 administered by the Master Builders Association of King and Snohomish Counties.

2335 C. "Capital project" means capital project as defined in K.C.C. 4A.10.100.

2336 D. "Energy Star" means the energy certification rating system developed by the  
2337 United States Environmental Protection Agency that focuses on energy efficiency.

2338 E. "Envision" means a voluntary sustainable infrastructure rating system  
2339 administered by the Institute for Sustainable Infrastructure and developed by the Harvard  
2340 University Graduate School of Design, American Public Works Association, American  
2341 Society of Civil Engineers, and the American Council of Engineering Companies for  
2342 assessing sustainability and resilience in infrastructure.

2343 F. "Equity" means equity as defined in K.C.C. 2.10.210.

2344 G. "Equity and social justice credits" means credits awarded through the  
2345 Sustainable Infrastructure Scorecard for actions that identify and account for equity and  
2346 social justice practices and outcomes throughout the capital project development  
2347 lifecycle. The credits recognize project team efforts to advance process, distributional  
2348 and cross-generational equity.

2349 H. "Evergreen Sustainable Development Standard" means a sustainable building  
2350 program for affordable housing projects that receive housing trust funds, administered by  
2351 the Washington state Department of Commerce according to RCW 39.35D.080.

2352 I. "Facility" means all or any portion of buildings, structures, infrastructure, sites,  
2353 complexes, equipment, utilities, and conveyance lines.

2354 J. "Fitwel" means a third-party green building rating system administered by the

Ordinance 19881

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2355 Center for Active Design that provides a standard that supports health-promoting  
2356 strategies in the built environment.

2357 K. "Green building team" means a group that includes representatives from  
2358 county agencies with capital project or building management staff including, but not  
2359 limited to, the Metro transit department, the department of natural resources and parks,  
2360 the department of executive services, the department of local services, permitting and  
2361 road services divisions, ~~((the department of))~~ public health – Seattle & King County, the  
2362 historic preservation program, and the department of community and human services.

2363 The members represent staff with expertise in project management, construction  
2364 management, architecture, landscape architecture, environmental planning, design,  
2365 engineering, historic preservation and resource conservation, public health, building  
2366 energy systems, building management, budget analysis, equity and racial and social  
2367 justice, procurement, and other skills as needed. The green building team provides  
2368 assistance and helps to disseminate information to project managers in all county  
2369 agencies.

2370 L. "Greenroads" means the third-party green building rating system administered  
2371 by the Greenroads International nonprofit organization to measure and manage  
2372 sustainability on transportation projects.

2373 M. "GreenTools program" means the support team located within the solid waste  
2374 division of the department of natural resources and parks that provides green building  
2375 technical assistance to county divisions, cities, and the general public within the county.

2376 N. "Integrative process" means an approach to project design that seeks to  
2377 achieve high performance on a wide variety of well-defined environmental and social



Ordinance 19881

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2378 goals while staying within budgetary and scheduling constraints. It relies on a  
2379 multidisciplinary and collaborative team whose members make decisions together based  
2380 on a shared vision and a holistic understanding of the project. It is an iterative process  
2381 that follows the design through the entire project life, from predesign through operation.

2382 O. "Leadership in Energy and Environmental Design" or "LEED" means a  
2383 voluntary, consensus-based national standard for developing high-performance,  
2384 sustainable buildings, created by the United States Green Building Council.

2385 P. "LEED-eligible building" means any new construction or major remodel or  
2386 renovation capital project with one thousand gross square feet or more of new,  
2387 remodeled, or renovated floor area that is occupied or conditioned and that meets the  
2388 minimum program requirements for LEED certifications.

2389 Q. "Living Building Challenge" means a voluntary green building rating system  
2390 administered by the International Living Future Institute. The certification options are  
2391 Full Living, Petal, CORE, Zero Energy, and Zero Carbon.

2392 R. "Major remodel or renovation" means work that demolishes space down to the  
2393 shell structure and rebuilds it with new interior walls, ceilings, floor coverings, and  
2394 systems, when the work affects more than twenty-five percent of a building's square  
2395 footage and the affected space is one thousand square feet or larger.

2396 S. "Minor remodel or renovation" means any type of remodel or renovation that  
2397 does not qualify as a major remodel or renovation.

2398 T. "New construction" means a new building or structure.

2399 U. "Passive House" means a voluntary passive building energy standard  
2400 certification program through either the PHIUS+ certification administered by Passive

Ordinance 19881

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2401 House Institute United States or the Passive House certification administered by Passive  
2402 House Institute.

2403 V. "Regional code collaboration" means interested jurisdictions across the Puget  
2404 Sound region working together to develop building, energy, fire, residential, plumbing,  
2405 mechanical, and zoning codes supporting the advancement of green building practices.

2406 W. "Retrocommissioning" means a detailed, systematic process for investigating  
2407 an existing building's operations and identifying ways to improve performance. The  
2408 primary focus is to identify operational improvements to obtain comfort and energy  
2409 savings.

2410 X. "Salmon Safe" means a voluntary peer-reviewed certification program, linking  
2411 site development land management practices with the protection of agricultural and urban  
2412 watersheds, founded by the Stewardship Partners.

2413 Y. "SITES" means a voluntary sustainability-focused framework program  
2414 administered by the Sustainable SITES Initiative and developed by the American Society  
2415 of Landscape Architects, the Lady Bird Johnson Wildflower Center, and the United  
2416 States Botanical Garden.

2417 Z. "Social cost of carbon" means social cost of carbon as defined in K.C.C.  
2418 18.20.015.

2419 AA. "Social justice" means social justice as defined in K.C.C. 2.10.210.

2420 ~~((AA-))~~ BB. "Strategic Climate Action Plan" means the King County Strategic  
2421 Climate Action Plan adopted by Motion 15866, or any subsequent Strategic Climate  
2422 Action Plan developed under K.C.C. chapter 18.25 and adopted by the council.

2423 ~~((BB-))~~ CC. "Sustainable development practices" are also known as green

Ordinance 19881

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2424 building and means whole system approaches to the design, construction, and operation  
2425 of buildings and infrastructure that help to mitigate the negative environmental,  
2426 economic, health, and social impacts of construction, demolition, operation, and  
2427 renovation while maximizing the facilities' positive fiscal, environmental, health, and  
2428 functional contribution. Sustainable development practices recognize the relationship  
2429 between natural and built environments and seek to minimize the use of energy, water,  
2430 and other natural resources while providing maximum benefits and contribution to  
2431 service levels to the system and the connecting infrastructures.

2432 ~~((CC.))~~ DD. "Sustainable Infrastructure Scorecard" means a green building and  
2433 sustainable development rating system developed by the green building team for capital  
2434 projects that are not eligible for the LEED rating system.

2435 ~~((DD.))~~ EE. "Transit-oriented development" means a capital project on King  
2436 County-owned property that includes the development of housing, commercial space,  
2437 services, or job opportunities in direct proximity to frequent public transportation and that  
2438 is wholly or partially planned or wholly or partially financed by the Metro transit  
2439 department.

2440 ~~((EE.))~~ FF. "WELL" means a third-party green building rating system  
2441 administered by the International WELL Building Institute's collaboration with Green  
2442 Business Certification, Inc.

2443 SECTION 28. Ordinance 19402, Section 8, and K.C.C. 18.17.050 are hereby  
2444 amended to read as follows:

2445 A. Capital projects shall be subject to the following applicable green building  
2446 standards and corresponding requirements; capital projects shall register with the

Ordinance 19881

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2447 applicable third-party rating system and achieve the appropriate certification. Small,  
2448 related capital projects that are part of a program may be certified as a program rather  
2449 than at the individual-project level:

2450           1. Affordable housing capital projects subject to RCW 39.35D.080 that receive  
2451 moneys from the King County ((D))department of ((C))community and ((H))human  
2452 ((S))services or that are part of transit-oriented development shall achieve either  
2453 Evergreen Sustainable Development Standard requirements or the highest rating in an  
2454 applicable alternative green building rating system certification, or both;

2455           2. Buildings owned or lease-to-own by King County, excluding those to which  
2456 subsection A.1. of this section applies, shall achieve certification levels as follows:

2457           a. New construction of a LEED-eligible building shall achieve either LEED  
2458 platinum certification or the Living Building Challenge certification, or both; and

2459           b. A major remodel or renovation of a LEED-eligible building shall achieve  
2460 either LEED gold certification or the Living Building Challenge certification, or both;  
2461 and

2462           3. Capital projects owned or lease-to-own by King County that are not subject  
2463 to subsection A.1. or 2. of this section shall either achieve a platinum rating according to  
2464 a King County or division-specific Sustainable Infrastructure Scorecard or achieve the  
2465 highest certification through an applicable alternative green building rating system, or  
2466 both.

2467           B. All capital projects to which subsection A. of this section applies:

2468           1. Shall meet King County Surface Water Design Manual requirements,  
2469 regardless of jurisdiction location. If a project is located in a jurisdiction where the

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Ordinance 19881

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2470 surface water design manual standards and requirements are different than King  
2471 County's, the project shall implement the more stringent requirement;

2472           2. Shall achieve a minimum diversion rate of eighty percent for construction and  
2473 demolition materials, achieve an eighty-five percent diversion rate beginning in 2025 and  
2474 shall achieve zero waste of resources with economic value beginning in 2030;

2475           3. Shall achieve applicable King County equity and social justice credits for  
2476 capital projects regardless of the rating system used; ~~((and))~~

2477           4. Should use the practice of integrative process to maximize green building,  
2478 sustainable development, community benefit, and financial investment opportunities over  
2479 the life of the asset; and

2480           5. Should use the social cost of carbon in life-cycle assessments and decision  
2481 making related to facility construction and resource efficiency projects.

2482           C.1. For leases by a King County agency for King County operations at non-  
2483 King-County-owned facilities, the agency shall seek to incorporate the latest green  
2484 building and sustainable development practices in the county-occupied space.

2485           2. For new leases of King County-employee-occupied-space of longer than five  
2486 years, including lease-to-own projects, King County shall lease buildings that are  
2487 certified through the LEED rating system at silver level or higher, are Energy Star  
2488 Certified, or are certified through an alternative green building rating system, but only  
2489 when those ratings are consistent with the operational needs of the function. Buildings  
2490 that do not meet these standards can be leased by the county if plans and financing are in  
2491 place at the time of signing that will enable the building to meet this standard within  
2492 twenty-four months of lease signing.

Ordinance 19881

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2493 D. As part of the county's green building program, the county shall preserve and  
2494 restore the historic landmarks and properties eligible for landmark designation that are  
2495 owned by the county, except in cases where a certificate of appropriateness is granted by  
2496 the King County landmarks commission.

2497 SECTION 29. Ordinance 17270, Section 2, as amended, and K.C.C. 18.25.010  
2498 are hereby amended to read as follows:

2499 A.1. ~~((The county developed a strategic climate action plan in 2012 to establish  
2500 long term targets and guide actions within county services and operations to reduce  
2501 greenhouse gas emissions and adapt to a changing climate. In accordance with this  
2502 chapter, the executive updates the strategic climate action plan.))~~ In order to guide the  
2503 county's climate-related objectives and strategies, the executive shall develop an updated  
2504 strategic climate action plan at least every five years. Each update to the strategic climate  
2505 action plan shall be developed with an environmental justice framework in partnership  
2506 with those communities disproportionately impacted by climate change and in a manner  
2507 consistent with ~~((Ordinance 16948, which establishes the county's fair and just principle))~~  
2508 K.C.C. 2.10.200, 2.10.210, 2.10.220, and 2.10.230. The strategic climate action plan  
2509 shall include the following:

2510 a. the identification of specific goals, strategies, measures, targets, and priority  
2511 actions for county services and operations to reduce emissions consistent with the  
2512 countywide goal of reducing greenhouse gas emissions ~~((twenty-five percent by 2020,))~~  
2513 fifty percent by 2030, seventy-five percent by 2040, and ~~((eighty))~~ ninety-five percent by  
2514 2050, with net-zero emissions through carbon sequestration and other strategies by that  
2515 year, compared to a 2007 baseline. The strategic climate action plan should address five

Ordinance 19881

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2516 goal areas for reducing greenhouse gas emissions: transportation and land use; building  
2517 and facilities energy; green building; consumption and materials management, including  
2518 the environmental purchasing program; and forestry and agriculture. Each goal area shall  
2519 address environmental justice and ensure that the strategies promote an equitable  
2520 distribution of any environmental benefit. The strategic climate action plan should  
2521 establish explicit and, whenever possible, quantifiable connections between the  
2522 overarching climate goals and specific strategies and actions;

2523           b.(1) a green jobs strategy. For purposes of this subsection A., a "green job"  
2524 means ~~((one that generates an income large enough to support a household in King  
2525 County and provides a benefit to the environment))~~ a living wage position providing  
2526 environmental benefits, such as clean energy deployment, in high-demand industry  
2527 sectors such as construction, manufacturing, transportation, and professional services.

2528 The intent of the green jobs strategy is to encourage the development of green jobs along  
2529 the career spectrum.

2530           (2) the green jobs strategy shall be developed in consultation with members  
2531 of the King County climate and equity community taskforce identified in subsection  
2532 A.1.~~((b.(2)(f)))~~c. of this section, labor and workforce development organizations directed  
2533 in subsection A.~~((7-))~~5. of this section, and representatives of an environmental justice  
2534 and climate equity organization, education, business, building managers, utilities,  
2535 scientists with knowledge of the latest research on strategies to reduce emissions, tribes,  
2536 local governments, and regional groups such as the King County-Cities Climate  
2537 Collaboration and the Puget Sound Regional Council, and shall include:

Ordinance 19881

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2538 (a) specific actions King County and its partners can take to increase the  
 2539 number of green jobs and apprenticeships throughout the region, including jobs in energy  
 2540 efficiency, renewable energy, green vehicles, and carbon sequestration, and King County  
 2541 administrative, executive, policy, and technical jobs;

2542 (b) a proposal for and budget to develop a green job pipeline that focuses  
 2543 especially on communities that have historically been underserved, and is informed by  
 2544 recommendations of the climate and equity community task force;

2545 (c) identification of the industry sectors and job types with high-demand  
 2546 green jobs in King County; and

2547 (d) actions King County can take to develop the green energy skills of King  
 2548 County's own workforce, such as collaboration on development of apprenticeship and  
 2549 pre-apprenticeship programs in sectors including energy efficiency, electrification,  
 2550 electric vehicle maintenance, the maintenance of electric vehicle infrastructure, and  
 2551 carbon sequestration technologies; ~~(and~~

2552 ~~(e) an initial green jobs strategy in the 2020 Strategic Climate Action Plan~~  
 2553 ~~update, with findings and recommendations along with recommended next steps for~~  
 2554 ~~refining the green jobs strategy as part of plan implementation, biennial budgets and~~  
 2555 ~~future plan updates; and~~

2556 ~~(f.))~~ c. a community-driven strategy to achieve sustainable and resilient  
 2557 communities. In order to achieve a community driven strategy, the executive shall  
 2558 convene and partner with the King County climate and equity community task force to  
 2559 develop the sustainable and resilient community strategy. The King County climate and  
 2560 equity community task force shall be a racially and ethnically diverse group representing



Ordinance 19881

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2561 various communities in King County that are on the frontline of climate change. The task  
 2562 force shall develop goals and guide priority areas for climate action based on community  
 2563 values and concerns. The sustainable and resilient community strategy shall:

2564           ~~((i-))~~ (1) identify how climate change will impact communities of color, low-  
 2565 income communities, and those disproportionately impacted by climate change;

2566           ~~((ii-))~~ (2) identify opportunities to take actions to address those impacts that  
 2567 could include increasing the number of affordable housing units, developing pathways to  
 2568 green jobs, preventing neighborhood displacement, increasing access to green spaces,  
 2569 providing access to zero emissions mobility options, improving food security, reducing  
 2570 pollution, and addressing health disparities; and

2571           ~~((iii-))~~ (3) based on assessment of climate impacts and extreme weather  
 2572 events like heat waves on vulnerable communities, make recommendations for  
 2573 preparedness strategies and actions to include in county emergency response plans, the  
 2574 flood management plan, and the regional hazard mitigation plan;

2575           ~~((e-))~~ d. the current assessment of climate change impacts in King County and  
 2576 identification of goals, strategies, measures, targets, and priority actions within county  
 2577 services and county operations to address climate change impacts. Each goal and  
 2578 strategy shall address environmental justice and ensure that the strategies promote an  
 2579 equitable distribution of any environmental benefit;

2580           ~~((f-))~~ e. performance measures and related targets for both operational  
 2581 emissions and implementation of priority strategies, including the green job strategy, that  
 2582 advance the strategic climate action plan and provide for assessment of progress relative  
 2583 to overarching climate goals at the community scale; and

Ordinance 19881

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2584            ~~((e-))~~ f. an assessment of cost effectiveness for key county services and  
2585 operations building on the pilot cost effectiveness assessment in the 2015 strategic  
2586 climate action plan update.

2587            2. ~~((Consistent with the county's strategic planning cycle, updates will occur at  
2588 least every five years, unless more frequent updates are needed to respond to changing  
2589 information about emissions sources, performance relative to targets, new technologies,  
2590 or a changing regulatory context.))~~ The executive shall transmit updates to the strategic  
2591 climate action plan to the council for adoption by motion.

2592            3. In developing future updates to the strategic climate action plan, the  
2593 executive shall continue to review climate change-related plans being developed by other  
2594 municipalities, including the city of Seattle's climate action plan, and identify  
2595 opportunities and strengthen recommendations for partnership with cities, businesses, and  
2596 nonprofit organizations to advance actions to reduce greenhouse gas emissions and  
2597 prepare for and respond to climate change impacts.

2598            4. ~~((The council recognizes that science related to climate change and successful  
2599 climate solutions is evolving, and each update to the strategic climate action plan should  
2600 build upon and refine the strategies, activities and performance targets in accordance with  
2601 best available science, practices and progress toward emissions reductions targets.~~

2602            ~~5. Future updates shall include the requirements of subsection A.1. of this  
2603 section.~~

2604            ~~6~~). Progress in achieving strategic climate action plan performance measure  
2605 targets and accomplishment of priority actions identified in subsection A.1. of this  
2606 section, as well as findings outlining recommendations for changes in policies, priorities,

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Ordinance 19881

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2607 and capital investments, shall be reported and transmitted to council ~~((biennially))~~ with  
2608 the update of the strategic climate action plan and at the midpoint between updates. The  
2609 progress report shall be included as part of the report required in K.C.C. 18.50.010.

2610 ~~((7.))~~ 5. The executive shall convene a strategic climate action plan labor  
2611 advisory council ~~((or))~~ and seek input from county labor and workforce development  
2612 organizations, including the Martin Luther King, Jr. County Labor Council of  
2613 Washington, the Seattle Building and Construction Trades Council, and the Workforce  
2614 Development Council of Seattle-King County, on recommendations for policies,  
2615 programs, and partnerships to strengthen pathways to local green jobs and to provide  
2616 guidance on each update.

2617 6. The executive shall consult with Indian tribes, and shall collaborate with  
2618 cities in King County through the King County-Cities Climate Collaboration, on each  
2619 update to the strategic climate action plan.

2620 B. Future updates to climate-related objectives and strategies should be informed  
2621 by the most-recently adopted strategic climate action plan.

2622 C. The executive ~~((must transmit))~~ shall electronically file the legislation and  
2623 reports required ~~((to be submitted))~~ by this section ~~((in the form of a paper original and an~~  
2624 ~~electronic copy))~~ with the clerk of the council, who shall retain ~~((the original))~~ an  
2625 electronic copy and provide an electronic copy to all councilmembers, the council chief  
2626 of staff, and the lead staff for the transportation, economy, and environment committee or  
2627 its successor.

2628 SECTION 30. The following should constitute a new chapter in K.C.C. Title 18,  
2629 to follow K.C.C. chapter 18.35:

Ordinance 19881

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2630 A. K.C.C. 28.30.010, as recodified by this ordinance;

2631 B. K.C.C. 28.30.020, as recodified by this ordinance; and

2632 C. K.C.C. 28.30.030, as recodified by this ordinance.

2633 SECTION 31. The following are hereby recodified as new sections in K.C.C.

2634 chapter 18.xx (the new chapter created in section 30 of this ordinance):

2635 A. K.C.C. 28.30.010;

2636 B. K.C.C. 28.30.020; and

2637 C. K.C.C. 28.30.030, as amended by this ordinance.

2638 SECTION 32. Ordinance 17971, Section 4, as amended, and K.C.C. 28.30.030

2639 are hereby amended to read as follows:

2640 A. The King County Metro transit carbon offset and environmental attributes

2641 program is hereby created and shall be administered by the Metro transit department.

2642 B. Transit carbon offsets shall be reviewed by an ~~((an))~~ independent third-party

2643 organization with proven experience in emission mitigation activities to ensure that

2644 transit carbon offsets meet the requirements of RCW 36.01.250.

2645 C. The Metro transit department shall make carbon offsets or environmental

2646 attributes available for purchase by individuals or public or private entities, if doing so is

2647 likely to be financially beneficial to the department.

2648 D. The wastewater treatment division and the solid waste division shall evaluate

2649 the purchase of Metro transit department carbon offsets, as necessary, to achieve the

2650 requirements of this chapter.

2651 E. When purchasing carbon offsets, the wastewater treatment division and the

2652 solid waste division shall ensure the offsets meet the requirements of RCW 36.01.250. In

Ordinance 19881

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2653 purchasing offsets, the wastewater treatment division and the solid waste divisions shall  
2654 purchase offsets from the Metro transit department before purchasing carbon offsets from  
2655 outside of the county if Metro transit department offsets are comparably priced.

2656 F. Revenue from the sale of carbon offsets or environmental attributes shall be  
2657 used by the Metro transit department solely for the purposes of reducing greenhouse gas  
2658 emissions through ~~((providing additional transit service hours))~~ mobility services or  
2659 investments that reduce the greenhouse gas emissions from transit operations beyond  
2660 standard operations, thereby achieving additionality.

2661 G. The executive shall ensure that transit carbon offsets or other environmental  
2662 attributes are not double counted in calculating the greenhouse gas emissions for King  
2663 County.

2664 SECTION 33. Ordinance 13694, Section 5, and K.C.C. 19A.04.030 are hereby  
2665 amended to read as follows:

2666 Applicant: a property owner, ~~((or))~~ a public agency, or public or private utility that  
2667 owns a right-of-way or other easement or has been adjudicated the right to such easement  
2668 ~~((pursuant to))~~ in accordance with RCW ~~((8.12.090))~~ 8.08.040, or any person or entity  
2669 designated or named in writing by the property or easement owner to be the applicant, in an  
2670 application for a development proposal, permit, or approval.

2671 NEW SECTION. SECTION 34. There is hereby added to K.C.C. chapter  
2672 19A.04 a new section to read as follows:

2673 Microsubdivision: a short subdivision involving a division or redivision of land  
2674 into two lots, tracts, parcels, or sites for the purpose of the sale, lease, or transfer of  
2675 ownership.

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Ordinance 19881

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2676            SECTION 35. Ordinance 17841, Section 1, and K.C.C. 19A.04.205 are hereby  
2677 amended to read as follows:

2678            "Large lot segregation" means the division of land into lots or tracts each one of  
2679 which is one-sixteenth of a section of land or larger, or forty acres or larger if the land is  
2680 not capable of description as a fraction of a section of land. However, for purposes of  
2681 computing the size of a lot that borders on a street or road, the lot size shall be expanded  
2682 to include that area that would be bounded by the center line of the road or street and the  
2683 side lot lines of the lot running perpendicular to such center line. Also, within the  
2684 resource zones, each lot or tract shall be of a size that meets the minimum lot size  
2685 requirements of K.C.C. (~~(21A.12.040.A.)~~) Title 21A for the respective zone.

2686            SECTION 36. Ordinance 13694, as amended, and K.C.C. 19A.04.310 are hereby  
2687 amended to read as follows:

2688            Short subdivision: inside the Urban Growth Area, a division or redivision of land  
2689 into nine or fewer lots, tracts, parcels, or sites for the purpose of the sale, lease, or transfer  
2690 of ownership. Outside the Urban Growth Area, a division or redivision of land into four  
2691 or fewer lots, tracts, parcels, or sites for the purpose of sale, lease, or transfer of  
2692 ownership. A microsubdivision is a type of short subdivision.

2693            SECTION 37. Ordinance 13694, Section 42, as amended, and K.C.C.  
2694 19A.08.070 are hereby amended to read as follows:

2695            A. A property owner may request that the department determine whether a lot  
2696 was legally created. The property owner shall demonstrate to the satisfaction of the  
2697 department that a lot was created in compliance with applicable state and local land  
2698 segregation statutes or codes in effect at the time the lot was created.

Ordinance 19881

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- 2699 B. A lot shall be recognized as a legal lot:
- 2700 1. If before October 1, 1972, it was:
- 2701 a. conveyed as an individually described parcel to separate, noncontiguous
- 2702 ownerships through a fee simple transfer or purchase; or
- 2703 b. recognized as a separate tax lot by the county assessor;
- 2704 2. If created by a recorded subdivision before June 9, 1937, and it was served by
- 2705 one of the following before January 1, 2000:
- 2706 a. an approved sewage disposal; or
- 2707 b. an approved water system; (~~or~~
- 2708 ~~e. a road that was:~~
- 2709 ~~(1) accepted for maintenance by the King County department of~~
- 2710 ~~transportation; or~~
- 2711 ~~(2) located within an access easement for residential use or in a road right of~~
- 2712 ~~way and consists of a smooth driving surface, including, but not limited to, asphalt,~~
- 2713 ~~concrete, or compact gravel, that complied with the King County road standards in effect~~
- 2714 ~~at the time the road was constructed;))~~
- 2715 3. If created by an approved short subdivision, including engineers subdivisions;
- 2716 4. If created by a recorded subdivision on or after June 9, 1937; or
- 2717 5. If created through the following alternative means of lot segregation provided
- 2718 for by state statute or county code:
- 2719 a. at a size five acres or greater, created by a record of survey recorded
- 2720 between August 11, 1969, and October 1, 1972, and that did not contain a dedication;

Ordinance 19881

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2721           b. at a size twenty acres or greater, created by a record of survey recorded  
2722 before January 1, 2000, and not subsequently merged into a larger lot;

2723           c. at a size forty acres or greater created through a larger lot segregation made  
2724 in accordance with RCW 58.18.010, approved by King County and not subsequently  
2725 merged into a larger lot. Within the F zone, each lot ~~((øf))~~ or tract shall be of a size that  
2726 meets the minimum lot size requirements of ~~((K.C.C. 21A.12.040.A))~~ section 227 of this  
2727 ordinance;

2728           d. through testamentary provisions or the laws of descent after August 10,  
2729 1969; or

2730           e. as a result of deeding land to a public body after April 3, 1977.

2731           C. In requesting a determination, the property owner shall submit evidence,  
2732 deemed acceptable to the department, such as:

- 2733           1. Recorded subdivisions or division of land into four lots or less;
- 2734           2. King County documents indicating approval of a short subdivision;
- 2735           3. Recorded deeds or contracts describing the lot or lots either individually or as  
2736 part of a conjunctive legal description ~~((e.g.)),~~ such as Lot 1 and Lot 2~~((ø))~~; or
- 2737           4. Historic tax records or other similar evidence, describing the lot as an  
2738 individual parcel. The department shall give great weight to the existence of historic tax  
2739 records or tax parcels in making its determination.

2740           D. Once the department has determined that the lot was legally created, the  
2741 department shall continue to acknowledge the lot as such, unless the property owner  
2742 reaggregates or merges the lot with another lot or lots in order to:

- 2743           1. Create a parcel of land that would qualify as a building site, or



Ordinance 19881

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2744 2. Implement a deed restriction or condition, a covenant, or court decision.

2745 E. The department's determination shall not be construed as a guarantee that the  
 2746 lot constitutes a building site as defined in K.C.C. 19A.04.060. Testamentary lots created  
 2747 after December 31, 1999, and before January 1, 2019, are exempt from meeting the  
 2748 minimum lot area requirements in K.C.C. Title 21A((~~12.030 and 21A.12.040~~)) for the  
 2749 applicable ((~~zoning district~~)) zone, if all other federal, state, and local statutes and  
 2750 regulations are met. All other testamentary lots shall be required to meet all federal,  
 2751 state, and local statutes and regulations, including minimum lot area requirements in  
 2752 K.C.C. Title 21A((~~12.030 and 21A.12.040~~)).

2753 F. Reaggregation of lots after January 1, 2000, shall only be the result of a  
 2754 deliberate action by a property owner expressly requesting the department for a  
 2755 permanent merger of two or more lots through a boundary line adjustment under K.C.C.  
 2756 chapter 19A.28.

2757 SECTION 38. Ordinance 13694, Section 56, as amended, and K.C.C.  
 2758 19A.12.020 are hereby amended to read as follows:

2759 A. Preliminary subdivision approval shall be effective for a period of sixty  
 2760 months.

2761 B. Preliminary subdivision approval shall be considered the basis upon which the  
 2762 applicant may proceed toward development of the subdivision and preparation of the  
 2763 final plat subject to all the conditions of the preliminary approval.

2764 C. If the ((~~final plat~~)) subdivision is being developed in divisions, and final plats  
 2765 for all of the divisions have not been recorded within the time limits provided in this  
 2766 section, preliminary subdivision approval for all unrecorded divisions shall become void.

Ordinance 19881

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2767 The preliminary subdivision for any unrecorded divisions (~~((must again))~~) shall be  
2768 submitted again to the department with a new application, subject to the fees and  
2769 regulations applicable at the time of submittal.

2770 D. ~~((An urban planned development permit, fully contained community permit,  
2771 or development agreement approved pursuant to K.C.C. chapter 21A.39 may extend the  
2772 preliminary approval period beyond sixty months for any preliminary subdivision  
2773 approved simultaneous or subsequent to the urban planned development permit or fully  
2774 contained community permit. Such extensions may be made contingent upon satisfying  
2775 conditions set forth in the urban planned development permit, fully contained community  
2776 permit or development agreement. In no case shall the extended preliminary approval  
2777 period exceed the expected buildout time period of the urban planned development or  
2778 fully contained community as provided in the urban planned development permit, fully  
2779 contained community permit or development agreement. This section shall apply to any  
2780 approved urban planned development permit, fully contained community permit or  
2781 development agreement in existence on January 1, 2000, or approved subsequent to  
2782 January 1, 2000.~~

2783 E. ~~For any plat with more than four hundred lots that is also part of the county's  
2784 four to one program, the preliminary subdivision approval shall be effective for eighty-  
2785 four months. This subsection applies to any preliminary plat approved by either the  
2786 council or the hearing examiner, or both, on or after January 1, 1998, that relates to a four  
2787 to one program with proposed plats containing more than four hundred lots.~~

2788 F. ~~For any plat with more than fifty lots where fifty percent or more of those lots  
2789 will constitute affordable housing which is housing for those that have incomes of less~~

Ordinance 19881

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2790 ~~than eighty percent of median income for King County as periodically published by the~~  
2791 ~~United States Department of Housing and Urban Development, or its successor agency,~~  
2792 ~~and at least a portion of the funding for the project has been provided by federal, state or~~  
2793 ~~county housing funds, the preliminary subdivision shall be effective for seventy two~~  
2794 ~~months. This subsection applies to any plat that has received preliminary approval on or~~  
2795 ~~after January 1, 1998.~~

2796 ~~G.1. For any plat that has received preliminary approval on or after December 1,~~  
2797 ~~2003, the preliminary subdivision approval shall be valid for a period of eighty four~~  
2798 ~~months. The department may make revisions to the fee estimate issued by the~~  
2799 ~~department under K.C.C. 27.02.065.~~

2800 ~~2. For any plat that received preliminary approval on or after December 1, 2003,~~  
2801 ~~pursuant to K.C.C. 21A.55.060, the preliminary subdivision approval shall be valid for a~~  
2802 ~~period of one hundred and eight months. The department may make revisions to the fee~~  
2803 ~~estimate issued by the department under K.C.C. 27.02.065.~~

2804 ~~3. This subsection shall retroactively apply to any plat that has received~~  
2805 ~~preliminary approval on or after December 1, 2003. This subsection expires December~~  
2806 ~~31, 2014.)) An applicant for a preliminary subdivision approved on or after January 1,~~  
2807 ~~2015, who files a written request for extension with the director at least thirty days before~~  
2808 ~~the expiration of the preliminary subdivision, shall be granted a one-time, one-year~~  
2809 ~~extension dated from the original preliminary approval date. Any plat not recorded within~~  
2810 ~~the time set forth in this subsection is null and void and the applicant is required to~~  
2811 ~~resubmit a new preliminary subdivision for approval, subject to all current regulations.~~

Ordinance 19881

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2812            SECTION 39. Ordinance 13694, Section 57, as amended, and K.C.C 19A.12.030

2813 are hereby amended as follows:

2814            A. A request to revise a (~~plat, short plat~~) preliminary subdivision, preliminary  
 2815 short subdivision, or binding site plan that has received preliminary approval shall be  
 2816 submitted to the department.

2817            B. Proposed revisions to a preliminary subdivision that would result in a  
 2818 substantial change, as defined in K.C.C. 20.20.100, shall be treated as a new application  
 2819 for purposes of vesting and transportation concurrency and shall be reviewed as Type 3  
 2820 land use decision under K.C.C. 20.20.020.

2821            C. Proposed revisions to a preliminary short subdivision, or binding site plan that  
 2822 would result in a substantial change, as defined in K.C.C. 20.20.100, shall be treated as a  
 2823 new application for purposes of vesting and, where applicable, transportation  
 2824 concurrency, and shall be reviewed as Type 2 land use decision (~~pursuant to~~) under  
 2825 K.C.C. 20.20.020, except that a proposed revision to a microsubdivision in the urban area  
 2826 shall be reviewed as a Type I land use decision under K.C.C. 20.20.020.

2827            D. Proposed changes to a preliminary subdivision, preliminary short subdivision,  
 2828 or binding site plan that do not result in a substantial change, as defined in K.C.C.  
 2829 20.20.100, shall be treated as a minor change and may be approved administratively by  
 2830 the department.

2831            E. For purposes of this section, minor changes include, but are not limited to:

2832            1. Changes to engineering design standards necessitated by changed  
 2833 circumstances, such as reconfiguration or reduction of lots;

2834            2. Changes in lot dimensions that are consistent with the underlying zone;

Ordinance 19881

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- 2835           3. A decrease in the number of lots to be created so long as the minimum lot  
2836 size and minimum density of the underlying zone is maintained;
- 2837           4. Changes in timing of phased plans; and
- 2838           5. Changes to engineering design that reduce construction related impacts and  
2839 do not eliminate off-site improvements specifically required as a condition of preliminary  
2840 approval.

2841           SECTION 40. Ordinance 13694, Section 80, as amended, and K.C.C.  
2842 19A.28.020 are hereby amended to read as follows:

2843           Adjustment of boundary lines between adjacent lots shall be consistent with the  
2844 following review procedures and limitations:

2845           A. Applications for boundary line adjustments shall be reviewed as a Type 1  
2846 permit as provided in K.C.C. chapter 20.20. The review shall include examination for  
2847 consistency with the King County zoning code, K.C.C. Title 21A., shoreline master  
2848 program regulations, (~~(K.C.C. chapter 21A.25,)~~) applicable board of health regulations,  
2849 and, for developed lots, fire and building codes;

2850           B. A lot created through a large lot segregation shall be consistent with the  
2851 underlying zoning and shall not be reduced to less than twenty acres within ten years of  
2852 the large lot segregation approval unless it is subdivided in accordance with K.C.C.  
2853 chapter 19A.12;

2854           C. (~~(Any adjustment of boundary lines must be approved by the department~~  
2855 ~~before the t))~~Transfer of property ownership between adjacent legal lots shall not occur  
2856 until the boundary line adjustment is approved;

2857           D. A boundary line adjustment proposal shall not:

Ordinance 19881

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- 2858           1. Result in the creation of an additional lot; ~~((or))~~
- 2859           2. Result in the creation of more than one additional building site in the rural
- 2860 area and natural resource lands or two additional building sites in the urban area;
- 2861           3. Result in a lot that does not qualify as a building site ~~((pursuant to))~~ under
- 2862 this title;
- 2863           ~~((3-))~~ 4. Relocate an entire lot from one parent parcel into another parent parcel;
- 2864           ~~((4-))~~ 5. Reduce the overall area in a plat or short plat devoted to open space;
- 2865           ~~((5-))~~ 6. Be inconsistent with any restrictions or conditions of approval for a
- 2866 recorded plat or short plat;
- 2867           ~~((6-))~~ 7. Involve lots ~~((which))~~ that do not have a common boundary; ~~((or))~~
- 2868           ~~((7-))~~ 8. Circumvent the subdivision or short subdivision procedures ~~((set forth))~~
- 2869 in this title. Factors ~~((which))~~ that indicate that the boundary line adjustment process is
- 2870 being used in a manner inconsistent with statutory intent include: numerous and frequent
- 2871 adjustments to the existing lot boundary, a proposal to move a lot or building site to a
- 2872 different location, and a large number of lots being proposed for a boundary line
- 2873 adjustment; or
- 2874           9. Circumvent standards or procedures in K.C.C. Title 21A;
- 2875           E. The elimination of lines between two or more lots shall, in all cases, ~~((shall))~~
- 2876 be considered a minor adjustment of boundary lines and shall not be subject to the
- 2877 subdivision and short subdivision provisions of this title or to K.C.C. 19A.28.030. The
- 2878 format and requirements of a minor adjustment under this subsection shall be specified
- 2879 by the department;

Ordinance 19881

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2880 F. Recognized lots in an approved site plan for a conditional use permit, special  
2881 use permit, (~~(urban planned development,)~~) or commercial site development permit shall  
2882 be considered a single site and no lot lines on the site may be altered by a boundary line  
2883 adjustment to transfer density or separate lots to another property not included in the  
2884 original site plan of the subject development; and

2885 G. Lots that have been subject to a boundary line adjustment process that resulted  
2886 in the qualification of an additional building site shall not be (~~(permitted)~~) allowed to  
2887 utilize the boundary line adjustment process again for five years to create an additional  
2888 building site.

2889 SECTION 41. Ordinance 18810, Section 3, and K.C.C. 20.08.037 are hereby  
2890 amended to read as follows:

2891 "Area zoning and land use study" means a study that reviews the land use  
2892 designations and zoning classifications for a specified set of properties. "Area zoning  
2893 and land use studies" are typically focused on a (~~(broader set of policies than a subarea~~  
2894 ~~study)~~) specific set of possible zoning and land use changes, and do not look at the larger  
2895 range of issues that a subarea plan would include. "Area zoning and land use studies"  
2896 consider specific potential changes to land use or zoning, or both, and analyze such  
2897 requests based on surrounding land use and zoning, current infrastructure and potential  
2898 future needs, and consistency with the King County Comprehensive Plan,  
2899 ~~((e))~~Countywide ~~((p))~~Planning ~~((p))~~Policies, and the Growth Management Act, chapter  
2900 36.70A RCW.

2901 SECTION 42. Ordinance 263, Art. 3 (part), and K.C.C. 20.08.060 are hereby  
2902 amended to read as follows:

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Ordinance 19881

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2903 "Subarea plan" means a detailed local land use plan that implements, is consistent  
 2904 with, and is an element of the Comprehensive Plan, containing specific policies,  
 2905 guidelines, and criteria adopted by the council to guide development and capital  
 2906 improvement decisions within specific subareas of the county. ~~((Subareas are))~~ Subarea  
 2907 plans are used for distinct communities, specific geographic areas, community service  
 2908 areas, potential annexation areas, or other types of districts having unified interests or  
 2909 similar characteristics within the county. ~~((Subarea plans may include community plans,~~  
 2910 ~~community service area subarea plans, neighborhood plans, basin plans and plans~~  
 2911 ~~addressing multiple areas having common interests. The relationship between the 1994~~  
 2912 ~~King County Comprehensive Plan and subarea plans is established by K.C.C.~~  
 2913 ~~20.12.015.))~~

2914 SECTION 43. Ordinance 263, Article 2, Section 1, as amended, and K.C.C.  
 2915 20.12.010 are hereby amended to read as follows:

2916 Under the King County Charter, the state Constitution, and the ~~((Washington~~  
 2917 ~~state))~~ the Growth Management Act, chapter 36.70A RCW, King County adopted the  
 2918 1994 King County Comprehensive Plan via Ordinance 11575 and declared it to be the  
 2919 Comprehensive Plan for King County until amended, repealed, or superseded. The  
 2920 Comprehensive Plan has been reviewed and amended multiple times since its adoption in  
 2921 1994. Amendments to the 1994 Comprehensive Plan to-date are currently reflected in the  
 2922 ~~((2016))~~ 2024 King County Comprehensive Plan, as adopted in ~~((Ordinance 18427 and as~~  
 2923 ~~amended by Ordinance 18623, Ordinance 18810, Ordinance 19034, Ordinance 19146 and~~  
 2924 ~~Ordinance 19555))~~ this ordinance. The Comprehensive Plan shall be the principal  
 2925 planning document for the orderly physical development of the county and shall be used



Ordinance 19881

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2926 to guide subarea plans, functional plans, provision of public facilities and services,  
2927 review of proposed incorporations and annexations, development regulations, and land  
2928 development decisions.

2929 SECTION 44. Ordinance 3692, Section 2, as amended, and K.C.C. 20.12.200 are  
2930 hereby amended to read as follows:

2931 A. The King County shoreline master program consists of the following  
2932 elements, enacted on or before (~~October 4, 2024~~) the date of enactment of this  
2933 ordinance:

- 2934 1. The King County Comprehensive Plan chapter six;
- 2935 2. K.C.C. chapter 21A.25;
- 2936 3. The following sections of K.C.C. chapter 21A.24:
  - 2937 a. K.C.C. 21A.24.045;
  - 2938 b. K.C.C. 21A.24.051;
  - 2939 c. K.C.C. 21A.24.055;
  - 2940 d. K.C.C. 21A.24.070.A., B.2., C.2., D., and E.;
  - 2941 e. K.C.C. 21A.24.125;
  - 2942 f. K.C.C. 21A.24.130;
  - 2943 g. K.C.C. 21A.24.133;
  - 2944 h. K.C.C. 21A.24.200;
  - 2945 i. K.C.C. 21A.24.210;
  - 2946 j. K.C.C. 21A.24.220;
  - 2947 k. K.C.C. 21A.24.275;
  - 2948 l. K.C.C. 21A.24.280;

Ordinance 19881

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- 2949 m. K.C.C. 21A.24.290;
- 2950 n. K.C.C. 21A.24.300;
- 2951 o. K.C.C. 21A.24.310;
- 2952 p. K.C.C. 21A.24.316;
- 2953 q. K.C.C. 21A.24.318;
- 2954 r. K.C.C. 21A.24.325;
- 2955 s. K.C.C. 21A.24.335;
- 2956 t. K.C.C. 21A.24.340;
- 2957 u. K.C.C. 21A.24.355;
- 2958 v. K.C.C. 21A.24.358;
- 2959 w. K.C.C. 21A.24.365;
- 2960 x. K.C.C. 21A.24.380;
- 2961 y. K.C.C. 21A.24.382;
- 2962 z. K.C.C. 21A.24.386; and
- 2963 aa. K.C.C. 21A.24.388;
- 2964 4. The following:
- 2965 a. ~~((K.C.C. 20.18.040;~~
- 2966 ~~b.))~~ K.C.C. 20.18.050;
- 2967 ~~((e.))~~ b. K.C.C. 20.18.056;
- 2968 ~~((f.))~~ c. K.C.C. 20.18.057;
- 2969 ~~((g.))~~ d. K.C.C. 20.18.058;
- 2970 ~~((h.))~~ e. K.C.C. 20.22.160;
- 2971 ~~((i.))~~ f. K.C.C. 21A.32.045;

Ordinance 19881

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2972            ~~((h-))~~ g. K.C.C. 21A.44.090;

2973            ~~((i-))~~ h. K.C.C. 21A.44.100; and

2974            ~~((j-))~~ i. K.C.C. 21A.50.030; and

2975            5. The 2024 King County Flood Management Plan.

2976            B. The shoreline management goals and policies constitute the official policy of  
 2977 King County regarding areas of the county subject to shoreline ~~((management))~~  
 2978 jurisdiction under chapter 90.58 RCW. As provided by WAC 173-26-191(2)(a), King  
 2979 County's local administrative, enforcement, and permit review procedures shall conform  
 2980 to chapter 90.58 RCW but shall not be a part of the master program.

2981            C. Amendments to the shoreline master program do not apply to the shoreline  
 2982 jurisdiction until approved by the Washington state Department of Ecology as provided  
 2983 in RCW 90.58.090. The department of local services, permitting division, shall, within  
 2984 ten days after the date of the Department of Ecology's approval, file a copy of the  
 2985 Department of Ecology's approval, in the form of an electronic copy, with the clerk of the  
 2986 council, who shall retain the original and provide electronic copies to all  
 2987 councilmembers, the chief of staff, and the lead staff of the local services and land use  
 2988 committee~~((;))~~ or its successor.

2989            NEW SECTION. SECTION 45. There is hereby added to K.C.C. chapter 20.12  
 2990 a new section to read as follows:

2991            The Snoqualmie Valley/Northeast King County Subarea Plan, dated December  
 2992 2024, contained in Attachment J to this ordinance is adopted as an element of the King  
 2993 County Comprehensive Plan and, as such, constitutes official county policy for the  
 2994 geographic area of unincorporated King County defined in the plan.

Ordinance 19881

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2995            SECTION 46. Ordinance 13147, Section 19, as amended, and K.C.C. 20.18.030  
 2996 are hereby amended to read as follows:

2997            A. The King County Comprehensive Plan shall be amended in accordance with  
 2998 this chapter, which, in compliance with RCW 36.70A.130(2), establishes a public  
 2999 participation program whereby amendments are considered by the council no more  
 3000 frequently than once a year as part of the update schedule established in this chapter,  
 3001 except that the council may consider amendments more frequently to address:

3002            1. Emergencies, only after public notice and an opportunity for public  
 3003 testimony, commensurate with the nature of the emergency, in the same manner as an  
 3004 emergency ordinance under Section 230.30 of the King County Charter;

3005            2. An appeal of the plan filed with the Central Puget Sound Growth  
 3006 Management Hearings Board or with the court;

3007            3. The initial adoption of a subarea plan, which may amend the ~~((#))~~Urban  
 3008 ~~((g))~~Growth ~~((#))~~Area boundary only to redesignate land within a joint planning area;

3009            4. An amendment of the capital facilities element of the Comprehensive Plan  
 3010 that occurs in conjunction with the adoption of the county budget under K.C.C.  
 3011 4A.100.010; or

3012            5. The adoption or amendment of a shoreline master program under chapter  
 3013 90.58 RCW.

3014            B. Every year the Comprehensive Plan may be updated to address technical  
 3015 updates and corrections, to adopt ~~((community service area))~~ subarea plans, and to  
 3016 consider amendments that do not require substantive changes to the Comprehensive Plan  
 3017 or subarea plan policy language or do not require changes to the ~~((#))~~Urban ~~((g))~~Growth

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Ordinance 19881

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3018 ~~((a))~~ Area boundary, except as ~~((permitted in subsection B.9. and 11. Of this section))~~  
 3019 allowed in Comprehensive Plan chapter 12. The review may be referred to as the annual  
 3020 update. ~~((The Comprehensive Plan, including subarea plans, may be amended in the~~  
 3021 ~~annual update only to consider the following:~~

- 3022 ~~1. Technical amendments to policy, text, maps or shoreline environment~~
- 3023 ~~designations;~~
- 3024 ~~2. The annual capital improvement plan;~~
- 3025 ~~3. The transportation needs report;~~
- 3026 ~~4. School capital facility plans;~~
- 3027 ~~5. Changes required by existing Comprehensive Plan policies;~~
- 3028 ~~6. Changes to the technical appendices and any amendments required thereby;~~
- 3029 ~~7. Comprehensive updates of subarea plans initiated by motion;~~
- 3030 ~~8. Changes required by amendments to the Countywide Planning Policies or~~
- 3031 ~~state law;~~
- 3032 ~~9. Redesignation proposals under the four to one program as provided for in~~
- 3033 ~~this chapter;~~
- 3034 ~~10. Amendments necessary for the conservation of threatened and endangered~~
- 3035 ~~species;~~
- 3036 ~~11. Site specific land use map amendments that do not require substantive~~
- 3037 ~~change to Comprehensive Plan policy language and that do not alter the urban growth~~
- 3038 ~~area boundary, except to correct mapping errors;~~
- 3039 ~~12. Amendments resulting from subarea studies required by Comprehensive~~
- 3040 ~~Plan policy that do not require substantive change to Comprehensive Plan policy~~

Ordinance 19881

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3041 ~~language and that do not alter the urban growth area boundary, except to correct mapping~~  
 3042 ~~errors;~~

3043 ~~13. Changes required to implement a study regarding the provision of~~  
 3044 ~~wastewater services to a Rural Town. The amendments shall be limited to policy~~  
 3045 ~~amendments and adjustment to the boundaries of the Rural Town as needed to implement~~  
 3046 ~~the preferred option identified in the study;~~

3047 ~~14. Adoption of community service area subarea plans;~~

3048 ~~15. Amendments to the Comprehensive Plan update schedule that respond to~~  
 3049 ~~adopted ordinances and improve alignment with the timing requirements in the~~  
 3050 ~~Washington state Growth Management Act, chapter 36.70A RCW ("the GMA"), and~~  
 3051 ~~alignment with multicounty and countywide planning activities; or~~

3052 ~~16. Amendments to the Comprehensive Plan Workplan to change deadlines.))~~

3053 C. Every ~~((eighth))~~ tenth year beginning in 2024, the county shall complete a  
 3054 comprehensive review of the Comprehensive Plan in order to update it as appropriate and  
 3055 to ensure continued compliance with the GMA. This review may provide for a  
 3056 cumulative analysis of the twenty-year plan based upon official population growth  
 3057 forecasts, benchmarks, and other relevant data in order to consider substantive changes to  
 3058 the Comprehensive Plan and changes to the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area boundary.  
 3059 The comprehensive review shall ~~((begin one year in advance of the transmittal))~~ follow  
 3060 the schedule established in K.C.C. 20.18.060 and may be referred to as the ~~((eight))~~ ten-  
 3061 year update. The ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area boundaries shall be reviewed in the  
 3062 context of the ~~((eight))~~ ten-year update and in accordance with countywide planning  
 3063 policy ~~((G-1))~~ FW-1 and RCW 36.70A.130.

Ordinance 19881

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3064 D.1. At the midpoint of the ~~((eight))~~ ten-year update process, a limited update to  
3065 the Comprehensive Plan to address time-sensitive issues before to the next ~~((eight))~~ ten-  
3066 year update, may be authorized by motion. The update may be referred to as the  
3067 midpoint update. The midpoint update may include those substantive changes to the  
3068 Comprehensive Plan and amendments to the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area boundary  
3069 that are identified in the scope of work. The midpoint update may also include additions  
3070 or amendments to the Comprehensive Plan Workplan related to a topic identified in the  
3071 scope of work.

3072 2. The motion shall specify the scope of the midpoint update, and identify that  
3073 the resources necessary to accomplish the work are available. A fiscal note for the scope  
3074 of the midpoint update shall be provided to the council by the executive within fifteen  
3075 business days of introduction of the proposed motion. If the executive determines an  
3076 additional appropriation is necessary to complete the midpoint update, the executive may  
3077 transmit an ordinance requesting the additional appropriation.

3078 3. If the executive proposes a midpoint update, the executive shall transmit to  
3079 the council by the last business day in ~~((June))~~ March two years before the midpoint year  
3080 of the ~~((eight))~~ ten-year update schedule a proposed motion specifying the scope of work  
3081 for the midpoint update. The council shall have until ~~((September 15))~~ June 30 of that  
3082 year, to adopt a motion specifying the scope of work initiating a midpoint update, either  
3083 as transmitted or amended, or as introduced or amended. If the motion is approved by  
3084 ~~((September 15))~~ June 30, the scope shall proceed as established by the approved motion.  
3085 In the absence of council approval by ~~((September 15))~~ June 30, the executive shall  
3086 proceed to implement the scope as transmitted. If such a motion is adopted, the

Ordinance 19881

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3087 executive shall transmit a midpoint update by the last business day of June of the  
3088 following year after adoption of the motion. The council shall have until June 30 of the  
3089 following year after transmittal to adopt a midpoint update.

3090 ~~((4. Before initiation of the first eight-year update in 2024, substantive changes  
3091 to the Comprehensive Plan and amendments to the urban growth area boundary may be  
3092 considered. The amendments shall be considered in the 2020 Comprehensive Plan  
3093 update and shall be subject to the midpoint update process and requirements. The  
3094 executive shall transmit to the council by the first business day of January 2019 a  
3095 proposed motion specifying the scope of work for the proposed update consistent with  
3096 K.C.C. 20.18.030.D.1. The council shall have until the last business day of February  
3097 2019, to adopt the motion, either as transmitted or amended. In the absence of council  
3098 approval by the last business day of February 2019, the executive shall proceed to  
3099 implement the scope as proposed. If the motion is approved the last business day of  
3100 February 2019, the scope shall proceed as established by the approved motion. The  
3101 executive shall transmit to the council any proposed amendments for the 2020  
3102 Comprehensive Plan update the by the last business day of September 2019. The council  
3103 shall have until the last business day of July 2020 to adopt the 2020 Comprehensive Plan  
3104 update.))~~

3105 E. The executive shall seek public comment on the Comprehensive Plan and any  
3106 proposed Comprehensive Plan update in accordance with the procedures in K.C.C.  
3107 20.18.160 before making a recommendation, which shall include publishing a public  
3108 review draft of the proposed Comprehensive Plan update, in addition to conducting the  
3109 public review and comment procedures required by SEPA. The public shall be afforded

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Ordinance 19881

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3110 at least one official opportunity to record public comment before the transmittal of a  
 3111 recommendation by the executive to the council. County-sponsored councils and  
 3112 commissions may submit written position statements that shall be considered by the  
 3113 executive before transmittal and by the council before adoption, if they are received in a  
 3114 timely manner. The executive's recommendations for changes to policies(~~(, text and~~  
 3115 ~~maps)) shall include the elements listed in Comprehensive Plan policy ((I-207 and~~  
 3116 ~~analysis of their financial costs and public benefits, any of which may be included in~~  
 3117 ~~environmental review documents)) I-108.~~

3118 F. Proposed amendments to the Comprehensive Plan shall be accompanied by  
 3119 any development regulations or amendments to development regulations, including area  
 3120 zoning, necessary to implement the proposed amendments.

3121 SECTION 47. Ordinance 13147, Section 20, as amended, and K.C.C. 20.18.040  
 3122 are hereby amended to read as follows:

3123 A. Site-specific land use map (~~(or shoreline master program map))~~ amendments  
 3124 may be considered during the annual (~~(update)), midpoint, ((update)) or ((eight))~~ ten-year  
 3125 update, depending on the degree of change proposed.

3126 B. (~~(The following categories of s))~~Site-specific land use map amendments ((or  
 3127 ~~shoreline master program map))~~ that do not require substantive change to Comprehensive  
 3128 Plan or subarea plan language and that do not alter the Urban Growth Area boundary,  
 3129 except to correct mapping errors, may be initiated by either the county or a property  
 3130 owner for consideration in the annual update(~~(:~~

Ordinance 19881

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3131           1. ~~Amendments that do not require substantive change to Comprehensive Plan~~  
3132 ~~policy language and that do not alter the urban growth area boundary, except to correct~~  
3133 ~~mapping errors; and~~  
3134           2. ~~Four to one proposals).~~

3135           C. The following categories of site-specific land use map (~~and shoreline master~~  
3136 ~~program~~) amendments may be initiated by either the county or a property owner for  
3137 consideration in the (~~eight~~) ten-year update or midpoint update:

3138           1. Amendments that could be considered in the annual update;  
3139           2. Amendments that require substantive change to Comprehensive Plan policy  
3140 language; and  
3141           3. Amendments to the (~~u~~)Urban (~~g~~)Growth (~~a~~)Area boundary.

3142           SECTION 48. Ordinance 3688, Section 813, as amended, and K.C.C. 20.18.056  
3143 are hereby amended to read as follows:

3144           A. Shoreline environments designated by the master program may be considered  
3145 for redesignation during the annual, midpoint, or (~~eight~~) ten-year update (~~or midpoint~~  
3146 ~~update~~).

3147           B. A redesignation shall follow the process in K.C.C. 20.18.050.

3148           SECTION 49. Ordinance 13147, Section 22, as amended, and K.C.C. 20.18.060  
3149 are hereby amended to read as follows:

3150           A. Beginning in (~~2022~~) 2030, and every (~~eight~~) ten years thereafter, the  
3151 executive shall initiate the ten-year update to the Comprehensive Plan required by K.C.C.  
3152 20.18.030.C. The ten-year update process shall occur as follows:

Ordinance 19881

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3153 1.a. By September 15, 2031, and every ten years thereafter, the executive shall  
3154 transmit to the council a proposed motion specifying the scope of work for the proposed  
3155 ten-year update to the Comprehensive Plan (~~((that will occur in the following year under))~~)  
3156 in subsection ~~((B-))~~ A.2. of this section. ~~((1-))~~ The scoping motion shall include as an  
3157 attachment to the motion the following:

3158 ~~((a-))~~ (1) topical areas relating to amendments to policies, the land use map,  
3159 implementing development regulations, or any combination of those amendments that the  
3160 executive intends to consider for recommendation to the council; and

3161 ~~((b- an attachment to the motion advising the council of))~~ (2) the work  
3162 program the executive intends to follow to accomplish State Environmental Policy Act  
3163 review and public participation.

3164 ~~((2.a. For the eight year update required by RCW 36.70A.130 to be completed~~  
3165 ~~in 2024, the executive shall transmit to the council the scoping motion required in~~  
3166 ~~subsection A. of this section by March 31, 2022. The council shall have until June 15,~~  
3167 ~~2022, to approve the motion.~~

3168 ~~b. Beginning in 2030 and every eight years thereafter, the executive shall~~  
3169 ~~transmit to the council the scoping motion required in subsection A. of this section by the~~  
3170 ~~last business day of June.)~~

3171 b. The council shall have until ~~((September 15))~~ December 31 of that year to  
3172 approve the motion. ~~((3-))~~ In the absence of council approval, the executive shall  
3173 proceed to implement the scope of work as proposed in the motion transmitted by the  
3174 executive. If the motion is approved, the scope of work shall proceed as established by  
3175 the approved motion.

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Ordinance 19881

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3176 ~~((B-))~~ 2. Except as otherwise provided in subsection ~~((C-))~~ B. of this section:

3177 ~~((1. For the eight-year update required by RCW 36.70A.130 to be completed in~~  
 3178 ~~2024, the executive shall transmit to the council by December 29, 2023, a proposed~~  
 3179 ~~ordinance updating the Comprehensive Plan. The transmittal shall be accompanied by a~~  
 3180 ~~public participation note, identifying the methods used by the executive to ensure early~~  
 3181 ~~and continuous public participation in the preparation of amendments. The council shall~~  
 3182 ~~have until December 31, 2024, to adopt the update to the Comprehensive Plan, in~~  
 3183 ~~accordance with RCW 36.70A.130; and~~

3184 ~~2. Beginning in 2030)~~ a. By June 30, 2033, and every ~~((eighth))~~ ten years  
 3185 thereafter, the executive shall transmit to the council ~~((by the last business day of June))~~ a  
 3186 proposed ordinance ~~((updating))~~ for the ten-year Comprehensive Plan update. All  
 3187 transmittals shall be accompanied by a public participation ~~((note))~~ summary, identifying  
 3188 the methods used by the executive to ensure early and continuous public participation in  
 3189 the preparation of amendments~~((-))~~; and

3190 b. The council shall have until June 30 ~~((of the following year)),~~ 2034, and  
 3191 every ten years thereafter to adopt ~~((an))~~ the ten-year update to the Comprehensive Plan,  
 3192 in accordance with RCW 36.70A.130.

3193 ~~((C-))~~ B. Separate from ~~((the eight))~~ ten-year Comprehensive Plan updates  
 3194 required in subsection ~~((B-))~~ A. of this section:

3195 1. Except as otherwise provided in subsection B.2. of this section, ((F))in years  
 3196 ~~((where there is a biennial budget proposed))~~ when the fiscal period is biennial, the  
 3197 capital improvement program, an update or addendum where appropriate to the  
 3198 transportation needs report, and the school capital facility plans shall be:

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Ordinance 19881

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3199 a. transmitted by the executive to the council no later than transmittal of the  
3200 biennial budget; and

3201 b. adopted by the council in conjunction with the biennial budget; ~~((and))~~

3202 2. Subsection B.1. of this section shall not apply to the transportation needs  
3203 report in years when a transmitted ten-year Comprehensive Plan update is being reviewed  
3204 by the council as required in subsection A.2. of this section; and

3205 3. In years when there is only a midbiennium review of the budget under K.C.C.  
3206 4A.100.010 or, under K.C.C. 4A.100.010.B., the fiscal period for some or all of the  
3207 county funds is on an annual basis, the capital improvement program and the school  
3208 capital facility plans shall be:

3209 a. transmitted by the executive to the council by October 1; and

3210 b. adopted by the council no later than adoption of the midbiennium review or  
3211 in conjunction with the annual budget.

3212 SECTION 50. Ordinance 13147, Section 23, as amended, and K.C.C. 20.18.070  
3213 are hereby amended to read as follows:

3214 A. The executive shall transmit to the council the annual update by the last  
3215 business day of June, except that the capital improvement program ~~((and the ordinances~~  
3216 ~~adopting updates to the))~~, transportation needs report, and the school capital facility plans  
3217 shall be transmitted ~~((no later than the biennial budget transmittal and shall be adopted in~~  
3218 ~~conjunction with the budget. However, in those years when there is only a midbiennium~~  
3219 ~~review of the budget, the ordinances adopting the capital improvement plan and the~~  
3220 ~~school capital facility plans shall be transmitted by October 1, and adopted no later than~~

Ordinance 19881

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3221 ~~the midbiennium review under K.C.C. 4A.100.010)) and adopted in accordance with the~~  
3222 ~~schedules in K.C.C. 20.18.060.B.~~

3223 B. ~~((All transmittals shall be accompanied by a public participation note,~~  
3224 ~~identifying the methods used by the executive to assure early and continuous public~~  
3225 ~~participation in the preparation of updates.~~

3226 C.)) Proposed amendments, including site-specific land use map amendments,  
3227 that are found to require preparation of an environmental impact statement, shall be  
3228 considered for inclusion in the next annual, midpoint, or ~~((eight))~~ ten-year update  
3229 following completion of the appropriate environmental documents.

3230 SECTION 51. Ordinance 13147, Section 24, as amended, and K.C.C. 20.18.080  
3231 are hereby amended to read as follows:

3232 ~~((A. Initial subarea plans may be adopted by ordinance at any time.~~

3233 B. ~~The schedule for adoption of or comprehensive updates to Community Service~~  
3234 ~~Area-s))~~Subarea plans for the community service area and potential annexation area  
3235 geographies shall be adopted consistent with ((is)) the schedule established in the  
3236 Comprehensive Plan.

3237 ~~((C. Adoption of comprehensive updates of existing, non-Community Service Area~~  
3238 ~~subarea plans may occur during annual updates, as allowed in K.C.C. 20.18.030, if initiated~~  
3239 ~~by motion. If initiated by motion, the motion shall specify the scope of the plan, identify~~  
3240 ~~the completion date, and identify that the resources necessary to accomplish the work are~~  
3241 ~~available. The executive shall determine if an additional appropriation is necessary to~~  
3242 ~~complete the subarea plan, and may transmit an ordinance requesting the additional~~  
3243 ~~appropriation. Amendments to or comprehensive updates not initiated by motion of~~

Ordinance 19881

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3244 existing, non-Community Service Area subarea plans shall be considered in the same  
3245 manner as amendments to the Comprehensive Plan and shall be classified in accordance  
3246 with K.C.C. 20.18.030.)

3247 SECTION 52. Ordinance 13147, Section 25, as amended, and K.C.C. 20.18.090  
3248 are hereby amended to read as follows:

3249 ((The department of local services, permitting division, shall prepare  
3250 implementing development regulations to accompany any proposed comprehensive plan  
3251 amendments. In addition, from time to time, t))The ((department of local services,  
3252 permitting division,)) executive may propose development regulations to further implement  
3253 the comprehensive plan, consistent with the requirements of the Washington State Growth  
3254 Management Act. Notice of proposed amendments to development regulations shall be  
3255 provided to the state and to the public pursuant to K.C.C. 20.18.150.

3256 SECTION 53. Ordinance 13147, Section 27, and K.C.C. 20.18.110 are hereby  
3257 amended to read as follows:

3258 A. Notice of the time, place, and purpose of a public hearing before the council to  
3259 consider amendments to the ((e))Comprehensive ((p))Plan or development regulations((;  
3260 other than area zoning,)) shall at a minimum be given at least thirty days before the  
3261 hearing by the following methods:

3262 1. ((o))One publication in a newspaper of general circulation in the county ((at  
3263 least thirty days before the hearing)).

3264 2. For land use designation and zoning classification proposals only:

3265 a. one additional publication in the area for which the area zoning is proposed,  
3266 if available;

Ordinance 19881

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3267           b. mailed to affected property owners, appropriate to the scope of the proposal,  
 3268 whose names appear on the rolls of the King County assessor and shall at a minimum  
 3269 include owners of properties within five hundred feet of affected property, at least twenty  
 3270 property owners in the vicinity of the property, and to any individuals or organizations  
 3271 that have formally requested to the department of local services, permitting division,  
 3272 department of performance, strategy and budget, regional planning section, or council, to  
 3273 be kept informed of applications in an identified area. If the additional publication  
 3274 referenced in subsection A.2.a. of this section is not available, the mailing radius shall be  
 3275 extended to one thousand feet, and at least forty property owners in the vicinity of the  
 3276 property. The mail shall be postmarked at least thirty days before the hearing. If the  
 3277 county sends the mailed notice by bulk mail, the certificate of mailing shall qualify as a  
 3278 postmark. Failure to notify any specific property owner shall not invalidate an area  
 3279 zoning proceeding or any resulting reclassification of land; and

3280           c. posted on the county website.

3281           B. Notice for site-specific land use map amendments ((with)) shall also be  
 3282 provided ((pursuant)) in accordance with K.C.C. 20.18.050.

3283           C. The county shall endeavor to provide ((such)) notices required by this section  
 3284 in nontechnical language. The notice shall indicate how the detailed description of the  
 3285 ordinance required by K.C.C. 20.18.100 can be obtained by a member of the public.

3286           SECTION 54. Ordinance 13147, Section 30, as amended, and K.C.C. 20.18.140  
 3287 are hereby amended to read as follows:

3288           A. In accordance with RCW 36.70A.470, a docket containing written  
 3289 ((comments on)) requests for suggested Comprehensive ((p))Plan or development



Ordinance 19881

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3290 regulation amendments shall be coordinated by the department. The docket is the means  
3291 either to suggest a change or to identify a deficiency, or both, in the Comprehensive Plan  
3292 or development regulation. For the purposes of this section, "deficiency" refers to the  
3293 absence of required or potentially desirable contents of the Comprehensive Plan or  
3294 development regulation and does not refer to whether a development regulation  
3295 addressed a project's probable specific adverse environmental impacts that could be  
3296 mitigated in the project review process. Any interested party, including permit  
3297 applicants, ~~((citizens))~~ members of the public, and government agencies, may submit  
3298 items to the docket.

3299 B. ~~((All agencies of county government having responsibility for elements of the  
3300 Comprehensive Plan or implementing development regulations))~~ 1. The department shall  
3301 provide a means by which ~~((citizens))~~ members of the public may docket written  
3302 comments on the plan or on development regulations. The department ~~((shall))~~ should  
3303 use public participation methods identified in K.C.C. 20.18.160 to ~~((solicit public use of))~~  
3304 publicize the docket. The department shall provide a mechanism for docketing  
3305 amendments ~~((through))~~ on the ((Internet)) county's website.

3306 ~~((1.))~~ 2. All docketed comments relating to the Comprehensive Plan shall be  
3307 reviewed by the department and considered for an amendment to the Comprehensive  
3308 Plan.

3309 ~~((2.))~~ 3. Docketed comments relating to development regulations shall be  
3310 reviewed by the appropriate county agency. Those requiring a Comprehensive Plan  
3311 amendment shall be forwarded to the department and considered for an amendment to the  
3312 Comprehensive Plan. Those not requiring a Comprehensive Plan amendment shall be

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Ordinance 19881

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3313 considered by the responsible county agency for amendments to the development  
 3314 regulations.

3315 4. The deadline for submitting docketed comments is December 31 for  
 3316 consideration in the update process for the following year.

3317 ~~((3-))~~ 5. Except as provided in subsection B.7. of this section:

3318 a. By the last business day of April, the department shall issue an executive  
 3319 response to all docketed comments. Responses shall include: a classification of the  
 3320 recommended changes as appropriate for the annual update, midpoint update ~~((or eight))~~,  
 3321 ten-year update, or standalone development regulations update; and an executive  
 3322 recommendation indicating whether ~~((or not))~~ the docketed items are to be included in  
 3323 the next executive-recommended Comprehensive Plan update or a future standalone  
 3324 development regulations update. If the docketed changes will not be included in the next  
 3325 executive transmittal, the department shall indicate the reasons why, and shall inform the  
 3326 proponent that they may petition the council during the legislative review process~~((:))~~;  
 3327 and

3328 ~~((4-))~~ b. By the last business day of April, the department shall forward to the  
 3329 council a report including all docketed amendments and comments with an executive  
 3330 response. The report shall include a statement indicating that the department has  
 3331 complied with the notification requirements in this section. The executive shall attach to  
 3332 the report copies of the docket requests and supporting materials submitted by the  
 3333 proponents and copies of the executive response that was issued to the proponents.

3334 ~~((5- Upon))~~ 6. The docket report shall be made available on the county's  
 3335 website.

Ordinance 19881

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3336           7.a For docket requests received between scoping and transmittal of midpoint  
3337 and ten-year updates, the executive shall include, as a supplemental document with  
3338 transmittal of the update, an analysis and recommendation for docket requests received;  
3339 and

3340           b. For docket requests received between transmittal and adoption of midpoint  
3341 and ten-year updates, that are not addressed in the update, the executive shall include  
3342 those requests in the next year's docket report.

3343           8. After receipt of the docket report, during the next available Comprehensive  
3344 Plan update, the council shall include all proponents of docketed requests in the mailing  
3345 list for agendas to all committee meetings in which the Comprehensive Plan will be  
3346 reviewed ((during the next available update. At the beginning of the committee review  
3347 process, the council shall develop a committee review schedule with dates for committee  
3348 meetings and any other opportunities for public testimony and for proponents to petition  
3349 the council to consider docket changes that were not recommended by the executive and  
3350 shall attach the review schedule to the agenda whenever the Comprehensive Plan is to be  
3351 reviewed)). Docket proponents may petition the council to consider docket changes that  
3352 were not recommended by the executive.

3353           ~~((6 Docketed comments relating to development regulations shall be reviewed~~  
3354 ~~by the appropriate county agency. Those requiring a Comprehensive Plan amendment~~  
3355 ~~shall be forwarded to the department and considered for an amendment to the~~  
3356 ~~Comprehensive Plan. Those not requiring a Comprehensive Plan amendment shall be~~  
3357 ~~considered by the responsible county agency for amendments to the development~~  
3358 ~~regulations.~~

Ordinance 19881

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3359           7. ~~The docket report shall be made available through the Internet. The~~  
3360 ~~department shall endeavor to make the docket report available within one week of~~  
3361 ~~transmittal to the council.)~~)

3362           C. In addition to the docket, the department shall provide opportunities for  
3363 receiving general public comments (~~both before the docketing deadline each year, and~~  
3364 ~~during the executive's review periods before transmittal to the council. The opportunities~~  
3365 ~~may include, but are not limited to, the use of the following: comment cards, electronic~~  
3366 ~~or posted mail, Internet, public meetings with opportunities for discussion and feedback,~~  
3367 ~~printed summaries of comments received and twenty-four-hour telephone hotlines. The~~  
3368 ~~executive shall assure that the opportunities for public comment are provided as early as~~  
3369 ~~possible for each stage of the process, to assure timely opportunity for public input.)) at  
3370 any time, including as provided in K.C.C. 20.18.160.~~

3371           SECTION 55. Ordinance 13147, Section 31, and K.C.C. 20.18.150 are hereby  
3372 amended to read as follows:

3373           A. Pursuant to RCW 36.70A.106 and WAC 365-195-620, the responsible  
3374 department or the council sponsor of the amendment shall notify the state of its intent to  
3375 adopt amendments to the ((~~e~~))Comprehensive ((~~p~~))Plan or to development regulations ((~~at~~  
3376 ~~least sixty days prior to anticipated legislative action on the proposal except for regulations~~  
3377 ~~or amendments which are procedural, ministerial or required to address an emergency~~)),  
3378 consistent with RCW 36.70A.106. When the state is notified, the department or the council  
3379 sponsor shall also provide notice to the public, using one or more methods provided in  
3380 K.C.C. 20.18.160\_B\_, of the intent to amend the ((~~e~~))Comprehensive ((~~p~~))Plan ((~~and~~)) or  
3381 development regulations, if such notice has not already been provided. This information

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Ordinance 19881

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3382 will be posted on the internet. Internet posting of the information is supplemental to other  
 3383 required notice, and the county's failure in any particular case to provide notice via the  
 3384 internet shall not constitute a procedural violation.

3385 B. Within ten days of ~~((adoption))~~ enactment, the clerk of the council shall transmit  
 3386 to the state any adopted plan, amendment to the ~~((e))~~Comprehensive ~~((p))~~Plan, or  
 3387 development regulation. Pursuant to RCW 36.70A.106, within ten days of ~~((adoption))~~  
 3388 enactment, the clerk of the council shall provide published notice in ~~((the official county))~~ a  
 3389 newspaper of general circulation of adoption of or amendment to the ~~((e))~~Comprehensive  
 3390 ~~((p))~~Plan or any development regulation. The notice shall indicate how the detailed  
 3391 description of the ordinance required by K.C.C. 20.18.100 can be obtained by a member of  
 3392 the public.

3393 SECTION 56. Ordinance 13147, Section 32, and K.C.C. 20.18.160 are hereby  
 3394 amended to read as follows:

3395 A. ~~((Pursuant to))~~ In accordance with RCW 36.70A.140, the county shall provide  
 3396 for early and continuous public participation in the development and amendment of the  
 3397 ~~((e))~~Comprehensive ~~((p))~~Plan and any implementing development regulations.

3398 B. The county's ~~((P))~~public participation program shall at a minimum include the  
 3399 following elements:

3400 1. ~~((Annual))~~ Broad dissemination of ~~((a schedule))~~ upcoming opportunities for  
 3401 public participation, as they are available;

3402 2. ~~((Issuance of a citizen's guide to the comprehensive plan process that~~  
 3403 ~~provides i))~~Information on ~~((citizen))~~ public participation in the ~~((e))~~Comprehensive  
 3404 ~~((p))~~Plan process, a description of the procedure and schedule for amending the

Ordinance 19881

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3405 ~~((e))~~Comprehensive ~~((p))~~Plan ~~((and/))~~or implementing development regulation~~((s))~~s,  
3406 and ~~((a guide))~~ information on how to use the docket;

3407           3. Provision for broad dissemination of the proposal and alternatives appropriate  
3408 to the scope and significance of the proposal. The county shall make available to the  
3409 public printed and electronic information ~~((which))~~ that clearly defines and visually  
3410 portrays, when possible, the range of options under consideration by the county. ~~((This))~~  
3411 The information shall also include a description of any policy considerations, the  
3412 schedule for deliberation, opportunities for public participation, information on the  
3413 submittal and review procedures for written comments, and the name, email address, and  
3414 telephone number of the responsible official~~((s))~~s. The methods employed to provide  
3415 the information may include, but are not limited to, the use of the following: published  
3416 notice in ~~((the official county newspaper))~~ a newspaper of general circulation and other  
3417 appropriate publications~~((, news media notification))~~; press releases~~((, mailed))~~ notice to  
3418 property owners and to ~~((citizens))~~ members of the public or groups with a known  
3419 interest in the proposal~~((;))~~; public ~~((education and government channel electronic kiosks~~  
3420 ~~and))~~ television; the internet~~((;))~~; transit advertising~~((;))~~; telephone ~~((and fax))~~  
3421 information or comment lines~~((;))~~; public review documents ~~((and displays in public~~  
3422 ~~facilities, speakers bureau, and printed or computerized graphics depicting the effect of~~  
3423 ~~the proposal))~~; posters; agency newsletters and mailing list; and social media. The  
3424 county shall endeavor to provide such notices in nontechnical language;

3425           4. Hosting, speaking at, or attending ~~((P))~~Public meetings to obtain comments  
3426 from the public or other agencies on a proposed plan, amendment to the  
3427 ~~((e))~~Comprehensive ~~((p))~~Plan, or implementing development regulation. Public meeting

Ordinance 19881

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3428 means an informal meeting, hearing, workshop, or other public gathering of people for  
3429 the purpose of obtaining public comments and providing opportunities for open  
3430 discussion. ~~((All public meetings associated with review of the comprehensive plan or  
3431 development regulations shall provide a means for the public to submit items for the  
3432 docket.))~~ County-hosted public meetings shall be appropriately noticed to the public and  
3433 should be broadly disseminated at least one week advance, except that noticing of  
3434 meetings held by the King County council are subject to council rules in K.C.C. chapter  
3435 1.24. A ~~((public))~~ publicly available record of each county-hosted public meeting should  
3436 be maintained to include ~~((documentation of))~~ information about attendance, record of  
3437 any mailed notice, and a ~~((record))~~ recording of the meeting or a summary of public  
3438 comments ~~((not incorporated in the docket))~~;

3439         5. ~~((The county shall provide))~~ Other methods of public engagement to solicit  
3440 feedback about the proposal, appropriate to the scope and significance of the proposal,  
3441 such as surveys, focus groups, partnering with community-based organizations, and  
3442 online engagement portals; and

3443         6. County-provided mechanisms to enable public access to additional  
3444 information. The county shall provide for publicly accessible ~~((and complete))~~ records of  
3445 all ~~((applications,))~~ docketed amendment requests~~((;))~~ and related background  
3446 information during normal business hours. The public may seek assistance from the  
3447 office of ~~((citizen complaints))~~ the ombuds to obtain time sensitive information.  
3448 ~~((Methods of disseminating information may include, but are not limited to, the  
3449 following: published notice of location of public review documents, use of the public  
3450 education and government channel, use of electronic kiosks and the internet, telephone~~

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Ordinance 19881

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3451 ~~information lines with or without fax options, placement of documents in public libraries~~  
3452 ~~and community centers, speakers bureau and public displays.))~~

3453 C. ~~((When technical matters are considered with regard to docketed issues, or to~~  
3454 ~~evaluate public testimony, due consideration shall be given to technical testimony from~~  
3455 ~~the public and third party analysis may be sought when appropriate.))~~ Along with any  
3456 executive's proposed Comprehensive Plan update, the executive shall transmit to the  
3457 council, as supplementary material:

3458 1. a public participation summary, identifying the methods used by the  
3459 executive to assure early and continuous public participation in the preparation of update;  
3460 and

3461 2. a summary of the proposal in non-technical language and translated into the  
3462 top six languages spoken in King County other than English.

3463 D. At the beginning of the committee review process, the council shall develop a  
3464 committee review schedule with dates for committee meetings and any other  
3465 opportunities for public testimony and shall attach the review schedule to the agenda  
3466 whenever the Comprehensive Plan is to be reviewed.

3467 E. Errors in exact compliance with the established procedures do not render the  
3468 Comprehensive Plan or development regulations invalid if the intent of the procedures is  
3469 met.

3470 F. Emergency Comprehensive Plan amendments, as authorized by K.C.C.  
3471 20.18.030, are exempt from the requirements of this section but still require some public  
3472 notice and an opportunity public testimony before adoption of the amendments.



Ordinance 19881

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3473            SECTION 57. Ordinance 14047, Section 9, and K.C.C. 20.18.170 are hereby  
 3474 amended to read as follows:

3475            A. ~~((The total area added to the urban growth area as a result of this program  
 3476 shall not exceed four thousand acres. The department shall keep a cumulative total for all  
 3477 parcels added under this section. The total shall be updated annually through the plan  
 3478 amendment process.))~~ The purpose of the four-to-one program is to create a contiguous  
 3479 band of natural area to the regional open space system adjacent to the original Urban  
 3480 Growth Area boundary, which was adopted in the 1994 King County Comprehensive  
 3481 Plan.

3482            B. Proposals under the four-to-one program:

3483            1. ~~((s))~~Shall be proposed via the docket process in K.C.C. 20.18.140, a scoping  
 3484 motion for a midpoint or ten-year Comprehensive Plan update, or an area zoning and land  
 3485 use study included in the public review draft of a Comprehensive Plan update; and

3486            2. ~~((p))~~Processed as land use amendments to the Comprehensive Plan ((and may  
 3487 be considered in the annual update, midpoint update or eight year update. Site suitability  
 3488 and development conditions for both the urban and rural portions of the proposal shall be  
 3489 established through the preliminary formal plat approval process)).

3490            C. A triparty agreement between the county, property owner, and city or town  
 3491 affiliated for future annexation shall be required for all proposals. The triparty agreement  
 3492 shall:

3493            1. Be approved by ordinance by the legislative bodies of the county and the city  
 3494 or town;

Ordinance 19881

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3495           2. For county approval, be transmitted concurrent with transmittal of the  
3496 executive's proposed land use amendment and approved concurrent with council adoption  
3497 of the land use map amendment;

3498           3. Require the city or town to add the area proposed to be urban to the city's or  
3499 town's potential annexation area in the city's or town's comprehensive plan following  
3500 ratification of the Growth Management Planning Council's motion that makes a  
3501 recommendation on the proposal. The approval of the proposal shall be reflected in the  
3502 Countywide Planning Policies, on both the generalized land use categories map and the  
3503 potential annexation area map; and

3504           4. Specify conditions including, but not limited to, restrictions on residential  
3505 uses, required minimum density, timing and sequencing of development, annexation  
3506 requirements, or requirements regarding the conservation easement.

3507           D. If the countywide planning policy amendment that approves the proposal is  
3508 not ratified, the triparty agreement and four-to-one proposal shall be void and not take  
3509 effect, and the urban properties shall be redesignated to the rural area land use  
3510 designation and associated previous zoning during the next Comprehensive Plan update.

3511           E. A term conservation easement shall be placed on the ((open space at the time))  
3512 natural area before the four-to-one proposal is approved by the council. ((Upon final plat  
3513 approval,)) The triparty agreement shall require the permanent dedication of the ((open  
3514 space shall be permanently dedicated in fee simple)) natural area to King County before  
3515 final plat approval. Dedication shall take the form of on-site or off-site fee simple, off-  
3516 site conservation easement, or on-site subdivision tract.

Ordinance 19881

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3517 ~~((D-))~~ F. Before taking legislative action on the land use map amendment,  
3518 ~~((P))~~ proposals adjacent to incorporated area or potential annexation areas shall be  
3519 referred to the following entities for recommendations: the affected city ~~((and))~~ or town;  
3520 Indian tribes; special purpose districts ~~((for recommendations)), such as sewer, water, and~~  
3521 school districts, as applicable; and state agencies, as applicable.

3522 G. For proposals adjacent to an incorporated area, conditions on the land use map  
3523 amendment and triparty agreement shall prohibit development proposals or activities  
3524 until the land is annexed into the adjacent city or town.

3525 SECTION 58. Ordinance 14047, Section 10, and K.C.C. 20.18.180 are hereby  
3526 amended to read as follows:

3527 Rural area land may be added to the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area in  
3528 accordance with the following criteria:

3529 A. A proposal to add land to the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area under this  
3530 program shall meet the following criteria:

3531 1. ~~((A permanent dedication to the King County open space system of four acres~~  
3532 ~~of open space is required for every one acre of land added to the urban growth area;~~

3533 2. ~~The land shall not be zoned agriculture (A);~~

3534 3. ~~The 1))~~Land added to the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area shall ~~((: a. be~~  
3535 ~~physically contiguous to urban growth area as adopted in 1994, unless the director~~  
3536 ~~determines that the land directly adjacent to the urban growth area contains critical areas~~  
3537 ~~that would be substantially harmed by development directly adjacent to the urban growth~~  
3538 ~~area and that all other criteria can be met; and~~

Ordinance 19881

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3539            ~~b.)~~) not ~~((be in an area where))~~ interrupt an existing contiguous band of public  
 3540 open space, parks, or watersheds ~~((already exists))~~ along the ~~((u))~~Urban ~~((g))~~Growth  
 3541 ~~((a))~~Area boundary;

3542            ~~((4. The land added to the urban growth area shall be able to be served by~~  
 3543 ~~sewers and other urban services;~~

3544            ~~5.)~~ 2. A road serving the land added to the urban area shall not be counted as  
 3545 part of the required ~~((open space))~~ natural area;

3546            ~~((6. All urban facilities shall be provided directly from the urban area and shall~~  
 3547 ~~not cross the open space or rural area and be located in the urban area except as permitted~~  
 3548 ~~in subsection E of this section;~~

3549            ~~7~~ Open space areas shall retain a rural designation;

3550            ~~8.)~~ 3. Land added to the Urban Growth Area for drainage facilities in support  
 3551 of its development shall not require dedication of natural area;

3552            4. The minimum depth of the ~~((open space buffer))~~ natural area shall be ~~((one~~  
 3553 ~~half of the property width, unless the director determines that a smaller buffer of))~~;

3554            a. no less than two hundred feet, unless the county determines that a smaller  
 3555 depth is warranted due to the topography and critical areas on the site~~((, shall))~~;

3556            b. generally parallel the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area boundary; and

3557            c. ~~((shall be))~~ configured in such a way as to connect with open space on  
 3558 adjacent properties;

3559            ~~((9-))~~ 5. The on-site natural area shall include a fifty-foot landscaped buffer to  
 3560 surround the new urban area. The buffer shall include a mix of trees, shrubs, and  
 3561 groundcover that are native to the area and that create a visual barrier or separator to the

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Ordinance 19881

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3562 new urban area. The county may determine that a larger buffer or different vegetation is  
3563 warranted in order to restore the natural area or habitat or would better protect natural  
3564 resources and functions and land use compatibility in the area;

3565         ~~6.~~ 6. The minimum size of the property to be considered is twenty acres. Smaller  
3566 parcels may be combined to meet the twenty-acre minimum;

3567         ~~((10. Urban development under this section shall be limited to residential~~  
3568 ~~development and shall be at a minimum density of four dwelling units per acre;)) and~~

3569         ~~((11.))~~ 7. The land to be retained ~~((in open space))~~ as natural area is not needed  
3570 for any facilities necessary to support the urban development; and

3571         B. ~~((A proposal that adds two hundred acres or more to the urban growth area~~  
3572 ~~shall also meet the following criteria:~~

3573             ~~1. The proposal shall include a mix of housing types including thirty percent~~  
3574 ~~below market rate units affordable to low, moderate and median income households;~~

3575             ~~2. In a proposal in which the thirty percent requirement in subsection B.1 of this~~  
3576 ~~section is exceeded, the required open space dedication shall be reduced to three and one-~~  
3577 ~~half acres of open space for every one acre added to the urban growth area;~~

3578         C. ~~A proposal that adds less than two hundred acres to the urban growth area and~~  
3579 ~~that meets the affordable housing criteria in subsection B.1. of this section shall be~~  
3580 ~~subject to a reduced open space dedication requirement of three and one half acres of~~  
3581 ~~open space for every one acre added to the urban growth area;~~

3582         D. ~~Requests for redesignation))~~ Proposals shall be evaluated to determine those  
3583 that are the highest quality, including, but not limited to, consideration of the following:

Ordinance 19881

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3584 1. Preservation of fish and wildlife habitat, including wildlife habitat networks,  
 3585 and habitat for endangered and threatened species;

3586 2. Provision of regional open space connections;

3587 3. Protection of wetlands, stream corridors, ~~((ground-water))~~ groundwater, and  
 3588 water bodies;

3589 4. Preservation of unique natural, biological, cultural, historical, or  
 3590 archeological resources;

3591 5. The size of ~~((open-space))~~ natural area dedication and connection to other  
 3592 open space ~~((dedications))~~ along the ~~((U))~~Urban ~~((G))~~Growth ~~((A))~~Area boundary; and

3593 6. The ability to provide extensions of urban services to the redesignated urban  
 3594 areas; and

3595 ~~((E.))~~ C. The ~~((open-space-acquired))~~ land dedicated through ~~((this))~~ the four-to-  
 3596 one program shall be preserved primarily as natural areas, ~~((P))~~Passive recreation, ~~((sites~~  
 3597 ~~or resource lands for))~~ farming, ~~((and))~~ or forestry may also be allowed as an alternative  
 3598 to natural area. The following additional uses may be allowed only if located on a small  
 3599 portion of the ~~((open-space))~~ natural area and ~~((provided that))~~ only if these uses are  
 3600 found to be compatible with the site's ~~((natural-open-space))~~ values and functions:

3601 1. Trails;

3602 2. Compensatory mitigation of wetland losses on the urban ~~((designated))~~  
 3603 portion of the ~~((project))~~ proposal, consistent with the ~~((King-County))~~ Comprehensive  
 3604 Plan and K.C.C. chapter 21A.24; and

3605 3. Active recreation uses not to exceed five percent of the total ~~((open-space))~~  
 3606 natural area, including any off-site natural area dedicated for the proposal. ~~((The~~

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Ordinance 19881

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3607 s))Support services and facilities for the active recreation uses may only locate within the  
 3608 active recreation area (~~((only,))~~) and shall not exceed five percent of the total acreage of the  
 3609 active recreation area. The entire (~~((open space))~~) natural area, including any active  
 3610 recreation site, is a regional resource. It shall not be used to satisfy the on-site active  
 3611 recreation space requirements in K.C.C. 21A.14.180 for the urban portion of the four-to-  
 3612 one property.

3613 NEW SECTION. SECTION 59. There is hereby added to K.C.C. chapter 20.18  
 3614 a new section to read as follows:

3615 For a four-to-one proposal that adds ten or more dwelling units:

3616 A.1. Thirty percent of the total number of dwelling units shall be affordable units.

3617 2. For proposals that include only owner-occupied market rate dwelling units,  
 3618 all affordable dwelling units shall be:

3619 a. owner-occupied dwelling units;

3620 b. affordable to residents earning up to eighty percent of area median income;

3621 and

3622 c. affordable for at least fifty years from the date of initial occupancy.

3623 3. For proposals that include only rental dwelling units, all affordable dwelling  
 3624 units shall be:

3625 a. rental dwelling units;

3626 b. affordable to residents earning up to sixty percent of area median income;

3627 and

3628 c. affordable for the life of the project.

3629 4. For proposals that include both homeownership and rental dwelling units:

Ordinance 19881

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3630 a. the proportion of affordable rental dwelling units to affordable owner-  
3631 occupied dwelling units shall be identical to the proportion of market rate rental dwelling  
3632 units to market rate owner-occupied dwelling units; and

3633 b. meet the applicable affordability levels in subsections A.2. and A.3. of this  
3634 section.

3635 B. Accessory dwelling units shall not be used to meet the requirements of this  
3636 section.

3637 C. Developments subject to this section shall be subject to K.C.C. 21A.48.060  
3638 and K.C.C. 21A.48.080. The county may modify or waive the standards in these sections  
3639 if the county determines them to not be applicable to a four-to-one proposal.

3640 NEW SECTION. SECTION 60. There is hereby added to K.C.C. chapter 20.18  
3641 a new section to read as follows:

3642 A. The effective date of an amendment that adds land to the Urban Growth Area,  
3643 removes land from the agricultural production district or forest production district, or  
3644 removes land from the mineral resources map shall be after the following:

3645 1. Sixty-one days after the date of publication of notice of adoption of the  
3646 Comprehensive Plan; and

3647 2. If a petition for review to the growth management hearings board is timely  
3648 filed, upon issuance of the board's final order.

3649 B. The effective date required in subsection A. of this section, and language  
3650 direction notification to the clerk of the council, shall be specified in the ordinance  
3651 adopting the amendments.



Ordinance 19881

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3652            SECTION 61. Ordinance 12196, Section 9, as amended, and K.C.C. 20.20.020

3653 are hereby amended to read as follows:

3654            A. Land use decisions are classified into four types, based on who makes the  
3655 decision, whether public notice is required, whether a public hearing is required before a  
3656 decision is made, and whether administrative appeals are provided. The types of land use  
3657 decisions are listed in subsection D. of this section.

3658            1. Type 1 decisions are made by the manager of the department of local  
3659 services, permitting division ("the division"). Type 1 decisions are administrative  
3660 decisions. An administrative appeal is not provided.

3661            2. Type 2 decisions require public notice and are made by the manager. Type 2  
3662 decisions are discretionary decisions that are subject to administrative appeal to the  
3663 hearing examiner.

3664            3. Type 3 decisions require public notice and are quasi-judicial decisions made  
3665 by the hearing examiner following an open record hearing. An administrative appeal is  
3666 not provided

3667            4. Type 4 decisions require public notice and are site-specific quasi-judicial  
3668 decisions made by the council based on the record established by the hearing examiner,  
3669 after a recommendation by the division.

3670            B. Except as provided in K.C.C. 20.44.120.A.7., or unless otherwise agreed to by  
3671 the applicant, all Type 2, 3, and 4 decisions included in consolidated permit applications  
3672 that would require more than one type of land use decision process may be processed and  
3673 decided together, including any administrative appeals, using the highest-numbered land  
3674 use decision type applicable to the project application.

Ordinance 19881

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3675 C. Certain development proposals are subject to additional procedural  
 3676 requirements beyond the standard procedures established in this chapter.

3677 D. Land use decision types are classified as follows:

TYPE 1	<p>Temporary use permit for a homeless encampment <u>or temporary microshelter village</u> under K.C.C. chapter 21A.45, <u>except as required by K.C.C. 21A.45.100</u></p> <p>Building permit, commercial 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 division has issued a determination of nonsignificance or mitigated determination of nonsignificance</p> <p>Boundary line adjustment (<del>(right of way)</del>)</p> <p><u>Right-of-way</u> permit</p> <p>Variance from K.C.C. chapter 9.04</p> <p>Shoreline exemption</p> <p>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</p> <p>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</p>
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Ordinance 19881

	<p>Approval of a conversion-option harvest plan</p> <p>Binding site plan for a condominium that is based on <del>((a recorded final planned unit development,))</del> a building permit, an as-built site plan for developed sites, a commercial site development permit for the entire site</p> <p>Approvals for agricultural activities and agricultural support services authorized under K.C.C. 21A.42.300</p> <p><u>In the urban area: microsubdivision, microsubdivision revision, microsubdivision alteration, or microsubdivision vacation</u></p> <p>Final short plat</p> <p>Final plat</p> <p>Critical area determination</p>
<p>TYPE</p> <p>2<sup>1,2</sup></p>	<p><u>Except those classified as microsubdivisions in the urban area, ((S))short</u></p> <p><del>((plat))</del> <u>subdivision, ((S))short</u> <del>((plat))</del> <u>subdivision revision, ((S))short</u></p> <p><del>((plat))</del> <u>subdivision alteration, or</u> <del>((S))short</del> <del>((plat))</del> <u>subdivision vacation</u></p> <p>Zoning variance</p> <p>Conditional use permit</p> <p>Temporary use permit under K.C.C. chapter 21A.32</p> <p>Temporary use permit for a homeless encampment <u>or temporary microshelter village</u> under K.C.C. 21A.45.100</p> <p>Shoreline substantial development permit<sup>3</sup></p> <p>Building permit, commercial site development permit, or clearing and grading permit for which the division has issued a determination of</p>

Ordinance 19881

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	<p>significance</p> <p>Reuse of public schools</p> <p>Reasonable use exceptions under K.C.C. 21A.24.070.B<sub>2</sub></p> <p>Decisions to approve, condition, or deny alteration exceptions or variances to floodplain development regulations under K.C.C. chapter 21A.24</p> <p>Extractive operations under K.C.C. 21A.22.050</p> <p>Binding site plan</p> <p>Waivers from the moratorium provisions of K.C.C. 16.82.140 based upon a finding of special circumstances</p> <p>Sea level rise risk area variance adopted in K.C.C. chapter 21A.23</p>
<p>TYPE</p> <p>3<sup>1</sup></p>	<p>Preliminary (<del>(plat)</del>) <u>subdivision</u></p> <p>Plat alterations</p> <p>Preliminary (<del>(plat)</del>) <u>subdivision</u> revisions</p> <p>Plat vacations</p> <p>Special use permit</p>
<p>TYPE</p> <p>4<sup>1,4</sup></p>	<p>Site-specific zone reclassifications</p> <p>Site-specific shoreline environment redesignation</p> <p>Site-specific amendment or deletion of P suffix conditions</p> <p>Site-specific deletion of special district overlay</p>

3678 <sup>1</sup> See K.C.C. 20.44.120.C. for provisions governing procedural and substantive SEPA  
 3679 appeals and appeals of Type 2, 3, and 4 decisions.

Ordinance 19881

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3680 <sup>2</sup> When an application for a Type 2 decision is combined with other permits requiring  
3681 Type 3 or 4 land use decisions under this chapter, the examiner, not the manager, makes  
3682 the decision.

3683 <sup>3</sup> A shoreline permit, including a shoreline variance or conditional use, is appealable to  
3684 the state Shorelines Hearings Board and not to the hearing examiner.

3685 <sup>4</sup> Approvals that are consistent with the Comprehensive Plan may be considered by the  
3686 council at any time. Zone reclassifications that are not consistent with the  
3687 Comprehensive Plan require a site-specific land use map amendment and the council's  
3688 hearing and consideration shall be scheduled with the amendment to the Comprehensive  
3689 Plan under K.C.C. 20.18.040 and 20.18.060.

3690 E. The definitions in K.C.C. 21A.45.020 apply to this section.

3691 SECTION 62. Ordinance 16950, Section 10, as amended, and K.C.C. 20.20.035  
3692 are hereby amended to read as follows:

3693 When an applicant is required by K.C.C. ((chapter)) Title 21A((.08)) to conduct a  
3694 community meeting, under this section, before filing of an application, notice of the  
3695 meeting shall be given and the meeting shall be conducted as follows:

3696 A. At least two weeks in advance, the applicant shall:

3697 1. Publish notice of the meeting in the local paper and mail and email to the  
3698 department; and

3699 2. Mail notice of the meeting to all property owners within five hundred feet or  
3700 at least twenty of the nearest property owners, whichever is greater, as provided in  
3701 K.C.C. 21A.26.170 of any potential sites, identified by the applicant for possible  
3702 development, to be discussed at the community meeting. The mailed notice shall, at a

Ordinance 19881

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3703 minimum, contain a brief description and purpose of the proposal, approximate location  
3704 noted on an assessor map with address and parcel number, photograph or sketch of any  
3705 existing or proposed structures, a statement that alternative sites proposed by ~~((citizens))~~  
3706 the public can be presented at the meeting that will be considered by the applicant, a  
3707 contact name and telephone number to obtain additional information, and other  
3708 information deemed necessary by the department of local services, permitting division.  
3709 Because the purpose of the community meeting is to promote early discussion, applicants  
3710 shall ~~((to))~~ note any changes to the conceptual information presented in the mailed  
3711 notices when they submit ~~((an))~~ applications;

3712 B. At the community meeting at which at least one employee of the department  
3713 of local services, permitting division, assigned by the permitting division manager or  
3714 designee, shall be in attendance, the applicant shall provide information relative to the  
3715 proposal and any modifications proposed to existing structures or any new structures and  
3716 how the proposal is compatible with the character of the surrounding neighborhood.

3717 ~~((An))~~ C. At time of application, the applicant shall ~~((also))~~ provide ~~((with the~~  
3718 ~~applicant's application))~~ a list of meeting attendees~~((,))~~ and those receiving mailed notice  
3719 of the meeting and a record of the published meeting notice; and

3720 ~~((C-))~~ D. The applicant shall, in the notice required under subsection A.2. of this  
3721 section, and at the community meeting required under subsection B. of this section,  
3722 advise that persons interested in the applicant's proposal may monitor the progress of the  
3723 permitting of that proposal by contacting the department or by viewing the department's  
3724 website, the address of which will be provided in the notice and at the community  
3725 meeting.

Ordinance 19881

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3726            SECTION 63. Ordinance 12196, Section 16, as amended, and K.C.C. 20.20.090

3727 are hereby amended to read as follows:

3728            A. In accordance with K.C.C. 20.20.100, the department shall provide notice of:

3729            1. ~~((Its f))~~Final Type 1 decisions subject to SEPA, including the threshold

3730 determination, if any;

3731            2. ~~((Its))~~ Type 2 decisions; and

3732            3. ~~((Its))~~ Type 3 and 4 recommendations.

3733            B. The notice shall include the applicable procedures for either an administrative

3734 appeal to, or further consideration by, the examiner.

3735            C. The notice shall be provided to:

3736            1. The applicant;

3737            2. If required by SEPA, the Department of Ecology and to agencies with

3738 jurisdiction as defined in chapter 197-11 WAC;

3739            3. If required by chapter 90.58 RCW, the Department of Ecology and the

3740 Attorney General;

3741            4. Any person who, before the decision or recommendation, had requested

3742 notice of the decision or recommendation from, or submitted comments to, the

3743 department; and

3744            5. Owners of record of property in an area within five hundred feet of the site.

3745 The area shall be expanded when the department determines it is necessary to send

3746 mailed notices to at least twenty different property owners.

3747            D. Except for decisions regarding shoreline substantial development permits,

3748 shoreline variances and shoreline conditional uses, which are only appealable to the state

Ordinance 19881

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3749 Shorelines Hearings Board, any administrative appeal or further consideration by the  
3750 examiner is subject to K.C.C. chapter 20.22.

3751 SECTION 64. Ordinance 12196, Section 17, as amended, and K.C.C. 20.20.100  
3752 are hereby amended to read as follows:

3753 A. The period to issue a final decision for each type of complete land use  
3754 application or project type subject to this chapter should not exceed the following time  
3755 periods, except as modified by this section:

3756 1. For land use applications that do not require public notice under K.C.C.  
3757 20.20.060, the division shall issue a final decision within sixty-five days of the  
3758 determination of completeness;

3759 2. For land use applications that require public notice under K.C.C. 20.20.060,  
3760 the division must issue a final decision within one hundred days of the determination of  
3761 completeness; and

3762 3. For land use applications that require public notice under K.C.C. 20.20.060  
3763 and a public hearing, the division must issue a final decision within one hundred seventy  
3764 days of the determination of completeness.

3765 B. The time periods for permit review established in subsection A. of this section  
3766 and as modified by subsections C. through K. of this section, shall be extended by  
3767 seventy-five percent if a development proposal or application:

3768 1. Requires approval of a road variance under K.C.C. Title 14, or drainage  
3769 standard adjustment or drainage criteria exception under K.C.C. Title 9;

3770 2. Is for a variance, critical area alteration exception, or reasonable use  
3771 exception under K.C.C. Title 21A;



Ordinance 19881

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3772           3. Is granted concurrent review with other permit applications applicable to the  
3773 development; or

3774           4. Is for a development proposal to install permanent stabilization measures to  
3775 replace any structures or grading done as an emergency action.

3776           C. The number of days an application is in review with the division shall be  
3777 calculated from the day completeness is determined under section 17 of this ordinance to  
3778 the date a final decision is issued on the permit application. The number of days shall be  
3779 calculated by counting every calendar day and excludes the following periods:

3780           1. Any period between the day that the division notifies the applicant in writing  
3781 that additional information is required to further process the application and the day when  
3782 responsive information is submitted by the applicant. If the county determines that  
3783 corrections, studies, or other information submitted by the applicant is insufficient, it  
3784 shall notify the applicant of the deficiencies and the procedures of this section shall apply  
3785 as if a new request for information had been made. The department shall set a reasonable  
3786 deadline for the submittal of corrections, studies, or other information, and shall provide  
3787 written notification to the applicant. The department may extend the deadline upon  
3788 receipt of a written request from an applicant providing satisfactory justification for an  
3789 extension;

3790           2. The period during which an environmental impact statement is being  
3791 prepared following a determination of significance under chapter 43.21C RCW, as ((set  
3792 forth)) established in K.C.C. 20.44.050;

Ordinance 19881

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3793           3. Any period between issuance of an administrative decision and resolution of  
3794 an administrative appeal, and any additional period provided by the administrative appeal  
3795 decision;

3796           4. Any period during which an applicant fails to post the property, if required by  
3797 this chapter, following the date notice is required until an affidavit of posting is provided  
3798 to the division by the applicant;

3799           5. Any time extension mutually agreed upon by the applicant and the division;

3800           6. Any time during which there is an outstanding fee balance;

3801           7. The period during which the state ~~((d))~~Department of ~~((e))~~Ecology is  
3802 reviewing and approving shoreline variance or shoreline conditional use permit,  
3803 measured between the date of filing with the state ~~((d))~~Department of ~~((e))~~Ecology and  
3804 the date the county receives the state ~~((d))~~Department of ~~((e))~~Ecology's decision;

3805           8. The period during which another agency is reviewing and issuing a decision  
3806 on any required modification to a previous approval, after the required construction  
3807 permit has been deemed complete; and

3808           9. The period during which information has been requested that can only be  
3809 obtained during a seasonal window, including but not limited to, infiltration mounding  
3810 analysis, traffic studies when school is in session, wetland studies in the growing season,  
3811 or stream typing or fish status outside of times of low flow.

3812           D. The county shall provide any written comments and requests for corrections  
3813 within thirty days of each submittal or resubmittal.

3814           E. The division may cancel a permit application in the following situations:

Ordinance 19881

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3815           1. Failure by the applicant to submit corrections, studies, or other information  
3816 acceptable to the division after two rounds of written requests under subsection C. of this  
3817 section; or

3818           2. Failure by the applicant to make full payment of review fees within sixty days  
3819 of the division's invoice.

3820           F. If an applicant informs the division in writing that the applicant would like to  
3821 temporarily suspend the review of the project for more than sixty days, or if an applicant  
3822 is not responsive for more than sixty consecutive days after the division has notified the  
3823 applicant in writing, that additional information is required to further process the  
3824 application, an additional thirty days may be added to the time periods for the division to  
3825 issue a final decision. Any written notice from the division to the applicant that  
3826 additional information is required to further process the application shall include a notice  
3827 that nonresponsiveness for sixty consecutive days may result in thirty days being added  
3828 to the time period for permit review. For the purposes of this subsection,  
3829 "nonresponsiveness" means that an applicant is not making demonstrable progress on  
3830 providing additional requested information to the division, or that there is not ongoing  
3831 communication from the applicant to the division on the applicant's ability or willingness  
3832 to provide the additional information.

3833           G. The time periods for permit review established in this section shall not apply if  
3834 an unforeseen event, as determined by the permitting division manager, disrupts normal  
3835 county operations and prevents permit review from being feasible. This could include,  
3836 but is not limited to:

3837           1. Declared emergencies under K.C.C. chapter 12.52;

Ordinance 19881

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3838           2. Court orders, litigation, or settlements pursuant to specific applications or to  
3839 the King County Comprehensive Plan or the county's development regulations;

3840           3. Building or land use moratoria;

3841           4. A recession resulting in unexpected staffing changes; or

3842           5. Denial of service for critical infrastructure, such as software failure, breach or  
3843 termination of contract, loss of internet access, or cyber security breach.

3844           ~~((E.))~~ H. The time periods established in ~~((this))~~ subsection A. of this section  
3845 shall not apply if a proposed development or application:

3846           1. Requires modification or waiver of a development regulation as part of a  
3847 demonstration project in K.C.C. 21A.55. Any time periods for permit review in that  
3848 chapter shall apply;

3849           2. Involves uses or activities related to mineral extraction or processing, coal  
3850 mining, materials processing facilities, or fossil fuel facilities: or

3851           3. Is to rectify a code violation case;

3852           I.1. If an application is revised by the applicant and results in a substantial change  
3853 the application review, the division may, in some cases, need to restart the time period for  
3854 permit review in K.C.C. 20.20.100. A substantial change in the application review may  
3855 also include new public notice and revised vesting.

3856           2. For the purposes of this subsection ~~((H.))~~ I.:

3857           a. a "substantial change" that results in new public notice, revised vesting, and  
3858 a restart of the time periods for permit review, includes, but is not limited to:

3859           (1) the creation of additional lots;

3860           (2). the reduction or elimination of open space; or

Ordinance 19881

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- 3861           (3) a change in land use;
- 3862           b. a "substantial change" that results in a restart of the time periods for permit  
3863 review, includes, but is not limited to:
- 3864           (1) a fifty-percent or more increase to the total value of building construction  
3865 work, including all finish work, painting, roofing, electrical, plumbing, heating,  
3866 ventilation, air conditioning, elevators, fire systems, and any other permanent fixtures;
- 3867           (2) a ten-percent or more increase to the total building square footage,  
3868 impervious surface area, parking, or building height;
- 3869           (3) when a change to the application results in a change to the type of  
3870 drainage review required under the King County Surface Water Design Manual, if the  
3871 new type of drainage review adds additional requirements;
- 3872           (4) when a change to the application results in a new requirement for a road  
3873 variance under K.C.C. Title 14;
- 3874           (5) when a change in points of ingress or egress to the property, where:
- 3875           (a) the ingress or egress point is moved more than 25 percent of the width of  
3876 the property line width on the same street; or
- 3877           (b) the ingress or egress point is on a different street; or
- 3878           (6) when a change to the application results in a new or increased impact to  
3879 critical areas that will require a revision to mitigation measures.
- 3880           J. The division shall require that all plats, short plats, building permits, clearing  
3881 and grading permits, conditional use permits, special use permits, commercial site  
3882 development permits, shoreline substantial development permits, or binding site plans(~~;~~  
3883 ~~urban planned development permits, or fully contained community permits~~)), issued for
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Ordinance 19881

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3884 development activities on or within five hundred feet of designated agricultural lands,  
3885 forest lands, or mineral resource lands, contain a notice that the subject property is within  
3886 or near designated agricultural lands, forest lands, or mineral resource lands, on which a  
3887 variety of commercial activities may occur that are not compatible with residential  
3888 development for certain periods of limited duration.

3889 K. Where federal, state, or county law requires a shorter time period for permit  
3890 review and decision, the division should comply with the shorter time periods.

3891 L.1. An applicant may, in writing and with the division's agreement, voluntarily  
3892 opt out of the time period for permit review and decision specified in this section.

3893 2. If an applicant is under an application processing service agreement with the  
3894 county, the time periods for permit review in that agreement shall control.

3895 SECTION 65. Ordinance 12196, Section 19, as amended, and K.C.C. 20.20.120  
3896 are hereby amended to read as follows:

3897 The ~~((director))~~ department shall ~~((issue a citizens guide to))~~ produce guides  
3898 describing permit processing, including making an appeal or participating in a hearing.  
3899 The department shall make them available to the public and shall post them to its website.

3900 SECTION 66. Ordinance 4461, Section 10, as amended, and K.C.C. 20.22.150  
3901 are hereby amended to read as follows:

3902 Examiner recommendations on an application for a zone reclassification shall  
3903 include findings on whether the application meets ~~((both of))~~ the following:

3904 A. The proposed rezone is consistent with the King County Comprehensive Plan,  
3905 including, but not limited to, policies, narrative, maps, and land use designations; ~~((and))~~

Ordinance 19881

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3906 B.1.a. The property is potentially zoned under K.C.C. 21A.04.170 for the  
3907 reclassification being requested; or

3908 ~~((2-))~~ b. An adopted subarea plan~~((, subarea study,))~~ or an area zoning and land  
3909 use study specifies that the property shall be subsequently considered through an  
3910 individual reclassification application; or

3911 ~~((3-))~~ 2. The requested reclassification is based on ~~((changed))~~ a substantial  
3912 change in unincorporated area conditions, including but not limited to:

3913 a. the availability of public facilities or infrastructure;

3914 b. development patterns on surrounding parcels; or

3915 c. the quantity or quality of critical areas, not caused by actions of the  
3916 applicant; and

3917 C. That the classification would not harm or diminish the surrounding area.

3918 SECTION 67. Ordinance 9544, Section 16, as amended, and K.C.C. 20.22.180  
3919 are hereby amended to read as follows:

3920 For a proposed preliminary ~~((plat))~~ subdivision, the examiner decision shall  
3921 include findings as to whether:

3922 A. Appropriate provisions are made for the public health, safety, and general  
3923 welfare and for such open spaces, drainage ways, streets or roads, alleys, other public  
3924 ways, transit stops, potable water supplies, sanitary wastes, parks and recreation,  
3925 playgrounds, schools, and school grounds, and all other relevant facts, including  
3926 sidewalks and other planning features that assure safe walking conditions for students  
3927 who walk to and from school; ~~((and))~~

Ordinance 19881

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3928 B. The public use and interest will be served by platting the subdivision and  
3929 dedication; and

3930 C. When a subdivision uses transfer of development rights to exceed base  
3931 density, the additional density does not create unmitigated impacts beyond those created  
3932 by development at base density.

3933 SECTION 68. Ordinance 10511, Section 7, as amended, and K.C.C. 20.36.100  
3934 are hereby amended to read as follows:

3935 A. The definitions in this section apply throughout this section, as well as in  
3936 K.C.C. 20.36.040 and K.C.C. ~~((20.30.190))~~ 20.36.190, unless the context clearly requires  
3937 otherwise.

3938 B. To be eligible for open space classification under the public benefit rating  
3939 system, a property ~~((must))~~ shall contain one or more qualifying open space resources  
3940 and have at least five points as determined under this section. The department shall  
3941 review each application and recommend award of credit for current use of the property.  
3942 In making the recommendation, the department shall utilize the point system described in  
3943 subsections C. and D. of this section.

3944 C. The following open space resources are each eligible for the points indicated:

3945 1. Active trail linkage - fifteen or twenty-five points. "Active trail linkage"  
3946 means land in private ownership through which the owner agrees to allow  
3947 ~~((nonmotorized))~~ public passage for active transportation, as defined in section 17 of this  
3948 ordinance, for the purpose of providing a connection between trails within the county's  
3949 regional trails system and local or regional attractions or points of interest, for trail users  
3950 including equestrians, pedestrians, bicyclists, and other users. "Local or regional



Ordinance 19881

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3951 attractions or points of interest" include other trails, parks, waterways, or other  
3952 recreational and open space attractions, retail centers, arts and cultural facilities,  
3953 transportation facilities, residential concentrations, or similar destinations. The linkage  
3954 ~~((must))~~ shall be open to passage by the general public and the property owner shall enter  
3955 into an agreement with the county consistent with applicable parks and recreation  
3956 division policies to grant public access. To receive twenty-five points, the property  
3957 owner shall enter into an agreement with the county regarding improvement of the trail,  
3958 including trail pavement and maintenance. To receive fifteen points, the property owner  
3959 shall agree to allow a soft-surface, nonpaved trail. The parks and recreation division is  
3960 authorized to develop criteria for determining the highest priority linkages for which it  
3961 will enter into agreements with property owners;

3962           2. Aquifer protection area - five points. "Aquifer protection area" means  
3963 property that has a plant community in which native plants are dominant and that  
3964 includes an area designated as a critical aquifer recharge area under K.C.C. chapter  
3965 21A.24 or applicable city critical aquifer recharge area regulations. At least fifty percent  
3966 of the enrolling open space area or a minimum of one acre of open space shall be  
3967 designated as a critical aquifer recharge area. If the enrolling open space area does not  
3968 have a plant community in which native plants are dominant, ~~((a plan for))~~ revegetation  
3969 ~~((must be submitted))~~ shall occur subject to a revegetation plan reviewed and approved  
3970 by the department~~((, and must be implemented according to the plan's proposed schedule~~  
3971 ~~of activities))~~;

3972           3. Buffer to public or current use classified land - three points. "Buffer to public  
3973 or current use classified land" means land that has a plant community in which native

Ordinance 19881

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3974 plants are dominant or has other natural features, such as streams or wetlands, and that is  
3975 abutting and provides a buffer to a publicly owned park, trail<sub>1</sub> or forest, to land legally  
3976 required to remain in a natural state, to a state or federal highway<sub>2</sub> or to a property  
3977 participating in a current use taxation program under chapters 84.33 or 84.34 RCW. The  
3978 buffer (~~(must)~~) shall be at least fifty feet long and fifty feet in wide. Public roads may  
3979 separate the public land, or land in private ownership classified under chapters 84.33 or  
3980 84.34 RCW, from the buffering land, if the entire buffer is at least as wide and long as the  
3981 adjacent section of the road easement. Landscaping or other nonnative vegetation may  
3982 not separate the public land or land enrolled under chapters 84.33 or 84.34 RCW from the  
3983 native vegetation buffer. The department may grant an exception to the native vegetation  
3984 requirement for property along parkways with historic designation, upon review and  
3985 recommendation of the historic preservation officer of King County or the local  
3986 jurisdiction in which the property is located. Eligibility for this exception does not  
3987 extend to a property where plantings are required or existing plant communities are  
3988 protected under local zoning codes, development mitigation requirements<sub>2</sub> or other local  
3989 regulations;

3990 4. Ecological enhancement land – eighteen points. "Ecological enhancement  
3991 land" means open space lands undergoing recovery of significantly degraded or lost  
3992 ecological function or processes. The following requirements shall be met:

3993 a. A jurisdiction, natural resource agency<sub>2</sub> or appropriate organization has  
3994 committed to sponsoring the ecological enhancement project, with secured funding in  
3995 place before the application's public hearing;

Ordinance 19881

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3996           b. The ecological enhancement project (~~((must))~~) shall include removing  
3997 significant human-made structures, alterations, or impediments such as shoreline  
3998 armoring, roads, culverts, and wetland fill that are detrimental to significant wildlife or  
3999 salmonid habitat. The intent of the removal (~~((must))~~) shall be to reestablish natural  
4000 function or processes to the project area;

4001           c. The owner is responsible for providing and implementing an ecological  
4002 enhancement plan for the proposed project. The approved enhancement plan (~~((must))~~)  
4003 shall include at least a statement of purpose, detailed description of work to be done, site  
4004 map of the project area, and specific timeline for the enhancement activities to be  
4005 completed (~~((and must be approved))~~). The enhancement plan is subject to approval by the  
4006 department; and

4007           d. The owner shall annually provide to the department a monitoring report  
4008 detailing the enhancement efforts' success for five years following enrollment. The  
4009 owner shall also provide any additional monitoring reports required by K.C.C. 20.36.190.  
4010 The monitoring report (~~((must))~~) shall describe the progress and success of the  
4011 enhancement project and (~~((must))~~) shall include photographs to document the success.  
4012 Land receiving credit for this category may not receive credit for the rural stewardship  
4013 land or resource restoration categories;

4014           5. Equestrian-pedestrian-bicycle trail linkage - thirty-five points. "Equestrian-  
4015 pedestrian-bicycle trail linkage" means land in private ownership that the property owner  
4016 allows the public to use as an off-road trail linkage for equestrian, pedestrian, or other  
4017 (~~((nonmotorized))~~) active transportation, as defined in section 17 of this ordinance, uses, or  
4018 that provides a trail link from a public right-of-way to a trail system. Use of motorized

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Ordinance 19881

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4019 vehicles is prohibited on trails receiving a tax reduction for this category, except for  
4020 maintenance or for medical, public safety, or police emergencies. Public access is  
4021 required only on that portion of the property containing the trail. The landowner may  
4022 impose reasonable restrictions on access that are mutually agreed to by the landowner  
4023 and the department, such as limiting use to daylight hours. To be eligible as an  
4024 equestrian-pedestrian-bicycle trail linkage, the owner shall provide a trail easement to an  
4025 appropriate public or private entity acceptable to the department. The easement shall be  
4026 recorded with the King County recorder's office or its successor. In addition to the area  
4027 covered by the trail easement, adjacent land used as pasture, barn, or stable area and any  
4028 corral or paddock may be included, if an approved and implemented farm management  
4029 plan is provided. Land necessary to provide a buffer from the trail to other nonequestrian  
4030 uses, land that contributes to the aesthetics of the trail, such as a forest, and land set aside  
4031 and marked for off road parking for trail users may also be included as land eligible for  
4032 current use taxation. Those portions of private roads, driveways, or sidewalks open to the  
4033 public for this purpose may also qualify. Fencing and gates are not allowed in the trail  
4034 easement area, except those that are parallel to the trail or linkage;

4035           6. Farm and agricultural conservation land - five points. "Farm and agricultural  
4036 conservation land" means land previously classified as farm and agricultural land under  
4037 RCW 84.34.020 that no longer meets the criteria of farm and agricultural land, or  
4038 traditional farmland not classified under chapter 84.34 RCW that has not been  
4039 irrevocably devoted to a use inconsistent with agricultural uses and has a high potential  
4040 for returning to commercial agriculture. The property (~~must~~) shall be used for farm and  
4041 agricultural activities or have a high probability of returning to agriculture and the

Ordinance 19881

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4042 property owner (~~(must)~~) shall commit to returning the property to farm or agricultural  
4043 activities by implementing a farm management plan. An applicant (~~(must)~~) shall have an  
4044 approved farm management plan in accordance with K.C.C. 21A.24.051 that is  
4045 acceptable to the department and that is being implemented according to its proposed  
4046 schedule of activities before receiving credit for this category. Farm and agricultural  
4047 activities (~~(must)~~) shall occur on at least one acre of the property. Eligible land (~~(must)~~)  
4048 shall be zoned to allow agricultural uses and be owned by the same owner or held under  
4049 the same ownership. Land receiving credit for this category may not receive credit for  
4050 the contiguous parcels under separate ownership category;

4051           7. Forest stewardship land - five points. "Forest stewardship land" means  
4052 property that is managed according to an approved forest stewardship plan and that is not  
4053 enrolled in the designated forestland program under chapter 84.33 RCW. The property  
4054 (~~(must)~~) shall contain at least four acres of contiguous forestland, which may include land  
4055 undergoing reforestation, according to the approved plan. The owner shall have and  
4056 implement a forest stewardship plan approved by the department. The forest stewardship  
4057 plan may emphasize forest retention, harvesting, or a combination of both. Land  
4058 receiving credit for this category may not receive credit for the resource restoration or  
4059 rural stewardship land categories;

4060           8. Historic landmark or archeological site: buffer to a designated site - three  
4061 points. "Historic landmark or archaeological site: buffer to a designated site" means  
4062 property adjacent to land constituting or containing a designated county or local historic  
4063 landmark or archeological site, as determined by King County's historic preservation  
4064 officer or by a manager of a certified local government program in the jurisdiction in

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Ordinance 19881

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4065 which the property is located. A property (~~(must)~~) shall have a plant community in which  
4066 native plants are dominant and provide a significant buffer for a designated landmark or  
4067 archaeological site listed on the county or other certified local government list or register  
4068 of historic places or landmarks. "Significant buffer" means land and plant communities  
4069 that provide physical, visual, noise, or other barriers and separation from adverse effects  
4070 to the historic resources due to adjacent land use;

4071           9. Historic landmark or archeological site: designated site – five points.  
4072 "Historic landmark or archaeological site: designated site" means land that constitutes or  
4073 contains a historic landmark designated by King County or other certified local  
4074 government program in the jurisdiction in which the property is located. Historic  
4075 landmarks include buildings, structures, districts, or sites of significance in the county's  
4076 historic or prehistoric heritage, such as Native American settlements, trails, pioneer  
4077 settlements, farmsteads, roads, industrial works, bridges, burial sites, prehistoric and  
4078 historic archaeological sites, or traditional cultural properties. A property (~~(must)~~) shall  
4079 be listed on a county or other certified local government list or register of historic places  
4080 or landmarks for which there is local regulatory protection. Eligible property may  
4081 include property that contributes to the historic character within designated historic  
4082 districts, as defined by the historic preservation officer of King County or other certified  
4083 local government jurisdiction. The King County historic preservation officer shall make  
4084 the determination on eligibility;

4085           10. Historic landmark or archeological site: eligible site - three points.  
4086 "Historic landmark or archaeological site: eligible site" means land that constitutes or  
4087 contains a historic property that has the potential of being designated by a certified local

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Ordinance 19881

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4088 government jurisdiction, including buildings, structures, districts, or sites of significance  
4089 in the county's historic or prehistoric heritage, such as Native American settlements,  
4090 pioneer settlements, farmsteads, roads, industrial works, bridges, burial sites, prehistoric  
4091 and historic archaeological sites, or traditional cultural properties. To be eligible, the  
4092 historic preservation officer of King County or other certified local government program  
4093 in the jurisdiction in which the property is located shall determine the property meets the  
4094 jurisdiction's criteria for designation and listing on the county or other local register of  
4095 historic places or landmarks for which there is local regulatory protection. Eligible  
4096 property may include contributing property within designated historic districts. Property  
4097 listed ~~((on))~~ in the state or national Registers of Historic Places may qualify under this  
4098 category;

4099           11. Public recreation area - five points. "Public recreation area" means land  
4100 devoted to providing active or passive recreation use or that complements or substitutes  
4101 for recreation facilities characteristically provided by public agencies. Use of motorized  
4102 vehicles is prohibited, except for golf carts on golf courses, for maintenance, or for  
4103 medical, public safety, or police emergencies. The facilities ~~((must))~~ shall be open to the  
4104 general public or to specific public user groups, such as youth, seniors ~~((citizens))~~,  
4105 people with disabilities. A property ~~((must))~~ shall be identified by the responsible agency  
4106 within whose jurisdiction the property is located as meeting the definition of public  
4107 recreation area. The property owner ~~((must))~~ shall use any best practices defined in  
4108 K.C.C. chapter 21A.06. If a fee is charged for use, it ~~((must))~~ shall be comparable to the  
4109 fee charged by a similar public facility;

Ordinance 19881

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4110           12. Rural open space - five points. "Rural open space" means an area of ten or  
 4111 more contiguous acres of open space located outside of the ~~((u))~~Urban ~~((g))~~Growth  
 4112 ~~((a))~~Area as identified in the King County Comprehensive Plan that:

4113           a. has a plant community in which native plants are dominant; or

4114           b. is former open farmland, woodlots, scrublands, or other lands that are in the  
 4115 process of being replanted with native vegetation and for which the property owner is  
 4116 implementing an approved farm management, ecological enhancement, forest  
 4117 stewardship, rural stewardship, or resource restoration plan acceptable to the department;

4118           13. Rural stewardship land - five points. "Rural stewardship land" means land  
 4119 zoned RA (rural area), A (agricultural), or F (forest), that has an implemented rural  
 4120 stewardship plan under K.C.C. chapter 21A.24 acceptable to the department. On RA-  
 4121 zoned properties, the approved rural stewardship plan ~~((must))~~ shall meet the goals and  
 4122 standards of K.C.C. 21A.24.055. On A- and F-zoned properties, credit for this category  
 4123 is allowed if the plan meets the goals of K.C.C. 21A.24.055. A rural stewardship plan  
 4124 includes, but is not limited to, identification of critical areas, location of structures and  
 4125 significant features, site-specific best management practices, a schedule for  
 4126 implementation, and a plan for monitoring as provided in K.C.C. 21A.24.055. To be  
 4127 eligible as rural stewardship land, the open space ~~((must))~~ shall be at least one acre and  
 4128 feature a plant community in which native plants are dominant or be in the process of  
 4129 native vegetation restoration, reforestation, or enhancement. Land receiving credit for  
 4130 this category may not receive credit for the ecological enhancement land, resource  
 4131 restoration, or forest stewardship land categories;

4132           14. Scenic resource, viewpoint or view corridor – five points.



Ordinance 19881

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4133 a. "Scenic resource" means an area of natural or recognized cultural features  
4134 visually significant to the aesthetic character of the county. The site ~~((must))~~ shall be  
4135 significant to the identity of the local area, ~~((must))~~ be visible to a significant number of  
4136 the general public from public rights-of-way, ~~((must))~~ be of sufficient size to  
4137 substantially preserve the scenic resource value, and ~~((must))~~ enroll at least ten acres of  
4138 open space.

4139 b. A "viewpoint" means a property that provides a view of an area visually  
4140 significant to the aesthetic character of the county. A site ~~((must))~~ shall provide a view of  
4141 a scenic natural or recognized cultural resource in King County or other visually  
4142 significant area, ~~((must))~~ allow unlimited public access, and ~~((must))~~ be identified by a  
4143 permanent sign readily visible from a road or other public right-of-way.

4144 c. A "view corridor" means a property that contributes to the aesthetics of a  
4145 recognized view corridor critical to maintaining a public view of a visually significant  
4146 scenic natural or recognized cultural resource. The site ~~((must))~~ shall contain at least one  
4147 acre of open space that contributes to a view corridor visible to the public and that  
4148 provides views of a scenic natural resource area or recognized cultural resource  
4149 significant to the local area. The ~~((King County historic preservation officer or officer of  
4150 another certified local government program in the jurisdiction in which the property is  
4151 located must find the recognized))~~ site shall have a significant cultural areas ~~((to be  
4152 significant and must find that the site))~~ and contain((s)) significant inventoried or  
4153 designated historic properties, as determined by the King County historic preservation  
4154 officer or officer of another certified local government program in the jurisdiction in

Ordinance 19881

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4155 which the property is located in. Eligibility is subject to determination by the department  
4156 or applicable jurisdiction;

4157           15. Significant plant or ecological site - five points. "Significant plant or  
4158 ecological site" means an area that meets the criteria for Element Occurrence established  
4159 under the Washington Natural Heritage Program authorized by chapter 79.70 RCW. An  
4160 Element Occurrence is a particular, on-the-ground observation of a rare species or  
4161 ecosystem. An eligible site (~~(must)~~) shall be listed as an Element Occurrence by the  
4162 Washington Natural Heritage Program or be identified as a property that meets the  
4163 criteria for an Element Occurrence. The identification (~~(must)~~) shall be confirmed by a  
4164 qualified expert acceptable to the department in order to qualify. The department shall  
4165 notify the Washington Natural Heritage Program of any verified Element Occurrence on  
4166 an enrolling property. Commercial nurseries, arboretums, or other maintained garden  
4167 sites with native or nonnative plantings are ineligible for this category;

4168           16. Significant wildlife or salmonid habitat - five points.

4169           a. "Significant wildlife or salmonid habitat" means:

4170           (1) an area used by animal species listed as endangered, threatened, sensitive,  
4171 or candidate by the Washington state Department of Fish and Wildlife or Department of  
4172 Natural Resources or used by species of local significance that are listed by the King  
4173 County Comprehensive Plan or a local jurisdiction;

4174           (2) an area where the species listed in subsection C.16.a.(1) of this section are  
4175 potentially found with sufficient frequency for critical ecological processes, such as  
4176 reproduction, nesting, rearing, wintering, feeding, or resting, to occur;

Ordinance 19881

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4177 (3) a site that meets the criteria for priority habitats as defined by the  
 4178 Washington state Department of Fish and Wildlife and that is so listed by the King  
 4179 County Comprehensive Plan or by the local jurisdiction in which the property is located;  
 4180 or

4181 (4) a site that meets criteria for a wildlife habitat conservation area as defined  
 4182 by the department or a local jurisdiction.

4183 b. To be eligible, the department, by its own determination or by expert  
 4184 determination acceptable to the department, (~~must~~) shall verify that qualified species are  
 4185 present on the property or that the land fulfills the functions described in subsection  
 4186 C.16.a. of this section. To receive credit for salmonid habitat, the owner shall provide a  
 4187 buffer at least fifteen percent greater in width than required by any applicable regulation.  
 4188 Property consisting mainly of disturbed or fragmented open space determined by the  
 4189 department as having minimal wildlife habitat significance is ineligible;

4190 17. Special animal site - three points. "Special animal site" means a site that  
 4191 includes a wildlife habitat network identified by the King County Comprehensive Plan or  
 4192 individual jurisdictions through the Growth Management Act, chapter 36.70A RCW, or a  
 4193 biodiversity area and corridor identified by the Washington state Department of Fish and  
 4194 Wildlife's priority habitats and species project as of the date of the application(~~(-The~~  
 4195 ~~property must be~~) as identified by King County or local or state jurisdiction or by expert  
 4196 verification acceptable to the department or local jurisdiction. Property consisting mainly  
 4197 of disturbed or fragmented open space determined by the department to have minimal  
 4198 wildlife habitat significance is ineligible for this category;

Ordinance 19881

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4199           18. Surface water quality buffer – five, eight<sub>2</sub> or ten total points. "Surface water  
4200 quality buffer" means an undisturbed area that has a plant community in which native  
4201 plants are dominant abutting a lake, pond, stream, shoreline, wetland<sub>2</sub> or marine waters on  
4202 or abutting the property, that provides buffers beyond that required by any applicable  
4203 regulation. To receive five points, the buffer (~~((must))~~) shall be at least fifty percent wider  
4204 than the buffer required by any applicable regulation. To receive eight points, the buffer  
4205 (~~((must))~~) shall be at least two times the required width. To receive ten points, the buffer  
4206 (~~((must))~~) shall be at least three times the required width. The qualifying buffer (~~((must))~~)  
4207 shall be longer than twenty-five feet and (~~((must))~~) shall be preserved from clearing or  
4208 maintenance, unless this area is part of a department-approved ecological enhancement,  
4209 farm management, forest stewardship, rural stewardship<sub>2</sub> or resource restoration plan.  
4210 Grazing use by livestock on such land is prohibited;

4211           19. Urban open space - five points.

4212           a. "Urban open space" means land located within the boundaries of a city or  
4213 within the (~~((u))~~)Urban (~~((g))~~)Growth (~~((a))~~)Area that has a plant community in which native  
4214 plants are dominant and that under the applicable zoning is eligible for more<sub>2</sub>-intensive  
4215 development or use. The enrolling area (~~((must))~~) shall be at least one acre, or be at least  
4216 one-half acre if the land meets one of the following criteria:

4217           (1) the land conserves and enhances natural or scenic resources;

4218           (2) the land protects streams or water supply;

4219           (3) the land promotes conservation of soils, wetlands, beaches<sub>2</sub> or tidal  
4220 marshes;

Ordinance 19881

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4221 (4) the land enhances the value to the public of adjacent parks, forests,  
4222 wildlife preserves, nature reservations or sanctuaries, or other open space;

4223 (5) the land enhances recreation opportunities for the general public; or

4224 (6) the land preserves visual quality along highways, roads, and streets or  
4225 scenic vistas.

4226 b. Owners of noncontiguous properties that together meet the minimum  
4227 acreage requirement may jointly apply under this category if each property is closer than  
4228 seventy-five feet to one other property in the application and if each property contains an  
4229 enrolling open space area at least as large as the minimum zoned lot size; and

4230 20. Watershed protection area - five points. "Watershed protection area" means  
4231 property contributing to the forest cover that provides run-off reduction and groundwater  
4232 protection. The property (~~must~~) shall consist of contiguous native forest or be in the  
4233 process of reforestation. The enrolling forested area (~~must~~) shall consist of additional  
4234 forest cover beyond that required by county or applicable local government regulation  
4235 and (~~must~~) shall be at least one acre or sixty-five percent of the property acreage,  
4236 whichever is greater. If reforestation or improvements to the forest health are necessary,  
4237 the property owner shall provide and implement an ecological enhancement, a forest  
4238 stewardship, resource restoration, or rural stewardship plan that addresses this need and is  
4239 acceptable to the department.

4240 D. Property qualifying for an open space category in subsection C. of this section  
4241 may receive credit for additional points as follows:

4242 1. Conservation easement or historic preservation easement - eighteen points.

4243 "Conservation easement or historic preservation easement" means land on which an

Ordinance 19881

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4244 easement is voluntarily placed that restricts, in perpetuity, further potential development  
4245 or other uses of the property. The easement (~~((must be approved))~~) is subject to approval  
4246 by the department and shall be recorded with the King County recorder's office or its  
4247 successor. The easement (~~((must))~~) shall be conveyed to the county or to an organization  
4248 acceptable to the department, such as a land trust or conservancy. Historic preservation  
4249 easements (~~((must also be approved))~~) are subject to approval by the historic preservation  
4250 officer of King County or of the local government jurisdiction in which the property is  
4251 located. An easement required by zoning, subdivision conditions, or other land use  
4252 regulation is not eligible unless an additional substantive easement area is provided  
4253 beyond that otherwise required;

4254 2. Contiguous parcels under separate ownership - two points.

4255 a. "Contiguous parcels under separate ownership" means at least two or more  
4256 parcels under different ownership where either:

4257 (1) the enrolling parcels and open space acreage abut each other without a  
4258 significant human-made barrier separating them; or

4259 (2) the enrolling parcels do not abut each other, but abut a publicly owned  
4260 open space, without a significant human-made barrier separating the publicly owned open  
4261 space and the open space portion of the parcels seeking open space classification.

4262 b. Award of this category requires a single application by multiple owners and  
4263 parcels with identical qualifying public benefit rating system resources. Only a single  
4264 application fee is required.

4265 c. Contiguous parcels of land with the same qualifying public benefit rating  
4266 system resources are eligible for treatment as a single parcel if open space classification

Ordinance 19881

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4267 is sought under the same application except as otherwise prohibited by the farm and  
4268 agricultural conservation land category. Each parcel need not meet the minimum acreage  
4269 requirements for a resource category so long as the total area of all enrolling land  
4270 combined meets any required minimum acreage requirements. The owners of each  
4271 parcel included in the application (~~((must))~~) shall agree to identical terms and conditions  
4272 for enrollment in the program.

4273           d. Individual parcels or portions of parcels may be withdrawn or removed from  
4274 open space classification, consistent with all applicable rules and regulations. The  
4275 continued eligibility of all parcels and associated acreage remaining in open space  
4276 classification accepted under the same application is dependent upon the continued  
4277 qualification for a resource category or categories.

4278           e. Points are awarded for each participating owner above one owner and accrue  
4279 to all owners of a single application. The withdrawal or removal of all enrolled acreage  
4280 associated with an owner results in the loss of two points for each remaining owner;

4281           3. Easement and access – thirty-five points. "Easement and access" means that  
4282 the property has at least one qualifying open space resource, unlimited public access or  
4283 limited public access due to resource sensitivity, and a conservation easement or historic  
4284 preservation easement in perpetuity in a form and with conditions acceptable to the  
4285 department. (~~((To be eligible, a))~~)A property ((must)) shall only be eligible in this category  
4286 if it receives credit for an open space category and for the conservation easement or  
4287 historic easement in perpetuity category. The owner (~~((must))~~) shall agree to allow public  
4288 access to the portion of the property designated for public access in the easement. An  
4289 easement required by zoning, subdivision conditions, or other land use regulation is not

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Ordinance 19881

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4290 eligible, unless there is additional easement area beyond that required. Credit for this  
4291 category may not overlap with the equestrian-pedestrian-bicycle trail linkage;

4292 4. Public access - points depend on type and frequency of access allowed.

4293 "Public access " means the general public is allowed access on an ongoing basis for uses  
4294 such as recreation, education, or training. Access ~~((must))~~ shall be allowed on the portion  
4295 of the property that is designated for public access. The landowner may impose  
4296 reasonable restrictions on access, such as limiting use to daylight hours, agreed to by the  
4297 department. No physical barriers may limit reasonable public access or negatively affect  
4298 an open space resource. A property owner shall demonstrate that the property is open to  
4299 public access and is used by the public. Award of public access points for historic  
4300 properties is subject to approval by ((~~the~~))the historic preservation officer of King County  
4301 or a certified officer of another local government jurisdiction in which the property is  
4302 located ~~((must approve the award of public access points for historic properties))~~. The  
4303 property owner may be required to furnish and maintain signage according to county  
4304 specifications.

4305 a. Unlimited public access - five points. Year-round access by the general  
4306 public is allowed without special arrangements with the property owner.

4307 b. Limited public access because of resource sensitivity - five points. Access  
4308 may be reasonably limited by the property owner due to the sensitive nature of the  
4309 resource, with access provided only to appropriate user groups. The access allowed  
4310 should generally be for an educational, scientific, or research purpose and may require  
4311 special arrangements with the owner.



Ordinance 19881

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4312 c. Seasonally limited public access - three points. Access by the public is  
4313 allowed only for part of the year due to due to seasonal conditions, as mutually agreed to  
4314 by the landowner and the department.

4315 d. Environmental education access - three points. The landowner enters into  
4316 an agreement with a school, with an organization with 26 U.S.C. Sec. 501(c)(3) tax  
4317 status, or, with the agreement of the department, with another community organization  
4318 that allows membership by the general public to provide environmental education to its  
4319 members or the public at large. The department (~~((must agree))~~) shall verify that the  
4320 enrolled portion of the property has value for environmental education purposes.

4321 e. None or members-only - zero points. No public access is allowed or the  
4322 access is allowed only by members of the organization using or owning the land; and

4323 5. Resource restoration – five points. "Resource restoration" means restoration  
4324 of an enrolling area of property benefiting an area in an open space resource category.  
4325 Emphasis is placed on the restoration of native vegetation associated with anadromous  
4326 fish rearing habitat, riparian zones, migration corridors and wildlife, forest, stream, and  
4327 wetland habitats. The owner shall provide and implement a restoration plan approved by  
4328 the department. The plan may be developed in cooperation with a natural resource expert  
4329 or agency. The approved restoration plan (~~((must))~~) shall, at a minimum, include a purpose  
4330 statement, a description of restoration work to be done, a detailed site map of the area to  
4331 be restored, a specific timeline for the restoration activities to be completed and a  
4332 monitoring schedule for the restoration project's first five years. Historic resource  
4333 restoration (~~((must be approved))~~) is subject to approval by the King County historic  
4334 preservation officer or officer of another certified local government in the jurisdiction in

Ordinance 19881

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4335 which the property is located and ~~((must))~~ shall be accompanied by a long-term  
4336 maintenance plan. The owner shall also provide to the department a yearly monitoring  
4337 report for at least five years following enrollment in the public benefit rating system  
4338 program. The report ~~((must))~~ shall describe the progress and success of the restoration  
4339 project and ~~((must))~~ shall include photographs to document the success. Land receiving  
4340 credit for this category may not receive credit for the ecological enhancement land, forest  
4341 stewardship land, or rural stewardship land categories.

4342 SECTION 69. Ordinance 15137, Section 10, as amended, and K.C.C. 20.36.190  
4343 are hereby amended to read as follows:

4344 A. ~~((The definitions in K.C.C. 20.36.100 apply to this section.~~  
4345 ~~B-))~~ A property may achieve a maximum ninety-percent reduction in appraised  
4346 value for that portion of the land enrolled in the public benefit rating system. A plant  
4347 community where native plants are dominant that does not independently contain a  
4348 qualifying open space resource can participate if it is contiguous to and provides a benefit  
4349 to a portion of the property being awarded credit for a qualifying open space priority  
4350 resource. The department shall evaluate the property for the presence of open space  
4351 resource categories. Abutting parcels of land with the same open space resources, owned  
4352 by one or more landowners, may be eligible for consideration as a single parcel if open  
4353 space classification is sought under the same application; however, property pursuing  
4354 credit for the farm and agricultural conservation land category, which ~~((must))~~ shall be  
4355 owned by the same owner or held under the same ownership. For buffer measurements  
4356 under this chapter, the width is the distance perpendicular to the edge of the resource and

Ordinance 19881

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4357 the length of the buffer is parallel to the resource. The entire buffer width may be  
4358 averaged to qualify for a resource category.

4359 ~~((C-))~~ B. The presence or occurrence of an eligible open space resource may be  
4360 verified by:

4361 1. Reference to a recognized source, such as:

4362 a. the natural heritage data base;

4363 b. the state office of historic preservation;

4364 c. state, national, county, or city registers of historic places;

4365 d. the Washington state recreation and conservation office inventory of dry  
4366 accretion beach and shoreline features;

4367 e. a shoreline master program;

4368 f. parks and recreation studies; or

4369 g. studies by the state Department of Fish and Wildlife or Department of  
4370 Natural Resources;

4371 2. Reference to a map developed by the county or other recognized authority;

4372 or

4373 3. Using the best available source, such as a recognized expert in the particular  
4374 resource being reviewed.

4375 ~~((D-))~~ C. When more than one reasonable interpretation can be supported by the  
4376 text of this chapter, the department may make a determination relating to the open space  
4377 resource definitions and eligibility standards in accordance with the purpose and intent of  
4378 this chapter. The department may calculate the appropriate area of land to receive credit

Ordinance 19881

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4379 for a particular priority resource to support the assessor's determination of the  
4380 accompanying tax reduction for each priority resource.

4381 ~~((E-))~~ D. Management or preservation of the open space resources is a condition  
4382 for acceptance into the program. Each open space resource ~~((must))~~ shall be maintained  
4383 in the same or better condition as it was when approved for enrollment. The property  
4384 owner shall not engage in any activity that reduces the value of the open space resource,  
4385 unless that activity is required for public safety and is conducted lawfully under  
4386 appropriate permits. As a condition of enrollment into the program, the department may  
4387 require the owner to develop a plan acceptable to the department to restore any property  
4388 whose open space resources are degraded. In addition, if an existing approved plan for  
4389 farm and agricultural conservation land, ecological enhancement land, forest stewardship  
4390 land, rural stewardship land, or resource restoration category has a management schedule  
4391 or management goals that are out of date or otherwise require change, the owner is  
4392 responsible for revising the plan. Plan revisions are subject to review and approval by  
4393 ~~((F))~~ the department ~~((must review and accept any plan revisions))~~.

4394 ~~((F-))~~ E. The county may base acceptance of property into the public benefit  
4395 rating system on specific conditions or requirements being met, including, but not limited  
4396 to, granting easements.

4397 ~~((G-))~~ F. Except as otherwise provided in this chapter, the following properties or  
4398 areas are not eligible for open space classification:

- 4399 1. Improvements or structures on eligible open space land;  
4400 2. Properties that do not contain a qualifying open space resource;

Ordinance 19881

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4401           3. Open space areas protected by a native growth, forest retention, or other  
4402 covenant that is required as part of a development process or subdivision, or required by  
4403 zoning or other land use regulations; however, such an area is eligible as ecological  
4404 enhancement, or forest stewardship or rural stewardship land if implementation of the  
4405 associated plan provides resource improvements within the enrolling open space. Such  
4406 an area is also eligible as public recreation area, equestrian-pedestrian-bicycle, or active  
4407 trail linkage due to the public's use and benefit. Additionally:

4408           a. Enrollment of at least ten percent additional open space acres, beyond that  
4409 restricted or required by applicable covenant or regulation, is necessary to qualify for  
4410 additional resource categories not referenced in this subsection ~~((G))~~F.3. but not  
4411 including those additional resource categories referenced in subsection ~~((G))~~F.3.b. of this  
4412 section; and

4413           b.~~((c))~~ The minimum ten percent additional open space acres provided ~~((must~~  
4414 ~~be acceptable))~~ shall, to the satisfaction of the department ~~((and))~~, feature a plant  
4415 community where native plants are dominant or should be dominant after implementing  
4416 an approved farm management, ecological enhancement, forest stewardship, resource  
4417 restoration, or rural stewardship plan associated with the approved open space resource or  
4418 bonus category;

4419           4. Any portion of a property dominated by or whose resource value is  
4420 compromised by invasive plant species, unless the department has received a resource  
4421 restoration, rural stewardship, ecological enhancement, farm management, or forest  
4422 stewardship plan and determined that the plan adequately addresses the invasive plant  
4423 species concern and is being implemented; and

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Ordinance 19881

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4424           5. Homesite and other areas developed for residential or personal use, such as  
4425 garden, landscaping and driveway, except for historic resources.

4426           ~~((H.))~~ G. The department may monitor the participating portion of the property to  
4427 evaluate its current use and continuing compliance with the conditions of enrollment.

4428           1. Monitoring may include scheduled, physical inspections of the property and  
4429 in-office review using aerial photography, mapping software, or other available  
4430 technologies.

4431           2. Program staff may require an owner of enrolled property to submit a  
4432 monitoring report on an annual or less frequent basis. The report ~~((must))~~ shall include a  
4433 brief description of how the property still qualifies for each awarded resource category,  
4434 photographs from established points on the property, and any owner observations by the  
4435 owner. The owner ~~((must))~~ shall submit this report to the department by email, the  
4436 program's website, or by other mutually agreed upon method. An environmental  
4437 consultant need not prepare this report.

4438           3. An owner of property receiving credit for farm and agricultural conservation  
4439 land, ecological enhancement land, forest stewardship land, or rural stewardship land, all  
4440 of which require a stewardship or management plan, shall annually provide a monitoring  
4441 report that describes progress in implementing the plan and includes a brief description of  
4442 activities taken to implement the plan and photographs from established points on the  
4443 property. The owner shall submit this report to the department by email or by other  
4444 mutually agreed upon method. An environmental consultant need not prepare this report.

4445           ~~((F.))~~ H. Failure by the owner to meet the conditions of the approval or to  
4446 maintain the uses of the property that were the basis for the original approval is grounds

Ordinance 19881

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4447 for the department to reevaluate the property under the public benefit rating system. If  
4448 the reevaluation shows the property or a portion of the property is no longer eligible to  
4449 participate in the program, the county shall take action to remove the current use  
4450 classification and determine the amount of deferred taxes, interest, and penalty owed by  
4451 the landowner. If the reevaluation shows the property or a portion thereof is no longer  
4452 eligible as approved but that the property still qualifies for one or more public benefit  
4453 rating system resource categories, then the overall credit award shall be adjusted to reflect  
4454 the reevaluation. The new credit award may result in a current use assessment at a lower  
4455 percentage of appraised value than was originally approved. A landowner may appeal a  
4456 determination under this subsection by following K.C.C. 20.36.130.B.

4457 SECTION 70. Ordinance 6949, Section 7, as amended, and K.C.C. 20.44.050 are  
4458 hereby amended to read as follows:

4459 The procedures and standards for preparation of environmental impact statements  
4460 and other environmental documents pursuant to WAC 197-11-400 through 197-11-460 and  
4461 197-11-600 through 197-11-640 are adopted, subject to the following:

4462 A. Pursuant to WAC 197-11-408(2)(a), all comments on determinations of  
4463 significance and scoping notices shall be in writing, except where a public meeting on EIS  
4464 scoping occurs pursuant to WAC 197-11-410(1)(b).

4465 B. Pursuant to WAC 197-11-420, 197-11-620, and 197-11-625, the county  
4466 department acting as lead agency shall be responsible for preparation and content of an EIS  
4467 and other environmental documents. The department shall contract with consultants as  
4468 necessary for the preparation of environmental documents. The department may consider  
4469 the opinion of the applicant regarding the qualifications of the consultant but the

Ordinance 19881

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4470 department shall retain sole authority for selecting persons or firms to author, co-author,  
4471 provide special services or otherwise participate in the preparation of required  
4472 environmental documents.

4473 C. Consultants or subconsultants selected by King County to prepare  
4474 environmental documents for a private development project proposal shall not: act as  
4475 agents for the applicant in preparation or acquisition of associated underlying permits; have  
4476 a financial interest in the proposal for which the environmental document is being  
4477 prepared; or perform any work or provide any services for the applicant in connection with  
4478 or related to the proposal.

4479 D. The department shall establish and maintain one or more lists of qualified  
4480 consultants who are eligible to receive contracts for preparation of environmental  
4481 documents for project proposals. Separate lists may be maintained to reflect specialized  
4482 qualifications or expertise. When the department requires consultant services to prepare  
4483 environmental documents for project proposals, the department shall select a consultant  
4484 from the lists and negotiate a contract for such services. The department director may  
4485 waive these requirements as provided for in rules adopted to implement this section.

4486 ((~~Subject to K.C.C. 20.44.145 and p~~)) Pursuant to K.C.C. chapter 2.98, the department of  
4487 local services shall adopt public rules that establish processes to: create and maintain a  
4488 qualified consultant list; select consultants from the list; remove consultants from the list;  
4489 provide a method by which applicants may request a reconsideration of selected  
4490 consultants based upon costs, qualifications or timely production of the environmental  
4491 document; and waive the consultant selection requirements of this chapter on any basis  
4492 provided by K.C.C. chapter 2.93.



Ordinance 19881

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4493 E. All costs of preparing the environment document shall be borne by the  
4494 applicant. (~~Subject to K.C.C. 20.44.145 and p~~) Pursuant to K.C.C. chapter 2.98, the  
4495 department of local services shall promulgate administrative rules that establish a trust fund  
4496 for consultant payment purposes, define consultant payment schedules, prescribe  
4497 procedures for treating interest from deposited funds, and develop other procedures  
4498 necessary to implement this chapter.

4499 F. In the event an applicant decides to suspend or abandon the project, the  
4500 applicant must provide formal written notice to the department and consultant. The  
4501 applicant shall continue to be responsible for all (~~monies~~) moneys expended by the  
4502 division or consultants to the point of receipt of notification to suspend or abandon, or other  
4503 obligations or penalties under the terms of any contract let for preparation of the  
4504 environmental documents.

4505 G. The department shall only publish an EIS when it believes that the EIS  
4506 adequately disclose: the significant direct, indirect, and cumulative adverse impacts of the  
4507 proposal and its alternatives; mitigation measures proposed and committed to by the  
4508 applicant, and their effectiveness in significantly mitigating impacts; mitigation measures  
4509 that could be implemented or required; and unavoidable significant adverse impacts.  
4510 Unless otherwise agreed to by the applicant, a final environmental impact statement shall  
4511 be issued by the department within two hundred seventy days following the issuance of a  
4512 DS for the proposal, except for public projects and nonproject actions, unless the  
4513 department determines at the time of issuance of the DS that a longer period will be  
4514 required because of the extraordinary size of the proposal or the scope of the environmental

Ordinance 19881

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4515 impacts resulting therefrom; ~~((provided that))~~ the additional time shall not exceed ninety  
4516 days unless agreed to by the applicant.

4517 H. The following periods shall be excluded from the two-hundred-seventy-day  
4518 period for issuing a final environmental impact statement:

4519 1. Any period during which the applicant has failed to pay required environmental  
4520 review fees to the department;

4521 2. Any period during which the applicant has been requested to provide additional  
4522 information required for preparation of the environmental impact statement, and

4523 3. Any period during which the applicant has not authorized the department to  
4524 proceed with preparation of the environmental impact statement.

4525 SECTION 71. Ordinance 6949, Section 10, as amended, and K.C.C. 20.44.080  
4526 are hereby amended to read as follows:

4527 A. The procedures and standards of WAC 197-11-650 through 197-11-660  
4528 regarding substantive authority and mitigation, and WAC 197-11-158, regarding reliance  
4529 on existing plans, laws and regulations, are adopted.

4530 B. For the purposes of RCW 43.21C.060 and WAC 197-11-660, the following  
4531 policies, plans, rules, and regulations, and all amendments thereto, are designated as  
4532 potential bases for the exercise of King County's substantive authority under SEPA,  
4533 subject to RCW 43.21C.240 ~~((and subsection C of this section))~~:

4534 1. The policies of the state Environmental Policy Act ~~((;))~~ under RCW  
4535 43.21C.020 ~~((;))~~;

4536 2. ~~((As specified in K.C.C. chapter 20.12, t))~~ The King County Comprehensive  
4537 Plan, its addenda and revisions, ~~((and community and))~~ subarea plans and ~~((housing~~

Ordinance 19881

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4538 report, and as specified in K.C.C. chapter 20.14, surface water management program  
4539 basin)) functional plans ((-));

4540 3. The King County Zoning Code(~~(, as adopted in)~~) under K.C.C. Title 21A((-));

4541 4. (~~The King County Agricultural Lands Policy, as adopted in K.C.C. Title 26.~~

4542 ~~5.)) The King County ((Landmarks)) Protection and Preservation of Landmarks,~~

4543 Landmark Sites and Districts Preservation Code(~~(, as adopted in)~~) under K.C.C. chapter

4544 20.62((-));

4545 ((~~6.~~) 5. The King County Shoreline ((Management)) Master ((Plan)) Program((,

4546 ~~as adopted in)~~) under K.C.C. ((Title 25.)) 20.12.200;

4547 ((~~7.~~) 6. The King County Surface Water, Stormwater and Groundwater

4548 Management Code ((Runoff Policy, as adopted in)) under K.C.C. ((chapter 9.04,

4549 including the Covington Master Drainage Plan, as adopted in K.C.C. chapter 20.14,))

4550 Title 9;

4551 ((~~8.~~) 7. The King County Roads and Bridges Code ((Standards, as adopted in))

4552 under K.C.C. ((chapter 14.42.)) Title 14;

4553 ((~~9.~~) 8. The ((Comprehensive Plan for Transportation adopted by Resolution

4554 No. 6617 of the council of the Municipality of Metropolitan Seattle and readopted and

4555 ratified by the county council in K.C.C. 28.01.030.)) King County Metro Strategic Plan

4556 for Public Transportation 2021-2031, Metro Connects, and the King County Metro

4557 Service Guidelines;

4558 9. The King County Open Space Plan;

4559 10. The Strategic Plan for Roads;

Ordinance 19881

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4560            11. The Comprehensive Sewerage Disposal Plan adopted by Resolution No. 23  
 4561 of the council of the Municipality of Metropolitan Seattle and readopted and ratified by  
 4562 the county council in K.C.C. 28.01.030((-);

4563            ~~((H.))~~ 12. The rules and regulations for construction and use of local sewage  
 4564 facilities set forth in K.C.C. chapters 28.81 through 28.84((-

4565            ~~12.~~ ~~The rules and regulations on the consistency of sewer projects with local~~  
 4566 ~~land use plans and policies set forth in Ordinance 11034, as amended.~~

4567            ~~13.~~ ~~The rules and regulations for the disposal of industrial waste into the~~  
 4568 ~~sewerage system set forth in Ordinance 11034, as amended.~~

4569            ~~14.~~ ~~The Duwamish Clean Water Plan adopted by the council of the Municipality~~  
 4570 ~~of Metropolitan Seattle and readopted and ratified by the county council by Ordinance~~  
 4571 ~~11032, Section 28, as amended.~~

4572            ~~15.~~ ~~The Washington Department of Ecology's Best Management Practices for~~  
 4573 ~~the Use of Municipal Sludge.));~~

4574            13. Noise requirements under K.C.C. chapter 12.86;

4575            14. Water and Sewer Systems Code under K.C.C. Title 13;

4576            15. Building and Construction Standards Code under K.C.C. Title 16;

4577            16. Fire Coder under K.C.C. Title 17;

4578            17. Land Segregation Code under K.C.C. Title 19A; and

4579            18. The King County Board of Health Code.

4580            C. ~~((Within the urban growth area, substantive SEPA authority to condition or~~  
 4581 ~~deny new development proposals or other actions shall be used only in cases where~~  
 4582 ~~specific adverse environmental impacts are not addressed by regulations as set forth~~

Ordinance 19881

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4583 ~~below or unusual circumstances exist. In cases where the county has adopted the~~  
4584 ~~following regulations to systematically avoid or mitigate adverse impacts, those standards~~  
4585 ~~and regulations will normally constitute adequate mitigation of the impacts of new~~  
4586 ~~development: K.C.C. chapter 9.04, Surface Water Runoff Policy, K.C.C. chapter 9.08,~~  
4587 ~~Surface Water Management Program, K.C.C. chapter 9.12, Water Quality, K.C.C.~~  
4588 ~~chapter 14.42, King County Road Standards, K.C.C. chapter 16.82, Clearing and~~  
4589 ~~Grading, K.C.C. chapter 21A.12, Development Standards—Density and Dimensions,~~  
4590 ~~K.C.C. chapter 21A.14, Development Standards—Design Requirements, K.C.C. chapter~~  
4591 ~~21A.16, Development Standards—Landscaping and Water Use, K.C.C. chapter 21A.18,~~  
4592 ~~Development Standards—Parking and Circulation, K.C.C. chapter 21A.20, Development~~  
4593 ~~Standards—Signs, K.C.C. chapter 21A.22, Development Standards—Mineral Extraction,~~  
4594 ~~K.C.C. chapter 21A.24, Critical Areas, K.C.C. chapter 21A.26, Development Standards—~~  
4595 ~~Communication Facilities, K.C.C. chapter 21A.28, Development Standards—Adequacy~~  
4596 ~~of Public Facilities and Services. Unusual circumstances related to a site or to a proposal,~~  
4597 ~~as well as environmental impacts not mitigated by the regulations listed in this~~  
4598 ~~subsection, will be subject to site specific or project specific SEPA mitigation.~~

4599       This subsection shall not apply if the county's development regulations cited in  
4600 ~~this subsection are amended after April 22, 1996, unless the amending ordinance contains~~  
4601 ~~a finding, supported by documentation, that the requirements for environmental analysis,~~  
4602 ~~protections, and mitigation measures in this chapter, provide adequate analysis of and~~  
4603 ~~mitigation for the specific adverse environmental impacts to which the requirements~~  
4604 ~~apply.~~

Ordinance 19881

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4605 ~~D. Outside the urban growth area, in the course of project review, including any~~  
4606 ~~required environmental analysis, the responsible official may determine that requirements~~  
4607 ~~for environmental analysis, protection, and mitigation measures in the county's~~  
4608 ~~development regulations or comprehensive plans adopted under chapter 36.70A RCW~~  
4609 ~~and in other applicable local, state, or federal laws and rules provide adequate analysis~~  
4610 ~~and mitigation for specific adverse environmental impacts of the project, if the following~~  
4611 ~~criteria are met:~~

4612 ~~1. In the course of project review, the responsible official shall identify and~~  
4613 ~~consider the specific probable adverse environmental impacts of the proposed action and~~  
4614 ~~then make a determination whether these specific impacts are adequately addressed by~~  
4615 ~~the development regulations. If they are not, the responsible official shall apply~~  
4616 ~~mitigation consistent with the applicable requirements of the comprehensive plan,~~  
4617 ~~subarea plan element of the comprehensive plan, or other local, state, or federal rules or~~  
4618 ~~laws; and~~

4619 ~~2. The responsible official bases or conditions its approval on compliance with~~  
4620 ~~these requirements or mitigation measures.~~

4621 ~~E.)) Any decision to approve, deny, or approve with conditions pursuant to RCW~~  
4622 ~~43.21C.060 shall be contained in the responsible official's decision document. The~~  
4623 ~~written decision shall contain facts and conclusions based on the proposal's specific~~  
4624 ~~adverse environmental impacts, or lack thereof, as identified in an environmental~~  
4625 ~~checklist, EIS, threshold determination, other environmental document including an~~  
4626 ~~executive department's staff report and recommendation to a decision maker, or findings~~  
4627 ~~made pursuant to a public hearing authorized or required by law or ordinance. The~~

Ordinance 19881

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4628 decision document shall state the specific plan, policy, or regulation that supports the  
4629 SEPA decision and, if mitigation beyond existing development regulations is required,  
4630 the specific adverse environmental impacts and the reasons why additional mitigation is  
4631 needed to comply with SEPA.

4632 ~~((F.))~~ D. This chapter shall not be construed as a limitation on the authority of  
4633 King County to approve, deny, or condition a proposal for reasons based upon other  
4634 statutes, ordinances, or regulations.

4635 SECTION 72. Ordinance 4828, Section 2, as amended, and K.C.C. 20.62.020 are  
4636 hereby amended to read as follows:

4637 The following words and terms shall, when used in this chapter, be defined as  
4638 follows unless a different meaning clearly appears from the context:

4639 A. "Alteration" is any construction, demolition, removal, modification,  
4640 excavation, restoration, or remodeling of a landmark.

4641 B. "Building" is a structure created to shelter any form of human activity, such as  
4642 a ~~((house))~~ residence, barn, ~~((church))~~ religious facility, hotel, or similar structure.  
4643 Building may refer to a historically related complex, such as a courthouse and jail or a  
4644 ~~((house))~~ residence and barn.

4645 C. "Certificate of appropriateness" is written authorization issued by the  
4646 commission or its designee permitting an alteration to a significant feature of a  
4647 designated landmark.

4648 D. "Commission" is the landmarks commission created by this chapter.

Ordinance 19881

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4649 E. "Community landmark" is an historic resource which has been designated  
4650 pursuant to K.C.C. 20.62.040 but which may be altered or changed without application  
4651 for or approval of a certificate of appropriateness.

4652 F. "Designation" is the act of the commission determining that an historic  
4653 resource meets the criteria established by this chapter.

4654 G. "Designation report" is a report issued by the commission after a public  
4655 hearing setting forth its determination to designate a landmark and specifying the  
4656 significant feature or features thereof.

4657 H. "Director" is the director of the King County department of local services  
4658 permitting division manager or designee.

4659 I. "District" is a geographically definable area, urban ((~~or~~)), rural, or natural  
4660 resource lands, possessing a significant concentration, linkage, or continuity of sites,  
4661 buildings, structures, or objects united by past events or aesthetically by plan or physical  
4662 development. A district may also comprise individual elements separated geographically  
4663 but linked by association or history.

4664 J. "Heritage" is a discipline relating to historic preservation and archaeology,  
4665 history, ethnic history, traditional cultures, and folklore.

4666 K. "Historic preservation officer" is the King County historic preservation officer  
4667 or designee.

4668 L. "Historic resource" is a district, site, building, structure, or object significant in  
4669 national, state or local history, architecture, archaeology, and culture.

4670 M. "Historic resource inventory" is an organized compilation of information on  
4671 historic resources considered to be significant according to the criteria listed in K.C.C.



Ordinance 19881

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4672 20.62.040.A. The historic resource inventory is kept on file by the historic preservation  
4673 officer and is updated from time to time to include newly eligible resources and to reflect  
4674 changes to resources.

4675 N. "Incentives" are such compensation, rights, or privileges, or combination  
4676 thereof, which the council, or other local, state, or federal public body or agency, by  
4677 virtue of applicable present or future legislation, may be authorized to grant to or obtain  
4678 for the owner or owners of designated landmarks. Examples of economic incentives  
4679 include but are not limited to tax relief, conditional use permits, rezoning, street vacation,  
4680 ((~~planned unit development,~~)) transfer of development rights, facade easements, gifts,  
4681 preferential leasing policies, private or public grants in aid, beneficial placement of public  
4682 improvements, or amenities, or the like.

4683 O. "Interested person of record" is any individual, corporation, partnership, or  
4684 association that notifies the commission or the council in writing of its interest in any  
4685 matter before the commission.

4686 P. "Landmark" is an historic resource designated as a landmark pursuant to  
4687 K.C.C. 20.62.070.

4688 Q. "Nomination" is a proposal that an historic resource be designated a landmark.

4689 R. "Object" is a material thing of functional, aesthetic, cultural, historical, or  
4690 scientific value that may be, by nature or design, movable yet related to a specific setting  
4691 or environment.

4692 S. "Owner" is a person having a fee simple interest, a substantial beneficial  
4693 interest of record or a substantial beneficial interest known to the commission in an

Ordinance 19881

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4694 historic resource. Where the owner is a public agency or government, that agency shall  
4695 specify the person or persons to receive notices under this chapter.

4696 T. "Person" is any individual, partnership, corporation, group, or association.

4697 U. "Person in charge" is the person or persons in possession of a landmark  
4698 including, but not limited to, a mortgagee or vendee in possession, an assignee of rents, a  
4699 receiver, executor, trustee, lessee, tenant, agent, or any other person directly or indirectly  
4700 in control of the landmark.

4701 V. "Preliminary determination" is a decision of the commission determining that  
4702 an historic resource which has been nominated for designation is of significant value and  
4703 is likely to satisfy the criteria for designation.

4704 W. "Significant feature" is any element of a landmark which the commission has  
4705 designated pursuant to this chapter as of importance to the historic, architectural or  
4706 archaeological value of the landmark.

4707 X. "Site" is the location of a significant event, a prehistoric or historic occupation  
4708 or activity, or a building or structure, whether standing, ruined, or vanished, where the  
4709 location itself maintains an historical or archaeological value regardless of the value of  
4710 any existing structures.

4711 Y. "Structure" is any functional construction made usually for purposes other  
4712 than creating human shelter.

4713 SECTION 73. Ordinance 4828, Section 4, as amended, and K.C.C. 20.62.040 are  
4714 hereby amended to read as follows:

4715 A. An historic resource may be designated as a King County landmark if it is  
4716 more than forty years old or, in the case of a landmark district, contains resources that are

Ordinance 19881

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4717 more than forty years old, and possesses integrity of location, design, setting, materials,  
4718 quality of work, feeling, or association, or any combination of the foregoing aspects of  
4719 integrity, sufficient to convey its historic character, and:

4720           1. Is associated with events that have made a significant contribution to the  
4721 broad patterns of national, state, or local history;

4722           2. Is associated with the lives of persons significant in national, state, or local  
4723 history;

4724           3. Embodies the distinctive characteristics of a type, period, style, or method of  
4725 design or construction, or that represents a significant and distinguishable entity whose  
4726 components may lack individual distinction;

4727           4. Has yielded, or may be likely to yield, information important in prehistory or  
4728 history; or

4729           5. Is an outstanding work of a designer or builder who has made a substantial  
4730 contribution to the art.

4731           B. An historic resource may be designated a community landmark because it is  
4732 an easily identifiable visual feature of a neighborhood or the county and contributes to the  
4733 distinctive quality or identity of such a neighborhood or county or because of its  
4734 association with significant historical events or historic themes, association with  
4735 important or prominent persons in the community or county, or recognition by local  
4736 ~~((citizens))~~ individuals for substantial contribution to the neighborhood or community.

4737 An improvement or site qualifying for designation solely by virtue of satisfying criteria  
4738 set out in this section shall be designated a community landmark and shall not be subject  
4739 to K.C.C. 20.62.080.

Ordinance 19881

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4740 C. Cemeteries, birthplaces, or graves of historical figures, properties owned by  
 4741 religious institutions or used for religious purposes, structures that have been moved from  
 4742 their original locations, reconstructed historic buildings, properties primarily  
 4743 commemorative in nature, and properties that have achieved significance within the past  
 4744 forty years shall not be considered eligible for designation. However, such ~~((a property))~~  
 4745 properties shall be eligible for designation if they are(~~:~~

4746 ~~1. A))~~ an integral part of districts that meet the criteria set out in subsection A. of  
 4747 this section or if ~~((it is))~~ they are:

4748 ~~((2. A))~~ 1. ~~((¶))~~ Religious ~~((property))~~ properties deriving primary significance  
 4749 from architectural or artistic distinction or historical importance;

4750 ~~((3. A))~~ 2. ~~((b))~~ Buildings or structures removed from ~~((its))~~ their original  
 4751 locations but that ~~((is))~~ are significant primarily for ~~((its))~~ their architectural value, or  
 4752 ~~((which is))~~ that are the surviving structure most importantly associated with ~~((a))~~ historic  
 4753 persons or events;

4754 ~~((4. A))~~ 3. ~~((b))~~ Birthplaces, graves, or residences of ~~((a))~~ historical figures of  
 4755 outstanding importance if there ~~((is))~~ are no other appropriate sites or buildings directly  
 4756 associated with the historical ~~((figure's))~~ figures' productive ~~((life))~~ lives;

4757 ~~((5. A cemetery))~~ 4. Cemeteries that derive~~((s its))~~ their primary significances  
 4758 from graves of persons of transcendent importance, from age, from distinctive design  
 4759 features, or from association with historic events;

4760 ~~((6. A))~~ 5. ~~((¶))~~ Reconstructed buildings when accurately executed in a suitable  
 4761 environment and presented in a dignified manner or as part of ~~((a))~~ restoration master

Ordinance 19881

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4762 plans, and when no other buildings or structures with the same association ~~((has))~~ have  
4763 survived;

4764 ~~((7. A property))~~ 6. Properties commemorative in intent if design, age,  
4765 tradition, or symbolic value ~~((has))~~ have invested ~~((it))~~ them with ~~((its))~~ their own  
4766 historical significance; or

4767 ~~((8. A property))~~ 7. Properties achieving significance within the past forty years  
4768 if ~~((it is))~~ they are of exceptional importance.

4769 SECTION 74. Ordinance 11620, Section 12, as amended, and K.C.C. 20.62.150  
4770 are hereby amended to read as follows:

4771 A. King County shall not approve any development proposal or otherwise issue  
4772 any authorization to alter, demolish, or relocate any historic resource identified in the  
4773 King County Historic Resource Inventory, pursuant to the requirements of this chapter.  
4774 The dimensional standards of the underlying zone contained in K.C.C. ~~((chapter))~~ Title  
4775 21A~~((12, Development Standards—Density and Dimensions))~~ and K.C.C. chapter  
4776 21A.16~~((Development Standards—Landscaping and Water Use))~~ shall be expanded,  
4777 when necessary, to preserve the aesthetic, visual and historic integrity of the historic  
4778 resource from the impacts of development on adjacent properties.

4779 B. Upon receipt of an application for a development proposal located on or  
4780 adjacent to a historic resource listed in the King County Historic Resource Inventory, the  
4781 director shall follow the following procedure:

4782 1. The development proposal application shall be circulated to the King County  
4783 historic preservation officer for comment on the impact of the project on historic  
4784 resources and for recommendation on mitigation. This includes all permits for alterations

Ordinance 19881

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4785 to historic buildings, alteration to landscape elements, new construction on the same or  
4786 abutting lots, or any other action requiring a permit (~~(which)~~) that might affect the  
4787 historic character of the resource. Information required for a complete permit application  
4788 to be circulated to the historic preservation officer shall include:

- 4789 a. a vicinity map;
- 4790 b. a site plan showing the location of all buildings, structures, and landscape  
4791 features;
- 4792 c. a brief description of the proposed project together with architectural  
4793 drawings showing the existing condition of all buildings, structures, landscape features,  
4794 and any proposed alteration to them;
- 4795 d. photographs of all buildings, structures, or landscape features on the site;  
4796 and
- 4797 e. an environmental checklist, except where categorically exempt under King  
4798 County SEPA guidelines.

4799 2. Upon request, the historic preservation officer shall provide information  
4800 about available grant assistance and tax incentives for historic preservation. The officer  
4801 may also provide the owner, developer, or other interested party with examples of  
4802 comparable projects where historic resources have been restored or rehabilitated.

4803 3. In the event of a conflict between the development proposal and preservation  
4804 of an historic resource, the historic preservation officer shall:

- 4805 a. suggest appropriate alternatives to the owner/developer which achieve the  
4806 goals of historic preservation;
  - 4807 b. recommend approval, or approval with conditions to the director; or
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Ordinance 19881

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4808 c. propose that a resource be nominated for county landmark designation  
4809 according to procedures established in the landmarks preservation ordinance ~~((c))~~ under  
4810 K.C.C. chapter 20.62~~((c))~~.

4811 4. The director may continue to process the development proposal application,  
4812 but shall not issue any development permits or issue a SEPA threshold determination  
4813 until receiving a recommendation from the historic preservation officer. In no event shall  
4814 review of the proposal by the historic preservation officer delay permit processing  
4815 beyond any period required by law. Permit applications for changes to landmark  
4816 properties shall not be considered complete unless accompanied by a certificate of  
4817 appropriateness pursuant to K.C.C. 20.62.080.

4818 5. On known archaeological sites, before any disturbance of the site, including,  
4819 but not limited to test boring, site clearing, construction, grading or revegetation, the  
4820 ~~((S))~~state ~~((Office))~~ Department of Archaeology and Historic Preservation ~~((OAH))~~,  
4821 and the King County historic preservation officer, and appropriate ~~((Native American))~~  
4822 Indian tribal organizations must be notified and state permits obtained, if required by law.  
4823 The officer may require that a professional archaeological survey be conducted to  
4824 identify site boundaries, resources, and mitigation alternatives prior to any site  
4825 disturbance and that a technical report be provided to the officer, ~~((OAH))~~ the state  
4826 Department of Archaeology and Historic Preservation, and appropriate Indian tribal  
4827 organizations. The officer may approve, disapprove or require permits conditions,  
4828 including professional archeological surveys, to mitigate adverse impacts to known  
4829 archeological sites.

Ordinance 19881

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4830 C. Upon receipt of an application for a development proposal (~~((which))~~) that  
4831 affects a King County landmark or an historic resource that has received a preliminary  
4832 determination of significance as defined by K.C.C. 20.62.020\_V., the application  
4833 circulated to the King County historic preservation officer shall be deemed an application  
4834 for a certificate of appropriateness pursuant to K.C.C. 20.62.080 if accompanied by the  
4835 additional information required to apply for such certificate.

4836 SECTION 75. Ordinance 10870, Section 17, as amended, and K.C.C.  
4837 21A.02.070 are hereby amended to read as follows:

4838 A. All references to the Standard Industrial Classification (SIC) are to the titles  
4839 and descriptions found in the Standard Industrial Classification Manual, 1987 edition,  
4840 prepared by United States Office of Management and Budget, which is hereby adopted  
4841 by reference. The ~~((SIC))~~ is used, with modifications to suit the purposes of this  
4842 title, to list and define land uses authorized to be located in the various zones consistent  
4843 with the ~~((comprehensive plan))~~ land use map.

4844 B. The SIC categorizes each land use under a general two-digit major group  
4845 number, or under a more specific three- or four-digit industry group or industry number.  
4846 A use shown on a land use table with a two-digit number includes all uses listed in the  
4847 SIC for that major group. A use shown with a three-digit or four-digit number includes  
4848 only the uses listed in the SIC number for that industry group or industry.

4849 C. An asterisk ~~((,))~~, shown as "\*"(( ))" in the SIC number column of a land use  
4850 table means that the SIC definition for the specific land use identified has been modified  
4851 by this title. The definition may include one or more SIC ~~((subclassification))~~ numbers,  
4852 or may define the use without reference to the SIC.



Ordinance 19881

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4853 D. The ~~((D))~~ director shall determine whether a proposed land use not specifically  
4854 listed in a land use table or specifically included within a SIC ~~((classification))~~ number is  
4855 allowed in a zone. The director's determination shall be based on whether ~~((or not))~~  
4856 permitting the proposed use in a particular zone is consistent with the purposes of this  
4857 title and the zone's purpose ~~((as set forth))~~ established in K.C.C. chapter 21A.04, by  
4858 considering the following factors:

4859 1. The physical characteristics of the use and its supporting structures, including  
4860 but not limited to scale, traffic, and other impacts, and hours of operation;

4861 2. Whether ~~((or not))~~ the use complements or is compatible with other uses  
4862 ~~((permitted))~~ allowed in the zone; and

4863 3. The SIC ~~((classification))~~ number, if any, assigned to the business or other  
4864 entity that will carry on the primary activities of the proposed use.

4865 E. If a proposed land use subject to subsection D. of this section is an essential  
4866 public facility under the Growth Management Act, it shall be evaluated using the special  
4867 use permit process.

4868 SECTION 76. Ordinance 10870, Section 27, as amended, and K.C.C.  
4869 21A.04.060 are hereby amended to read as follows:

4870 A. The purpose of the rural zone (RA) is to provide for an area-wide long-term  
4871 rural character and to minimize land use conflicts with nearby agricultural or forest  
4872 production districts or mineral extraction sites. These purposes are accomplished by:

4873 1. Limiting residential densities and ~~((permitted))~~ allowed uses to those that are  
4874 compatible with rural character and nearby resource production districts and sites and are  
4875 able to be adequately supported by rural service levels;

Ordinance 19881

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4876           2. Allowing small-scale farming and forestry activities and tourism and  
 4877 recreation uses that can be supported by rural service levels and that are compatible with  
 4878 rural character;

4879           3. Increasing required setbacks to minimize conflicts with adjacent agriculture,  
 4880 forest, or mineral zones; and

4881           4. Requiring tracts created through clustering ~~((development))~~ to be designated  
 4882 as permanent ~~((open space))~~ natural area or as permanent resource use.

4883           B. Use of this zone is appropriate in the rural area((s)) designated by the  
 4884 Comprehensive Plan as follows:

4885           1. RA-2.5 in the rural area((s)) where the predominant lot pattern is below five  
 4886 acres in size for lots established ~~((prior to))~~ before the adoption of the 1994  
 4887 Comprehensive Plan;

4888           2. RA-5 in the rural area((s)) where ~~((the predominant lot pattern is five acres or  
 4889 greater but less than ten acres in size and the area is generally environmentally  
 4890 unconstrained;))~~;

4891           a. the land is more than a quarter mile from designated natural resource lands;

4892           b. the land is physically suitable for development with minimal critical areas;

4893 and

4894           c. the density would not harm or diminish the surrounding area, burden  
 4895 infrastructure, increase development pressure, or be inconsistent with the development  
 4896 patterns promoted by the Comprehensive Plan;

4897           3.a. RA-10 in the rural area((s)) where ~~((the predominant lot pattern is ten acres  
 4898 or greater but less than twenty acres in size. RA 10 is also applied on land that is~~

Ordinance 19881

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4899 ~~generally environmentally constrained, as defined by county, state or federal law, to~~  
4900 ~~protect critical habitat and regionally significant resource areas (RSRAs). The RA-10~~  
4901 ~~zone is also applied to lands within one-quarter mile of a forest or agricultural production~~  
4902 ~~district or an approved long-term mineral extraction site-));~~

4903 (1) the land is adjacent to or within one-quarter mile of designated natural  
4904 resource lands;

4905 (2) the land contains moderate or significant critical areas; or

4906 (3) a density of one dwelling unit per five acres would harm or diminish the  
4907 surrounding area, burden infrastructure, increase development pressure, or be inconsistent  
4908 with the development patterns promoted by the Comprehensive Plan; and

4909 b. On Vashon-Maury Island, RA-10 zoning shall be maintained on areas zoned  
4910 RA-10 as of 1994 and on areas with a predominant lot size of ten acres or greater that are  
4911 identified on the Areas Highly Susceptible to Groundwater Contamination map; and

4912 4. RA-20 in Rural Forest Focus ((Districts)) Areas designated by the King  
4913 County Comprehensive Plan. This level of density should also be considered when a  
4914 larger parcel with an agricultural, forestry, or mineral land use designation is redesignated  
4915 to a rural area land use designation.

4916 SECTION 77. Ordinance 10870, Section 28, as amended, and K.C.C.  
4917 21A.04.070 are hereby amended to read as follows:

4918 A. The purposes of the urban reserve zone (UR) are to: phase growth and  
4919 demand for urban services, and to reserve large tracts of land for possible future growth  
4920 in portions of King County designated by the Comprehensive Plan for future urban  
4921 growth while allowing reasonable interim uses of property; or to reflect designation by

Ordinance 19881

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4922 the Comprehensive Plan of a property or area as part of the ~~((u))~~Urban ~~((g))~~Growth  
 4923 ~~((a))~~Area when a detailed plan for urban uses and densities has not been completed, or  
 4924 where adequate public facilities and services are not available or yet needed. These  
 4925 purposes are accomplished by:

- 4926 1. Allowing for rural, agricultural, and other low-density uses;
- 4927 2. Allowing for limited residential growth, either contiguous to existing urban  
 4928 public facilities~~((;))~~ or at a density supportable by existing rural public service levels; and  
 4929 3. Requiring ~~((clustered residential developments))~~ clustering where feasible, to  
 4930 prevent establishment of uses and lot patterns ~~((which))~~ that may foreclose future  
 4931 alternatives and impede efficient later development at urban densities.

4932 B. Use of this zone is appropriate in ~~((urban areas, rural towns or in rural city  
 4933 expansion areas))~~ the Urban Growth Area for Cities in the Rural Area designated by the  
 4934 Comprehensive Plan~~((, when such areas do not have adequate public facilities and  
 4935 services or are not yet needed to accommodate planned growth, do not yet have detailed  
 4936 land use plans for urban uses and densities, or are designated as sites for a potential urban  
 4937 planned development or new fully contained communities)).~~

4938 SECTION 78. Ordinance 10870, Section 29, as amended, and K.C.C.  
 4939 21A.04.080 are hereby amended to read as follows:

4940 A. The purpose of the urban residential zone (R) is to implement  
 4941 ~~((e))~~Comprehensive ~~((p))~~Plan goals and policies for housing quality, diversity, and  
 4942 affordability, and to efficiently use urban residential land, public services, and ~~((energy))~~  
 4943 utilities. These purposes are accomplished by:

Ordinance 19881

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4944 1. Providing, in the R-1 zone, predominantly single detached residences at a  
 4945 relatively low residential density;

4946 2. Providing, in the R-4 through R-8 zones, for a mix of ((predominantly))  
 4947 single detached ((dwelling units)) residences, duplexes, houseplexes, and other  
 4948 development types, with a variety of densities and sizes in locations appropriate for  
 4949 ((urban)) lower or moderate residential densities;

4950 ((2.)) 3. Providing, in the R-12 through R-48 zones, for a mix of predominantly  
 4951 apartments and townhouses ((dwelling units)), mixed-use, and other development types,  
 4952 with a variety of densities and sizes in locations appropriate for ((urban)) moderate to  
 4953 higher residential densities;

4954 ((3.)) 4. Allowing only those accessory and complementary nonresidential uses  
 4955 that are compatible with urban residential communities; and

4956 ((4.)) 5. Establishing density designations to facilitate advanced area-wide  
 4957 planning for public facilities and services, and to protect ((environmentally sensitive  
 4958 sites)) critical areas from over((-))development.

4959 B. Use of ((this)) these zones is appropriate in urban areas, ((activity)) centers, or  
 4960 ((R))rural ((T))towns designated by the Comprehensive Plan as follows:

4961 1. The R-1 zone:

4962 a. on or adjacent to lands with area-wide environmental constraints where  
 4963 ((development)) clustering is required ((to cluster)) away from ((sensitive)) critical  
 4964 areas((-);

4965 b. on lands designated as urban separators ((or)), wildlife habitat network  
 4966 ((where development is required to cluster away from the axis of the corridor on)), or

Ordinance 19881

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4967 critical aquifer recharge areas~~((, and on Regionally and Locally Significant Resource~~  
 4968 ~~Areas (RSRAs/LSRAs)))~~; or

4969 c. in well-established subdivisions of the same density~~((, which))~~ that are  
 4970 served at the time of development by public or private facilities and services adequate to  
 4971 support planned densities;

4972 2. The R-4 through R-8 zones on ~~((urban))~~ lands that are predominantly  
 4973 environmentally unconstrained and are served at the time of development~~((;))~~ by  
 4974 adequate public sewers, water supply, roads, and other needed public facilities and  
 4975 services; and

4976 3. The R-12 through R-48 zones on lands in and next to ~~((U))~~unincorporated  
 4977 ~~((A))~~activity ~~((C))~~centers, in ~~((C))~~community business centers, or ~~((N))~~neighborhood  
 4978 ~~((B))~~business ~~((C))~~centers, in mixed-use development, on small, scattered lots integrated  
 4979 into existing residential areas, or in ~~((R))~~rural ~~((T))~~towns, that are served at the time of  
 4980 development by adequate public sewers, water supply, roads, and other needed public  
 4981 facilities and services.

4982 SECTION 79. Ordinance 10870, Section 30, as amended, and K.C.C.

4983 21A.04.090 are hereby amended to read as follows:

4984 A. The purpose of the neighborhood business zone (NB) is to provide convenient  
 4985 daily retail and personal services for a limited service area and to minimize impacts of  
 4986 commercial activities on nearby properties and ~~((in urban areas on properties with the~~  
 4987 ~~land use designation of commercial outside of center,))~~ to provide for limited residential  
 4988 development. These purposes are accomplished by:

Ordinance 19881

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4989           1. Limiting nonresidential uses to those retail or personal services (~~((which))~~) that  
 4990 can serve the everyday needs of a surrounding urban or rural residential area;

4991           2. Allowing for (~~((mixed-use (housing and retail/service)))~~) mixed-use  
 4992 developments to provide workforce housing (~~((and))~~);

4993           3. Allowing for townhouse developments as a sole use on properties in the  
 4994 urban area with the land use designation of commercial outside of center; and

4995           ~~((3.))~~ 4. Excluding industrial and community/regional business-scaled uses.

4996           B. Use of this zone is appropriate in (~~((urban))~~) unincorporated activity centers,  
 4997 community business centers, neighborhood business centers, commercial outside of  
 4998 centers, rural towns, or rural neighborhood commercial centers designated by the  
 4999 ~~((e))~~Comprehensive ~~((p))~~Plan, on sites (~~((which))~~) that are served at the time of  
 5000 development by adequate public sewers when located in urban areas or adequate on-site  
 5001 sewage disposal when located in rural areas, water supply, roads, and other needed public  
 5002 facilities and services.

5003           SECTION 80. Ordinance 10870, Section 31, as amended, and K.C.C.

5004 21A.04.100 are hereby amended to read as follows:

5005           A. The purpose of the community business zone (CB) is to provide convenience  
 5006 and comparison retail and personal services for local service areas (~~((which))~~) that exceed  
 5007 the daily convenience needs of adjacent neighborhoods but (~~((which))~~) that cannot be  
 5008 served conveniently by larger unincorporated activity centers, and to provide retail and  
 5009 personal services in locations within unincorporated activity centers that are not  
 5010 appropriate for extensive outdoor storage or (~~((auto))~~) vehicle-related and industrial uses.

5011 These purposes are accomplished by:

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Ordinance 19881

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5012           1. Providing for limited small-scale offices as well as a wider range of the retail,  
5013 professional, governmental, and personal services than are found in neighborhood  
5014 business areas;

5015           2. Allowing for ~~((mixed-use (housing and retail/service)))~~ mixed-use  
5016 developments; and

5017           3. Excluding commercial uses with extensive outdoor storage or auto related  
5018 and industrial uses.

5019           B. Use of this zone is appropriate in ~~((urban and))~~ unincorporated activity  
5020 centers, community business centers, commercial outside of centers, or rural towns that  
5021 are designated by the Comprehensive Plan ~~((and community plans))~~ and that are served at  
5022 the time of development by adequate public sewers, water supply, roads, and other  
5023 needed public facilities and services.

5024           SECTION 81. Ordinance 10870, Section 32, as amended, and K.C.C.  
5025 21A.04.110 are hereby amended to read as follows:

5026           A. The purpose of the regional business zone (RB) is to provide for the broadest  
5027 mix of comparison retail, wholesale, service, and ~~((recreation/))~~ recreational and cultural  
5028 uses with compatible storage and fabrication uses, serving regional market areas and  
5029 offering significant employment opportunities. These purposes are accomplished by:

5030           1. Encouraging compact development that is supportive of transit and pedestrian  
5031 travel, through higher nonresidential building heights and floor area ratios than those  
5032 found in community business centers;

5033           2. Allowing for outdoor sales and storage, regional shopping areas, and limited  
5034 fabrication uses; ~~((and))~~



Ordinance 19881

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5035 3. Concentrating large-scale commercial and office uses to facilitate the  
5036 efficient provision of public facilities and services; and

5037 4. Allowing for mixed-use developments in urban areas.

5038 B. Use of this zone is appropriate in ~~((urban activity centers or rural towns))~~  
5039 commercial outside of centers that are designated by the Comprehensive Plan ~~((and~~  
5040 ~~community plans))~~ that are served at the time of development by adequate public sewers,  
5041 water supply, roads, and other needed public facilities and services.

5042 SECTION 82. Ordinance 10870, Section 33, and K.C.C. 21A.04.120 are hereby  
5043 amended to read as follows:

5044 A. The purpose of the office zone (O) is to provide for pedestrian and transit-  
5045 oriented high-density employment uses together with limited complementary retail and  
5046 urban density residential development in locations ~~((within activity centers))~~ where the  
5047 full range of commercial activities is not desirable. These purposes are accomplished by:

5048 1. Allowing for uses that will take advantage of pedestrian-oriented site and  
5049 street improvement standards;

5050 2. Providing for higher building heights and floor area ratios than those found in  
5051 community business centers;

5052 3. Reducing the ratio of required parking to building floor area;

5053 4. Allowing for on-site convenient daily retail and personal services for  
5054 employees and residences; ~~((and))~~

5055 5. Excluding ~~((auto))~~ vehicle-oriented, outdoor, or other retail sales and services  
5056 ~~((which))~~ that do not provide for the daily convenience needs of on-site and nearby  
5057 employees or residents; and

Ordinance 19881

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5058 6. Allowing for mixed-use developments.

5059 B. Use of this zone is appropriate in unincorporated activity centers, community  
5060 business centers, neighborhood business centers, commercial outside of centers, or rural  
5061 towns designated by the Comprehensive Plan (~~(and community plans which)~~) that are  
5062 served at the time of development by adequate public sewers, water supply, roads, and  
5063 other needed public facilities and services.

5064 SECTION 83. Ordinance 10870, Section 44, as amended, and K.C.C.

5065 21A.06.020 are hereby amended to read as follows:

5066 Accessory use, residential: an accessory use to a residential use, including, but  
5067 not limited to:

5068 A. Accessory living quarters and dwellings;

5069 B. Fallout or bomb shelters;

5070 C. Keeping household pets or operating a hobby cattery, ~~((or))~~ hobby kennel, or  
5071 home-based animal shelter;

5072 D. On-site rental office;

5073 E. Pools, private docks or piers;

5074 F. Antennae for private telecommunication services;

5075 G. Storage of yard maintenance equipment;

5076 H. Storage of private vehicles, such as motor vehicles, boats, trailers or planes;

5077 I. Greenhouses;

5078 J. Recreation space and play areas required under K.C.C. 21A.14.180 (~~(and play~~  
5079 ~~areas required under K.C.C. 21A.14.190))~~);

5080 K. Home occupations and home industries under K.C.C. chapter 21A.30;

Ordinance 19881

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5081 L. Consumer-scale renewable energy systems; and

5082 M. Battery energy storage systems meeting the requirements of K.C.C.

5083 21A.08.030.B.7.

5084 NEW SECTION. SECTION 84. There is hereby added to K.C.C. chapter

5085 21A.06 a new section to read as follows:

5086 Adult family home: a residence in which a person or persons provide personal  
5087 care, special care, room, and board to more than one but not more than six adults who are  
5088 not related by blood or marriage to the person or persons providing the services. An adult  
5089 family home may provide services to up to eight adults upon approval from the  
5090 department of social and health services under RCW 70.128.066.

5091 SECTION 85. Ordinance 10870, Section 48, as amended, and K.C.C.

5092 21A.06.040 are hereby amended to read as follows:

5093 Agricultural product sales: the retail sale of items resulting from the practice of  
5094 agriculture, including primary horticulture products such as fruits, vegetables, grains,  
5095 seed, feed, and plants, primary animal products such as eggs, milk, and meat, or  
5096 secondary and value-added products resulting from processing, sorting, or packaging of  
5097 primary agricultural products such as jams, cheeses, dried herbs, or similar items.

5098 Agricultural product sales do not include (~~((marijuana))~~) cannabis, usable (~~((marijuana))~~)  
5099 cannabis, or (~~((marijuana))~~) cannabis-infused products.

5100 NEW SECTION. SECTION 86. There is hereby added to K.C.C. chapter

5101 21A.06 a new section to read as follows:

Ordinance 19881

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5102 Anaerobic digester: an airtight, oxygen-free container that is fed animal manure  
 5103 or other solid waste and that uses a biological process to stabilize organic matter and  
 5104 produce methane gas for energy generation or other beneficial use.

5105 SECTION 87. K.C.C. 21A.06.355, as amended by this ordinance, is hereby  
 5106 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.067.

5107 SECTION 88. Ordinance 10870, Section 5, and K.C.C. 21A.06.355 are hereby  
 5108 amended to read as follows:

5109 ~~((Dwelling unit, a))~~ Apartment: ~~((a dwelling unit contained in))~~ a building  
 5110 consisting of ~~((two))~~ ten or more dwelling units ~~((which may be stacked, or one or more~~  
 5111 ~~dwelling with nonresidential uses))~~ sharing a common roof, wall, or floor. A houseplex  
 5112 with one or more accessory dwelling units is not considered an apartment.

5113 SECTION 89. Ordinance 10870, Section 54, as amended, and K.C.C.  
 5114 21A.06.070 are hereby amended to read as follows:

5115 Applicant: a property owner, a public agency, or a public or private utility that  
 5116 owns a right-of-way or other easement or has been adjudicated the right to such an  
 5117 easement ~~((under))~~ in accordance with RCW 8.08.040, or any person or entity designated  
 5118 or named in writing by the property or easement owner to be the applicant, in an  
 5119 application for a development proposal, permit, or approval.

5120 NEW SECTION. SECTION 90. There is hereby added to K.C.C. chapter  
 5121 21A.06 a new section to read as follows:

5122 At imminent risk of becoming homeless: a household that will lose their primary  
 5123 nighttime residence as follows:

Ordinance 19881

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5124           A. The residence will be lost within fourteen days of the date of application for  
5125 homeless assistance;

5126           B. No subsequent residence has been identified; and

5127           C. The household lacks the resources or support networks needed to obtain other  
5128 permanent housing, such as family, friends, or faith-based or other social networks.

5129           NEW SECTION. SECTION 91. There is hereby added to K.C.C. chapter  
5130 21A.06 a new section to read as follows:

5131           At risk of chronic homelessness: a household that includes at least one adult:

5132           A. With a developmental, physical, or behavioral health disability;

5133           B. That is currently experiencing homelessness for at least ten months in the  
5134 previous three years, or has experienced homelessness for a cumulative total of twelve  
5135 months within the previous five years; and

5136           C. That has been incarcerated within the previous five years in a jail or prison,  
5137 has been detained or involuntarily committed under chapter 71.05 RCW, or identifies as a  
5138 member of a population that is demographically overrepresented among persons  
5139 experiencing homelessness in King County.

5140           SECTION 92. K.C.C. 21A.06.7341, as amended by this ordinance, is hereby  
5141 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.162.

5142           SECTION 93. Ordinance 17710, Section 2, and K.C.C. 21A.06.7341 are hereby  
5143 amended to read as follows:

5144           (~~Marijuana~~) Cannabis: all parts of the plant cannabis, whether growing or not,  
5145 with a percentage concentration of delta-9 tetrahydrocannabinol content per dry weight of  
5146 any part of the plant cannabis, or per volume or weight of (~~marijuana~~) cannabis product

Ordinance 19881

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5147 greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from  
5148 any part of the plant; and every compound, manufacture, salt, derivative, mixture, or  
5149 preparation of the plant, its seeds, or resin. ~~((Marijuana))~~ Cannabis does not include the  
5150 mature stalks of the plant, fiber produced from the stalks, oil, or cake made from the  
5151 seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or  
5152 preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake,  
5153 or the sterilized seed of the plant ~~((which))~~ that is incapable of germination.

5154 SECTION 94. K.C.C. 21A.06.7342, as amended by this ordinance, is hereby  
5155 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.7341, as  
5156 recodified by this ordinance.

5157 SECTION 95. Ordinance 17710, Section 3, and K.C.C. 21A.06.7342 are hereby  
5158 amended to read as follows:

5159 ~~((Marijuana))~~ Cannabis greenhouse: a structure with a glass or rigid plastic roof  
5160 and glass or rigid plastic walls designed and used to create an artificial climate for the  
5161 growing of ~~((marijuana))~~ cannabis as licensed by the Washington state Liquor ~~((Control))~~  
5162 and Cannabis Board for the ~~((marijuana))~~ cannabis production that is of sufficient  
5163 strength and stability to comply with the structural design load requirements of the  
5164 building code and that is not used as a place for human habitation or by the general  
5165 public.

5166 SECTION 96. K.C.C. 21A.06.7344, as amended by this ordinance, is hereby  
5167 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.7342, as  
5168 recodified by this ordinance.

Ordinance 19881

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5169            SECTION 97. Ordinance 17710, Section 4, as amended, and K.C.C.

5170            21A.06.7344 are hereby amended to read as follows:

5171            ((~~Marijuana~~)) Cannabis processor: a facility licensed by the Washington state  
5172            Liquor and Cannabis Board to process ((~~marijuana~~)) cannabis into useable ((~~marijuana~~))  
5173            cannabis and ((~~marijuana~~)) cannabis-infused products, package, and label useable  
5174            ((~~marijuana~~)) cannabis and ((~~marijuana~~)) cannabis-infused products for sale in retail  
5175            outlets, and sell useable ((~~marijuana~~)) cannabis and ((~~marijuana~~)) cannabis-infused  
5176            products at wholesale to ((~~marijuana~~)) cannabis retailers. ((~~Marijuana~~)) Cannabis  
5177            processors are classified as follows:

5178            A. ((~~Marijuana~~)) Cannabis processor I -- processing that is limited to:

- 5179            1. Drying, curing, and trimming; and  
5180            2. Packaging.

5181            B. ((~~Marijuana~~)) Cannabis process– II -- all elements of processing including:

- 5182            1. All ((~~marijuana~~)) Cannabis processor I activities;  
5183            2. Extracting concentrates and infusing products;  
5184            3. Mechanical and chemical processing; and  
5185            4. Packaging.

5186            SECTION 98. K.C.C. 21A.06.7346, as amended by this ordinance, is hereby  
5187            recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.7344, as  
5188            recodified by this ordinance.

5189            SECTION 99. Ordinance 17710, Section 5, as amended, and K.C.C.

5190            21A.06.7346 are hereby amended to read as follows:

Ordinance 19881

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5191            ~~((Marijuana))~~ Cannabis producer: a facility licensed by the Washington state  
5192    Liquor and Cannabis Board for the production and sale at wholesale of ~~((marijuana))~~  
5193    cannabis to ~~((marijuana))~~ cannabis processors and other ~~((marijuana))~~ cannabis  
5194    producers.

5195            SECTION 100. K.C.C. 21A.06.7348, as amended by this ordinance, is hereby  
5196    recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.7346, as  
5197    recodified by this ordinance.

5198            SECTION 101. Ordinance 17710, Section 6, as amended, and K.C.C.  
5199    21A.06.7348 hereby amended to read as follows:

5200            ~~((Marijuana))~~ Cannabis retailer: a facility licensed by the Washington state  
5201    Liquor and Cannabis Board where useable ~~((marijuana))~~ cannabis and ~~((marijuana))~~  
5202    cannabis-infused products may be sold at retail.

5203            SECTION 102. Ordinance 10870, Section 84, and K.C.C. 21A.06.220 are hereby  
5204    amended to read as follows:

5205            Community residential facility ("CRF"): living quarters meeting applicable  
5206    federal and state standards that function as a single ~~((housekeeping unit))~~ household and  
5207    provide supportive services, including but not limited to counseling, rehabilitation, and  
5208    medical supervision~~((;))~~. It does not include ~~((excluding))~~ drug and alcohol  
5209    detoxification, which is classified ~~((in K.C.C. 21A.08.050))~~ as health care services and  
5210    residential care services in section 162 of this ordinance, ~~((and))~~ or ~~((excluding))~~ a secure  
5211    community transition facility as defined in ~~((R.C.W.))~~ RCW 71.09.020 and in this  
5212    chapter. For purposes of domestic violence shelters, minors living with a parent shall not



Ordinance 19881

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5213 be counted as part of the maximum number of residents. Community Residential

5214 Facilities are further classified as follows:

5215 A. Community Residential Facility - I -- Nine to ten residents and staff;

5216 B. Community Residential Facility - II -- Eleven or more residents and staff.

5217 If staffed by nonresident staff, each twenty-four staff hours per day equals one full-time

5218 residing staff member for purposes of subclassifying CRFs.

5219 SECTION 103. Ordinance 12243, Section 4, and K.C.C. 21A.06.247 are hereby

5220 amended to read as follows:

5221 Construction and trade~~((s))~~: establishments that provide services related to

5222 construction of buildings and infrastructure, and other improvements to property. Such

5223 establishments include~~((s))~~ SIC Major ~~((group no-'s))~~ Groups 15-17~~((s))~~ and SIC Industry

5224 ~~((group no-))~~ Group 078~~((f))~~ Landscape and Horticultural Services~~((t))~~.

5225 SECTION 104. K.C.C. 21A.06.358, as amended by this ordinance, is hereby

5226 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.252.

5227 SECTION 105. Ordinance 15032, Section 4, and K.C.C. 21A.06.358 are hereby

5228 amended to read as follows:

5229 ~~((Dwelling unit, e))~~ Cottage housing: ((a)) three or more small single detached

5230 ~~((single family dwelling unit located on a commonly owned parcel with common open~~

5231 space)) residences sited around a central common space on a commonly owned parcel.

5232 SECTION 106. Ordinance 15606, Section 5, and K.C.C. 21A.06.196 are hereby

5233 amended to read as follows:

5234 Clustering: development of a subdivision at the existing zoned density that

5235 reduces the size of individual lots and creates one or more natural ~~((open space))~~ area

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Ordinance 19881

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5236 tracts for the preservation of critical areas(~~(, parks and permanent open space or as a~~  
5237 ~~reserve for future development))~~ or resource land tracts for forestry or agriculture.

5238 NEW SECTION. SECTION 107. There is hereby added to K.C.C. chapter  
5239 21A.06 a new section to read as follows:

5240 Community center: An establishment owned by a public agency or private  
5241 nonprofit entity that provides cultural, recreational, athletic, civic, social, health, or  
5242 educational activities as its primary function. A community center is open to the general  
5243 public on equal basis and serves the subarea geography in which it is located. A  
5244 community center may include meeting areas, senior centers, day cares, teen centers,  
5245 gymnasiums, dance studios, pools, exercise rooms, meals, counseling services, classes,  
5246 community programs, social gatherings, or health services such as mobile clinics or  
5247 vaccination events. A community center may include other accessory uses or activities,  
5248 outdoor or indoor recreation, community gardens, commercial kitchens and food  
5249 processing, craft work and maker spaces, cafes, galleries, coworking spaces, health  
5250 clinics, office spaces, and retail sales of food and goods. A community center does not  
5251 include a private community clubhouse, or a civil or fraternal association.

5252 NEW SECTION. SECTION 108. There is hereby added to K.C.C. chapter  
5253 21A.06 a new section to read as follows:

5254 Congregate residence: a building that contains sleeping units or dwelling units, or  
5255 both, with communal facilities such as sanitation facilities, kitchen facilities, recreation  
5256 space, or lounges.

5257 NEW SECTION. SECTION 109. There is hereby added to K.C.C. chapter  
5258 21A.06 a new section to read as follows:

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Ordinance 19881

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5259 Crisis care center: a facility that provides same-day access to crisis stabilization  
5260 services for people in behavioral health crisis including walk-in behavioral health urgent  
5261 care clinic, a twenty-three-hour observation unit or similar facility, a crisis stabilization  
5262 unit for up to fourteen days of care, and post-crisis support services.

5263 SECTION 110. Ordinance 10870, Section 92, as amended, and K.C.C.

5264 21A.06.260 are hereby amended to read as follows:

5265 Critical facility: a facility necessary to protect the public health, safety, and  
5266 welfare including, but not limited to, a facility defined under the occupancy categories of  
5267 "essential facilities," "hazardous facilities," and "special occupancy structures" in the  
5268 structural ~~((forces))~~ design chapter ~~((or succeeding chapter))~~ in K.C.C. Title 16. Critical  
5269 facilities also include nursing and personal care facilities, schools, senior ~~((citizen))~~  
5270 assisted housing, ~~((public roadway))~~ county-owned bridges, and sites that produce, use,  
5271 or store hazardous substances or hazardous waste, not including the temporary storage of  
5272 consumer products containing hazardous substances or hazardous waste intended for  
5273 household use or for retail sale on the site.

5274 SECTION 111. Ordinance 10870, Section 98, and K.C.C. 21A.06.290 are hereby  
5275 amended to read as follows:

5276 Destination resort: an establishment for outdoor resource-based recreation and  
5277 intended to utilize and provide access to outdoor recreational opportunities~~((, including~~  
5278 ~~related))~~. Accessory services, such as ~~((food))~~ retail, eating and drinking places,  
5279 ~~((overnight))~~ temporary lodging, recreation equipment rentals, entertainment, and ~~((other~~  
5280 ~~conveniences for guests of the resort))~~ personal services are allowed as part of a  
5281 destination resort.

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Ordinance 19881

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5282            SECTION 112. Ordinance 10870, Section 101, as amended, and K.C.C.

5283 21A.06.305 are hereby amended to read as follows:

5284            Development agreement:

5285            ((~~A. A recorded agreement between a UPD applicant and King County which~~  
5286 ~~incorporates the site plans, development standards, and other features of an Urban Plan~~  
5287 ~~Development as described in K.C.C. chapter 21A.39; or~~

5288            ~~B.~~) An agreement authorized under RCW 36.70B.170 through 36.70B.210.

5289            SECTION 113. Ordinance 15051, Section 31, and K.C.C. 21A.06.333 are hereby  
5290 amended to read as follows:

5291            Drainage subbasin: ((~~a drainage area identified as a drainage subbasin in a~~  
5292 ~~county approved basin plan or, if not identified, a drainage~~) an area that drains to a body  
5293 of water that is named and mapped and contained within a ((~~drainage~~) larger basin.

5294            NEW SECTION. SECTION 114. There is hereby added to K.C.C. chapter  
5295 21A.06 a new section to read as follows:

5296            Duplex: a building containing two dwelling units designed sharing a common  
5297 roof, wall, or floor. Individual units may be side-by-side or stacked one on top of the  
5298 other. A single detached residence with accessory dwelling unit is not considered a  
5299 duplex.

5300            SECTION 115. Ordinance 10870, Section 109, and K.C.C. 21A.06.345 are  
5301 hereby amended to read as follows:

5302            Dwelling unit: one or more rooms designed for occupancy by a ((~~person or~~  
5303 ~~family~~) household for living and sleeping purposes, containing kitchen facilities and  
5304 rooms with internal accessibility, for use solely by the dwelling's occupants(~~(÷d)~~).

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Ordinance 19881

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5305 Dwelling units include (~~(but are not limited to bachelor, efficiency and)~~) studio  
5306 apartments, factory-built housing, and manufactured and mobile homes.

5307 NEW SECTION. SECTION 116. There is hereby added to K.C.C. chapter  
5308 21A.06 a new section to read as follows:

5309 Emergency shelter: a facility providing short-term overnight accommodations.  
5310 Day, cooling, or warming center services may be offered.

5311 NEW SECTION. SECTION 117. There is hereby added to K.C.C. chapter  
5312 21A.06 a new section to read as follows:

5313 Emergency supportive housing: housing where persons experiencing chronic  
5314 homelessness or at risk of chronic homelessness can reside temporarily, and that offers  
5315 housing-oriented services, case management, and other support or assistance services.

5316 NEW SECTION. SECTION 118. There is hereby added to K.C.C. chapter  
5317 21A.06 a new section to read as follows:

5318 Experiencing chronic homelessness: a household that includes at least one adult  
5319 with a disability, that is currently experiencing homelessness for at least twelve  
5320 consecutive months or has experienced multiple episodes homelessness for a cumulative  
5321 twelve months within the previous three years.

5322 SECTION 119. Ordinance 10870, Section 125, as amended, and K.C.C.  
5323 21A.06.425 are hereby amended to read as follows:

5324 Examiner: the (~~(zoning and subdivision)~~) office of the hearing examiner as  
5325 established by K.C.C. chapter 20.22.

5326 NEW SECTION. SECTION 120. There is hereby added to K.C.C. chapter  
5327 21A.06 a new section to read as follows:

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Ordinance 19881

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5328 Floor area ratio (FAR): the proportion of total amount of usable floor area within  
5329 a building, excluding basement or underground areas, and the total area of the site. This  
5330 ratio is determined by dividing the total usable floor area by the site area.

5331 SECTION 121. Ordinance 10870, Section 144, as amended, and K.C.C.

5332 21A.06.520 are hereby amended to read as follows:

5333 Forest practice: any forest practice as defined in RCW (~~79.06.020~~) 76.09.020.

5334 NEW SECTION. SECTION 122. There is hereby added to K.C.C. chapter

5335 21A.06 a new section to read as follows:

5336 Formula business: a type of nonresidential land use which is under common  
5337 ownership or control or is a franchise, and is one of thirty or more other businesses or  
5338 establishments worldwide maintaining two or more of the following features:

5339 A. Standardized menu or standardized array of merchandise with fifty percent or  
5340 more of in-stock merchandise from a single distributor bearing uniform markings;

5341 B. Trademark or service mark, defined as a word, phrase, symbol, or design, or a  
5342 combination thereof, that identifies and distinguishes the source of the goods from one  
5343 party from those of others, on products or as part of store design, such as cups, napkins,  
5344 bags, boxes, wrappers, straws, store signs, or advertising devices;

5345 C. Standardized color scheme used throughout the interior or exterior of the  
5346 establishment, including, but not limited to, graphics, awnings, or signage, visible from  
5347 the exterior of the structure;

5348 D. Standardized interior decor, including, but not limited to, style of furniture,  
5349 wall coverings, permanent fixtures, displays, or window treatments; and

Ordinance 19881

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5350 E. Standardized uniform, including but not limited to aprons, pants, shirts,  
5351 smocks or dresses, hats, and pins, but excluding name tags.

5352 SECTION 123. Ordinance 10870, Section 148, and K.C.C. 21A.06.540 are  
5353 hereby amended to read as follows:

5354 General business service: an establishment engaged in providing services to  
5355 businesses or individuals, with no outdoor storage or fabrication, including only uses  
5356 located in SIC Major Groups ~~((Nos.))~~ and Industry Groups:

- 5357 A. 60-Depository Institutions;
- 5358 B. 61-Nondepository Credit Institutions;
- 5359 C. 62-Security and Commodity Brokers, Dealers, Exchanges, and Services;
- 5360 D. 63-Insurance Carriers;
- 5361 E. 65-Real Estate, except 653-~~((Real Estate Agents and Directors))~~;
- 5362 F. 67-Holding and Other Investment Offices;
- 5363 G. 7299-Miscellaneous Personal Services, not elsewhere classified;
- 5364 H. 73-Business Services, except ~~((Industry Group and Industry Nos.:~~
- 5365 ~~I.))~~ 7312-Outdoor Advertising Services; and
- 5366 J. 86-Membership Organizations, including administrative offices of organized  
5367 religions found in 8661, but excluding ~~((churches and places of worship))~~ religious  
5368 facilities.

5369 SECTION 124. Ordinance 10870, Section 153, and K.C.C. 21A.06.565 are  
5370 hereby amended to read as follows:

5371 Grading: any excavation, filling, ~~((removing the duff layer))~~ or land disturbing  
5372 activity, or ~~((any))~~ combination thereof.

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Ordinance 19881

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5373            NEW SECTION. SECTION 125. There is hereby added to K.C.C. chapter  
5374 21A.06 a new section to read as follows:

5375            Home-based animal shelter: A single-detached residence where a nonprofit  
5376 animal welfare organization takes custody of small animals for interim care or to find  
5377 permanent adoptive homes for them.

5378            NEW SECTION. SECTION 126. There is hereby added to K.C.C. chapter  
5379 21A.06 a new section to read as follows:

5380            Household: one or more persons living together as a single housekeeping unit.

5381            NEW SECTION. SECTION 127. There is hereby added to K.C.C. chapter  
5382 21A.06 a new section to read as follows:

5383            Houseplex: a building containing between three and nine dwelling units sharing a  
5384 common roof, wall, or floor. A single detached residence or duplex with one or more  
5385 accessory dwelling units is not considered a houseplex.

5386            SECTION 128. Ordinance 10870, Section 172, and K.C.C. 21A.06.660 are  
5387 hereby amended to read as follows:

5388            Kennel, commercial: an establishment or facility where four or more dogs are  
5389 kept for commercial purposes, including, but not limited to, boarding, breeding, and  
5390 training. A commercial kennel does not include a dog daycare facility.

5391            SECTION 129. Ordinance 15051, Section 74, and K.C.C. 21A.06.732 are hereby  
5392 amended to read as follows:

5393            ~~Manufactured home: ((or mobile home: a structure, transportable in one or more~~  
5394 ~~sections, that in the traveling mode is eight body feet or more in width or thirty-two body~~  
5395 ~~feet or more in length; or when erected on site, is three hundred square feet or more in~~



Ordinance 19881

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5396 ~~area; which is built on a permanent chassis and is designated for use with or without a~~  
5397 ~~permanent foundation when attached to the required utilities; which contains plumbing,~~  
5398 ~~heating, air conditioning and electrical systems; and shall include any structure that meets~~  
5399 ~~all the requirements of this section, or of chapter 296-150M WAC, except the size~~  
5400 ~~requirements for which the manufacturer voluntarily complies with the standards and~~  
5401 ~~files the certification required by the federal Department of Housing and Urban~~  
5402 ~~Development.)~~ A factory-built dwelling built in accordance with regulations adopted  
5403 under the National Manufactured Housing Construction and Safety Standards Act of  
5404 1974. ((The term "m))Manufactured home(("or "mobile home")) does not include a  
5405 ((")recreational vehicle.((("))

5406 NEW SECTION. SECTION 130. There is hereby added to K.C.C. chapter  
5407 21A.06 a new section to read as follows:

5408 Manufactured home community: a development with two or more pads or spaces  
5409 designed to accommodate manufactured homes or mobile homes. Manufactured home  
5410 communities may include utilities, parking, common spaces, and other shared amenities.

5411 NEW SECTION. SECTION 131. There is hereby added to K.C.C. chapter  
5412 21A.06 a new section to read as follows:

5413 Microshelter: a structure that is less than two hundred square feet and designed  
5414 for people to temporarily reside.

5415 NEW SECTION. SECTION 132. There is hereby added to K.C.C. chapter  
5416 21A.06 a new section to read as follows:

Ordinance 19881

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5417           Microshelter village: a permanent site containing multiple microshelters and may  
5418 provide cooking facilities or meals, hygiene facilities, including restrooms and showers,  
5419 and a shared gathering space.

5420           NEW SECTION. SECTION 133. There is hereby added to K.C.C. chapter  
5421 21A.06 a new section to read as follows:

5422           Mixed-use: a site containing one or more dwelling units and nonresidential uses.

5423           SECTION 134. Ordinance 10870, Section 191, and K.C.C. 21A.06.755 are  
5424 hereby amended to read as follows:

5425           (~~See manufactured home.~~) Mobile home: a factory-built dwelling built prior to  
5426 June 15, 1976, to standards other than the United States department of housing and urban  
5427 development code, and acceptable under applicable state codes in effect at the time of  
5428 construction or introduction of the home into the state. Mobile home does not include a  
5429 recreational vehicle.

5430           NEW SECTION. SECTION 135. There is hereby added to K.C.C. chapter  
5431 21A.06 a new section to read as follows:

5432           Mobile vendor: a business that sells food, drinks, goods, or merchandise from a  
5433 motor vehicle, cart, trailer, tent, or table, that is capable of being set up and taken down in  
5434 one day, is readily movable, and would not qualify as a structure under K.C.C.  
5435 21A.06.1255.

5436           SECTION 136. Ordinance 10870, Section 195, and K.C.C. 21A.06.775 are  
5437 hereby amended to read as follows:

5438           Motor vehicle, boat, and mobile home dealer: an establishment engaged in the  
5439 retail sale of new and/or used automobiles, motor homes, motorcycles, trailers, boats, or

Ordinance 19881

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5440 mobile homes, including only uses located in SIC ~~((Major Group and Industry Group~~  
5441 ~~Nos.))~~ Industries:

5442 A. ~~5511-((Automotive))~~ Motor Vehicle Dealers ~~((and Gasoline Service Stations~~  
5443 ~~except:))~~ (New and Used);

5444 ~~((1. 553 Auto and Home Supply Stores;~~

5445 ~~2. 554 Gasoline Service Stations; and))~~

5446 B. ~~((Aircraft dealers found in 5599:))~~ 5521-Motor Vehicle Dealers (Used Only);

5447 C. 5551-Boat Dealers;

5448 D. 5561-Recreational Vehicle Dealers;

5449 E. 5571-Motorcycle Dealers;

5450 F. 5599, Automotive Dealers, Not Elsewhere Classified, except Aircraft Dealers;

5451 ~~((1.))~~ G. 5271-Mobile Home Dealers; and

5452 ~~((2.))~~ H. 7389, limited to Yacht brokers ~~((found in 7389)).~~

5453 NEW SECTION. SECTION 137. There is hereby added to K.C.C. chapter

5454 21A.06 a new section to read as follows:

5455 Natural area: Properties or tracts whose primary purpose is to conserve and  
5456 restore ecological value. They may not be completely natural and undisturbed but may  
5457 be important in preserving rare or vanishing flora, fauna, geological sites, or features of  
5458 scientific, traditional, cultural, or educational value. These sites may allow public use in  
5459 ways that avoid and minimize harm to the ecological resources of the site to the  
5460 maximum extent feasible.

5461 NEW SECTION. SECTION 138. There is hereby added to K.C.C. chapter

5462 21A.06 a new section to read as follows:

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Ordinance 19881

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5463 Outdoor resource-based recreation: recreational activities that rely upon their  
 5464 setting in or near natural resource lands for their enjoyment, including but not limited to,  
 5465 hiking, rafting, biking, skiing, horseback riding, fishing, climbing, or similar activities  
 5466 necessitating an outdoor setting.

5467 NEW SECTION. SECTION 139. There is hereby added to K.C.C. chapter  
 5468 21A.06 a new section to read as follows:

5469 Permanent supportive housing: subsidized housing with comprehensive support  
 5470 services, such as healthcare, treatment, or employment services, and that is designed for  
 5471 persons experiencing homelessness and living with a complex and disabling behavioral  
 5472 or physical health condition.

5473 SECTION 140. Ordinance 15051, Section 87, and K.C.C. 21A.06.957 are hereby  
 5474 amended to read as follows:

5475 Reclamation: the final grading and restoration of a site to ~~((re))~~establish the  
 5476 vegetative cover, soil ~~((stability and))~~ surface water, and groundwater conditions  
 5477 appropriate to accommodate and sustain all ((permitted)) allowed uses of the proposed  
 5478 zone appropriate for the site ((and to prevent and mitigate future environmental  
 5479 degradation)).

5480 NEW SECTION. SECTION 141. There is hereby added to K.C.C. chapter  
 5481 21A.06 a new section to read as follows:

5482 Recuperative housing: housing that is designed for persons experiencing  
 5483 homelessness who require continued treatment or medical care but do not require  
 5484 hospitalization.

Ordinance 19881

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5485            SECTION 142. K.C.C. 21A.06.185, as amended by this ordinance, is hereby  
5486 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.980.

5487            SECTION 143. Ordinance 10870, Section 77, and K.C.C. 21A.06.185 hereby  
5488 amended to read as follows:

5489            ~~((Church, synagogue or temple))~~ Religious facility: a place where religious  
5490 services are conducted, including a church, synagogue, temple, or mosque. Religious  
5491 facilities includes those uses located in SIC Industry ~~((No.))~~ Group 866 and ~~((including))~~  
5492 accessory uses in the primary or accessory buildings, such as religious education  
5493 facilities, reading rooms, assembly rooms, and residences for nuns and clergy. ~~((This~~  
5494 ~~definition))~~ Religious facilities do not include facilities for training of religious orders.

5495            SECTION 144. Ordinance 14045, Section 7, and K.C.C. 21A.06.1013 are hereby  
5496 amended to read as follows:

5497            Rural equestrian community trail: an existing trail ~~((within the Equestrian~~  
5498 ~~Community))~~ located in the A, F<sub>1</sub>, or RA zones that has historically been used by the  
5499 public for riding horses, and that may also have historically been used by or is suitable  
5500 for use by other ~~((non-motorized))~~ active transportation, as defined in section 17 of this  
5501 ordinance, trail users.

5502            NEW SECTION. SECTION 145. There is hereby added to K.C.C. chapter  
5503 21A.06 a new section to read as follows:

5504            Safe parking: a site designated for unsheltered people to reside in a recreational  
5505 vehicle or vehicle and may provide on-site services and utilities.

5506            SECTION 146. Ordinance 10870, Section 252, as amended, and K.C.C.  
5507 21A.06.1060 are hereby amended to read as follows:

Ordinance 19881

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5508 Senior (~~citizen~~): a person aged (~~62~~) sixty-two years or older.

5509 SECTION 147. Ordinance 10870, Section 634 (part), as amended, and K.C.C.

5510 21A.06.1062 are hereby amended to read as follows:

5511 Senior (~~citizen~~) assisted housing: (~~housing in~~) a building consisting of two or  
5512 more dwelling units or sleeping units restricted to occupancy by (~~at least one senior~~  
5513 ~~citizen per unit~~) seniors, and may include the following support services(~~, as deemed~~  
5514 ~~necessary~~):

5515 A. Food preparation and dining areas;

5516 B. Group activity areas;

5517 C. Medical supervision; and

5518 D. Similar activities.

5519 SECTION 148. Ordinance 3688, Section 251, as amended, and K.C.C.

5520 21A.06.1082C are hereby amended to read as follows:

5521 Shoreline stabilization: a structure (~~or~~)<sub>2</sub> device, (~~including, but not limited to,~~  
5522 ~~breakwaters, bulkheads, jetties, groins and riprap, that is placed so as to prevent~~) or  
5523 action used to address erosion impacts or to alter (~~the~~) normal currents, wave actions<sub>2</sub> or  
5524 other natural forces or actions of a waterbody. Shoreline stabilization falls on a spectrum  
5525 of measures from nonstructural, soft structural, and hard, including, but not limited to,  
5526 relocation of structures, building setbacks, upland drainage control, revegetation, beach  
5527 nourishment, drift log placement, riprap, groins, revetments, bulkheads, and seawalls.  
5528 Shoreline stabilization does not include flood protection facilities.

5529 NEW SECTION. SECTION 149. There is hereby added to K.C.C. chapter

5530 21A.06 a new section to read as follows:

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Ordinance 19881

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5531            Sign, Heritage Trail: A sign that provides information, guidance, or educational  
5532 content regarding sites of historical, cultural, or natural importance along a specific route  
5533 identified by a special purpose district, chamber of commerce, historical society, or  
5534 similar entity, regardless of whether the route or individual sites are designated historic  
5535 sites.

5536            SECTION 150. Ordinance 11922, Section 2, and K.C.C. 21A.06.1170 are hereby  
5537 amended to read as follows:

5538            Site: A single lot or parcel of land, or two or more contiguous lots that are under  
5539 common ownership or documented legal control, used as a single parcel for a development  
5540 proposal in order to calculate compliance with the standards and regulations of this title.

5541            NEW SECTION. SECTION 151. There is hereby added to K.C.C. chapter  
5542 21A.06 a new section to read as follows:

5543            Sleeping unit: A room designed for occupancy by a household for living and  
5544 sleeping purposes, and may contain a sanitation facility or kitchen facility, but not both.  
5545 Such rooms that are also part of a dwelling unit are not sleeping units.

5546            NEW SECTION. SECTION 152. There is hereby added to K.C.C. chapter  
5547 21A.06 a new section to read as follows:

5548            Social services: An establishment providing social services and rehabilitation  
5549 services, including only uses located in SIC Industry Groups:

- 5550            A. 832-Individual and Family Social Services;
- 5551            B. 833-Job Training and Vocational Rehabilitation Services; and
- 5552            C. 839-Social Services, Not Elsewhere Classified.

Ordinance 19881

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5553            SECTION 153. Ordinance 10870, Section 292, as amended, and K.C.C.

5554            21A.06.1260 are hereby amended to read as follows:

5555            Student factor: the number derived by a school district to describe how many  
 5556            students of each grade span are expected to be generated by a dwelling unit. Student  
 5557            factors shall be based on district records of average actual student generated rates for new  
 5558            developments constructed over a period of not more than five years prior to the date of the  
 5559            fee calculation; if such information is not available in the district, data from adjacent  
 5560            districts, districts with similar demographics, or county wide averages (~~((must))~~) shall be  
 5561            used. Student factors (~~((must))~~) shall be separately determined for single (~~((family and~~  
 5562            ~~multifamily))~~) detached and multiunit dwelling units, and for grade spans.

5563            SECTION 154. Ordinance 13733, Section 5, as amended, and K.C.C.

5564            21A.06.1273B are hereby amended to read as follows:

5565            TDR bank fund: the fund established under K.C.C. (~~((4.08.327))~~) 4A.200.730.

5566            SECTION 155. K.C.C. 21A.06.370, as amended by this ordinance, is hereby  
 5567            recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.1280.

5568            SECTION 156. Ordinance 10870, Section 114, and K.C.C. 21A.06.370 are  
 5569            hereby amended to read as follows:

5570            (~~((Dwelling unit, t))~~) Townhouse: a site with one or more buildings containing  
 5571            (~~((one))~~) a total of ten or more dwelling units that (~~((occupies))~~) occupy space from the  
 5572            ground to the roof(~~((;))~~) and (~~((is attached to one or more other townhouse dwellings by))~~)  
 5573            that share common walls with one or more dwelling units. A houseplex with one or more  
 5574            accessory dwelling units is not considered a townhouse.



Ordinance 19881

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5575            SECTION 157. Ordinance 10870, Section 297, as amended, and K.C.C.

5576    21A.06.1285 are hereby amended to read as follows:

5577            Trails: human-made pathways, including elevated boardwalks, bridges, and  
 5578    stairs, designed and intended for ~~((use by pedestrians, bicyclists, equestrians and other~~  
 5579    ~~nonmotorized recreational users))~~ one or more forms of active transportation, as defined  
 5580    in section 17 of this ordinance.

5581            NEW SECTION. SECTION 158. There is hereby added to K.C.C. chapter  
 5582    21A.06 a new section to read as follows:

5583            Unsheltered person: An individual sleeping in a place not meant for human  
 5584    habitation.

5585            SECTION 159. Ordinance 10870, Section 315, as amended, and K.C.C.

5586    21A.06.1375 are hereby amended to read as follows:

5587            Warehousing and wholesale trade: establishments involved in the storage  
 5588    ~~((and/))~~ or sale of bulk goods for resale or assembly, excluding establishments offering  
 5589    the sale of bulk goods to the general public which is classified as a retail use in K.C.C.  
 5590    21A.08.070 and excluding local distribution gas storage tanks. These establishments  
 5591    shall include only SIC Major Groups ~~((Nos.))~~ 50 and 51 and SIC Industry Groups  
 5592    ~~((Nos.))~~ 422 and 423, excluding fossil fuels and fossil fuel facilities.

5593            SECTION 160. Ordinance 10870, Section 330, as amended, and K.C.C.

5594    21A.08.030 are hereby amended to read as follows:

5595            A. Residential land uses.

<del>((P-Permitted Use</del>	<b>RESOURCE</b>	<b>R</b>	<b>RESIDENTIAL</b>	<b>COMMERCIAL/INDUSTRIA</b>
<del>C-Conditional Use</del>		<b>U</b>		<b>L))</b>

Ordinance 19881

<b>S-Special Use</b>					<b>R</b>									
<b>SIC #</b>	<b>SPECIFIC LAND USE</b>	<b>A</b>	<b>F</b>	<b>M</b>	<b>RA</b>	<b>UR</b>	<b>R-1</b>	<b>(R-1-8)</b>	<b>R-2</b>	<b>NB</b>	<b>CB</b>	<b>RB</b>	<b>O</b>	<b>I</b>
	<b>((DWELLING UNITS,)) HOUSING TYPES:</b>													
*	Single Detached Residence	P 17 (C 42))	P2		P (C 42))	P (C 42))	P	P (C 42))	P (C 42))	P((4 5)) 16				
*	Duplex				C4	C4	P	P12	P12	P3	P3	P3	P3	
*	Houseplex				C4	C4	P	P	P	P3	P3	P3	P3	
*	Townhouse				C4	C4	P	P((4 + C12 )	P	P3	P3	P3	P3	
*	Apartment				C4	C4		P((5 C5))	P	P3	P3	P3	P3	
*	((Mobile)) Manufactured Home ((Park)) Community				S13			((C8 ) P	P					
*	Cottage Housing							P15	P15					
	<b>((GROUP RESIDENCES:</b>													
*	Community				C	C		P14	P	P3	P3	P3	P3	

Ordinance 19881

	Residential Facility I						a c						
*	Community Residential Facility II						P14. b	P	P3	P3	P3	P3))	
*	((Dormitory)) Congregate Residence			C6	C6	C6	C6	P10	P11	P11	P11	P11	
*	Senior ((Citizen)) Assisted Housing				P4	P4	P((4 )	P	P3	P3	P3	P3	
	<b>ACCESSORY USES:</b>												
*	Residential Accessory Uses	P7	P7	P7	P7	P7	P7	P7	P7	P7	P7	P7	
*	Home Occupation	P18	P18	P18	P18	P18	P18	P18	P18	P18	P18	P18	
*	Home Industry	C		C	C	C	C						
	<b>((TEMPORARY LODGING:</b>												
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))		

5596 B. Development conditions.

5597 1. ((~~Except bed and breakfast guesthouses.~~)) Repealed.

5598 2. In the forest production district, the following conditions apply:

5599 a. Site disturbance associated with development of any new residence shall be  
 5600 limited to three acres. Site disturbance shall mean all land alterations including, but not  
 5601 limited to, grading, utility installation, landscaping, clearing for crops, on-site sewage  
 5602 disposal systems, and driveways. Additional site disturbance for agriculture, including

Ordinance 19881

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5603 raising livestock, up to the smaller of thirty-five percent of the lot or seven acres, may be  
5604 approved only if a farm management plan is prepared in accordance with K.C.C. chapter  
5605 21A.30. Animal densities shall be based on the area devoted to animal care and not the  
5606 total area of the lot;

5607           b. A forest management plan shall be required for any new residence in the  
5608 forest production district, that shall be reviewed and approved by the King County  
5609 department of natural resources and parks before building permit issuance; and

5610           c. The forest management plan shall incorporate a fire protection element that  
5611 includes fire safety best management practices developed by the department.

5612           3. Only as part of a mixed-use development subject to the conditions of K.C.C.  
5613 chapter 21A.14, except that:

5614           a. in the NB zone on properties with a land use designation of commercial  
5615 outside of center ((~~CO~~)) in the urban areas, stand((-))alone townhouse developments are  
5616 ((permitted)) allowed subject to K.C.C. ((~~21A.12.040, 21A.14.030, 21A.14.060, and~~  
5617 21A.14.180)) section 174 of this ordinance, section 199 of this ordinance, and section  
5618 206 of this ordinance, and K.C.C. chapter 21A.14; and

5619           b. in the rural area outside of rural towns on historic properties listed in the  
5620 National Register of Historic Places or designated as a King County landmark, mixed-use  
5621 is not required.

5622           4. Only in a building listed ((~~on~~)) in the National Register ((as an historic site))  
5623 of Historic Places or designated as a King County landmark ((subject to K.C.C. chapter  
5624 21A.32)).

5625           5.a. ~~((In the R-1 zone, apartment units are permitted, if:~~

Ordinance 19881

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5626 ~~(1) At least fifty percent of the site is constrained by unbuildable critical~~  
5627 ~~areas. For purposes of this subsection, unbuildable critical areas includes wetlands,~~  
5628 ~~aquatic areas and slopes forty percent or steeper and associated buffers; and~~

5629 ~~(2) The density does not exceed a density of eighteen units per acre of net~~  
5630 ~~buildable area.~~

5631 ~~b. In the R-4 through R-8 zones, apartment units are permitted if the density~~  
5632 ~~does not exceed a density of eighteen units per acre of net buildable area.~~

5633 ~~c. If the proposal will exceed base density for the zone in which it is proposed,~~  
5634 ~~a conditional use permit is required.)) Repealed.~~

5635 6. Only as accessory to a school, college, university, or ~~((church))~~ religious  
5636 facility.

5637 7.a. Accessory dwelling units are subject to the following standards:

5638 ~~(1) ((Only one accessory dwelling per primary single detached dwelling or~~  
5639 ~~townhouse unit;~~

5640 ~~(2) Only allowed in the same building as the primary dwelling unit, except~~  
5641 ~~that detached accessory dwelling units are allowed when there is no more than one~~  
5642 ~~primary dwelling unit on the lot, and the following conditions are met:~~

5643 ~~(a) the lot must be three thousand two hundred square feet or greater if~~  
5644 ~~located in the urban area or a rural town; or~~

5645 ~~(b) the lot must meet the minimum lot area for the applicable zone if located~~  
5646 ~~in the rural area but not in a rural town, except that if one transferable development right~~  
5647 ~~is purchased from the Rural Area or Natural Resource Lands under K.C.C. chapter~~

Ordinance 19881

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5648 ~~21A.37, a detached accessory dwelling unit is allowed on a RA-5 zoned lot that is two~~  
5649 ~~and one-half acres or greater;~~

5650           (3)) The accessory dwelling unit shall not exceed one thousand square feet  
5651 of heated floor area and one thousand square feet of unheated floor area except:

5652           (a) when the accessory dwelling unit is wholly contained within a basement  
5653 or attic of the primary dwelling unit, this limitation does not apply;

5654           (b) for detached accessory dwelling units, the floor area contained in a  
5655 basement does not count toward the floor area maximum; ~~((or))~~ and

5656           (c) ~~((on a site zoned RA if one transferable development right is purchased~~  
5657 ~~from the Rural Area or Natural Resource Lands under K.C.C. chapter 21A.37, the~~  
5658 ~~accessory dwelling unit is permitted a maximum heated floor area of one thousand five~~  
5659 ~~hundred square feet and one thousand five hundred square feet of unheated floor area;))~~  
5660 in the urban area, accessory dwelling units that do not provide the maximum amount of  
5661 unheated floor area allowed in subsection B.7.a.(1) of this section may increase their  
5662 heated floor area by one square foot for each square foot of allowed unheated floor area  
5663 not provided, up to a maximum of one thousand five hundred square feet of heated floor  
5664 area. For example, an accessory dwelling unit could include one thousand two hundred  
5665 fifty square feet of heated floor space if only seven hundred fifty square feet of unheated  
5666 floor space was included.

5667           (4)) (2) Accessory dwelling units that are not wholly contained within an  
5668 existing dwelling unit shall not exceed the base height for the applicable zone as  
5669 established ((in 21A.12.030)) by this title;

Ordinance 19881

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5670           ~~((5) When the primary and accessory dwelling units are located in the same~~  
5671 ~~building, or in multiple buildings connected by a breezeway or other structure, only one~~  
5672 ~~entrance may front a street;~~

5673           ~~(6))~~ (3) Attached accessory dwelling units shall have at least one common  
5674 wall with the primary dwelling unit and appear to be contained within one structure.

5675 Connection through a breezeway or covered pathway shall not constitute an attached  
5676 accessory dwelling unit unless the breezeway or covered pathway is:

5677           (a) is less than ten feet in length;

5678           (b) shares a common wall with both the accessory dwelling unit and primary  
5679 residence;

5680           (c) is completely enclosed; and

5681           (d) is heated space;

5682           (4) No additional off-street parking spaces are required for accessory  
5683 dwelling units;

5684           ~~((7) The primary dwelling unit or the accessory dwelling unit shall be~~  
5685 ~~occupied either by the owner of the primary dwelling unit or by an immediate family~~  
5686 ~~member of the owner. Immediate family members are limited to spouses, siblings,~~  
5687 ~~parents, grandparents, children and grandchildren, either by blood, adoption or marriage,~~  
5688 ~~of the owner. The accessory dwelling unit shall be converted to another permitted use or~~  
5689 ~~shall be removed if neither dwelling unit is occupied by the owner or an immediate~~  
5690 ~~family member;~~

5691           ~~(8))~~ (5) An applicant seeking to build an accessory dwelling unit shall file a  
5692 notice approved by the department of executive services, records and licensing services

Ordinance 19881

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5693 division, that identifies the dwelling unit as accessory. The notice shall run with the land.

5694 The applicant shall submit proof that the notice was filed before the department approves

5695 any permit for the construction of the accessory dwelling unit. The required contents and

5696 form of the notice shall be ~~((set forth))~~ established in administrative rules;

5697 ~~((9))~~ (6) Accessory dwelling units are ~~((not allowed))~~ prohibited in the F

5698 zone;

5699 (7) For lots in the urban area:

5700 (a) Two accessory dwelling units are allowed per lot in the following

5701 configurations:

5702 (i) one attached accessory dwelling unit and one detached accessory

5703 dwelling unit;

5704 (ii) two attached accessory dwelling units; or

5705 (iii) two detached accessory dwelling units, which may be either one or

5706 two detached structures;

5707 (b) Accessory dwelling units may be converted from existing structures,

5708 including but not limited to garages, even if the existing structure is legally

5709 nonconforming with respect to setbacks or maximum impervious surface percentage; and

5710 (c) No public street improvements are required for accessory dwelling units;

5711 and

5712 (8) For lots in the rural area or on natural resource lands:

5713 (a) One accessory dwelling unit is allowed per lot;

5714 (b) Only allowed in the same building as the primary dwelling unit, except

5715 that detached accessory dwelling units are allowed when:

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Ordinance 19881

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5716 (i) there is no more than one primary dwelling unit on the lot; and  
5717 (ii) the lot is three thousand two hundred square feet or greater if located in  
5718 a rural town or meets the minimum lot area for the applicable zone if located in the rural  
5719 area but not in a rural town or on natural resource lands;

5720 (c) When the primary and accessory dwelling unit are located in the same  
5721 building, or in multiple buildings connected by a breezeway or covered pathway, only  
5722 one entrance may front a street;

5723 ~~((10))~~ (d) Accessory dwelling units should be designed to be compatible  
5724 with the primary dwelling unit and the surrounding properties, including material, colors,  
5725 and building forms; ~~(and)~~

5726 ~~((11))~~ (e) The applicant should consider a siting alternatives study that  
5727 analyzes placement options of the accessory dwelling unit on the property to minimize  
5728 impacts to privacy and views for surrounding property owners; and

5729 (f) Accessory dwelling units in structures detached from the primary  
5730 dwelling unit shall be counted as a separate dwelling unit for the purpose of lot  
5731 calculations in place at the time of a proposed subdivision. If an accessory dwelling unit  
5732 in a detached building in the RA zone is subsequently converted to a primary unit on a  
5733 separate lot, neither the original lot nor the new lot may have an additional detached  
5734 accessory dwelling unit constructed unless the lot is at least twice the minimum lot area  
5735 required by the applicable zone as established by this title.

5736 b. Accessory living quarters:

5737 (1) are limited to one per lot;

Ordinance 19881

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5738 (2) are allowed only on lots of three thousand two hundred square feet or  
5739 greater when located in the urban area or a rural town;

5740 (3) shall not exceed the base height for the applicable zone as established (~~in~~  
5741 ~~K.C.C. 21A.12.030~~) by this title;

5742 (4) shall not exceed one thousand square feet of heated floor area and one  
5743 thousand square feet of unheated floor area; and

5744 (5) are (~~not allowed~~) prohibited in the F zone.

5745 c. One single or twin engine, noncommercial aircraft shall be (~~permitted~~)  
5746 allowed only on lots that abut, or have a legal access that is not a county right-of-way, to  
5747 a waterbody or landing field, but only if there are:

5748 (1) no aircraft sales, service, repair, charter, or rental; and

5749 (2) no storage of aviation fuel except that contained in the tank or tanks of the  
5750 aircraft.

5751 d. Battery energy storage systems are considered a residential accessory use  
5752 when the total system capacity is two megawatts or less, and:

5753 (1) the system provides electricity for on-site use only, with "on-site use"  
5754 including net metering as well as charging of vehicles on-site or in the right-of-way  
5755 immediately adjacent to the site; or

5756 (2) the system is intended primarily for on-site use, but also participates in  
5757 load sharing or another grid-connected electricity-sharing arrangement.

5758 e. Hobby kennels, hobby catteries, and home-based animal shelters are subject  
5759 to K.C.C. 21A.30.020.

Ordinance 19881

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5760            f. Buildings for residential accessory uses in the RA and A zone shall not  
5761 exceed five thousand square feet of gross floor area, except for buildings related to  
5762 agriculture or forestry.

5763            8. ~~((Mobile home parks shall not be permitted in the R-1 zones.))~~ Repealed.

5764            9. ~~((Only as accessory to the permanent residence of the operator, and:~~

5765                ~~a. Serving meals shall be limited to paying guests; and~~

5766                ~~b. The number of persons accommodated per night shall not exceed five,~~

5767 ~~except that a structure that satisfies the standards of the International Building Code as~~

5768 ~~adopted by King County for R-1 occupancies may accommodate up to ten persons per~~

5769 ~~night.))~~ Repealed.

5770            10. ~~((Only if part of a mixed use development, and subject to the conditions of~~

5771 ~~subsection B.9. of this section.))~~ Allowed when meeting the provisions in section 245 of

5772 this ordinance.

5773            11. ~~((Townhouses are permitted, but shall be subject to a conditional use permit~~

5774 ~~if exceeding base density.))~~ Allowed as part of a mixed-use development and meeting

5775 provisions in section 245 of this ordinance.

5776            12. ~~((Required before approving more than one dwelling on individual lots,~~

5777 ~~except on lots in subdivisions, short subdivisions or binding site plans approved for~~

5778 ~~multiple unit lots, and except as provided for accessory dwelling units in subsection B.7.~~

5779 ~~of this section.))~~ A duplex is allowed if meeting the density requirements established in

5780 this title. A duplex is also allowed on a lot that is four thousand five hundred square feet

5781 or greater, despite base density requirement for the applicable zone as established in this

5782 title, if under K.C.C. chapter 21A.37:

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Ordinance 19881

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- 5783           a. The lot is located in Snoqualmie Pass Rural Town and one transferable  
5784 development right is purchased from the rural area or natural resource lands; or  
5785           b. The lot is located in the urban area and one-half transferable development  
5786 right is purchased from the rural area or natural resource lands, or one transfer of  
5787 development right is purchased from the urban area.

5788           13. No new ~~((mobile))~~ manufactured home ~~((parks))~~ communities are allowed  
5789 in ~~((a rural))~~ the RA zone.

- 5790           14. ~~((a. Limited to domestic violence shelter facilities.~~  
5791           ~~b. Limited to domestic violence shelter facilities with no more than eighteen~~  
5792 ~~residents or staff.))~~ Repealed.

5793           15. ~~((Only in the R4 R8 zones s))~~ Subject to the following standards:  
5794           a. Developments shall contain only cottage housing units with no fewer than  
5795 three units. If the site contains an existing ~~((home))~~ residence that is not being  
5796 demolished, the existing ~~((house))~~ residence is not required to comply with the height  
5797 limitation ~~((in K.C.C. 21A.12.020.B.25.))~~ or the floor area and footprint limits in K.C.C.  
5798 21A.14.025.B.; and

- 5799           b. Cottage housing developments should consider including a variety of  
5800 housing sizes, such as units with a range of bedroom sizes or total floor area~~((; and~~  
5801           ~~e. Before filing an application with the department, the applicant shall hold a~~  
5802 ~~community meeting in accordance with K.C.C. 20.20.035)).~~

5803           16. The development for a single detached ~~((single family))~~ residence shall be  
5804 consistent with the following:  
5805           a. The lot ~~((must have))~~ legally existed before March 1, 2005;

Ordinance 19881

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5806 b. The lot has a Comprehensive Plan land use designation of (~~Rural~~  
 5807 ~~Neighborhood Commercial Center or Rural Area~~) rural neighborhood commercial center  
 5808 or rural area; and

5809 c. The dimensional standards of this title for the RA-5 zone shall apply.

5810 17.a. (~~Only in the R-1 zone as an accessory to a golf facility and consistent~~  
 5811 ~~with K.C.C. 21A.08.040.~~) Only farm residences, accessory to active, ongoing use of the  
 5812 site for agriculture, are allowed, except as provided for farm worker housing in K.C.C.  
 5813 21A.08.090. The property owner shall file with the department of executive services,  
 5814 records and licensing services division, a notice approved by the department identifying  
 5815 the residence as a farm residence and stating that the housing shall be occupied only by  
 5816 the owner or operator of the commercial agriculture operation, their families, and their  
 5817 employees while employed on-site by the owner. The notice shall run with the land.

5818 b. Farm residences shall be located on portions of agricultural lands that are  
 5819 unsuitable for agricultural purposes, such as areas within the already developed portion of  
 5820 such agricultural lands that are not available for direct agricultural production or areas  
 5821 without prime agricultural soils.

5822 18. Allowed if consistent with K.C.C. chapter 21A.30.

5823 SECTION 161. Ordinance 10870, Section 331, as amended, and K.C.C.  
 5824 21A.08.040 are hereby amended to read as follows:

5825 A. Recreational(~~/~~) and cultural land uses.

<del>(P-Permitted Use</del>	<b>RESOURCE</b>	<b>R</b>	<b>RESIDENTIAL</b>	<b>COMMERCIAL/INDUSTRIAL))</b>
<del>C-Conditional Use</del>		<b>U</b>		
<b>S-Special Use</b>		<b>R</b>		

Ordinance 19881

					<b>A</b>									
<b>SIC #</b>	<b>SPECIFIC LAND USE</b>	<b>A</b>	<b>F</b>	<b>M</b>	<b>RA (18)</b>	<b>UR</b>	<b>R-1</b>	<b>((R-8))</b>	<b>R-12</b>	<b>NB</b>	<b>CB</b>	<b>RB</b>	<b>O</b>	<b>I</b>
	<b>PARK/RECREATION:</b>													
*	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		<u>S17</u>		S((4 8)) <u>1</u> <u>1</u>	((€ )						((€))		
*	Marina		C3		C(( 4)) <u>5</u>	C(( 4)) <u>5</u>	<u>C5</u>	C((4 ) <u>5</u>	C(( 4)) <u>5</u>	P5	P	P	P	P
*	Recreational Vehicle Park		P19	P19	C2 ((an d 18)) P19	C2 P19								
((*)	<del>Sports Club (17)</del>				€4 and 18	€4		€4	€4	€	P	P))		
*	Ski Area		S		S((4 8))									
*	Recreational Camp		C		P24 C									

Ordinance 19881

*	<u>Golf Course Facility</u>				<u>C7</u>	<u>P7</u>	<u>P7</u>	<u>P7</u>	<u>P7</u>					
	<b>AMUSEMENT/ENTERTAINMENT:</b>													
*	Adult Entertainment Business										P6	P6	P6	
*	Theater										P	P	P	P25
7833	Theater, Drive-in											C		
793	Bowling Center										P	P		P
((*)	<del>Golf Facility</del>				<del>C7</del>	<del>P7</del>		<del>P7</del>	<del>P7</del>					
7999 (14)	Amusement and Recreation Services		P21	P21	P8 P21 C15 <del>((and</del> <del>4</del> <del>18))</del>	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	P21	P21
*	Indoor Paintball Range										P26	P26		P26
*	Outdoor Paintball Range				C27	C27								
*	Shooting Range		C9		C9 <del>((and</del> <del>4</del> <del>18))</del>							C10		P10
*	Amusement Arcades										P	P		
7996	Amusement Park											C		
*	Outdoor Performance Center		S		C12 S((4 8))		<u>P20</u>	P20	P20			S		

Ordinance 19881

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	<b>CULTURAL:</b>													
823	Library				P11	P11	<u>P11</u>	P11	P28	P	P	P	P	
						C	<u>C</u>	C						
841	Museum	C2	C23		P11	P11	<u>P11</u>	P11	P28	P	P	P	P	P
		3				C	<u>C</u>	C						
842	Arboretum	P	P		P	P	<u>P</u>	P	P	P	P	P	P	
*	Conference Center				P29	P29	<u>P29</u>	P29	P29	P	P	P	P	
					C12	C12	<u>C</u>	C	C					
*	<u>Community Center</u>				<u>C30</u>		<u>P4</u>	<u>P4</u>	<u>P31</u>	<u>P31</u>	<u>P31</u>	<u>P</u>	<u>P31</u>	
							<u>C32</u>	<u>C32</u>	<u>C32</u>	<u>C32</u>	<u>C32</u>		<u>C32</u>	

5826 B. Development conditions.

5827 1. The following conditions and limitations shall apply, where appropriate:

5828 a. No stadiums on sites less than ten acres;

5829 b. Lighting for structures and fields shall be directed away from ((~~rural area~~  
5830 ~~and residential~~)) RA, UR, and R zones;

5831 c. Structures or service yards shall maintain a minimum distance of fifty feet  
5832 from property lines adjoining ((~~rural area and residential~~)) RA, UR, and R zones, except  
5833 for fences and mesh backstops;

5834 d. Facilities in the A zone shall be limited to trails and trailheads, including  
5835 related accessory uses such as parking and sanitary facilities; and

5836 e. Overnight camping is allowed only in an approved campground.

5837 2. Recreational vehicle parks are subject to the following conditions and  
5838 limitations:

5839 a. The maximum length of stay of any vehicle shall not exceed one hundred  
5840 eighty days during a three-hundred-sixty-five-day period;



Ordinance 19881

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5841           b. The minimum distance between recreational vehicle pads shall be no less  
5842 than ten feet; and

5843           c. Sewage shall be disposed in a system approved by ~~((the))~~ public health -  
5844 Seattle((-) & King County ((health department)).

5845           3. Limited to day moorage. The marina shall not create a need for off-site  
5846 public services beyond those already available before the date of application.

5847           4. ~~((Not permitted in the RA-10 or RA-20 zones. Limited to recreation~~  
5848 ~~facilities subject to the following conditions and limitations:~~

5849           ~~a. The bulk and scale shall be compatible with residential or rural character of~~  
5850 ~~the area;~~

5851           ~~b. For sports clubs, the gross floor area shall not exceed ten thousand square~~  
5852 ~~feet unless the building is on the same site or adjacent to a site where a public facility is~~  
5853 ~~located; or unless the building is a nonprofit facility located in the urban area; and~~

5854           ~~c. Use is limited to residents of a specified residential development or to sports~~  
5855 ~~clubs providing supervised instructional or athletic programs))~~ Only in the urban area,  
5856 and only as:

5857           a. a reuse of a public school facility or surplus nonresidential facility subject to  
5858 K.C.C. chapter 21A.32; or

5859           b. accessory to publicly owned park.

5860           5. Limited to day moorage.

5861           6.a. Adult entertainment businesses shall be prohibited within three hundred  
5862 thirty feet of any property zoned RA, UR<sub>1</sub> or R or containing schools, licensed daycare  
5863 centers, public parks or trails, community centers, public libraries, or ~~((churches))~~

Ordinance 19881

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5864 religious facilities. In addition, adult entertainment businesses shall not be located closer  
5865 than three thousand feet to any other adult entertainment business. These distances shall  
5866 be measured from the property line of the parcel or parcels proposed to contain the adult  
5867 entertainment business to the property line of the parcels zoned RA, UR, or R or that  
5868 contain the uses identified in this subsection B.6.a.

5869           b. Adult entertainment businesses shall not be ~~((permitted))~~ allowed within an  
5870 area likely to be annexed to a city subject to an executed interlocal agreement between  
5871 King County and a city declaring that the city will provide opportunities for the location  
5872 of adult businesses to serve the area. The areas include those identified in the maps  
5873 attached to Ordinance 13546.

5874           7.a. Clubhouses, maintenance buildings, equipment storage areas, and driving  
5875 range tees shall be at least fifty feet from ~~((rural area and residential))~~ RA, UR, and R  
5876 zoned property lines.

5877           b. Lighting for practice greens and driving range ball impact areas shall be  
5878 directed away from adjoining ~~((rural area and residential))~~ RA, UR, and R zones.

5879           c. Applications shall comply with adopted best management practices for golf  
5880 course development.

5881           d. Within the RA zone, those facilities shall be ~~((permitted))~~ allowed only in  
5882 the RA-5 and RA-2.5 zones.

5883           e. Not ~~((permitted))~~ allowed in designated rural forest focus area~~((, regionally~~  
5884 ~~significant resource areas or locally significant resource areas))~~.

5885           f. Ancillary facilities associated with a golf course are limited to practice  
5886 putting greens, maintenance buildings, and other structures housing administrative offices

Ordinance 19881

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5887 or activities that provide convenience services to players. These convenience services are  
5888 limited to a pro shop, food services, and dressing facilities and shall occupy a total of no  
5889 more than ten thousand square feet.

5890 g. ~~((Furthermore, t))~~The residential density that is otherwise ~~((permitted))~~  
5891 allowed by the zone shall not be used on other portions of the site through clustering or  
5892 on other sites through the transfer of density provision. This ~~((residential density))~~  
5893 clustering or transfer limitation shall be reflected in a deed restriction that is recorded at  
5894 the time applicable permits for the development of the golf course are issued; and

5895 ~~((b))~~h. In addition to ancillary facilities, an organizational hotel/lodging house  
5896 shall be allowed as an accessory use, subject to the following:

5897 (1) only allowed in the R-1 zone;

5898 (2) only allowed with a privately owned golf course facility that legally  
5899 existed as of January 1, 2019;

5900 (3) only allowed as an incidental or subordinate use to a principal golf course  
5901 facility use;

5902 (4) a maximum of twenty-four sleeping units is allowed; and

5903 (5) shall be connected to and served by public sewer.

5904 8. Limited to golf driving ranges, only as:

5905 a. accessory to golf courses; or

5906 b. accessory to a recreation or multiuse park.

5907 9.a. New structures and outdoor ranges shall maintain a minimum distance of  
5908 fifty feet from property lines adjoining ~~((rural area and residential))~~ RA, UR, and R  
5909 zones, but existing facilities shall be exempt.

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Ordinance 19881

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5910           b. Ranges shall be designed to prevent stray or ricocheting projectiles, pellets,  
5911 or arrows from leaving the property.

5912           c. Site plans shall include: safety features of the range; provisions for reducing  
5913 sound produced on the firing line; elevations of the range showing target area, backdrops,  
5914 or butts; and approximate locations of buildings on adjoining properties.

5915           d. Subject to the licensing provisions of K.C.C. Title 6.

5916           10.a. Only in an enclosed building, and subject to the licensing provisions of  
5917 K.C.C. Title 6;

5918           b. Indoor ranges shall be designed and operated so as to provide a healthful  
5919 environment for users and operators by:

5920                 (1) installing ventilation systems that provide sufficient clean air in the user's  
5921 breathing zone, and

5922                 (2) adopting appropriate procedures and policies that monitor and control  
5923 exposure time to airborne lead for individual users.

5924           11. Only as accessory to a park or in a building listed ~~((on))~~ in the National  
5925 Register of Historic Places as an historic site or designated as a King County landmark  
5926 subject to K.C.C. chapter 21A.32.

5927           12.~~((a-))~~ Only as accessory to a nonresidential use established through a  
5928 discretionary permit process, if the scale is limited to ensure compatibility with  
5929 surrounding neighborhoods~~((; and~~

5930           ~~b. In the UR zone, only if the property is located within a designated~~  
5931 ~~unincorporated rural town)).~~

5932           13. Subject to the following:

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Ordinance 19881

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5933           a. The park shall abut an existing park on one or more sides, intervening roads  
5934 notwithstanding;

5935           b. No bleachers or stadiums are (~~permitted~~) allowed if the site is less than ten  
5936 acres, and no public amusement devices for hire are (~~permitted~~) allowed;

5937           c. Any lights provided to illuminate any building or recreational area shall be  
5938 so arranged as to reflect the light away from any premises upon which a dwelling unit is  
5939 located; and

5940           d. All buildings or structures or service yards on the site shall maintain a  
5941 distance not less than fifty feet from any property line and from any public street.

5942           14.a. Excluding amusement and recreational uses classified elsewhere in this  
5943 chapter.

5944           b. Fireworks display services, also known as public displays of fireworks, are  
5945 allowed in all zones, subject to the requirements of K.C.C. chapter 17.11.

5946           15. For amusement and recreation services not otherwise provided for in this  
5947 chapter:

5948           a. In the RA zones, not subject to regulation under K.C.C. Title 6 and only on  
5949 sites at least five acres or larger;

5950           b. Retail sales are limited to incidental sales to patrons of the amusement or  
5951 recreation service; and

5952           c. Does not involve the operation of motor vehicles or off-road vehicles,  
5953 including, but not limited to, motorcycles and gocarts.

5954           16. Subject to the following conditions:

Ordinance 19881

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5955 a. The length of stay per party in campgrounds shall not exceed one hundred  
5956 eighty days during a three-hundred-sixty-five-day period; and

5957 b. Only for campgrounds that are part of a proposed or existing county park,  
5958 that are subject to review and public meetings through the department of natural  
5959 resources and parks.

5960 17. (~~Only for stand-alone sports clubs that are not part of a park.~~) Before  
5961 submitting an application, the applicant shall hold a community meeting consistent with  
5962 K.C.C. 20.20.035.

5963 b. Except for trails, residential and recreational structures and facilities shall be  
5964 setback at least one hundred feet from adjacent roadways and access easements; and at  
5965 least three hundred feet from F, M, A, RA, UR, and R zoned properties.

5966 c. The site area shall be a minimum of ten acres and shall be at least five miles  
5967 from the Urban Growth Area boundary;

5968 d. Temporary lodging units shall:

5969 (1) not exceed two units per acre and one hundred units total;

5970 (2) be proportionately scaled and limited based on developed site area,  
5971 availability of recreation opportunities, and distance to urban area zones allowing for  
5972 temporary lodging;

5973 e. The site shall be within ten miles of at least three off-site, outdoor resource-  
5974 based recreation activities;

5975 f. The destination resort shall provide at least two on-site outdoor resource-  
5976 based recreation activities;

Ordinance 19881

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5977 g. Applications shall identify all aspects of the proposal, including residential,  
 5978 commercial, and recreational uses;

5979 h. Accessory on-site uses shall be at a size and scale to serve primarily the  
 5980 guests of the destination resort;

5981 i. When occurring in the forest zone, forest production district, or rural forest  
 5982 focus areas, the proposal shall demonstrate that the predominate land area will remain  
 5983 viable for forest resource-based uses or preservation of forestry resources, or both; and

5984 j. When occurring in the forest production district, only allowed if compatible  
 5985 with long-term forestry, protection of Indian tribal cultural resources, and other resource  
 5986 management goals of the Comprehensive Plan.

5987 18. Subject to review and approval of conditions to comply with trail corridor  
 5988 provisions of K.C.C. chapter 21A.14 (~~when located in an RA zone~~).

5989 19. Only as an accessory to a recreation or multiuse park.

5990 20. Only as an accessory to a recreation or multiuse park of at least twenty acres  
 5991 located within the urban (~~growth~~) area, or on a site immediately adjacent to the  
 5992 ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area boundary with the floor area of an individual outdoor  
 5993 performance center stage limited to three thousand square feet.

5994 21. Limited to rentals of sports and recreation equipment with a total floor area  
 5995 of no more than seven hundred fifty square feet and only as accessory to a park, or, in the  
 5996 RA zones, to a recreation or multiuse park.

5997 22. Only as accessory to a large active recreation and multiuse park and limited  
 5998 to:

5999 a. water slides, wave pools, and associated water recreation facilities; and

Ordinance 19881

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6000           b. rentals of sports and recreation equipment.

6001           23. Limited to natural resource and heritage museums and only allowed in a  
6002 farm or forestry structure, including, but not limited to, barns or sawmills, existing as of  
6003 December 31, 2003.

6004           24. Use is ~~((permitted))~~ allowed without a conditional use permit only when in  
6005 compliance with all of the following conditions:

6006           a. The use is limited to camps for youths or for persons with special needs due  
6007 to a disability, as defined by the American With Disabilities Act of 1990, or due to a  
6008 medical condition and including training for leaders for those who use the camp;

6009           b. Active recreational activities shall not involve the use of motorized vehicles  
6010 such as cross-country motorcycles or all-terrain vehicles or the use of firearms. The  
6011 prohibition on motorized vehicles does not apply to such vehicles that may be necessary  
6012 for operation and maintenance of the facility or to a client-specific vehicle used as a  
6013 personal mobility device;

6014           c.(1) Except as provided in subsection B.24.c.(2)(b) of this section, the number  
6015 of overnight campers, not including camp personnel, in a new camp shall not exceed:

6016           (a) one hundred and fifty for a camp between twenty and forty acres; or

6017           (b) for a camp greater than forty acres, but less than two hundred and fifty  
6018 acres, the number of users allowed by the design capacity of a water system and on-site  
6019 sewage disposal system approved by ~~((the department of))~~ public health ~~((;))~~ = Seattle ~~((/))~~  
6020 & King County, up to a maximum of three hundred and fifty; and

6021           (2) Existing camps shall be subject to the following:



Ordinance 19881

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6022 (a) For a camp established before August 11, 2005, with a conditional use  
6023 permit and that is forty acres or larger, but less than one hundred and sixty acres, the  
6024 number of overnight campers, not including camp personnel, may be up to one hundred  
6025 ~~((and))~~ fifty campers over the limit established by subsection B.24.c.(1)(b) of this section.

6026 (b) For a camp established before August 11, 2005, with a conditional use  
6027 permit and that is one hundred ~~((and))~~ sixty acres or larger, but less than two hundred  
6028 acres, the number of overnight campers, not including camp personnel, may be up to  
6029 three hundred ~~((and))~~ fifty campers over the limit established by subsection B.24.c.(1)(b)  
6030 of this section. The camp may terminate operations at its existing site and establish a  
6031 new camp if the area of the camp is greater than two hundred ~~((and))~~ fifty acres and the  
6032 number of overnight campers, not including camp personnel, shall not exceed seven  
6033 hundred.

6034 d. The length of stay for any individual overnight camper, not including camp  
6035 personnel, shall not exceed ninety days during a three-hundred-sixty-five-day period;

6036 e. The camp facilities, such as a medical station, food service hall, and activity  
6037 rooms, shall be of a scale to serve overnight camp users;

6038 f. The minimum size of parcel for such use shall be twenty acres;

6039 g. Except for any permanent caretaker residence, all new structures where  
6040 camp users will be housed, fed, or assembled shall be no less than fifty feet from  
6041 properties not related to the camp;

6042 h. In order to reduce the visual impacts of parking areas, sports and activity  
6043 fields, or new structures where campers will be housed, fed, or assembled, the applicant  
6044 shall provide a Type 3 landscape buffer no less than twenty feet wide between the nearest

Ordinance 19881

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6045 property line and such parking area, field, or structures, by retaining existing vegetation  
6046 or augmenting as necessary to achieve the required level of screening;

6047 i. If the site is adjacent to an arterial roadway, access to the site shall be  
6048 directly onto ~~((said))~~ the arterial unless direct access is unsafe due inadequate sight  
6049 distance or extreme grade separation between the roadway and the site;

6050 j. If direct access to the site is via local access streets, transportation demand  
6051 management measures, such as use of carpools, buses, or vans to bring in campers, shall  
6052 be used to minimize traffic impacts;

6053 k. Any lights provided to illuminate any building or recreational area shall be  
6054 so arranged as to reflect the light away from any adjacent property; and

6055 l. A community meeting shall be convened by the applicant before submittal of  
6056 an application for permits to establish a camp, or to expand the number of camp users on  
6057 an existing camp site as provided in subsection B.24.c.(2)(b) of this section. Notice of  
6058 the meeting shall be provided at least two weeks in advance to all property owners within  
6059 five hundred feet, or at least twenty of the nearest property owners, whichever is greater.  
6060 The notice shall at a minimum contain a brief description of the project and the location,  
6061 as well as ~~((s))~~ contact persons and numbers.

6062 25. Limited to theaters primarily for live productions located within a ~~((R))~~ rural  
6063 ~~((F))~~ town designated by the King County Comprehensive Plan.

6064 26.a. Only in an enclosed building; and

6065 b. A copy of the current liability policy of not less than one million dollars for  
6066 bodily injury or death shall be maintained in the department.

6067 27. Minimum standards for outdoor paintball recreation fields:

Ordinance 19881

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- 6068           a. The minimum site area is twenty-five acres;
- 6069           b. Structure shall be no closer than one hundred feet from any lot line adjacent  
6070 to a ~~((rural area or residential))~~ RA, UR, and R zoned property;
- 6071           c. The area where paintballs are discharged shall be located more than three  
6072 hundred feet of any lot line and more than five hundred feet from the lot line of any  
6073 adjoining ~~((rural area or residential))~~ RA, UR, and R zoned property. The department  
6074 may allow for a lesser setback if it determines through the conditional use permit review  
6075 that the lesser setback in combination with other elements of the site design provides  
6076 adequate protection to adjoining properties and rights-of-way~~((s))~~;
- 6077           d. A twenty-foot high nylon mesh screen shall be installed around all play  
6078 areas and shall be removed at the end of each day when the play area is not being used.  
6079 The department may allow for the height of the screen to be lowered to no less than ten  
6080 feet if it determines through the conditional use permit review that the lower screen in  
6081 combination with other elements of the site design provides adequate protection from  
6082 discharged paintballs;
- 6083           e. All parking and spectator areas, structures, and play areas shall be screened  
6084 from adjoining ~~((rural area or residential))~~ RA, UR, and R zoned property and public  
6085 ~~((rights of way))~~ rights-of-way with Type 1 landscaping at least ten feet wide;
- 6086           f. Any retail sales conducted on the property shall be accessory and incidental  
6087 to the ~~((permitted))~~ allowed activity and conducted only for the participants of the site;
- 6088           g. A plan of operations specifying days and hours of operation, number of  
6089 participants and employees, types of equipment to be used by users of the site, safety  
6090 procedures, type of compressed air fuel to be used on the site, and storage and

Ordinance 19881

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6091 maintenance procedures for the compressed air fuel shall be provided for review in  
6092 conjunction with the conditional use permit application. All safety procedures shall be  
6093 reviewed and approved by department of public safety before submittal of the conditional  
6094 use permit application. All activities shall be in compliance with National Paintball  
6095 League standards;

6096 h. The hours of operation shall be limited to Saturdays and Sundays and  
6097 statutory holidays from 8:30 ~~((A.M.))~~ a.m. to 8:30 ~~((P.M.))~~ p.m., and further restricted as  
6098 applicable to daylight hours;

6099 i. No more than one hundred paintball players shall be allowed on the site at  
6100 any one time;

6101 j. ~~((No e))~~ Outdoor lights or amplified sounds ~~((shall be permitted))~~ are  
6102 prohibited;

6103 k. The facility shall have direct access to a road designated as a major collector  
6104 (or higher) in the Comprehensive Plan unless the department determines through the  
6105 conditional use permit review that the type and amount of traffic generated by the facility  
6106 is such that it will not cause an undue impact on the neighbors or adversely affect safety  
6107 of road usage;

6108 l. The facility shall be secured at the close of business each day;

6109 m. All equipment and objects used in the paintball activities shall be removed  
6110 from the site within ninety days of the discontinuance of the paintball use; and

6111 n. A copy of the current liability policy of not less than one million dollars for  
6112 bodily injury or death shall be submitted with the conditional use permit application and  
6113 shall be maintained in the department.

Ordinance 19881

6114 28. Before filing an application with the department, the applicant shall hold a  
 6115 community meeting in accordance with K.C.C. 20.20.035.

6116 29. Only as accessory to a recreation or multiuse park of least twenty acres  
 6117 located within the urban (~~(g)~~) area or on a site immediately adjacent to the  
 6118 ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area boundary or in a building listed ~~((h))~~ in the National  
 6119 Register of Historic Places as an historic site or designated as a King County landmark  
 6120 subject to K.C.C. chapter 21A.32.

6121 30. Only:

6122 a. in the RA-10 zone;

6123 b. as a reuse of a nonresidential facility subject to K.C.C. chapter 21A.32;

6124 c. on a parcel within one thousand feet of a rural town; and

6125 d. if owned and operated by a public agency or nonprofit.

6126 31. Only in the urban area.

6127 32. Only in a rural town.

6128 NEW SECTION. SECTION 162. There is hereby added to K.C.C. chapter  
 6129 21A.08 a new section to read as follows:

6130 A. Health care services and residential care services land uses.

SIC #	SPECIFIC LAND USE	A	F	M	RA (1)	UR	R-1	R-4 – R-8	R-12 – R-48	NB	CB	RB	O	I
	<b>HEALTH CARE SERVICES</b>													
801-04	Doctor's Office/Outpatient				C2	P2 C		P3 P4	P4 P5	P	P	P	P	P

Ordinance 19881

	Clinic						C5 C6 C7	C6 C7					
806	Hospital						C2	P8 C2		P	P	C	
807	Medical/Dental Lab									P	P	P	P
808-09	Miscellaneous Health									P	P	P	
*	Social Services			P2 C	P2 C	P2 C	P2 C	P	P	P	P	P	
*	Crisis Care Center			P2 C9	P2 C9	P3 C9	P3 C	P5	P5	P5	P5	P5	P10
	<b>RESIDENTIAL CARE SERVICES</b>												
805	Nursing and Personal Care Facilities						P3 C5	P5 C	P5	P	P	P5	
*	Adult Family Home	P	P11	P	P	P	P	P	P	P12	P12	P12	
*	Community Residential Facility I			C	C	P13.a C	P13.a C	P	P12	P12	P12	P12	
*	Community Residential Facility II					P13.b	P13.b	P	P12	P12	P12	P12	
*	Permanent Supportive Housing						C14	P15	P15	P15	P15	P15	
*	Recuperative Housing						C16	P16	P16	P16	P16	P16	
*	Emergency Supportive Housing						C16	P16	P16	P16	P16	P16	
*	Emergency Shelter						C16	P16	P16	P16	P16	P16	
*	Microshelter Villages						C17	P17	P17	P17	P17	P17	
*	Safe Parking						C18	P18	P18	P18	P18	P18	

Ordinance 19881

836	Other Residential Care (19)								C	P4	P	P	P	P	
										P5					
										P20					
										C					

6131 B. Development conditions.

6132 1. Subject to review and approval of conditions to comply with trail corridor  
6133 provisions of K.C.C. chapter 21A.14.

6134 2. Only as a reuse of a public school facility or surplus nonresidential facility  
6135 subject to K.C.C. chapter 21A.32.

6136 3. Only in the urban area, as a reuse of a public school facility or surplus  
6137 nonresidential facility subject to K.C.C. chapter 21A.32.

6138 4. Outside the urban area, only as a reuse of a public school facility and subject  
6139 to K.C.C. chapter 21A.32. Before filing an application with the department, the applicant  
6140 shall hold a community meeting in accordance with K.C.C. 20.20.035.

6141 5. Only in the urban area.

6142 6. Outside of the urban area, only as a reuse of a surplus nonresidential facility  
6143 subject to K.C.C. chapter 21A.32.

6144 7. Outside of the urban area, subject to the requirements in K.C.C. 21A.12.250.

6145 8. Only in the R-24 and R-48 zones, and limited to SIC Industries 8063-  
6146 Psychiatric Hospitals and 8069-Specialty Hospitals, Except Psychiatric.

6147 9.a. Not allowed in the RA-2.5, RA-10, or RA-20 zone;

6148 b. Only allowed on lots of at least four and one-half acres;

6149 c. Located within one mile of an interstate highway; and

6150 d. Limited to sixteen beds.

Ordinance 19881

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- 6151           10. Only allowed in the Preston Industrial Area.
- 6152           11. In the forest production district, the following conditions apply:
- 6153           a. Site disturbance shall be limited to three acres. Site disturbance shall mean
- 6154 all land alterations including, but not limited to, grading, utility installation, landscaping,
- 6155 clearing for crops, on-site sewage disposal systems, and driveways. Additional site
- 6156 disturbance for agriculture, including raising livestock, up to the smaller of thirty-five
- 6157 percent of the lot or seven acres, may be approved only if a farm management plan is
- 6158 prepared in accordance with K.C.C. chapter 21A.30. Animal densities shall be based on
- 6159 the area devoted to animal care and not the total area of the lot;
- 6160           b. A forest management plan shall be required in the forest production district,
- 6161 that shall be reviewed and approved by the King County department of natural resources
- 6162 and parks before building permit issuance; and
- 6163           c. The forest management plan shall incorporate a fire protection element that
- 6164 includes fire safety best management practices developed by the department.
- 6165           12. Only as part of a mixed-use development subject to the conditions of K.C.C.
- 6166 chapter 21A.14, except in the rural area outside of rural towns on historic properties listed
- 6167 in the National Register of Historic Places or designated as a King County landmark.
- 6168           13.a. Limited to domestic violence shelter facilities.
- 6169           b. Limited to domestic violence shelter facilities with no more than eighteen
- 6170 residents and staff.
- 6171           14. Subject to the following standards:
- 6172           a. Allowed only in the urban area;



Ordinance 19881

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6173                   b. Located on the same site as a religious facility, public agency, or social  
6174 services use; and

6175                   c. Exempt from bicycle parking requirements in K.C.C. 21A.18.030.E. and  
6176 electric vehicle parking infrastructure requirements in K.C.C. 21A.18.140.

6177                   15. Subject to the following standards:

6178                   a. Allowed only in the urban area;

6179                   b. Only as part of a mixed-use development subject to the conditions of K.C.C.  
6180 chapter 21A.14, except in the rural area outside of rural towns on historic properties listed  
6181 in the National Register of Historic Places or designated as a King County landmark; and

6182                   c. Exempt from bicycle parking requirements in K.C.C. 21A.18.030.E. and  
6183 electric vehicle parking infrastructure requirements in K.C.C. 21A.18.140.

6184                   16. Subject to the following standards:

6185                   a. Allowed only in the urban area;

6186                   b. In the R-4 through R-8 zones, only when located on the same site as a  
6187 religious facility, public agency, or social service use;

6188                   c. Exempt from bicycle parking requirements in K.C.C. 21A.18.030.E, and  
6189 electric vehicle parking infrastructure requirements in K.C.C. 21A.18.140; and

6190                   d. The application shall include:

6191                   (1) A description of the staffing and operational characteristics, including  
6192 sanitation and basic safety measures required for the facility;

6193                   (2) Occupancy policies, including a description of the population to be served  
6194 and a code of conduct that includes, at a minimum, a prohibition of threatening or unsafe  
6195 behavior;

Ordinance 19881

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6196 (3) A plan for managing the exterior appearance of the site, including keeping  
6197 the site litter free;

6198 (4) A plan for addressing reported concerns and making this information  
6199 publicly available, including a phone number, email, and point of contact at the site of the  
6200 facility for the community to report concerns;

6201 (5) A plan for outreach with surrounding property owners and residents  
6202 addressing items such as noise, smoking areas, parking, security procedures, and litter;  
6203 and

6204 (6) Plans and narrative documenting compliance with all applicable codes,  
6205 including:

6206 (a) an elevation of the building or buildings to be occupied;

6207 (b) a floor plan that describes the capacities of the buildings for the uses  
6208 intended, room dimensions, and a designation of the rooms to be used for nonambulatory  
6209 residents, if any; and

6210 (c) a site plan showing property lines, buildings, driveways, parking, fences,  
6211 storage areas, gardens, recreation areas, and site improvements.

6212 17. Subject to the following standards:

6213 a. Allowed in the urban area;

6214 b. In the R-4 through R-8 zones, only when located on the same site as a  
6215 religious facility, public agency, or social service use;

6216 c. Exempt from landscaping requirements in K.C.C. chapter 21A.16 except as  
6217 required by this section, bicycle parking requirements in K.C.C. 21A.18.030.E., and  
6218 electric vehicle parking infrastructure requirements in K.C.C. 21A.18.140;

Ordinance 19881

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6219 d. The application shall include:

6220 (1) A description of the staffing and operational characteristics, including

6221 sanitation and basic safety measures required for the facility;

6222 (2) Occupancy policies, including a description of the population to be served

6223 and a code of conduct that includes, at a minimum, a prohibition of threatening or unsafe

6224 behavior;

6225 (3) A plan for managing the exterior appearance of the site, including keeping

6226 the site litter free;

6227 (4) A plan for addressing reported concerns and making this information

6228 publicly available, including a phone number, email, and point of contact at the site of the

6229 facility for the community to report concerns;

6230 (5) A plan for outreach with surrounding property owners and residents

6231 addressing items such as noise, smoking areas, parking, security procedures, and litter;

6232 and

6233 (6) Plans and narrative documenting compliance with all applicable codes,

6234 including:

6235 (a) an elevation of the building or buildings to be occupied;

6236 (b) a floor plan that describes the capacities of the buildings for the uses

6237 intended, room dimensions, and a designation of the rooms to be used for nonambulatory

6238 residents, if any; and

6239 (c) a site plan showing property lines, buildings, driveways, parking, fences,

6240 storage areas, gardens, recreation areas, and site improvements;

Ordinance 19881

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6241 e. A setback of ten feet shall be along any property line adjoining a UR or R  
6242 zone; and

6243 f. The use shall be buffered with:

6244 (1) ten feet of Type II landscaping consistent with K.C.C. 21A.16.040; or

6245 (2) a six-foot high, view-obscuring fence.

6246 18. Subject to the following standards:

6247 a. Allowed in the urban area;

6248 b. In the R-4 through R-8 zones, only when located on the same site as a  
6249 religious facility, public agency, or social services use;

6250 c. Exempt from landscaping requirements in K.C.C. chapter 21A.16 except as  
6251 required by this section, bicycle parking requirements in K.C.C. 21A.18.030.E., and  
6252 electric vehicle parking infrastructure requirements in K.C.C. 21A.18.140;

6253 d. The application shall include:

6254 (1) A description of the staffing and operational characteristics, including  
6255 sanitation and basic safety measures required for the facility;

6256 (2) Occupancy policies, including a description of the population to be served  
6257 and a code of conduct that includes, at a minimum, a prohibition of threatening or unsafe  
6258 behavior;

6259 (3) A plan for managing the exterior appearance of the site, including keeping  
6260 the site litter free;

6261 (4) A plan for addressing reported concerns and making this information  
6262 publicly available, including a phone number, email, and point of contact at the site of the  
6263 facility for the community to report concerns;

Ordinance 19881

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- 6264 (5) A plan for outreach with surrounding property owners and residents  
6265 addressing items such as noise, smoking areas, parking, security procedures, and litter;  
6266 and
- 6267 (6) Plans and narrative documenting compliance with all applicable codes,  
6268 including:
- 6269 (a) an elevation of the building or buildings to be occupied;
- 6270 (b) a floor plan that describes the capacities of the buildings for the uses  
6271 intended, room dimensions, and a designation of the rooms to be used for nonambulatory  
6272 residents, if any; and
- 6273 (c) a site plan showing property lines, buildings, driveways, parking, fences,  
6274 storage areas, gardens, recreation areas, and site improvements;
- 6275 e. A setback of ten feet shall be along any property line adjoining a UR or R  
6276 zone;
- 6277 f. The use shall be buffered with:
- 6278 (1) ten feet of Type II landscaping consistent with K.C.C. 21A.16.040; or  
6279 (2) a six-foot high, view-obscuring fence;
- 6280 g. When safe parking is located on a site with an established primary use, the  
6281 director may reduce the minimum number of on-site parking spaces consistent with  
6282 K.C.C. chapter 21A.18;
- 6283 h. A safe parking site shall provide restroom and potable water access within  
6284 the buildings or portable facilities and handwashing stations on the property; and

Ordinance 19881

6285 i. If recreational vehicles are hosted at the safe parking site, provision shall be  
 6286 made for potable water and for proper disposal of grey water and black water waste from  
 6287 the vehicles.

6288 19. Excluding residential care uses classified elsewhere in this chapter.

6289 20. Only in a rural town, as a reuse of a surplus nonresidential facility and  
 6290 subject to K.C.C. chapter 21A.32. Before filing an application with the department, the  
 6291 applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

6292 SECTION 163. Ordinance 10870, Section 332, as amended, and K.C.C.  
 6293 21A.08.050 are hereby amended to read as follows:

6294 A. ~~((General services))~~ Personal services and temporary lodging land uses.

<del>((P-Permitted Use C-Conditional Use S-Special Use</del>		RESOURCE			R U R A L	<del>RESIDENTIAL</del>				COMMERCIAL/INDUSTRIAL))				
SIC#	SPECIFIC LAND USE	A	F	M	RA (31)	UR	<u>R-1</u>	<del>((R1-8))</del> <u>R-4</u> <del>- R-8</del>	<u>R-12</u> <u>R-48</u>	N B	CB	RB	O	I
	<b>PERSONAL SERVICES:</b>													
<del>((72</del>	General Personal Service							<del>C-25</del> C37	C25 C37	P	P	P	<del>P3</del>	<del>P3</del> )
<del>_</del>	<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>	<u>P</u>	<u>P</u>		

Ordinance 19881

* _	<u>Specialized Instruction School</u>		<u>P1</u> 8		<u>P19</u> C20	<u>P19</u> C20	<u>P19</u> C20	<u>P19</u> C20	<u>P19</u> C20	<u>P</u>	<u>P</u>	<u>P</u>	<u>P17</u>	<u>P</u> 38
7231 7241	<u>Beauty and Barber Shops</u>							<u>P6</u>	<u>P25</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
7251	<u>Shoe Repair Shops</u>							<u>P6</u>	<u>P25</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
7211 7213 7215 7219	<u>Laundry, Cleaning, and Garment Services</u>							<u>P6</u>	<u>P25</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
7212	<u>Drycleaner and Garment Pressing</u>							<u>P6</u>	<u>P25</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
7216	<u>Drycleaning Plants</u>													<u>P</u>
7217	<u>Carpet and Upholstery Cleaning</u>									<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
7218	<u>Industrial Launderers</u>													<u>P</u>
7261	<u>Funeral Home/Crematory</u>					C4	<u>C4</u>	C4	C4		<u>P</u>	<u>P</u>		
*	<u>Cemetery, Columbarium or Mausoleum (5)</u>				P24 C(( <del>5</del> and 3+))	P24 C(( <del>5</del> )	<u>P24</u> C	P24 C(( <del>5</del> )	P24 C(( <del>5</del> ))	P2 4	P24	P24 C(( <del>5</del> )	P24	

Ordinance 19881

*	<del>((Day Care))</del> <u>Daycare I and II</u>	<del>P((6))</del> <u>40</u>			<del>P((6))</del> <u>9</u>	<del>P((6))</del> <u>9</u>	<del>P</del> <u>9</u>	<del>P((6))</del> <u>9</u>	<del>P</del> <u>9</u>	<del>P</del> <u>9</u>	<del>P</del> <u>9</u>	<del>P((7))</del> <u>7</u>	<del>P((7))</del> <u>7</u>
<del>((8))</del>	<del>Day Care II</del>				<del>P8</del> <u>8</u>	<del>P8</del> <u>8</u>		<del>P8</del> <u>8</u>	<del>P8</del> <u>8</u>	<del>P</del> <u>8</u>	<del>P</del> <u>8</u>	<del>P7</del> <u>7</u>	<del>P7</del> <u>7</u>
<del>074</del>	<del>Veterinary Clinic</del>	<del>P9</del> <u>9</u>			<del>P9</del> <u>9</u>	<del>P9</del> <u>9</u>			<del>P10</del> <u>10</u>	<del>P10</del> <u>10</u>	<del>P10</del> <u>10</u>		<del>P))</del> <u>))</u>
753	Automotive Repair (1)								<del>P1</del> <u>1</u>	<del>P</del> <u>1</u>	<del>P</del> <u>1</u>		<del>P</del> <u>1</u>
754	Automotive Service								<del>P1</del> <u>1</u>	<del>P</del> <u>1</u>	<del>P</del> <u>1</u>		<del>P</del> <u>1</u>
76	Miscellaneous Repair (44)				<del>P32</del> <u>32</u>	<del>P32</del> <u>32</u>	<del>P32</del> <u>32</u>	<del>P32</del> <u>32</u>	<del>P3</del> <u>3</u>	<del>P</del> <u>3</u>	<del>P</del> <u>3</u>		<del>P</del> <u>3</u>
<del>((866))</del> <u>866</u>	<del>((Church, Synagogue, Temple))</del> <u>Religious Facility</u>				<del>P12</del> <u>12</u>	<del>P12</del> <u>12</u>	<del>P12</del> <u>12</u>	<del>P12</del> <u>12</u>	<del>P</del> <u>12</u>	<del>P</del> <u>12</u>	<del>P</del> <u>12</u>	<del>P</del> <u>12</u>	
<del>((83))</del> <u>83</u>	<del>Social Services (2)</del>				<del>P12</del> <u>12</u>	<del>P12</del> <u>12</u>		<del>P12</del> <u>12</u>	<del>P12</del> <u>12</u>	<del>P</del> <u>12</u>	<del>P</del> <u>12</u>	<del>P</del> <u>12</u>	<del>P))</del> <u>))</u>
<del>074</del>	<del>Veterinary Clinic</del>	<del>P9</del> <u>9</u>			<del>P9</del> <u>9</u>	<del>P9</del> <u>9</u>			<del>P10</del> <u>10</u>	<del>P10</del> <u>10</u>	<del>P10</del> <u>10</u>		<del>P</del> <u>9</u>
0752	Animal <del>((s))</del> Specialty <del>((s))</del> Services				<del>C</del> <u>C</u>	<del>C</del> <u>C</u>			<del>P</del> <u>P</u>	<del>P</del> <u>P</u>	<del>P</del> <u>P</u>	<del>P</del> <u>P</u>	<del>P</del> <u>P</u>
<del>((8))</del>	<del>Stable</del>	<del>P14</del> <u>14</u>			<del>P14</del> <u>14</u>	<del>P14</del> <u>14</u>		<del>P14</del> <u>14</u>					



Ordinance 19881

		C											
*	Commercial Kennel or Commercial Cattery	P4 2			C43 C43					C43 P43			
* _	<u>Dog Training Facility</u>	<u>C3 4</u>			<u>C34 C34</u>				<u>P P</u>	<u>P P</u>			<u>P P</u>
≠	Theatrical Production Services									P30 P28			
7221	<u>Portrait Photographic Studios</u>						<u>P6 P25</u>	<u>P P</u>	<u>P P</u>	<u>P P</u>	<u>P P</u>		
*	Artist Studios				P28 P28	<u>P28</u>	P28 P28	P P	P P	P P	P29 P		
*	Interim Recycling Facility				P21 P21	<u>P21</u>	P21 P21	P2 2	P22 P	P P	P21 P		
((≠	<u>Dog training facility</u>	<u>C3 4</u>			<u>C34 C34</u>				<u>P P</u>	<u>P P</u>			<u>P P</u>
	<b>HEALTH SERVICES:</b>												
801-04	Office/Outpati ent Clinic				P12 C13a	P12 C13a		P12 C13a C37	P12 C13a C37	P P	P P	P P	P P
805	Nursing and Personal Care Facilities							C		P P			
806	Hospital						C13a C13a			P P	P C		
807	Medical/Denta l Lab									P P	P P	P P	

Ordinance 19881

808-09	Miscellaneous Health									P	P	P))	
	<b><u>TEMPORAR Y LODGING:</u></b>												
7011	Hotel/Motel (14)									P	P	P	
*	Bed and Breakfast Guesthouse	P1 5			P15	P15	P15	P15	P15	P1	P16	P16	
7041	Organization Hotel/Lodging Houses						P23					P	
	<b><u>((EDUCATIO N SERVICES:</u></b>												
*	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	P17 P 38
*	School District					P23		P23	P23	C1	P15	P15	P15 P15

Ordinance 19881

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	Support Facility					€		€	€	§				)
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- 6295 B. Development conditions.
- 6296 1. Except SIC Industry ((~~Nos.~~) 7534-Tire Retreading(~~(, see manufacturing~~
- 6297 ~~permitted use table~~)).
- 6298 2. Except SIC Industry Groups ((~~Nos.~~):
- 6299 a. 835-Day Care Services, and
- 6300 b. Community residential facilities.
- 6301 3. (~~Limited to SIC Industry Group and Industry Nos.:~~
- 6302 a. ~~723 Beauty Shops;~~
- 6303 b. ~~724 Barber Shops;~~
- 6304 c. ~~725 Shoe Repair Shops and Shoeshine Parlors;~~
- 6305 d. ~~7212 Garment Pressing and Agents for Laundries and Drycleaners; and~~
- 6306 e. ~~217 Carpet and Upholstery Cleaning.~~) Only outside the urban area and
- 6307 subject to the following:
- 6308 a. Not allowed in the RA-10 or RA-20 zones.
- 6309 b. The bulk and scale shall be compatible with residential or the rural character
- 6310 of the area;
- 6311 c. The gross floor area shall not exceed ten thousand square feet unless the
- 6312 building is on the same site or adjacent to a site where a public facility is located; and
- 6313 d. Use is limited to residents of a specified residential development or to
- 6314 sports clubs providing supervised instructional or athletic programs.

Ordinance 19881

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6315 4. Only as accessory to a cemetery(~~(, and prohibited from the UR zone only if~~  
6316 ~~the property is located within a designated unincorporated Rural Town))~~).

6317 5. Structures shall maintain a minimum distance of one hundred feet from  
6318 property lines adjoining (~~(rural area and residential))~~ RA, UR, and R zones.

6319 6. (~~Only as accessory to residential use, and:~~

6320 a. ~~Outdoor play areas shall be completely enclosed by a solid wall or fence,~~  
6321 ~~with no openings except for gates, and have a minimum height of six feet; and~~

6322 b. ~~Outdoor play equipment shall maintain a minimum distance of twenty feet~~  
6323 ~~from property lines adjoining rural area and residential zones;))~~ Only in the urban area  
6324 and subject to the following:

6325 a. Limited to a maximum of two thousand five hundred square feet of gross  
6326 floor area;

6327 b. Amplified noise is prohibited;

6328 c. The maximum on-site parking ratio shall be two spaces per one thousand  
6329 square feet and required parking shall not be located between the building and the street;  
6330 and

6331 d. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

6332 7. (~~Permitted as an accessory use. See commercial/industrial accessory, K.C.C.~~  
6333 ~~21A.08.060.A.))~~ Only in the urban area and subject to the following:

6334 a. Amplified noise is prohibited;

6335 b. Limited to a maximum of ten thousand square feet of gross floor area unless  
6336 the building either is on the same site or adjacent to a site where a public facility is  
6337 located or is nonprofit facility located in the urban area; and

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Ordinance 19881

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- 6338            c. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.
- 6339            8. Only ~~((as a reuse of a public school facility subject to K.C.C. chapter 21A.32,~~  
6340 ~~or an accessory use to a school, church, park, sport club or public housing administered~~  
6341 ~~by a public agency, and:~~
- 6342            a. ~~Outdoor play areas shall be completely enclosed by a solid wall or fence,~~  
6343 ~~with no openings except for gates and have a minimum height of six feet;~~
- 6344            b. ~~Outdoor play equipment shall maintain a minimum distance of twenty feet~~  
6345 ~~from property lines adjoining rural area and residential zones;~~
- 6346            c. ~~Direct access to a developed arterial street shall be required in any~~  
6347 ~~residential zone; and~~
- 6348            d. ~~Hours of operation may be restricted to assure compatibility with~~  
6349 ~~surrounding development)) for standalone sports clubs that are not part of a park.~~
- 6350            9. As a home occupation only, but the square footage limitations in K.C.C.  
6351 chapter 21A.30 for home occupations apply only to the office space for the veterinary  
6352 clinic, and:
- 6353            a. Boarding or overnight stay of animals is allowed only on sites of five acres  
6354 or more;
- 6355            b. No burning of refuse or dead animals is allowed;
- 6356            c. The portion of the building or structure in which animals are kept or treated  
6357 shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be  
6358 surrounded by an eight-foot-high solid wall and the floor area shall be surfaced with  
6359 concrete or other impervious material; and
- 6360            d. The provisions of K.C.C. chapter 21A.30 relative to animal keeping are met.

Ordinance 19881

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- 6361           10.a. No burning of refuse or dead animals is allowed;
- 6362           b. The portion of the building or structure in which animals are kept or treated
- 6363 shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be
- 6364 surrounded by an eight-foot-high solid wall and the floor area shall be surfaced with
- 6365 concrete or other impervious material; and
- 6366           c. The provisions of K.C.C. chapter 21A.30 relative to animal keeping are met.
- 6367           11. The repair work or service shall only be performed in an enclosed building,
- 6368 and no outdoor storage of materials. SIC Industry ((~~No-~~)) 7532-Top, Body, and
- 6369 Upholstery Repair Shops and Paint Shops is (~~(not allowed)~~) prohibited.
- 6370           12. Only as a reuse of a public school facility or surplus nonresidential facility
- 6371 subject to K.C.C. chapter 21A.32. Before filing an application with the department, the
- 6372 applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.
- 6373           13.~~((a. Except as otherwise provided in subsection B.13.b. of this section, only~~
- 6374 ~~as a reuse of a surplus nonresidential facility subject to K.C.C. chapter 21A.32.~~
- 6375           ~~b. Allowed for a social service agency on a site in the NB zone that serves~~
- 6376 ~~transitional or low income housing located within three hundred feet of the site on which~~
- 6377 ~~the social service agency is located.~~
- 6378           ~~c. Before filing an application with the department, the applicant shall hold a~~
- 6379 ~~community meeting in accordance with K.C.C. 20.20.035))~~ Only in the urban area and
- 6380 subject to the following:
- 6381           a. Limited to a maximum of five thousand square feet of gross floor area;
- 6382           b. Amplified noise is prohibited;

Ordinance 19881

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6383                    c. The maximum on-site parking ratio shall be two spaces per one thousand  
6384 square feet and required parking shall not be located between the building and the street;

6385 and

6386                    d. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

6387                    14. (~~Covered riding arenas are subject to K.C.C. 21A.30.030 and shall not~~  
6388 ~~exceed twenty thousand square feet, but stabling areas, whether attached or detached,~~  
6389 ~~shall not be counted in this calculation)) Except bed and breakfast guesthouses.~~

6390                    15. (~~If located outside of the urban growth area, limited to projects that are of a~~  
6391 ~~size and scale designed to primarily serve the Rural Area and Natural Resource Lands~~  
6392 ~~and shall be located within a rural town)) Subject to the following:~~

6393                    a. Only as accessory use to the permanent residence of the operator;

6394                    b. Served meals shall be limited to paying guests; and

6395                    c. Limited to no more than five rooms accommodating up to ten guests.

6396                    16. (~~If located outside of the urban growth area, shall be designed to primarily~~  
6397 ~~serve the Rural Area and Natural Resource Lands and shall be located within a rural~~  
6398 ~~town. In CB, RB and O, for K-12 schools with no more than one hundred students))~~

6399 Only if part of a mixed-use development, and subject to the conditions of subsection  
6400 B.15. of this section.

6401                    17. All instruction (~~must be~~) shall occur within an enclosed structure.

6402                    18. Limited to resource management education programs.

6403                    19. Only as accessory to residential use, and:

6404                    a. Students shall be limited to twelve per one-hour session;

Ordinance 19881

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6405           b. Except as provided in subsection B.19.c. of this section, all instruction  
 6406 ~~((must be))~~ shall occur within an enclosed structure;

6407           c. Outdoor instruction may be allowed on properties at least two and one-half  
 6408 acres in size. Any outdoor activity ~~((must))~~ shall comply with the requirements for  
 6409 setbacks in ~~((K.C.C. chapter 21A.12))~~ this title; and

6410           d. Structures used for the school shall maintain a distance of twenty-five feet  
 6411 from property lines adjoining ~~((rural area and residential))~~ RA, UR, and R zones.

6412           20. Subject to the following:

6413           a. Structures used for the school and accessory uses shall maintain a minimum  
 6414 distance of twenty-five feet from property lines adjoining ~~((residential))~~ UR and R zones;

6415           b. On lots over two and one-half acres:

6416           (1) Retail sale of items related to the instructional courses is ~~((permitted))~~  
 6417 allowed, if total floor area for retail sales is limited to two thousand square feet;

6418           (2) Sale of food prepared in the instructional courses is ~~((permitted))~~ allowed  
 6419 with ~~((Seattle King County department of))~~ public health - Seattle & King County  
 6420 approval, if total floor area for food sales is limited to one thousand square feet and is  
 6421 located in the same structure as the school; and

6422           (3) Other incidental student-supporting uses are allowed, if such uses are  
 6423 found to be both compatible with, and incidental to the principal use; and

6424           c. On sites over ten acres, located in a ~~((designated Rural Town))~~ rural town  
 6425 and zoned ~~((any one or more of UR,))~~ R-1 ~~((and))~~ or R-4:



Ordinance 19881

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6426 (1) Retail sale of items related to the instructional courses is ~~((permitted,))~~  
6427 allowed. ~~((provided))~~ The total floor area for retail sales is limited to two thousand square  
6428 feet;

6429 (2) Sale of food prepared in the instructional courses is ~~((permitted))~~ allowed  
6430 with ~~((Seattle King County department of))~~ public health - Seattle & King County  
6431 approval, if total floor area for food sales is limited to one thousand seven hundred fifty  
6432 square feet and is located in the same structure as the school;

6433 (3) Other incidental student-supporting uses are allowed, if the uses are found  
6434 to be functionally related, subordinate, compatible with and incidental to the principal  
6435 use;

6436 (4) The use shall be integrated with allowable agricultural uses on the site;

6437 (5) Advertised special events shall comply with the temporary use  
6438 requirements of this chapter; and

6439 (6) Existing structures that are damaged or destroyed by fire or natural event,  
6440 if damaged by more than fifty percent of their prior value, may reconstruct and expand an  
6441 additional sixty-five percent of the original floor area but need not be approved as a  
6442 conditional use if the ~~((if))~~ use otherwise complies with ~~((development condition in))~~ this  
6443 subsection B.20.c. ~~((of this section))~~ and this title.

6444 21. Limited to:

6445 a. drop box facilities accessory to a public or community use such as a school,  
6446 fire station, or community center; or

6447 b. in the RA zone only, a facility accessory to a retail nursery, garden center,

Ordinance 19881

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6448 and farm supply store ~~((that))~~ may accept~~((s))~~ earth materials, vegetation, organic waste,  
 6449 construction, and demolition materials, or source separated organic materials, if:

6450 (1) the site is five acres or greater;

6451 (2) all material is deposited into covered containers or onto covered  
 6452 impervious areas;

6453 (3) the facility and any driveways or other access to the facility maintain a  
 6454 setback of at least twenty five feet from adjacent properties;

6455 (4) the total area of the containers and covered impervious area is ten  
 6456 thousand square feet or less;

6457 (5) ten feet of type II landscaping is provided between the facility and  
 6458 adjacent properties;

6459 (6) no processing of the material is conducted on-site; and

6460 (7) access to the facility is not from a local access street.

6461 22. With the exception of drop box facilities for the collection and temporary  
 6462 storage of recyclable materials, all processing and storage of material shall be within  
 6463 enclosed buildings. Yard waste processing is not ~~((permitted))~~ allowed.

6464 23. ~~((Only if adjacent to an existing or proposed school))~~ Only in the R-1 zone,  
 6465 as an accessory to a golf course facility and consistent with K.C.C. 21A.08.040.

6466 24. Limited to columbariums accessory to a ~~((church, but))~~ religious facility.

6467 ~~((#))~~ Required landscaping and parking shall not be reduced.

6468 25.a. ~~((Not permitted in R-1 and))~~ Outside of the urban area, limited to a  
 6469 maximum of five thousand square feet per establishment and subject to the additional  
 6470 requirements in K.C.C. 21A.12.230.

Ordinance 19881

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6471            26. ~~((a. New high schools permitted in the rural and the urban residential and~~  
 6472 ~~urban reserve zones shall be subject to the review process in K.C.C. 21A.42.140.~~

6473            ~~b. Renovation, expansion, modernization, or reconstruction of a school, or the~~  
 6474 ~~addition of relocatable facilities, is permitted)) Repealed.~~

6475            27. Limited to projects that do not require or result in an expansion of sewer  
 6476 service outside the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area. In addition, such use shall not be  
 6477 ~~((permitted))~~ allowed in the RA-20 zone.

6478            28. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter  
 6479 21A.32 or as a joint use of an existing public school facility.

6480            29. All studio use ~~((must be))~~ shall occur within an enclosed structure.

6481            30. Adult use facilities shall be prohibited within six hundred sixty feet of any  
 6482 rural area and residential zones, any other adult use facility, school, licensed daycare  
 6483 centers, parks, community centers, public libraries or ~~((churches))~~ religious facilities that  
 6484 conduct religious or educational classes for minors.

6485            31. Subject to review and approval of conditions to comply with trail corridor  
 6486 provisions of K.C.C. chapter 21A.14 ~~((when located in an RA zone))~~.

6487            32. Limited to repair of sports and recreation equipment:

6488            a. as accessory to a recreation or multiuse park in the urban ~~((growth))~~ area; or

6489            b. as accessory to a park and limited to a total floor area of seven hundred fifty  
 6490 square feet.

6491            33. Repealed.

6492            34. Subject to the following:

6493            a. the lot is at least five acres;

Ordinance 19881

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6494           b. in the A zones, area used for dog training shall be located on portions of  
 6495 agricultural lands that are unsuitable for other agricultural purposes, such as areas within  
 6496 the already developed portion of such agricultural lands that are not available for direct  
 6497 agricultural production or areas without prime agricultural soils;

6498           c. structures and areas used for dog training shall maintain a minimum distance  
 6499 of seventy-five feet from property lines; and

6500           d. all training activities shall be conducted within fenced areas or in indoor  
 6501 facilities. Fences (~~(must)~~) shall be sufficient to contain the dogs.

6502           35. Limited to animal rescue shelters and (~~provided that~~):

6503           a. the property shall be at least four acres;

6504           b. buildings used to house rescued animals shall be (~~no less than~~) set back at  
 6505 least fifty feet from property lines, except on Vashon-Maury Island, the setback shall be  
 6506 at least twenty-five feet;

6507           c. outdoor animal enclosure areas shall be located no less than thirty feet from  
 6508 property lines and shall be fenced in a manner sufficient to contain the animals;

6509           (~~d. the facility shall be operated by a nonprofit organization registered under~~  
 6510 ~~the Internal Revenue Code as a 501(c)(3) organization;~~) and

6511           (~~e. the facility shall maintain normal~~) d. hours of operation (~~no earlier than~~)  
 6512 shall be limited to 7:00 a.m. (~~and no later than~~) through 7:00 p.m.

6513           36. Limited to kennel-free dog boarding and daycare facilities, and:

6514           a. the property shall be at least four and one-half acres;

6515           b. buildings housing dogs shall be no less than seventy-five feet from property  
 6516 lines;

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Ordinance 19881

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6517 c. outdoor exercise areas shall be located no less than thirty feet from property  
6518 lines and shall be fenced in a manner sufficient to contain the dogs;

6519 d. the number of dogs allowed on the property at any one time shall be limited  
6520 to the number allowed for hobby kennels, as provided in K.C.C. 11.04.060.B; and

6521 e. training and grooming are ancillary services that may be provided only to  
6522 dogs staying at the facility; and

6523 f. ~~((the facility shall maintain normal h))~~Hours of operation ~~((no earlier than))~~  
6524 shall be limited to 7:00 a.m. ((and no later than)) through 7:00 p.m.

6525 37. ~~((Not permitted in R-1 and s))~~Subject to the additional requirements in  
6526 K.C.C. 21A.12.250.

6527 38. Driver training is limited to driver training schools licensed under chapter  
6528 46.82 RCW.

6529 39. ~~((A school may be located outside of the urban growth area only if allowed  
6530 under King County Comprehensive Plan policies))~~ Excluding adult daycares, nursery  
6531 schools, preschool centers, and privately conducted kindergartens and prekindergartens,  
6532 and only allowed when primarily serving residents of the rural area or natural resource  
6533 lands.

6534 40. ~~((Only as a reuse of an existing public school))~~ Excluding adult daycares,  
6535 nursery schools, preschool centers, and privately conducted kindergartens and  
6536 prekindergartens, and only allowed when:

6537 a. Accessory to an agricultural use;

6538 b. Serving only the children of farm workers employed on the site; and

6539 c. No more than thirty children are cared for on site.

Ordinance 19881

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6540 41. ~~((A high school may be allowed as a reuse of an existing public school if~~  
6541 ~~allowed under King County Comprehensive Plan policies)) Repealed.~~

6542 42. Commercial kennels and commercial catteries in the A zone are subject to  
6543 the following:

6544 a. Only as a home occupation, but the square footage limitations in K.C.C.  
6545 chapter 21A.30.085 for home occupations apply only to the office space for the  
6546 commercial kennel or commercial cattery; and

6547 b. Subject to K.C.C. 21A.30.020, except:

6548 (1) A building or structure used for housing dogs or cats and any outdoor runs  
6549 shall be set back one hundred and fifty feet from property lines;

6550 (2) The portion of the building or structure in which the dogs or cats are kept  
6551 shall be soundproofed;

6552 (3) Impervious surface for the kennel or cattery shall not exceed twelve  
6553 thousand square feet; and

6554 (4) Obedience training classes are not allowed except as provided in  
6555 subsection B.34. of this section.

6556 43. Commercial kennels and commercial catteries are subject to K.C.C.  
6557 21A.30.020.

6558 44. ~~((If the m))~~Miscellaneous repair ~~((is))~~ associated with agricultur~~((e))~~al  
6559 activities ~~((it will))~~ shall be reviewed in accordance with K.C.C. 21A.08.090.

6560 NEW SECTION. SECTION 164. There is hereby added to K.C.C. chapter  
6561 21A.08 a new section to read as follows:

6562 A. Government and education land uses.

Ordinance 19881

SIC #	SPECIFIC LAND USE	A	F	M	RA (1)	UR	R-1	R-4 - R-8	R-12 - R-48	N B	CB	RB	O	I
	<b>GOVERNMENT SERVICES:</b>													
*	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	Police Facility				P7	P7	P7	P7	P7	P7	P	P	P	P
922	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	P	P	P	P14	P14	P14	P14	P14	P1 5	P15	P15	P15	P

Ordinance 19881

	Facility													
*	Commuter Parking Lot				P29 C	P29 C		P29 C	P29 C	P	P	P	P	P30
	<b>EDUCATION SERVICES:</b>													
*	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/Unive rsity(26)	P2 2	P2 2		P22 C23 S24	P22 C23 S	P22 C23 S	P22 C23 S	P22 C23 S	P2 2 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

6563 B. Development conditions.

6564 1. Subject to review and approval of conditions to comply with trail corridor  
6565 provisions of K.C.C. chapter 21A.14.

6566 2.a. Only as a reuse of a public school facility or a surplus nonresidential facility  
6567 subject to K.C.C. chapter 21A.32; or

6568 b. only when accessory to a fire facility and the office is no greater than one  
6569 thousand five hundred square feet of floor area.



Ordinance 19881

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- 6570           3. Only as an accessory use to another permitted use.
- 6571           4. New utility office locations only if there is no commercial/industrial zoning  
6572 in the utility district, and not in the RA-10 or RA-20 zones unless it is demonstrated that  
6573 no feasible alternative location is possible.
- 6574           5a. Utility yards only on sites with utility district offices; or  
6575           b. Public agency yards are limited to material storage for road maintenance  
6576 facilities.
- 6577           6. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter  
6578 21A.32.
- 6579           7. Limited to storefront police offices. Such offices shall not have:  
6580           a. holding cells;  
6581           b. suspect interview rooms (except in the NB zone); or  
6582           c. long-term storage of stolen properties.
- 6583           8.a. All buildings and structures shall maintain a minimum distance of twenty  
6584 feet from property lines adjoining RA, UR, and R zones;  
6585           b. Any buildings from which fire-fighting equipment emerges onto a street  
6586 shall maintain a distance of thirty-five feet from such street;  
6587           c. No outdoor storage; and  
6588           d. Excluded from the RA-10 and RA-20 zones unless it is demonstrated that no  
6589 feasible alternative location is possible.
- 6590           10. Excluding local distribution gas storage tanks.
- 6591           11. Limited to local distribution gas storage tanks that pipe to individual  
6592 residences but excluding liquefied natural gas storage tanks.

Ordinance 19881

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6593           12. As part of an application for construction of new electric transmission lines  
6594 in regional utility corridors, or for the construction or siting of new, modified, or  
6595 expanded gas or hazardous liquid transmission pipelines, the applicant shall submit an  
6596 equity impact review of the proposal using tools developed by the office of equity and  
6597 racial and social justice. Until the tools have been developed and made publicly available  
6598 by the office, the equity impact review is not required. The results from the equity  
6599 impact review shall be used to assess equity impacts and opportunities during county  
6600 permit review and may be used to inform determinations of project approval.

6601           13. Private stormwater management facilities serving development proposals  
6602 located on commercial/industrial zoned lands shall also be located on  
6603 commercial/industrial lands, unless participating in an approved shared facility drainage  
6604 plan. Such facilities serving development within an area designated urban in the King  
6605 County Comprehensive Plan shall only be located in the urban area.

6606           14. Only as an accessory use to a public agency or utility yard, or to a transfer  
6607 station.

6608           15. Vector waste treatment, storage, and disposal shall be limited to liquid  
6609 materials. Materials shall be disposed of directly into a sewer system or shall be stored in  
6610 tanks, covered structures, or enclosed buildings.

6611           16. A school may be located outside of the Urban Growth Area only if allowed  
6612 under King County Comprehensive Plan policies. New high school sites shall abut or be  
6613 accessible from a public street functioning as an arterial per the King County Design  
6614 Standards.

Ordinance 19881

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6615           17. If located outside of the urban area, shall be designed to primarily serve the  
6616 rural area and natural resource lands and shall be located within a rural town. In CB, RB,  
6617 and O zones, only for K-12 schools, and limited to a maximum of one hundred students.

6618           18. Only as a reuse of an existing public school.

6619           19. If located outside of the urban area, limited to projects that are of a size and  
6620 scale designed to primarily serve the rural area and natural resource lands and shall be  
6621 located within a rural town.

6622           20. A high school may be allowed as a reuse of an existing public school if  
6623 allowed under King County Comprehensive Plan policies.

6624           21.a. New high schools permitted in the RA, UR, and R zones shall be subject  
6625 to the review process in K.C.C. 21A.42.140.

6626           b. Renovation, expansion, modernization, or reconstruction of a school, or the  
6627 addition of relocatable facilities, is allowed.

6628           22. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32.

6629           23. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter  
6630 21A.32.

6631           24. Only for facilities related to resource-based research.

6632           25. Only as a reuse of a public school facility or surplus nonresidential facility  
6633 subject to K.C.C. chapter 21A.32. Before filing an application with the department, the  
6634 applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

6635           26. Except technical institutions, which are classified as vocational schools.

6636           27. All instruction shall occur within an enclosed structure.

6637           28. Only if adjacent to an existing or proposed school.

Ordinance 19881

6638 29. Limited to new commuter parking lots designed for thirty or fewer parking  
 6639 spaces or commuter parking lots located on existing parking lots for religious facilities,  
 6640 schools, or other allowed nonresidential uses that have excess capacity available during  
 6641 commuting, but only if the new or existing lot is adjacent to a designated arterial that has  
 6642 been improved to a standard acceptable to the department of local services.

6643 30. Allowed as a primary or accessory use to an allowed industrial-zoned land  
 6644 use.

6645 SECTION 165. Ordinance 10870, Section 333, as amended, and K.C.C.

6646 21A.08.060 are hereby amended to read as follows:

6647 A. ~~((Government/))~~Business services land uses.

<del>((P-Permitted Use C-Conditional Use S-Special Use</del>		RESOURCE			RU RA L	RESIDENTIAL					COMMERCIAL/INDUSTRIAL))			
SIC#	SPECIFIC LAND USE	A	F	M	RA (12 )	UR	<u>R-1</u>	<del>((R-1 R-2 R-4 R-8</del>	R-2 12 = R-48 =	NB	CB	RB	O	I (13 0)) 19
	<del>((GOVERNMENT SERVICES:</del>													
31	Public agency or utility office				P3 C5	P3 C5		P3 C	P3 C	P	P	P	P	P16
31	Public agency or utility yard				P27	P27		P27	P27			P		P
31	Public agency archives											P	P	P
921	Court										P4	P	P	

Ordinance 19881

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))
	<b>BUSINESS SERVICES:</b>													
*	Construction and Trade				P(( 34) )20							P	P((9 )21	P
*	Individual Transportation and Taxi									P((25 )10	P	P1(( 0))	P	
421	Trucking and Courier Service									P((41 )22	P((4 2))2 3	P((4 3))2 4	P	
*	Warehousing, (((+))25) and Wholesale Trade													P
*	Self-service Storage (14)								((P1 4)) 5	P((3 7))1 5	P	P	P	P

Ordinance 19881

4221	Farm Product												P	
4222	Warehousing, Refrigeration, and Storage ((38))16													
*	Log Storage ((38))16		P		P26 (an & 33) )								P	
47	Transportation Service												P((3 9))2 Z	
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((4 6))2
*	Professional Office								P	P		P	P	P((4 6))2
7312	Outdoor Advertising Service											P	P((4 7))3	P
735	Miscellaneous Equipment Rental									P((47 ))3		P	P((4 7))3	P
751	Automotive Rental and Leasing									P		P		P
752	Automotive Parking								P((2 ))3	P((20 ))3		P((2 ))3	P((2 ))3	P

Ordinance 19881

										0))5 a	)5b	+)6	0))5 a		
*	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											P28	P28	P28	
*	Heavy Equipment and Truck Repair													P	
	<b>ACCESSORY USES:</b>														
*	Commercial/Industrial Accessory Uses				P(( 44) )18	P(( 22) )7					P((2 2))7	P((22 )7	P((4 4)) 18	P((4 4)) 18	P((4 4)) 18
					P(( 44) )18						P((4 4)) 18	P((44 )18			
*	Helistop				((4 0)) 17	C((23 )8	C8	C(( 23) )8	C(( 23) 8	C((2 3))8	C((23 )8	C((2 4))9	C(( 23)) 8	C(( 24)) 9	

6648 B. Development conditions.

6649 1. (~~Except self service storage.~~

6650 2. ~~Except SIC Industry No. 8732 Commercial Economic, Sociological, and~~

6651 ~~Educational Research, see general business service/office.~~

6652 3.a. ~~Only as a reuse of a public school facility or a surplus nonresidential facility~~

6653 ~~subject to K.C.C. chapter 21A.32; or~~

Ordinance 19881

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6654            ~~b. only when accessory to a fire facility and the office is no greater than one~~  
6655 ~~thousand five hundred square feet of floor area.~~

6656            ~~4. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter~~  
6657 ~~21A.32.~~

6658            ~~5. New utility office locations only if there is no commercial/industrial zoning~~  
6659 ~~in the utility district, and not in the RA 10 or RA 20 zones unless it is demonstrated that~~  
6660 ~~no feasible alternative location is possible, and provided further that this condition~~  
6661 ~~applies to the UR zone only if the property is located within a designated unincorporated~~  
6662 ~~Rural Town.~~

6663            ~~6.a. All buildings and structures shall maintain a minimum distance of twenty~~  
6664 ~~feet from property lines adjoining rural area and residential zones;~~

6665            ~~b. Any buildings from which fire fighting equipment emerges onto a street~~  
6666 ~~shall maintain a distance of thirty five feet from such street;~~

6667            ~~c. No outdoor storage; and~~

6668            ~~d. Excluded from the RA 10 and RA 20 zones unless it is demonstrated that no~~  
6669 ~~feasible alternative location is possible.~~

6670            ~~7. Limited to storefront police offices. Such offices shall not have:~~

6671            ~~a. holding cells;~~

6672            ~~b. suspect interview rooms (except in the NB zone); or~~

6673            ~~c. long term storage of stolen properties.~~

6674            ~~8. Private stormwater management facilities serving development proposals~~  
6675 ~~located on commercial/industrial zoned lands shall also be located on~~  
6676 ~~commercial/industrial lands, unless participating in an approved shared facility drainage~~



Ordinance 19881

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6677 ~~plan. Such facilities serving development within an area designated urban in the King~~  
6678 ~~County Comprehensive Plan shall only be located in the urban area.~~

6679 ~~9. No outdoor storage of materials.~~

6680 ~~10.)) Limited to office uses.~~

6681 ~~((11. Limited to self service household moving truck or trailer rental accessory~~  
6682 ~~to a gasoline service station.~~

6683 ~~12. Limited to self service household moving truck or trailer rental accessory to~~  
6684 ~~a gasoline service station and SIC Industry No. 4215 Courier Services, except by air.~~

6685 ~~13. Limited to SIC Industry No. 4215 Courier Services, except by air.~~

6686 ~~14. Accessory to an apartment development of at least twelve units provided:~~

6687 ~~a. The gross floor area in self service storage shall not exceed the total gross~~  
6688 ~~floor area of the apartment dwellings on the site;~~

6689 ~~b. All outdoor lights shall be deflected, shaded and focused away from all~~  
6690 ~~adjoining property;~~

6691 ~~c. The use of the facility shall be limited to dead storage of household goods;~~

6692 ~~d. No servicing or repair of motor vehicles, boats, trailers, lawn mowers or~~  
6693 ~~similar equipment;~~

6694 ~~e. No outdoor storage or storage of flammable liquids, highly combustible or~~  
6695 ~~explosive materials or hazardous chemicals;~~

6696 ~~f. No residential occupancy of the storage units;~~

6697 ~~g. No business activity other than the rental of storage units; and~~

6698 ~~h. A resident director shall be required on the site and shall be responsible for~~  
6699 ~~maintaining the operation of the facility in conformance with the conditions of approval.~~

Ordinance 19881

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6700 i. ~~Before filing an application with the department, the applicant shall hold a~~  
6701 ~~community meeting in accordance with K.C.C. 20.20.035.~~

6702 ~~15. Repealed.~~

6703 ~~16.)~~ 2. Only as an accessory use to another permitted use.

6704 ~~((17.))~~ 3. No outdoor storage.

6705 ~~((18. Only as an accessory use to a public agency or utility yard, or to a transfer~~  
6706 ~~station.~~

6707 ~~19. Limited to new commuter parking lots designed for thirty or fewer parking~~  
6708 ~~spaces or commuter parking lots located on existing parking lots for churches, schools, or~~  
6709 ~~other permitted nonresidential uses that have excess capacity available during~~  
6710 ~~commuting; provided that the new or existing lot is adjacent to a designated arterial that~~  
6711 ~~has been improved to a standard acceptable to the department of local services.))~~

6712 ~~((20.))~~ 4. Reserved.

6713 5.a. No tow-in lots for damaged, abandoned, or otherwise impounded  
6714 vehicles~~((;))~~; and

6715 b. Tow-in lots for damaged, abandoned, or otherwise impounded vehicles shall  
6716 be:

6717 (1) permitted only on parcels located within Vashon Town ~~((Center))~~ Core, as  
6718 adopted in the Vashon-Maury Island Community Service Area Subarea Plan in  
6719 Attachment H to this ordinance;

6720 (2) accessory to a gas or automotive service use; and

6721 (3) limited to no more than ten vehicles.

Ordinance 19881

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6722            ~~((21.))~~ 6. No dismantling or salvage of damaged, abandoned, or otherwise  
 6723 impounded vehicles.

6724            ~~22.))~~ 7. Storage limited to accessory storage of commodities sold at retail on the  
 6725 premises or materials used in the fabrication of commodities sold on the premises.

6726            ~~((23.))~~ 8. Limited to emergency medical evacuation sites in conjunction with  
 6727 police, fire, or health service facility. ~~((Helistops are prohibited from the UR zone only if  
 6728 the property is located within a designated unincorporated Rural Town.~~

6729            ~~24.))~~ 9. Allowed as accessory to an allowed use.

6730            ~~((25.))~~ 10. Limited to private road ambulance services with no outside storage  
 6731 of vehicles.

6732            ~~((26. Limited to two acres or less.~~

6733            ~~27a. Utility yards only on sites with utility district offices; or~~

6734            ~~b. Public agency yards are limited to material storage for road maintenance  
 6735 facilities.~~

6736            ~~28. Limited to local distribution gas storage tanks that pipe to individual  
 6737 residences but excluding liquefied natural gas storage tanks.~~

6738            ~~29. Excluding local distribution gas storage tanks.~~

6739            ~~30. For I zoned sites located outside the urban growth area designated by the  
 6740 King County Comprehensive Plan, uses shall be subject to the provisions for rural  
 6741 industrial uses in K.C.C. chapter 21A.12.~~

6742            ~~31. Vector waste treatment, storage, and disposal shall be limited to liquid  
 6743 materials. Materials shall be disposed of directly into a sewer system, or shall be stored  
 6744 in tanks (or other covered structures), as well as enclosed buildings.~~

Ordinance 19881

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6745 ~~32. Provided))~~ 11. As follows:

6746 a. Off-street required parking for a land use located in the urban area (~~(must)~~)

6747 shall be located in the urban area;

6748 b. Off-street required parking for a land use located in the rural area (~~(must)~~)

6749 shall be located in the rural area; and

6750 c.~~((1) Except as provided in subsection B.32.c.(2) of this section, or)~~ Off-street

6751 required parking (~~(must)~~) shall be located on a lot that would (~~(permit)~~) allow, either

6752 outright or through a land use permit approval process, the land use the off-street parking

6753 will serve.

6754 ~~((2) For a social service agency allowed under K.C.C. 21A.08.050B.13.b. to~~

6755 ~~be located on a site in the NB zone, off street required parking may be located on a site~~

6756 ~~within three hundred feet of the social service agency, regardless of zoning classification~~

6757 ~~of the site on which the parking is located.))~~

6758 ~~((3.))~~ 12. Subject to review and approval of conditions to comply with trail

6759 corridor provisions of K.C.C. chapter 21A.14 (~~(when located in an RA zone)~~).

6760 ~~((34. Limited to landscape and horticultural services (SIC 078) that are~~

6761 ~~accessory to a retail nursery, garden center and farm supply store. Construction~~

6762 ~~equipment for the accessory use shall not be stored on the premises.~~

6763 ~~35.))~~ 13. (~~Allowed as a primary or accessory use to an allowed industrial zoned~~

6764 ~~land use))~~ Repealed.

6765 ~~((36. Repealed.))~~ 14. Prohibited in the White Center unincorporated activity

6766 center.

Ordinance 19881

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6767            ~~((37.))~~ 15. Use shall be limited to the NB zone on parcels outside of the  
 6768 ~~((U))~~urban ~~((Growth))~~ ~~((A))~~area, ~~((R))~~rural ~~((T))~~towns, and ~~((Rural Neighborhoods))~~  
 6769 rural neighborhood commercial centers and the building floor area devoted to such use  
 6770 shall not exceed ten thousand square feet.

6771            ~~((38.))~~ 16. If the farm product warehousing, refrigeration, and storage, or log  
 6772 storage, is associated with ~~((agriculture))~~ agricultural activities it will be reviewed in  
 6773 accordance with K.C.C. 21A.08.090.

6774            ~~((39. Excluding fossil fuel facilities.~~

6775            ~~40.))~~ 17. Helistops are ~~((not allowed))~~ prohibited in the RA zone as an accessory  
 6776 to a government or business services use, ~~((but may be allowed in that zone))~~ except as  
 6777 part of a search and rescue facility~~((,))~~ subject to K.C.C. 21A.08.100.B.~~((30))~~31.

6778            ~~((41.))~~ 18. Battery energy storage systems are considered a  
 6779 commercial/industrial accessory use when the total system capacity is two megawatts or  
 6780 less, and:

6781            a. the system provides electricity for on-site use only, with "on-site use"  
 6782 including net metering as well as charging of vehicles on-site or in the right-of-way  
 6783 immediately adjacent to the site; or

6784            b. the system is intended primarily for on-site use, but also participates in load  
 6785 sharing or another grid-connected electricity-sharing arrangement.

6786            19. For I-zoned sites located outside the urban growth area designated by the  
 6787 King County Comprehensive Plan, uses shall be subject to the provisions for rural  
 6788 industrial uses in K.C.C. 21A.14.280, as recodified by this ordinance.

Ordinance 19881

6789 20. Limited to landscape and horticultural services (SIC 078) that are accessory  
 6790 to a retail nursery, garden center and farm supply store. Construction equipment for the  
 6791 accessory use shall not be stored on the premises.

6792 21. No outdoor storage of materials.

6793 22. Limited to self-service household moving truck or trailer rental accessory to  
 6794 a gasoline service station.

6795 23. Limited to self-service household moving truck or trailer rental accessory to  
 6796 a gasoline service station and SIC Industry No. 4215-Courier Services, except by air.

6797 24. Limited to SIC Industry No. 4215-Courier Services, except by air.

6798 25. Except self-service storage.

6799 26. Limited to two acres or less.

6800 27. Excluding fossil fuel facilities.

6801 28. Except SIC Industry No. 8732-Commercial Economic, Sociological, and  
 6802 Educational Research, see general business service/office.

6803 SECTION 166. Ordinance 10870, Section 334, as amended, and K.C.C.

6804 21A.08.070 are hereby amended to read as follows:

6805 A. Retail land uses.

<del>(P-Permitted Use</del>		<b>RESOURCE</b>			<b>RU</b>	<b>RESIDENTIAL</b>				<b>COMMERCIAL/INDUSTRI</b>				
<del>C-Conditional Use</del>					<b>RA</b>					<b>AL))</b>				
<del>S-Special Use</del>					<b>L</b>									
SI	SPECIFIC	A	F	M	RA	UR	<u>R-1</u>	<del>((R1</del>	R <sub>2</sub>	NB	CB	RB	O	I
C#	LAND USE							<del>-8))</del>	12 =					<del>((3</del>
								<u>R-4</u>	<u>R-</u>					<del>0))</del>
								<del>-R-</del>	48					

Ordinance 19881

							<u>8</u>							
*	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						<u>P30</u> C14 a <u>C31</u>	P14 <u>P32</u>	P5	P	P			
54	Food Stores				<u>C17</u>		<u>P30</u> C15 a <u>C31</u>	P15 <u>P32</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

Ordinance 19881

55 3	Auto Supply Stores									P9	P9		P
55 4	Gasoline Service Stations								P	P	P		P
56	Apparel and Accessory Stores									P	P		
*	Furniture and Home Furnishings Stores									P	P		
58	Eating and Drinking Places			P21 C19		<u>P20</u>	P20 <u>P30</u> C16 <u>C31</u>	P20 P16 <u>P32</u>	P10	P	P	P	P
*	Remote Tasting Room			P13						P7	P7		
*	Drug Stores						<u>P30</u> C15 <u>C31</u>	P15 <u>P32</u>	<u>P18</u>	P	P	C	
*	<del>((Marijuana))</del> <u>Cannabis</u> retailer									P26 C27	P2 6 C2 7		
59 2	Liquor Stores									P	P		
59 3	Used Goods: Antiques/ Secondhand									P	P		



Ordinance 19881

	Shops													
*	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 and 29	P2 2 and 29	P2
*	Book, Stationery, Video, and Art Supply Stores							<u>P30</u> C15 a <u>C31</u>	P15 <u>P32</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>P30</u> C15 a <u>C31</u>	P15 <u>P32</u>	<u>P18</u>	P	P	P	
*	Personal Medical Supply Stores										P	P		

Ordinance 19881

*	Pet Shops									P18	P	P		
*	Bulk Retail										P	P		
*	Auction Houses											P1 2		P
*	Livestock Sales (28)													P

6806 B. Development conditions.

6807 1.a. As a permitted use, covered sales areas shall not exceed a total area of  
 6808 ~~((two))~~ three thousand five hundred square feet, unless located in a building designated as  
 6809 historic resource under K.C.C. chapter 20.62. With a conditional use(~~(s)~~) permit, covered  
 6810 sales areas of up to ~~((three))~~ five thousand ~~((five hundred))~~ square feet may be allowed.

6811 Greenhouses used for the display of merchandise other than plants shall be considered  
 6812 part of the covered sales area. Uncovered outdoor areas used to grow or display trees,  
 6813 shrubs, or other plants are not considered part of the covered sales area;

- 6814 b. The site area shall be at least four and one-half acres;
- 6815 c. Sales may include locally made arts and crafts; and
- 6816 d. Outside lighting is ~~((permitted))~~ allowed if no off-site glare is ~~((allowed))~~  
 6817 generated.

6818 2.a. Only hardware stores; and  
 6819 b. In rural neighborhood commercial centers, limited to fifteen thousand  
 6820 square feet of gross floor area.

6821 3.a. Limited to products grown on-site.  
 6822 b. Covered sales areas shall not exceed a total area of five hundred square feet.

6823 4. No permanent structures or signs.

Ordinance 19881

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6824 5. Limited to SIC Industry (~~(No.)~~) 5331-Variety Stores, and further limited to a  
6825 maximum of two thousand square feet of gross floor area.

6826 6. Limited to a maximum of five thousand square feet of gross floor area.

6827 7. Off-street parking is limited to a maximum of one space per fifty square feet  
6828 of tasting and retail areas.

6829 8. Excluding retail sale of trucks exceeding one-ton capacity.

6830 9. Only the sale of new or reconditioned automobile supplies is (~~(permitted)~~)  
6831 allowed.

6832 10. Excluding SIC Industry (~~(No.)~~) 5813-Drinking Places.

6833 11. No outside storage of fuel trucks and equipment.

6834 12. Excluding vehicle and livestock auctions.

6835 13. (~~(Permitted)~~) Allowed as part of the demonstration project authorized by  
6836 K.C.C. 21A.55.110.

6837 14.a. (~~(Not in R-1 and)~~) Outside of the urban area, limited to SIC Industry No.  
6838 5331-Variety Stores, limited to a maximum of five thousand square feet of gross floor  
6839 area, and subject to K.C.C. 21A.12.230; and

6840 b. Before filing an application with the department, the applicant shall hold a  
6841 community meeting in accordance with K.C.C. 20.20.035.

6842 15. (~~(a. Not permitted in R-1 and)~~) Outside of the urban area, limited to a  
6843 maximum of five thousand square feet of gross floor area and subject to K.C.C.  
6844 21A.12.230; and

6845 b. Before filing an application with the department, the applicant shall hold a  
6846 community meeting in accordance with K.C.C. 20.20.035.

Ordinance 19881

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6847           16.a. (~~Not permitted in R-1 and e~~)Excluding SIC Industry No. 5813-Drinking  
6848 Places, and limited to a maximum of five thousand square feet of gross floor area, and  
6849 subject to K.C.C. 21A.12.230, except as provided in subsection B.20. of this section; and

6850           b. Before filing an application with the department, the applicant shall hold a  
6851 community meeting in accordance with K.C.C. 20.20.035.

6852           17. (~~Repealed~~) Only within a former grange hall incorporated under chapter  
6853 24.28 RCW and listed in the National Register of Historic Places or designated as a King  
6854 County landmark subject to K.C.C. chapter 21A.32 and if the parcel is located within one  
6855 thousand feet of a rural neighborhood commercial center as designated by the King  
6856 County Comprehensive Plan.

6857           18. (~~Repealed~~) In rural neighborhood commercial centers, limited to fifteen  
6858 thousand square feet of gross floor area.

6859           19. Only as:

6860           a. an accessory use to an (~~permitted manufacturing~~) allowed industrial or  
6861 retail land use, limited to espresso stands to include sales of beverages and incidental  
6862 food items, and not to include drive-through sales; or

6863           b. an accessory use to a recreation or multiuse park, limited to a total floor area  
6864 of three thousand five hundred square feet.

6865           20. Only as:

6866           a. an accessory use to a recreation or multiuse park; or

6867           b. an accessory use to a park and limited to a total floor area of one thousand  
6868 five hundred square feet.

Ordinance 19881

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6869           21. Accessory to a park, limited to a total floor area of seven hundred fifty  
6870 square feet.

6871           22. Only as an accessory use to:

6872           a. a large active recreation and multiuse park in the urban (~~(growth)~~) area; or

6873           b. a park, or a recreation or multiuse park in the RA zones, and limited to a

6874 total floor area of seven hundred (~~(and)~~) fifty square feet.

6875           23. Only as accessory to SIC Industry Group (~~(No.)~~) 242-Sawmills and SIC

6876 Industry (~~(No.)~~) 2431-Millwork and(~~(;)~~)

6877           a. limited to lumber milled on-site; and

6878           b. the covered sales area is limited to two thousand square feet. The covered

6879 sales area does not include covered areas used to display only milled lumber.

6880           24. Requires at least five farmers selling their own products at each market and

6881 the annual value of sales by farmers should exceed the annual sales value of nonfarmer

6882 vendors.

6883           25. Limited to sites located within the urban (~~(growth)~~) area and:

6884           a. The sales area shall be limited to three hundred square feet and (~~(must)~~)

6885 shall be removed each evening;

6886           b. There (~~(must)~~) shall be legal parking that is easily available for customers;

6887 and

6888           c. The site (~~(must)~~) shall be in an area that is easily accessible to the public,

6889 will accommodate multiple shoppers at one time and does not infringe on neighboring

6890 properties.

Ordinance 19881

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6891           26.a. Per lot, limited to a maximum aggregated total of two thousand square feet  
6892 of gross floor area devoted to, and in support of, the retail sale of ((~~marijuana~~)) cannabis.

6893           b. Notwithstanding subsection B.26.a. of this section, the maximum  
6894 aggregated total gross floor area devoted to, and in support of, the retail sale of  
6895 ((~~marijuana~~)) cannabis may be increased to up to three thousand square feet if the retail  
6896 outlet devotes at least five hundred square feet to the sale, and the support of the sale, of  
6897 medical ((~~marijuana~~)) cannabis, and the operator maintains a current medical  
6898 ((~~marijuana~~)) cannabis endorsement issued by the Washington state Liquor and Cannabis  
6899 Board.

6900           c. Any lot line of a lot having any area devoted to retail ((~~marijuana~~)) cannabis  
6901 activity ((~~must~~)) shall be one thousand feet or more from any lot line of any other lot  
6902 having any area devoted to retail ((~~marijuana~~)) cannabis activity; and a lot line of a lot  
6903 having any area devoted to new retail ((~~marijuana~~)) cannabis activity may not be within  
6904 one thousand feet of any lot line of any lot having any area devoted to existing retail  
6905 ((~~marijuana~~)) cannabis activity.

6906           d. Whether a new retail ((~~marijuana~~)) cannabis activity complies with this  
6907 locational requirement shall be determined based on the date a conditional use permit  
6908 application submitted to the department of local services, permitting division, became or  
6909 was deemed complete, and:

6910           (1) if a complete conditional use permit application for the proposed retail  
6911 ((~~marijuana~~)) cannabis use was not submitted, or if more than one conditional use permit  
6912 application became or was deemed complete on the same date, then the director shall

Ordinance 19881

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6913 determine compliance based on the date the Washington state Liquor and Cannabis Board  
6914 issues a Notice of ((~~Marijuana~~)) Cannabis Application to King County;

6915 (2) if the Washington state Liquor and Cannabis Board issues more than one  
6916 Notice of ((~~Marijuana~~)) Cannabis Application on the same date, then the director shall  
6917 determine compliance based on the date either any complete building permit or change of  
6918 use permit application, or both, were submitted to the department declaring retail  
6919 ((~~marijuana~~)) cannabis activity as an intended use;

6920 (3) if more than one building permit or change of use permit application was  
6921 submitted on the same date, or if no building permit or change of use permit application  
6922 was submitted, then the director shall determine compliance based on the date a complete  
6923 business license application was submitted; and

6924 (4) if a business license application was not submitted or more than one  
6925 business license application was submitted, then the director shall determine compliance  
6926 based on the totality of the circumstances, including, but not limited to, the date that a  
6927 retail ((~~marijuana~~)) cannabis license application was submitted to the Washington state  
6928 Liquor and Cannabis Board identifying the lot at issue, the date that the applicant entered  
6929 into a lease or purchased the lot at issue for the purpose of retail ((~~marijuana~~)) cannabis  
6930 use, and any other facts illustrating the timing of substantial investment in establishing a  
6931 licensed retail ((~~marijuana~~)) cannabis use at the proposed location.

6932 e. Retail ((~~marijuana~~)) cannabis businesses licensed by the Washington state  
6933 Liquor and Cannabis Board and operating within one thousand feet of each other as of  
6934 August 14, 2016, and retail ((~~marijuana~~)) cannabis businesses that do not require a permit  
6935 issued by King County, that received a Washington state Liquor and Cannabis Board

Ordinance 19881

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6936 license to operate in a location within one thousand feet of another licensed retail  
6937 ~~((marijuana))~~ cannabis business ~~((prior to))~~ before August 14, 2016, and that King  
6938 County did not object to within the Washington state Liquor and Cannabis Board  
6939 ~~((marijuana))~~ cannabis license application process, shall be considered nonconforming  
6940 and may remain in ~~((their))~~ the business's current location, subject to the provisions of  
6941 K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:

6942 (1) the time periods identified in K.C.C. 21A.32.045.C. shall be six months;

6943 and

6944 (2) the gross floor area of a nonconforming retail outlet may be increased up  
6945 to the limitations in subsection B.26.a. and B.26.b. of this section.

6946 27. Per lot, limited to a maximum aggregated total of five thousand square feet  
6947 gross floor area devoted to, and in support of, the retail sale of ~~((marijuana))~~ cannabis,  
6948 and~~((;))~~:

6949 a. Any lot line of a lot having any area devoted to retail ~~((marijuana))~~ cannabis  
6950 activity ~~((must))~~ shall be one thousand feet or more from any lot line of any other lot  
6951 having any area devoted to retail ~~((marijuana))~~ cannabis activity; and any lot line of a lot  
6952 having any area devoted to new retail ~~((marijuana))~~ cannabis activity may not be within  
6953 one thousand feet of any lot line of any lot having any area devoted to existing retail  
6954 ~~((marijuana))~~ cannabis activity; ~~((and))~~

6955 b. Whether a new retail ~~((marijuana))~~ cannabis activity complies with this  
6956 locational requirement shall be determined based on the date a conditional use permit  
6957 application submitted to the department of local services, permitting division, became or  
6958 was deemed complete, and:



Ordinance 19881

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6959 (1) if a complete conditional use permit application for the proposed retail  
6960 ~~((marijuana))~~ cannabis use was not submitted, or if more than one conditional use permit  
6961 application became or was deemed complete on the same date, then the director shall  
6962 determine compliance based on the date the Washington state Liquor and Cannabis Board  
6963 issues a Notice of ~~((Marijuana))~~ Cannabis Application to King County;

6964 (2) if the Washington state Liquor and Cannabis Board issues more than one  
6965 Notice of ~~((Marijuana))~~ Cannabis Application on the same date, then the director shall  
6966 determine compliance based on the date either any complete building permit or change of  
6967 use permit application, or both, were submitted to the department declaring retail  
6968 ~~((marijuana))~~ cannabis activity as an intended use;

6969 (3) if more than one building permit or change of use permit application was  
6970 submitted on the same date, or if no building permit or change of use permit application  
6971 was submitted, then the director shall determine compliance based on the date a complete  
6972 business license application was submitted; and

6973 (4) if a business license application was not submitted or more than one  
6974 business license application was submitted, then the director shall determine compliance  
6975 based on the totality of the circumstances, including, but not limited to, the date that a  
6976 retail ~~((marijuana))~~ cannabis license application was submitted to the Washington state  
6977 Liquor and Cannabis Board identifying the lot at issue, the date that the applicant entered  
6978 into a lease or purchased the lot at issue for the purpose of retail ~~((marijuana))~~ cannabis  
6979 use, and any other facts illustrating the timing of substantial investment in establishing a  
6980 licensed retail ~~((marijuana))~~ cannabis use at the proposed location; and

Ordinance 19881

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6981 c. Retail (~~(marijuana)~~) cannabis businesses licensed by the Washington state  
6982 Liquor and Cannabis Board and operating within one thousand feet of each other as of  
6983 August 14, 2016, and retail (~~(marijuana)~~) cannabis businesses that do not require a permit  
6984 issued by King County, that received a Washington state Liquor and Cannabis Board  
6985 license to operate in a location within one thousand feet of another licensed retail  
6986 (~~(marijuana)~~) cannabis business (~~(prior to)~~) before August 14, 2016, and that King  
6987 County did not object to within the Washington state Liquor and Cannabis Board  
6988 (~~(marijuana)~~) cannabis license application process, shall be considered nonconforming  
6989 and may remain in (~~(their)~~) the business' current location, subject to the provisions of  
6990 K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:

6991 (1) the time periods identified in K.C.C. 21A.32.045.C. shall be six months;  
6992 and

6993 (2) the gross floor area of a nonconforming retail outlet may be increased up  
6994 to the limitations in subsection B.27. of this section, subject to K.C.C. 21A.42.190.

6995 28. If the agricultural product sales or livestock sales is associated with  
6996 agricultural activities it will be reviewed in accordance with K.C.C. 21A.08.090.

6997 29. Businesses selling firearms that have a storefront, have hours during which  
6998 it is open for business, and post advertisements or signs observable to passersby that  
6999 firearms are available for sale shall be located at least five hundred feet or more from any  
7000 elementary, middle/junior high, and secondary or high school properties. Businesses  
7001 selling firearms in existence before June 30, 2020, shall be considered nonconforming  
7002 and may remain in their current location, subject to the provisions of K.C.C. 21A.32.020  
7003 through 21A.32.075 for nonconforming uses.

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Ordinance 19881

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- 7004           30. In the urban area, subject to the following:
- 7005            a. Limited to a maximum of one thousand square feet of gross floor area;
- 7006            b. Drive-throughs are prohibited, except for detached buildings for eating and
- 7007 drinking places that do not exceed two hundred square feet and are located at an
- 7008 intersection with an arterial;
- 7009            c. Amplified noise is prohibited;
- 7010            d. The maximum on-site parking ratio shall be two spaces per one thousand
- 7011 square feet and required parking shall not be located between the building and the street;
- 7012 and
- 7013            e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.
- 7014           31. In the urban area, subject to the following:
- 7015            a. Limited to a maximum of two thousand five hundred square feet of gross
- 7016 floor area;
- 7017            b. Drive-throughs are prohibited, except for detached buildings for eating and
- 7018 drinking places that do not exceed two hundred square feet and are located at an
- 7019 intersection with an arterial;
- 7020            c. Amplified noise is prohibited;
- 7021            d. The maximum on-site parking ratio shall be two spaces per one thousand
- 7022 square feet and required parking shall not be located between the building and the street;
- 7023 and
- 7024            e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.
- 7025           32. In the urban area, subject to the following:
- 7026            a. Limited to a maximum of five thousand square feet of gross floor area;

Ordinance 19881

7027 b. Drive-throughs are prohibited, except for detached buildings for eating and  
 7028 drinking places that do not exceed two hundred square feet and are located at an  
 7029 intersection with an arterial;

7030 c. Amplified noise is prohibited;

7031 d. The maximum on-site parking ratio shall be two spaces per one thousand  
 7032 square feet and required parking shall not be located between the building and the street;  
 7033 and

7034 e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

7035 SECTION 167. Ordinance 10870, Section 335, as amended, and K.C.C.

7036 21A.08.080 are hereby amended to read as follows:

7037 A. Manufacturing land uses.

<del>(P-Permitted Use</del>		<b>RESOURCE</b>			<b>RURAL</b>	<b>RESIDENTIAL</b>				<b>COMMERCIAL/INDUSTRIAL)</b>				
<del>C-Conditional Use</del>														
<del>S-Special Use</del>														
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	<del>R-1</del> <u>1</u>	<del>(R-8)</del> <u>8</u>	<del>R-12</del> <u>12</u>	NB	CB	RB	O	I (11)
20	Food and Kindred Products (28)									P2	P2	P2		P2
*	Winery/Brewery /Distillery Facility I				P32									
*	Winery/Brewery /Distillery Facility II	P3			P3 C30					P17	P17	P29		P31
	Winery/Brewery	C12			C12					C29	C29	C29		C31

Ordinance 19881

	/Distillery Facility III												
*	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 <del>((€))</del>		P4 P18 C( <del>€</del> )	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
*	<del>((Marijuana))</del> Cannabis Processor I	P20			P27					P21 C22	P21 C22		<u>P25</u> <u>C26</u>
*	<del>((Marijuana))</del> Cannabis Processor II									P23 C24	P23 C24		P25 C26
28	Chemicals and Allied Products												C
<del>((29 44))</del> *	Petroleum Refining and Related Industries												C
30	Rubber and Misc. Plastics Products												C
31	Leather and Leather Goods										C		<u>P33</u> <u>C</u>
32	Stone, Clay, Glass, and Concrete Products									P( <del>€</del> ) <u>€</u>	P9		P
33	Primary Metal												C

Ordinance 19881

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	Industries													
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
<u>371</u>	<u>Motor Vehicles and Motor Vehicle Equipment</u>													<u>C</u>
374	Railroad Equipment													C
<u>375</u>	<u>Motorcycles, Bicycles, and Parts</u>													<u>P34</u> <u>C</u>
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
((*)	<del>Motor Vehicle and Bicycle Manufacturing</del>													(C))

Ordinance 19881

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*	Aircraft, Ship, and Boat Building													P10 C
7534	Tire Retreading												C	P
781-82	Movie Production/Distribution												P	P

7038 B. Development conditions.

7039 1. Repealed.

7040 2. Except slaughterhouses.

7041 3.a. In the A zone, only allowed on sites where the primary use is SIC Industry

7042 Group No. 01-Growing and Harvesting Crops or No. 02-Raising Livestock and Small

7043 Animals;

7044 b. Only allowed on lots of at least two and one-half acres, except that this

7045 requirement shall not apply on Vashon-Maury Island to winery, brewery, or distillery

7046 business locations in use and licensed to produce by the Washington state Liquor and

7047 Cannabis Board before January 1, 2019, and that in the RA zone, for sites that contain a

7048 building designated as historic resource under K.C.C. chapter 20.62, only allowed on lots

7049 of at least two acres;

7050 c. The aggregated floor area of structures and areas for winery, brewery,

7051 distillery facility uses shall not exceed three thousand five hundred square feet, unless

7052 located in whole or in part in a structure designated as historic resource under K.C.C.

7053 chapter 20.62, in which case the aggregated floor area of structures and areas devoted to

7054 winery, brewery, distillery facility uses shall not exceed seven thousand square feet in the

7055 RA zone and five thousand square feet in the A zone. Decks that are not occupied and

Ordinance 19881

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7056 not open to the public are excluded from the calculation for maximum aggregated floor  
7057 area;

7058           d. Structures and parking areas for winery, brewery, distillery facility uses  
7059 shall maintain a minimum distance of seventy-five feet from interior property lines  
7060 adjoining rural area and residential zones, unless located in a building designated as  
7061 historic resource under K.C.C. chapter 20.62, except that on Vashon-Maury Island this  
7062 setback requirement shall not apply to structures and parking areas in use on December 4,  
7063 2019, by existing winery, brewery or distillery business locations licensed to produce by  
7064 the Washington state Liquor and Cannabis Board before January 1, 2019;

7065           e. In the A zone, sixty percent or more of the products processed must be  
7066 grown on-site. At the time of the initial application under K.C.C. chapter 6.74, the  
7067 applicant shall submit a projection of the source of products to be produced;

7068           f. At least two stages of production of wine, beer, cider or distilled spirits, such  
7069 as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized by the  
7070 Washington state Liquor and Cannabis Board production license, shall occur on-site. At  
7071 least one of the stages of production occurring on-site shall include crushing, fermenting  
7072 or distilling;

7073           g. In the A zone, structures and area for non-agricultural winery, brewery,  
7074 distillery facility uses shall be located on portions of agricultural lands that are unsuitable  
7075 for agricultural purposes, such as areas within the already developed portion of such  
7076 agricultural lands that are not available for direct agricultural production, or areas without  
7077 prime agricultural soils. No more than one acre of agricultural land may be converted to  
7078 a nonagricultural accessory use;

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Ordinance 19881

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7079           h. Tasting and retail sales of products produced on-site may occur only as  
7080 accessory to the primary winery, brewery, distillery production use and may be provided  
7081 in accordance with state law. The area devoted to on-site tasting or retail sales shall be  
7082 limited to no more than thirty percent of the aggregated floor area and shall be included  
7083 in the aggregated floor area limitation in subsection B.3.c. of this section. The limitation  
7084 on tasting and retail sales of products produced on-site shall not apply on Vashon-Maury  
7085 Island to winery, brewery, or distillery business locations in use and licensed to produce  
7086 by the Washington state Liquor and Cannabis Board before January 1, 2019, or on sites  
7087 in the RA zone that contain a building designated as historic resource under K.C.C.  
7088 chapter 20.62. Incidental retail sales of merchandise related to the products produced on-  
7089 site is allowed subject to the restrictions described in this subsection B.3. Hours of  
7090 operation for on-site tasting of products shall be limited as follows: Mondays, Tuesdays,  
7091 Wednesdays and Thursdays, tasting room hours shall be limited to 11:00 a.m. through  
7092 7:00 p.m.; and Fridays, Saturdays and Sundays, tasting room hours shall be limited to  
7093 11:00 a.m. through 9:00 p.m.;

7094           i. Access to the site shall be directly to and from an arterial roadway, except  
7095 that this requirement shall not apply on Vashon-Maury Island to winery, brewery,  
7096 distillery facility business locations in use and licensed to produce by the Washington  
7097 state Liquor and Cannabis Board before January 1, 2019;

7098           j. Off-street parking is limited to a maximum of one hundred fifty percent of  
7099 the minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;

7100           k. The business operator shall obtain an adult beverage business license in  
7101 accordance with K.C.C. chapter 6.74;

Ordinance 19881

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- 7102            1. Events may be allowed with an approved temporary use permit under K.C.C.  
 7103 chapter 21A.32 or in compliance with the exemption in K.C.C. 21A.32.110.E.; and  
 7104            m. The impervious surface associated with the winery, brewery, distillery  
 7105 facility use shall not exceed twenty-five percent of the site, or the maximum impervious  
 7106 surface for the applicable zone (~~(in accordance with K.C.C. 21A.12.030.A. or~~  
 7107 ~~21A.12.040.A.)~~) as established by this title, whichever is less.
- 7108            4. Limited to rough milling and planing of products grown on-site with portable  
 7109 equipment.
- 7110            5. (~~Limited to SIC Industry Group No. 242-Sawmills and SIC Industry No.~~  
 7111 ~~2431-Millwork. For RA zoned sites, if using lumber or timber grown off site, the~~  
 7112 ~~minimum site area is four and one-half acres~~) Repealed.
- 7113            6. Limited to uses found in SIC Industry (~~No.~~) 2434-Wood Kitchen Cabinets  
 7114 and (~~No.~~) 2431-Millwork, (~~(€)~~)excluding planing mills(~~(€)~~).
- 7115            7. Limited to photocopying and printing services offered to the general public.
- 7116            8. Only within enclosed buildings, and as an accessory use to retail sales.
- 7117            9. Only within enclosed buildings.
- 7118            10. Limited to boat building of craft not exceeding forty-eight feet in length.
- 7119            11. For I-zoned sites located outside the urban (~~(growth)~~) area (~~(designated by~~  
 7120 ~~the King County Comprehensive Plan)~~), uses shown as a conditional use in the table of  
 7121 K.C.C. 21A.08.080.A. shall be prohibited, and all other uses shall be subject to the  
 7122 provisions for rural industrial uses (~~(as set forth)~~) in K.C.C. (~~(chapter 21A.12)~~)  
 7123 21A.14.280, as recodified by this ordinance.

Ordinance 19881

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7124           12.a. In the A zone, only allowed on sites where the primary use is SIC Industry  
7125 Group No. 01-Growing and Harvesting Crops or No. 02-Raising Livestock and Small  
7126 Animals;

7127           b. The aggregated floor area of structures and areas for winery, brewery,  
7128 distillery facility uses shall not exceed a total of eight thousand square feet. Decks that  
7129 are not occupied and not open to the public are excluded from the calculation for  
7130 maximum aggregated floor area;

7131           c. Only allowed on lots of at least four and one-half acres. If the aggregated  
7132 floor area of structures for winery, brewery, distillery uses exceeds six thousand square  
7133 feet, the minimum site area shall be ten acres;

7134           d. Wineries, breweries, and distilleries shall comply with Washington state  
7135 Department of Ecology and King County board of health regulations for water usage and  
7136 wastewater disposal, and must connect to an existing Group A water system. The  
7137 definitions and limits of Group A water systems are described in K.C.C. 13.24.007, and  
7138 provision of water service is described in K.C.C. 13.24.138, 13.24.140 and 13.24.142;

7139           e. Structures and parking areas for winery, brewery distillery facility uses shall  
7140 maintain a minimum distance of seventy-five feet from interior property lines adjoining  
7141 rural area and residential zones, unless located in a building designated as historic  
7142 resource under K.C.C. chapter 20.62;

7143           f. In the A Zone, sixty percent or more of the products processed must be  
7144 grown on-site. At the time of the initial application under K.C.C. chapter 6.74, the  
7145 applicant shall submit a projection of the source of products to be processed;

Ordinance 19881

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7146 g. At least two stages of production of wine, beer, cider or distilled spirits,  
7147 such as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized  
7148 by the Washington state Liquor and Cannabis Board production license, shall occur on-  
7149 site. At least one of the stages of on-site production shall include crushing, fermenting or  
7150 distilling;

7151 h. In the A zone, structures and areas for non-agricultural winery, brewery,  
7152 distillery facility uses shall be located on portions of agricultural lands that are unsuitable  
7153 for agricultural purposes, such as areas within the already developed portion of such  
7154 agricultural lands that are not available for direct agricultural production, or areas without  
7155 prime agricultural soils. No more than one acre of agricultural land may be converted to  
7156 a nonagricultural accessory use;

7157 i. Tasting and retail sales of products produced on-site may occur only as  
7158 accessory to the primary winery, brewery, distillery production use and may be provided  
7159 in accordance with state law. The area devoted to on-site tasting or retail sales shall be  
7160 limited to no more than thirty percent of the aggregated floor area and shall be included  
7161 in the aggregated floor area limitation in subsection B.12.b. and c. of this section.

7162 Incidental retail sales of merchandise related to the products produced on-site is allowed  
7163 subject to the restrictions described in this subsection. Hours of operation for on-site  
7164 tasting of products shall be limited as follows: Mondays, Tuesdays, Wednesdays and  
7165 Thursdays, tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and  
7166 Fridays, Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m.  
7167 through 9:00 p.m.;

7168 j. Access to the site shall be directly to and from an arterial roadway;

Ordinance 19881

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7169 k. Off-street parking maximums shall be determined through the conditional  
 7170 use permit process, and should not be more than one hundred fifty percent of the  
 7171 minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;

7172 l. The business operator shall obtain an adult beverage business license in  
 7173 accordance with K.C.C. chapter 6.74;

7174 m. Events may be allowed with an approved temporary use permit under  
 7175 K.C.C. chapter 21A.32 or in compliance with the exemption in K.C.C. 21A.32.110.E.;

7176 and

7177 n. The impervious surface associated with the winery, brewery, distillery  
 7178 facility use shall not exceed twenty-five percent of the site, or the maximum impervious  
 7179 surface for the applicable zone in accordance with (~~K.C.C. 21A.12.030.A. or~~  
 7180 ~~21A.12.040.A.~~) this title, whichever is less.

7181 13. Only on the same lot or same group of lots under common ownership or  
 7182 documented legal control, which includes, but is not limited to, fee simple ownership, a  
 7183 long-term lease, or an easement, and:

7184 a. does not include retail sales of processed materials, and

7185 b.(1) as accessory to a primary forestry use and at a scale appropriate to  
 7186 process the organic waste generated on the site; or

7187 (~~b.~~) (2) as a continuation of a sawmill or lumber manufacturing use only for  
 7188 that period to complete delivery of products or projects under contract at the end of the  
 7189 sawmill or lumber manufacturing activity.

Ordinance 19881

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7190           14. Only on the same lot or same group of lots under common ownership or  
7191 documented legal control, which includes, but is not limited to, fee simple ownership, a  
7192 long-term lease, or an easement, and:

7193           a. does not include retail sales of processed materials; and

7194           b.(1) as accessory to a primary mineral use and may only process materials  
7195 generated from on-site or properties within three miles of the site; or

7196           ~~((b.))~~ (2) as a continuation of a mineral processing use only for that period to  
7197 complete delivery of products or projects under contract at the end of mineral extraction.

7198           15. Continuation of a materials processing facility after reclamation in  
7199 accordance with an approved reclamation plan.

7200           16. Only a site that is ten acres or greater and ~~((that))~~ in accordance with the  
7201 following:

7202           a. the site does not use local access streets that abut lots developed for  
7203 residential use;

7204           b. the materials processing use meets the requirements of K.C.C. 21A.12.220  
7205 and K.C.C. chapter 21A.16;

7206           c. the materials processing use obtains and maintains an operational grading  
7207 permit;

7208           d. storage of fill material, as defined in K.C.C. chapter 16.82, does not exceed  
7209 three thousand cubic yards;

7210           e. processed fill material, as defined in K.C.C. chapter 16.82, are primarily  
7211 from the rural area and natural resource lands; and

7212           f. Does not include retail sales of processed materials.

Ordinance 19881

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7213           17.a. The aggregated floor area of structures and areas for winery, brewery,  
7214 distillery facility uses shall not exceed three thousand five hundred square feet, unless  
7215 located in whole or in part in a structure designated as historic resource under K.C.C.  
7216 chapter 20.62, in which case the aggregated floor area of structures and areas devoted to  
7217 winery, brewery, distillery facility uses shall not exceed five thousand square feet. Decks  
7218 that are not occupied and not open to the public are excluded from the calculation for  
7219 maximum aggregated floor area;

7220           b. Structures and parking areas for winery, brewery, distillery facility uses  
7221 shall maintain a minimum distance of seventy-five feet from interior property lines  
7222 adjoining rural area and residential zones, unless located in a building designated as  
7223 historic resource under K.C.C. chapter 20.62;

7224           c. Tasting and retail sale of products produced on-site, and merchandise related  
7225 to the products produced on-site, may be provided in accordance with state law. The area  
7226 devoted to on-site tasting or retail sales shall be included in the aggregated floor area  
7227 limitation in subsection B.17.a. of this section;

7228           d. Off-street parking for the tasting and retail areas shall be limited to a  
7229 maximum of one space per fifty square feet of tasting and retail areas;

7230           e. The business operator shall obtain an adult beverage business license in  
7231 accordance with K.C.C. chapter 6.74; and

7232           f. Events may be allowed with an approved temporary use permit under K.C.C.  
7233 chapter 21A.32.

7234           18. Limited to:

Ordinance 19881

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7235 a. SIC Industry Group (~~(No.)~~) 242-Sawmills and SIC Industry (~~(No.)~~) 2431-  
 7236 Millwork, as follows:

7237 (1) If using lumber or timber grown off-site, the minimum site area is four  
 7238 and one-half acres; and

7239 (2) In the A and RA zones:

7240 (a) The facility shall be limited to an annual production of no more than one  
 7241 hundred fifty thousand board feet;

7242 ~~((3))~~ (b) Structures housing equipment used in the operation shall be located  
 7243 at least one-hundred feet from adjacent properties with ~~((residential or rural area))~~ R, UR,  
 7244 and RA zoning;

7245 ~~((4))~~ (c) Deliveries and customer visits shall be limited to ~~((the hours of))~~  
 7246 8:00 a.m. to 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;

7247 ~~((5))~~ (d) In the RA zone, the facility's driveway shall have adequate entering  
 7248 sight distance required by the ~~((2007))~~ King County Road Design and Construction  
 7249 Standards. An adequate turn around shall be provided on-site to prevent vehicles from  
 7250 backing out on to the roadway that the driveway accesses; and

7251 ~~((6))~~ (e) Outside lighting is limited to avoid off-site glare; and

7252 b. SIC Industry (~~(No.)~~) 2411-Logging.

7253 19. Limited to manufacture of custom made wood furniture or cabinets.

7254 20.a. Only allowed on lots of at least four and one-half acres;

7255 b. Only as an accessory use to a Washington state Liquor ~~((Control))~~ and  
 7256 Cannabis Board licensed ~~((marijuana))~~ cannabis production facility on the same lot;

7257 c. With a lighting plan, only if required by K.C.C. 21A.12.220.~~((H.))~~A.2.;

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Ordinance 19881

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7258 d. Only with documentation that the operator has applied for a Puget Sound  
7259 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
7260 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall  
7261 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
7262 before ~~((marijuana))~~ cannabis products are imported onto the site; and

7263 e. Accessory ~~((marijuana))~~ cannabis processing uses allowed under this section  
7264 are subject to all limitations applicable to ~~((marijuana))~~ cannabis production uses under  
7265 K.C.C. 21A.08.090.

7266 21.a. Only in the CB and RB zones located outside the urban ~~((growth))~~ area;

7267 b. With a lighting plan, only if required by K.C.C. 21A.12.220.~~((H-))~~A.2.;

7268 c. 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 d. Per lot, the aggregated total gross floor area devoted to the use of, and in  
7274 support of, processing ~~((marijuana))~~ cannabis together with any separately authorized  
7275 production of ~~((marijuana))~~ cannabis shall be limited to a maximum of two thousand  
7276 square feet; and

7277 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and  
7278 every ~~((marijuana))~~ cannabis-related entity occupying space in addition to the two-  
7279 thousand-square-foot threshold area on that lot shall obtain a conditional use permit as  
7280 ~~((set forth))~~ required in subsection B.22. of this section.

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Ordinance 19881

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- 7281           22.a. Only in the CB and RB zones located outside the urban ((~~growth~~)) area;
- 7282           b. Per lot, the aggregated total gross floor area devoted to the use of, and in
- 7283 support of, processing ((~~marijuana~~)) cannabis together with any separately authorized
- 7284 production of ((~~marijuana~~)) cannabis shall be limited to a maximum of thirty thousand
- 7285 square feet;
- 7286           c. With a lighting plan, only if required by K.C.C. 21A.12.220.((~~H-~~))A.2.; and
- 7287           d. Only with documentation that the operator has applied for a Puget Sound
- 7288 Clean Air Agency Notice of Construction Permit. All department permits issued to either
- 7289 ((~~marijuana~~)) cannabis producers or ((~~marijuana~~)) cannabis processors, or both, shall
- 7290 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved
- 7291 before ((~~marijuana~~)) cannabis products are imported onto the site.
- 7292           23.a. Only in the CB and RB zones located inside the urban ((~~growth~~)) area,
- 7293 except the White Center unincorporated activity center;
- 7294           b. With a lighting plan, only if required by K.C.C. 21A.12.220.((~~H-~~))A.2.;
- 7295           c. Only with documentation that the operator has applied for a Puget Sound
- 7296 Clean Air Agency Notice of Construction Permit. All department permits issued to either
- 7297 ((~~marijuana~~)) cannabis producers or ((~~marijuana~~)) cannabis processors, or both, shall
- 7298 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved
- 7299 before ((~~marijuana~~)) cannabis products are imported onto the site;
- 7300           d. Per lot, the aggregated total gross floor area devoted to the use of, and in
- 7301 support of, processing ((~~marijuana~~)) cannabis together with any separately authorized
- 7302 production of ((~~marijuana~~)) cannabis shall be limited to a maximum of two thousand
- 7303 square feet; and
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Ordinance 19881

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7304 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and  
7305 every ~~((marijuana))~~ cannabis-related entity occupying space in addition to the two-  
7306 thousand-square-foot threshold area on that lot shall obtain a conditional use permit as  
7307 ~~((set forth))~~ required in subsection B.24. of this section.

7308 24.a. Only in the CB and RB zones located inside the urban ~~((growth))~~ area,  
7309 except the White Center unincorporated activity center;

7310 b. With a lighting plan, only if required by K.C.C. 21A.12.220.~~((H-))~~A.2.;

7311 c. Only with documentation that the operator has applied for a Puget Sound  
7312 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
7313 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall  
7314 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
7315 before ~~((marijuana))~~ cannabis products are imported onto the site; and

7316 d. Per lot, the aggregated total gross floor area devoted to the use of, and in  
7317 support of, processing ~~((marijuana))~~ cannabis together with any separately authorized  
7318 production of ~~((marijuana))~~ cannabis shall be limited to a maximum of thirty thousand  
7319 square feet.

7320 25.a. With a lighting plan, only if required by K.C.C. 21A.12.220.~~((H-))~~A.2.;

7321 b. Only with documentation that the operator has applied for a Puget Sound  
7322 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
7323 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall  
7324 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
7325 before ~~((marijuana))~~ cannabis products are imported onto the site; and

Ordinance 19881

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7326 c. Per lot, limited to a maximum aggregate total of two thousand square feet of  
7327 gross floor area devoted to, and in support of, the processing of ~~((marijuana))~~ cannabis  
7328 together with any separately authorized production of ~~((marijuana))~~ cannabis.

7329 26.a. With a lighting plan, only if required by K.C.C. 21A.12.220.~~((H-))~~A.2.;

7330 b. Only with documentation that the operator has applied for a Puget Sound  
7331 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
7332 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall  
7333 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
7334 before ~~((marijuana))~~ cannabis products are imported onto the site; and

7335 c. Per lot, limited to a maximum aggregate total of thirty thousand square feet  
7336 of gross floor area devoted to, and in support of, the processing of ~~((marijuana))~~ cannabis  
7337 together with any separately authorized production of ~~((marijuana))~~ cannabis.

7338 27.a. ~~((Marijuana))~~ Cannabis processors in all RA zoned areas except for  
7339 Vashon-Maury Island, that do not require a conditional use permit issued by King  
7340 County, that receive a Washington state Liquor and Cannabis Board license business  
7341 ~~((prior to))~~ before October 1, 2016, and that King County did not object to within the  
7342 Washington state Liquor and Cannabis Board ~~((marijuana))~~ cannabis license application  
7343 process, shall be considered nonconforming as to subsection B.27.e. of this section,  
7344 subject to the provisions of K.C.C. 21A.32.020 through 21A.32.075 for nonconforming  
7345 uses;

7346 b. Only with a lighting plan that complies with K.C.C. 21A.12.220.~~((H-))~~A.2.;

7347 c. Only with documentation that the operator has applied for a Puget Sound  
7348 Clean Air Agency Notice of Construction Permit. All department permits issued to either

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Ordinance 19881

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7349 ((~~marijuana~~)) cannabis producers or ((~~marijuana~~)) cannabis processors, or both, shall  
7350 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
7351 before ((~~marijuana~~)) cannabis products are imported onto the site;

7352 d. Only allowed on lots of at least four and one-half acres on Vashon-Maury  
7353 Island;

7354 e. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,  
7355 except on Vashon-Maury Island;

7356 f. Only as an accessory use to a Washington state Liquor Cannabis Board  
7357 licensed ((~~marijuana~~)) cannabis production facility on the same lot; and

7358 g. Accessory ((~~marijuana~~)) cannabis processing uses allowed under this section  
7359 are subject to all limitations applicable to ((~~marijuana~~)) cannabis production uses under  
7360 K.C.C. 21A.08.090.

7361 28. If the food and kindred products manufacturing or processing is associated  
7362 with agricultural activities it will be reviewed in accordance with K.C.C. 21A.08.090.

7363 29.a. Tasting and retail sales of products produced on-site, and merchandise  
7364 related to the products produced on-site, may be provided in accordance with state law;

7365 b. Structures and parking areas for winery, brewery, distillery facility uses  
7366 shall maintain a minimum distance of seventy-five feet from interior property lines  
7367 adjoining rural area and residential zones, unless located in a building designated as  
7368 historic resource under K.C.C. chapter 20.62;

7369 c. For winery, brewery, distillery facility uses that do not require a conditional  
7370 use permit, off-street parking for the tasting and retail areas shall be limited to a  
7371 maximum of one space per fifty square feet of tasting and retail areas. For winery,

Ordinance 19881

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7372 brewery, distillery facility uses that do require a conditional use permit, off-street parking  
7373 maximums shall be determined through the conditional use permit process, and off-street  
7374 parking for the tasting and retail areas should be limited to a maximum of one space per  
7375 fifty square feet of tasting and retail areas;

7376 d. The business operator shall obtain an adult beverage business license in  
7377 accordance with K.C.C. chapter 6.74; and

7378 e. Events may be allowed with an approved temporary use permit under  
7379 K.C.C. chapter 21A.32.

7380 30.a. Only allowed on lots of at least two and one-half acres;

7381 b. The aggregated floor area of structures and areas for winery, brewery,  
7382 distillery facility uses shall not exceed three thousand five hundred square feet, unless  
7383 located in whole or in part in a structure designated as historic resource under K.C.C.  
7384 chapter 20.62, in which case the aggregated floor area of structures and areas devoted to  
7385 winery, brewery, distillery facility uses shall not exceed five thousand square feet. Decks  
7386 that are not occupied and not open to the public are excluded from the calculation for  
7387 maximum aggregated floor area;

7388 c. Structures and parking areas for winery, brewery, distillery facility uses  
7389 shall maintain a minimum distance of seventy-five feet from interior property lines  
7390 adjoining rural area and residential zones, unless located in a building designated as  
7391 historic resource under K.C.C. chapter 20.62;

7392 d. Tasting and retail sales of products produced on-site may only occur as  
7393 accessory to the primary winery, brewery, distillery production use and may be provided  
7394 in accordance with state law. The area devoted to on-site tasting or retail sales shall be

Ordinance 19881

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7395 limited to no more than thirty percent of the aggregated floor area and shall be included  
7396 in the aggregated floor area limitation in subsection B.30.b. of this section. Incidental  
7397 retail sales of merchandise related to the products produced on-site is allowed subject to  
7398 the restrictions described in this subsection. Hours of operation for on-site tasting of  
7399 products shall be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays,  
7400 tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays,  
7401 Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00  
7402 p.m.;

7403 e. Access to the site shall be directly to and from a public roadway;

7404 f. Off-street parking is limited to a maximum of one hundred fifty percent of  
7405 the minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;

7406 g. The business operator shall obtain an adult beverage business license in  
7407 accordance with K.C.C. chapter 6.74;

7408 h. Events may be allowed with an approved temporary use permit under  
7409 K.C.C. chapter 21A.32 or in compliance with the exemption in K.C.C. 21A.32.110.E.;

7410 i. At least two stages of production of wine, beer, cider or distilled spirits, such  
7411 as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized by the  
7412 Washington state Liquor and Cannabis Board production license, shall occur on-site. At  
7413 least one of the stages of production occurring on-site shall include crushing, fermenting  
7414 or distilling; and

7415 j. The impervious surface associated with the winery, brewery, distillery  
7416 facility use shall not exceed twenty-five percent of the site, or the maximum impervious

Ordinance 19881

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7417 surface for the applicable zone in accordance with ((~~K.C.C. 21A.12.030.A. or~~  
7418 ~~21A.12.040.A.~~) this title, whichever is less.

7419           31.a. Limited to businesses with non-retail brewery and distillery production  
7420 licenses from the Washington state Liquor and Cannabis board. Wineries and remote  
7421 tasting rooms for wineries shall not be allowed;

7422           b. Tasting and retail sale of products produced on-site and merchandise related  
7423 to the products produced on-site may be provided in accordance with state law. The area  
7424 devoted to on-site tasting or retail sales shall not exceed one thousand five hundred  
7425 square feet;

7426           c. Structures and parking areas for brewery and distillery facility uses shall  
7427 maintain a minimum distance of seventy-five feet from interior property lines adjoining  
7428 rural area and residential zones, unless located in a building designated as historic  
7429 resource under K.C.C. chapter 20.62;

7430           d. For brewery and distillery facility uses that do not require a conditional use  
7431 permit, off-street parking for the tasting and retail areas shall be limited to a maximum of  
7432 one space per fifty square feet of tasting and retail areas. For brewery and distillery  
7433 facility uses that do require a conditional use permit, off-street parking maximums shall  
7434 be determined through the conditional use permit process, and off-street parking for the  
7435 tasting and retail areas should be limited to a maximum of one space per fifty square feet  
7436 of tasting and retail areas;

7437           e. The business operator shall obtain an adult beverage business license in  
7438 accordance with K.C.C. chapter 6.74; and



Ordinance 19881

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7439 f. Events may be allowed with an approved temporary use permit under K.C.C.  
7440 chapter 21A.32.

7441 32.a. The aggregated floor area of structures and areas for winery, brewery,  
7442 distillery facility uses shall not exceed one thousand five hundred square feet;

7443 b. Structures and parking areas for winery, brewery, distillery facility uses  
7444 shall maintain a minimum distance of seventy-five feet from interior property lines  
7445 adjoining rural area and residential zones, unless located in a building designated as  
7446 historic resource under K.C.C. chapter 20.62;

7447 c. One on-site parking stall shall be allowed for the winery, brewery, distillery  
7448 facility I use;

7449 d. The business operator shall obtain an adult beverage business license in  
7450 accordance with K.C.C. chapter 6.74;

7451 e. At least two stages of production of wine, beer, cider or distilled spirits, such  
7452 as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized by the  
7453 Washington state Liquor and Cannabis Board production license, shall occur on-site. At  
7454 least one of the stages of production occurring on-site shall include crushing, fermenting  
7455 or distilling;

7456 f. No product tasting or retail sales shall be allowed on-site;

7457 g. Events may be allowed in accordance with K.C.C. 21A.32.120.B.6; and

7458 h. The impervious surface associated with the winery, brewery, distillery  
7459 facility use shall not exceed twenty-five percent of the site or the maximum impervious  
7460 surface for the applicable zone in accordance with ((~~K.C.C. 21A.12.030.A. or~~  
7461 ~~21A.12.040.A.~~)) this title, whichever is less.

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Ordinance 19881

7462 33. Except leather tanning and finishing.

7463 34. Except gasoline powered motorcycles.

7464 SECTION 168. Ordinance 10870, Section 336, as amended, and K.C.C.

7465 21A.08.090 are hereby amended to read as follows:

7466 A. Resource land uses.

(( <del>P</del> -Permitted Use <del>C</del> -Conditional Use <del>S</del> -Special Use		RESOURCE			R U R A L	RESIDENTIAL				COMMERCIAL/INDUSTRIAL))				
SIC#	SPECIFIC LAND USE	A	F	M	R	UR	<u>R-</u> <u>1</u>	<del>((R</del> <del>4-</del> <del>8))</del> <u>R-</u> <u>4-</u> <u>R-</u> <u>8</u>	<del>R-</del> <u>12</u> <u>=</u> <u>R-</u> <u>48</u>	NB	CB	RB	O	I
12	Coal Mining													
13	Oil and Gas Extraction													
*	<u>Anaerobic Digester</u>	<u>P13</u> <u>C</u>	<u>C</u>		<u>P</u> <u>1</u> <u>3</u> <u>C</u>	<u>C3</u> <u>1</u>	<u>C3</u> <u>1</u>	<u>C3</u> <u>1</u>	<u>C3</u> <u>1</u>	<u>C3</u> <u>1</u>	<u>C3</u> <u>1</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<b>AGRICULTURE:</b>													
01	Growing and Harvesting Crops	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</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>	<u>P3</u> <u>0</u>	<u>P</u>
02	Raising Livestock and Small Animals (6)	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>								<u>P</u>

Ordinance 19881

* _	<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			
*	<del>((Marijuana))</del> <u>Cannabis</u> 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 <del>((s))</del> <u>Special</u> <del>((n))</del> <u>Needs</u> <del>((e))</del> <u>Camp</u>	P12												
<del>((z))</del>	<del>Agricultural Anaerobic Digester</del>	<del>P13</del> <del>))</del>												
* _	<u>Temporary Farm Worker Housing</u>	<u>P14</u> <u>a</u>			<u>P</u> <u>1</u> <u>4a</u>									
	<b>FORESTRY:</b>													
08	Growing <del>((&amp;))</del> <u>and</u>	P	P	P7	P	P	<u>P</u>	P						P

Ordinance 19881

	Harvesting Forest Production													
*	Forest Research		P		P	P							P2	P
	<b>FISH AND WILDLIFE MANAGEMENT:</b>													
0921	Hatchery/Fish Preserve (1)	P	P		P	P	<u>C</u>	C						P
0273	Aquaculture (1)	P	P		P	P	<u>C</u>	C						P
*	Wildlife Shelters	P	P		P	P								
	<b>MINERAL:</b>													
10, 14	Mineral Extraction and Processing		P9 C	P C1 1										
2951, 3271, 3273	Asphalt/Concrete Mixtures and Block		P8 C11	P8 C1 1										P
	<b>ACCESSORY USES:</b>													
*	Resource Accessory Uses	P3 P23 P29	P4 P29	P5 P2 9	P 3 P 2 9	P3 P29								P4 P2 9
*	<u>Permanent</u> Farm Worker Housing	P14 <u>b</u>			P 1 4 <u>b</u>									

7467

B. Development conditions.

7468

1. May be further subject to K.C.C. chapter 21A.25.

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2. Only forest research conducted within an enclosed building.

Ordinance 19881

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- 7470           3. Farm residences in accordance with K.C.C. 21A.08.030.
- 7471           4. Excluding housing for agricultural workers.
- 7472           5. Limited to either maintenance or storage facilities, or both, in conjunction
- 7473 with mineral extraction or processing operation.
- 7474           6. Allowed in accordance with K.C.C. chapter 21A.30.
- 7475           7. Only in conjunction with a mineral extraction site plan approved in
- 7476 accordance with K.C.C. chapter 21A.22.
- 7477           8. Only on the same lot or same group of lots under common ownership or
- 7478 documented legal control, which includes, but is not limited to, fee simple ownership, a
- 7479 long-term lease<sub>1</sub> or an easement:
- 7480           a. as accessory to a primary mineral extraction use; or
- 7481           b. as a continuation of a mineral processing only for that period to complete
- 7482 delivery of products or projects under contract at the end of a mineral extraction(~~(; or~~
- 7483 ~~e. for a public works project under a temporary grading permit issued in~~
- 7484 ~~accordance with K.C.C. 16.82.152)).~~
- 7485           9. Limited to mineral extraction and processing:
- 7486           a. on a lot or group of lots under common ownership or documented legal
- 7487 control, which includes<sub>2</sub> but is not limited to, fee simple ownership, a long-term lease<sub>2</sub> or
- 7488 an easement;
- 7489           b. that are located greater than one-quarter mile from an established residence;
- 7490 and
- 7491           c. that do not use local access streets that abut lots developed for residential
- 7492 use.

Ordinance 19881

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7493           10. Agriculture training facilities are allowed only as an accessory to existing  
7494 agricultural uses and are subject to the following conditions:

7495           a. The impervious surface associated with the agriculture training facilities  
7496 shall comprise not more than ten percent of the ~~((allowable))~~ maximum impervious  
7497 surface ~~((permitted))~~ allowed under ~~((K.C.C. 21A.12.040))~~ section 227 of this ordinance;

7498           b. New or the expansion of existing structures, or other site improvements,  
7499 shall not be located on class 1, 2, or 3 soils;

7500           c. The director may require reuse of surplus structures to the maximum extent  
7501 practical;

7502           d. The director may require ~~((the clustering of))~~ new structures ~~((with))~~ to be  
7503 sited near existing structures;

7504           e. New structures or other site improvements shall be set back a minimum  
7505 distance of seventy-five feet from property lines adjoining ~~((rural area and residential))~~  
7506 RA, UR, and R zones;

7507           f. Bulk and design of structures shall be compatible with the architectural style  
7508 of the surrounding agricultural community;

7509           g. New sewers shall not be extended to the site;

7510           h. Traffic generated shall not impede the safe and efficient movement of  
7511 agricultural vehicles, nor shall it require capacity improvements to rural roads;

7512           i. Agriculture training facilities may be used to provide educational services to  
7513 the surrounding rural/agricultural community or for community events. Property owners  
7514 may be required to obtain a temporary use permit for community events in accordance  
7515 with K.C.C. chapter 21A.32;

Ordinance 19881

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7516           j. Use of lodging and food service facilities shall be limited only to activities  
7517 conducted in conjunction with training and education programs or community events  
7518 held on-site;

7519           k. Incidental uses, such as office and storage, shall be limited to those that  
7520 directly support education and training activities or farm operations; and

7521           l. The King County agriculture commission shall be notified of and have an  
7522 opportunity to comment upon all proposed agriculture training facilities during the permit  
7523 process in accordance with K.C.C. chapter 21A.40.

7524           11. Continuation of mineral processing and asphalt/concrete mixtures and block  
7525 uses after reclamation in accordance with an approved reclamation plan.

7526           12.a. Activities at the camp shall be limited to agriculture and agriculture-  
7527 oriented activities. In addition, activities that place minimal stress on the site's  
7528 agricultural resources or activities that are compatible with agriculture are (~~permitted~~)  
7529 allowed.

- 7530           (1) passive recreation;
- 7531           (2) training of individuals who will work at the camp;
- 7532           (3) special events for families of the campers; and
- 7533           (4) agriculture education for youth.

7534           b. Outside the camp center, as provided for in subsection B.12.e. of this  
7535 section, camp activities shall not preclude the use of the site for agriculture and  
7536 agricultural related activities, such as the processing of local food to create value-added  
7537 products and the refrigeration and storage of local agricultural products. The camp shall

Ordinance 19881

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7538 be managed to coexist with agriculture and agricultural activities both on-site and in the  
7539 surrounding area.

7540 c. A farm plan shall be required for commercial agricultural production to  
7541 ensure adherence to best management practices and soil conservation.

7542 d.(1) The minimum site area shall be five hundred acres. Unless the property  
7543 owner has sold or transferred the development rights as provided in subsection  
7544 B.12.c.(((3))2) of this section, a minimum of five hundred acres of the site ((~~must~~) shall  
7545 be owned by a single individual, corporation, partnership, or other legal entity and  
7546 ((~~must~~) shall remain under the ownership of a single individual, corporation, partnership,  
7547 or other legal entity for the duration of the operation of the camp.

7548 (2) Nothing in subsection B.12.d.(1) of this section prohibits the property  
7549 owner from selling or transferring the development rights for a portion or all of the site to  
7550 the King County farmland preservation program or, if the development rights are  
7551 extinguished as part of the sale or transfer, to a nonprofit entity approved by the director;

7552 e. The impervious surface associated with the camp shall comprise not more  
7553 than ten percent of the ((~~allowable~~) maximum impervious surface ((~~permitted~~) allowed  
7554 under ((~~K.C.C. 21A.12.040~~) section 227 of this ordinance;

7555 f. Structures for living quarters, dining facilities, medical facilities, and other  
7556 nonagricultural camp activities shall be located in a camp center. The camp center shall  
7557 be no more than fifty acres and shall be depicted on a site plan. New structures for  
7558 nonagricultural camp activities shall be ((~~clustered with~~) sited near existing structures;

7559 g. To the extent practicable, existing structures shall be reused. The applicant  
7560 shall demonstrate to the director that a new structure for nonagricultural camp activities

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Ordinance 19881

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7561 cannot be practicably accommodated within an existing structure on the site, though  
 7562 cabins for campers shall be ~~((permitted))~~ allowed only if they do not already exist on-site;

7563 h. Camp facilities may be used to provide agricultural educational services to  
 7564 the surrounding rural and agricultural community or for community events. If required  
 7565 by K.C.C. chapter 21A.32, the property owner shall obtain a temporary use permit for  
 7566 community events;

7567 i. Lodging and food service facilities shall only be used for activities related to  
 7568 the camp or for agricultural education programs or community events held on-site;

7569 j. Incidental uses, such as office and storage, shall be limited to those that  
 7570 directly support camp activities, farm operations, or agricultural education programs;

7571 k. New nonagricultural camp structures and site improvements shall maintain a  
 7572 minimum set-back of seventy-five feet from property lines adjoining ~~((rural area and  
 7573 residential))~~ RA, UR, and R zones;

7574 l. Except for legal nonconforming structures existing as of January 1, 2007,  
 7575 camp facilities, such as a medical station, food service hall, and activity rooms, shall be  
 7576 of a scale to serve overnight camp users;

7577 m. Landscaping equivalent to a type III landscaping screen, as provided for in  
 7578 K.C.C. 21A.16.040, of at least twenty feet shall be provided for nonagricultural structures  
 7579 and site improvements located within two hundred feet of an adjacent ~~((rural area and  
 7580 residential))~~ RA, UR, and R zoned property not associated with the camp;

7581 n. New sewers shall not be extended to the site;

7582 o. The total number of persons staying overnight shall not exceed three  
 7583 hundred;

Ordinance 19881

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7584 p. The length of stay for any individual overnight camper, not including camp  
 7585 personnel, shall not exceed ninety days during a three-hundred-sixty-five-day period;

7586 q. Traffic generated by camp activities shall not impede the safe and efficient  
 7587 movement of agricultural vehicles nor shall it require capacity improvements to rural  
 7588 roads;

7589 r. If the site is adjacent to an arterial roadway, access to the site shall be  
 7590 directly onto the arterial unless the county road engineer determines that direct access is  
 7591 unsafe;

7592 s. If direct access to the site is via local access streets, transportation  
 7593 management measures shall be used to minimize adverse traffic impacts;

7594 t. Camp recreational activities shall not involve the use of motor vehicles  
 7595 unless the motor vehicles are part of an agricultural activity or are being used for the  
 7596 transportation of campers, camp personnel, or the families of campers. Camp personnel  
 7597 may use motor vehicles for the operation and maintenance of the facility. Client-specific  
 7598 motorized personal mobility devices are allowed; and

7599 u. Lights to illuminate the camp or its structures shall be arranged to reflect the  
 7600 light away from any adjacent property.

7601 13. Limited to digester receiving plant (~~and~~), animal (~~and~~), or other organic  
 7602 waste from agricultural activities, and including electrical generation, as follows:

7603 a. the digester (~~must~~) shall be included as part of a Washington state  
 7604 Department of Agriculture approved dairy nutrient plan;

7605 b. the digester (~~must~~) shall process at least seventy percent livestock manure  
 7606 or other agricultural organic material from farms in the vicinity, by volume;

Ordinance 19881

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7607 c. imported organic waste-derived material, such as food processing waste,  
7608 may be processed in the digester for the purpose of increasing methane gas production for  
7609 beneficial use, but ~~((not))~~ shall not exceed thirty percent of volume processed by the  
7610 digester; and

7611 d. the use ~~((must))~~ shall be accessory to an operating dairy or livestock  
7612 operation.

7613 14. Farm worker housing. Either:

7614 a. Temporary farm worker housing subject to the following conditions:

7615 (1) The housing ~~((must))~~ shall be licensed by the Washington state  
7616 Department of Health under chapter 70.114A RCW and chapter 246-358 WAC, unless it  
7617 falls below the threshold for licensing in WAC 246-358-025;

7618 (2) Water supply and sewage disposal systems ~~((must be approved))~~ are  
7619 subject to approval by ((the Seattle King County department of)) public health - Seattle &  
7620 King County;

7621 (3) To the maximum extent practical, the housing should be located on  
7622 nonfarmable areas that are already disturbed and should not be located in the floodplain  
7623 or in a critical area or critical area buffer; and

7624 (4) The property owner shall file with the department of executive services,  
7625 records and licensing services division, a notice approved by the department identifying  
7626 the housing as temporary farm worker housing and that the housing shall be occupied  
7627 only by agricultural employees and their families while employed by the owner or  
7628 operator or on a nearby farm. The notice shall run with the land; or

Ordinance 19881

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7629           b. Permanent farmworker ((H))housing for agricultural employees who are  
7630 employed by the owner or operator of the farm year-round as follows:

7631           (1) Not more than:

7632           (a) one agricultural employee dwelling unit on a site less than twenty acres;

7633           (b) two agricultural employee dwelling units on a site of at least twenty  
7634 acres and less than fifty acres;

7635           (c) three agricultural employee dwelling units on a site of at least fifty acres  
7636 and less than one-hundred acres; and

7637           (d) four agricultural employee dwelling units on a site of at least one-  
7638 hundred acres, and one additional agricultural employee dwelling unit for each additional  
7639 one hundred acres thereafter;

7640           (2) If the primary use of the site changes to a nonagricultural use, all  
7641 agricultural employee dwelling units shall be removed;

7642           (3) The applicant shall file with the department of executive services, records  
7643 and licensing services division, a notice approved by the department that identifies the  
7644 agricultural employee dwelling units as accessory and that the dwelling units shall only  
7645 be occupied by agricultural employees who are employed by the owner or operator year-  
7646 round. The notice shall run with the land. The applicant shall submit to the department  
7647 proof that the notice was filed with the department of executive services, records and  
7648 licensing services division, before the department approves any permit for the  
7649 construction of agricultural employee dwelling units;

Ordinance 19881

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7650 (4) An agricultural employee dwelling unit shall not exceed a floor area of  
 7651 one thousand square feet and may be occupied by no more than eight unrelated  
 7652 agricultural employees;

7653 (5) To the maximum extent practical, the housing should be located on  
 7654 nonfarmable areas that are already disturbed;

7655 (6) One off-street parking space shall be provided for each agricultural  
 7656 employee dwelling unit; and

7657 (7) The agricultural employee dwelling units shall be constructed in  
 7658 compliance with K.C.C. Title 16.

7659 15. ~~((Marijuana))~~ Cannabis production by ~~((marijuana))~~ cannabis producers  
 7660 licensed by the Washington state Liquor and Cannabis Board is subject to the following  
 7661 standards:

7662 a. Only allowed on lots of at least four and one-half acres;

7663 b. With a lighting plan, only if required by and that complies with K.C.C.  
 7664 21A.12.220.~~((H-))~~A.2.;

7665 c. Only with documentation that the operator has applied for a Puget Sound  
 7666 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
 7667 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall  
 7668 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
 7669 before ~~((marijuana))~~ cannabis products are imported onto the site;

7670 d. Production is limited to outdoor, indoor within ~~((marijuana))~~ cannabis  
 7671 greenhouses, and within structures that are nondwelling unit structures that exist as of  
 7672 October 1, 2013, subject to the size limitations in subsection B.15.e. of this section;

Ordinance 19881

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7673 e. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
7674 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum  
7675 aggregated total of two thousand square feet and shall be located within a fenced area or  
7676 ~~((marijuana))~~ cannabis greenhouse that is no more than ten percent larger than that  
7677 combined area, or may occur in nondwelling unit structures that exist as of October 1,  
7678 2013;

7679 f. Outdoor production area fencing as required by the Washington state Liquor  
7680 and Cannabis Board, ~~((marijuana))~~ cannabis greenhouses and nondwelling unit structures  
7681 shall maintain a minimum street setback of fifty feet and a minimum interior setback of  
7682 thirty feet; and

7683 g. If the two-thousand-square-foot-per-lot threshold of plant canopy combined  
7684 with area used for processing under K.C.C. 21A.08.080 is exceeded, each and every  
7685 ~~((marijuana))~~ cannabis-related entity occupying space in addition to the two-thousand-  
7686 square-foot threshold area on that lot shall obtain a conditional use permit as ~~((set forth))~~  
7687 required in subsection B.22. of this section.

7688 16. ~~((Marijuana))~~ Cannabis production by ~~((marijuana))~~ cannabis producers  
7689 licensed by the Washington state Liquor and Cannabis Board is subject to the following  
7690 standards:

7691 a. ~~((Marijuana))~~ Cannabis producers in all RA zoned areas except for Vashon-  
7692 Maury Island, that do not require a conditional use permit issued by King County, that  
7693 receive a Washington state Liquor and Cannabis Board license business before October  
7694 1, 2016, and that King County did not object to within the Washington state Liquor and  
7695 Cannabis Board ~~((marijuana))~~ cannabis license application process, shall be considered

Ordinance 19881

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7696 nonconforming as to subsection B.16.d. and h. of this section, subject to the provisions of  
7697 K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses;

7698           b. In ~~((all rural area))~~ RA zones, only with a lighting plan that complies with  
7699 K.C.C. 21A.12.220.~~((H-))~~A.2.;

7700           c. Only allowed on lots of at least four and one-half acres on Vashon-Maury  
7701 Island;

7702           d. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,  
7703 except on Vashon-Maury Island;

7704           e. Only with documentation that the operator has applied for a Puget Sound  
7705 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
7706 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall  
7707 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
7708 before ~~((marijuana))~~ cannabis products are imported onto the site;

7709           f. Production is limited to outdoor, indoor within ~~((marijuana))~~ cannabis  
7710 greenhouses, and within nondwelling unit structures that exist as of October 1, 2013,  
7711 subject to the size limitations in subsection B.16.g. of this section; and

7712           g. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
7713 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum  
7714 aggregated total of two thousand square feet and shall be located within a fenced area or  
7715 ~~((marijuana))~~ cannabis greenhouse, that is no more than ten percent larger than that  
7716 combined area, or may occur in nondwelling unit structures that exist as of October 1,  
7717 2013;

Ordinance 19881

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7718 h. Outdoor production area fencing as required by the Washington state Liquor  
7719 and Cannabis Board and ~~((marijuana))~~ cannabis greenhouses shall maintain a minimum  
7720 street setback of fifty feet and a minimum interior setback of one hundred feet; and a  
7721 minimum setback of one hundred fifty feet from any existing residence; and

7722 i. If the two-thousand-square-foot-per-lot threshold of plant canopy within  
7723 fenced areas or ~~((marijuana))~~ cannabis greenhouses is exceeded, each and every  
7724 ~~((marijuana))~~ cannabis-related entity occupying space in addition to the two-thousand-  
7725 square-foot threshold area on that lot shall obtain a conditional use permit as ~~((set forth))~~  
7726 required in subsection B.17. of this section.

7727 17. ~~((Marijuana))~~ Cannabis production by ~~((marijuana))~~ cannabis producers  
7728 licensed by the Washington state Liquor and Cannabis Board is subject to the following  
7729 standards:

7730 a. Only allowed on lots of at least four and one-half acres on Vashon-Maury  
7731 Island;

7732 b. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,  
7733 except on Vashon-Maury Island;

7734 c. In ~~((all rural area))~~ RA zones, only with a lighting plan that complies with  
7735 K.C.C. 21A.12.220.~~((H.))~~A.2.;

7736 d. Only with documentation that the operator has applied for a Puget Sound  
7737 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
7738 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall  
7739 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
7740 before ~~((marijuana))~~ cannabis products are imported onto the site;

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Ordinance 19881

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7741 e. Production is limited to outdoor and indoor within ~~((marijuana))~~ cannabis  
 7742 greenhouses subject to the size limitations in subsection B.17.f. of this section;

7743 f. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
 7744 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum  
 7745 aggregated total of thirty thousand square feet and shall be located within a fenced area or  
 7746 ~~((marijuana))~~ cannabis greenhouse that is no more than ten percent larger than that  
 7747 combined area; and

7748 g. Outdoor production area fencing as required by the Washington state Liquor  
 7749 and Cannabis Board, and ~~((marijuana))~~ cannabis greenhouses shall maintain a minimum  
 7750 street setback of fifty feet and a minimum interior setback of one hundred feet, and a  
 7751 minimum setback of one hundred fifty feet from any existing residence.

7752 18.a. Production is not allowed in the White Center unincorporated activity  
 7753 center;

7754 b. Production is limited to indoor only;

7755 ~~((b-))~~ c. With a lighting plan only as required by and that complies with K.C.C.  
 7756 21A.12.220.~~((H-))~~A.2.;

7757 ~~((e-))~~ d. Only with documentation that the operator has applied for a Puget  
 7758 Sound Clean Air Agency Notice of Construction Permit. All department permits issued  
 7759 to either ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both,  
 7760 shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be  
 7761 approved before ~~((marijuana))~~ cannabis products are imported onto the site; and

7762 ~~((d-))~~ e. Per lot, the plant canopy, as defined in WAC 314-55-010, combined  
 7763 with any area used for processing under K.C.C. 21A.08.080, shall be limited to a

Ordinance 19881

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7764 maximum aggregated total of two thousand square feet and shall be located within a  
7765 building or tenant space that is no more than ten percent larger than the plant canopy and  
7766 separately authorized processing area; and

7767 ~~((e-))~~ f. If the two-thousand-square-foot-per-lot threshold is exceeded, each and  
7768 every ~~((marijuana))~~ cannabis-related entity occupying space in addition to the two-  
7769 thousand-square foot threshold area on that parcel shall obtain a conditional use permit as  
7770 ~~((set forth))~~ required in subsection B.19. of this section.

7771 19.a. Production is not allowed in the White Center unincorporated activity  
7772 center;

7773 b. Production is limited to indoor only;

7774 ~~((b-))~~ c. With a lighting plan only as required by and that complies with K.C.C.  
7775 21A.12.220.~~((H-))~~A.2.;

7776 ~~((e-))~~ d. Only with documentation that the operator has applied for a Puget  
7777 Sound Clean Air Agency Notice of Construction Permit. All department permits issued  
7778 to either ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both,  
7779 shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be  
7780 approved before ~~((marijuana))~~ cannabis products are imported onto the site; and

7781 ~~((d.))~~ e. Per lot, the plant canopy, as defined in WAC 314-55-010, combined  
7782 with any area used for processing under K.C.C. 21A.08.080, shall be limited to a  
7783 maximum aggregated total of thirty thousand square feet and shall be located within a  
7784 building or tenant space that is no more than ten percent larger than the plant canopy and  
7785 separately authorized processing area.

7786 20.a. Production is limited to indoor only;

Ordinance 19881

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7787 b. With a lighting plan only as required by and that complies with K.C.C.

7788 21A.12.220.~~((H.))~~A.2.;

7789 c. Only with documentation that the operator has applied for a Puget Sound  
7790 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
7791 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall  
7792 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
7793 before ~~((marijuana))~~ cannabis products are imported onto the site;

7794 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
7795 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum  
7796 aggregated total of two thousand square feet and shall be located within a building or  
7797 tenant space that is no more than ten percent larger than the plant canopy and separately  
7798 authorized processing area; and

7799 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and  
7800 every ~~((marijuana))~~ cannabis-related entity occupying space in addition to the two-  
7801 thousand-square-foot threshold area on that lot shall obtain a conditional use permit as  
7802 ~~((set forth))~~ required in subsection B.21. of this section.

7803 21.a. Production is limited to indoor only;

7804 b. With a lighting plan only as required by and that complies with K.C.C.

7805 21A.12.220.~~((H.))~~A.2.;

7806 c. Only with documentation that the operator has applied for a Puget Sound  
7807 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
7808 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall

Ordinance 19881

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7809 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
7810 before (~~marijuana~~) cannabis products are imported onto the site; and

7811 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
7812 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum  
7813 aggregated total of thirty thousand square feet and shall be located within a building or  
7814 tenant space that is no more than ten percent larger than the plant canopy and separately  
7815 authorized processing area.

7816 22. (~~Marijuana~~) Cannabis production by (~~marijuana~~) cannabis producers  
7817 licensed by the Washington state Liquor and Cannabis Board is subject to the following  
7818 standards:

7819 a. With a lighting plan only as required by and that complies with K.C.C.  
7820 21A.12.220.~~(H.)~~A.2.;

7821 b. Only allowed on lots of at least four and one-half acres;

7822 c. Only with documentation that the operator has applied for a Puget Sound  
7823 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
7824 (~~marijuana~~) cannabis producers or (~~marijuana~~) cannabis processors, or both, shall  
7825 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
7826 before (~~marijuana~~) cannabis products are imported onto the site;

7827 d. Production is limited to outdoor, indoor within (~~marijuana~~) cannabis  
7828 greenhouses, and within structures that are nondwelling unit structures that exist as of  
7829 October 1, 2013, subject to the size limitations in subsection B.22. e. and f. of this  
7830 section;

Ordinance 19881

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7831 e. On lots less than ten acres, per lot, the plant canopy, as defined in WAC  
7832 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall  
7833 be limited to a maximum aggregated total of five thousand square feet and shall be  
7834 located within a fenced area or ((~~marijuana~~)) cannabis greenhouse that is no more than  
7835 ten percent larger than that combined area, or may occur in nondwelling unit structures  
7836 that exist as of October 1, 2013;

7837 f. On lots ten acres or more, per lot, the plant canopy, as defined in WAC 314-  
7838 55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be  
7839 limited to a maximum aggregated total of ten thousand square feet, and shall be located  
7840 within a fenced area or ((~~marijuana~~)) cannabis greenhouse that is no more than ten  
7841 percent larger than that combined area, or may occur in nondwelling unit structures that  
7842 exist as of October 1, 2013; and

7843 g. Outdoor production area fencing as required by the Washington state Liquor  
7844 and Cannabis Board, ((~~marijuana~~)) cannabis greenhouses and nondwelling unit structures  
7845 shall maintain a minimum street setback of fifty feet and a minimum interior setback of  
7846 one hundred feet, and a minimum setback of one hundred fifty feet from any existing  
7847 residence.

7848 23. The storage and processing of ((~~non-manufactured~~)) nonmanufactured  
7849 source separated organic waste that originates from agricultural operations and that does  
7850 not originate from the site, if:

7851 a. agricultural is the primary use of the site;

7852 b. the storage and processing are in accordance with best management  
7853 practices included in an approved farm plan; and

Ordinance 19881

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7854 c. except for areas used for manure storage, the areas used for storage and  
7855 processing do not exceed three acres and ten percent of the site.

7856 24.a. For activities relating to the processing of crops or livestock for  
7857 commercial purposes, including associated activities such as warehousing, storage,  
7858 including refrigeration, and other similar activities and excluding winery, brewery,  
7859 distillery facility I, II, III, and remote tasting room:

7860 (1) limited to agricultural products and sixty percent or more of the products  
7861 processed (~~must~~) shall be grown in the Puget Sound counties. At the time of initial  
7862 application, the applicant shall submit a projection of the source of products to be  
7863 produced;

7864 (2) in the RA and UR zones, only allowed on sites of at least four and one-  
7865 half acres;

7866 (3)(a) as a permitted use, the floor area devoted to all processing shall not  
7867 exceed two thousand square feet, unless located in a building designated as an historic  
7868 resource under K.C.C. chapter 20.62. The agricultural technical review committee, as  
7869 established in K.C.C. 21A.42.300, may review and approve an increase in the processing  
7870 floor area as follows: up to three thousand five hundred square feet of floor area may be  
7871 devoted to all processing in the RA zones or on farms less than thirty-five acres located in  
7872 the A zones or up to seven thousand square feet on farms greater than thirty-five acres in  
7873 the A zone; and

7874 (b) as a permitted use, the floor area devoted to all warehousing,  
7875 refrigeration, storage, or other similar activities shall not exceed two thousand square  
7876 feet, unless located in a building designated as historic resource under K.C.C. chapter

Ordinance 19881

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7877 20.62. The agricultural technical review committee, as established in K.C.C.  
 7878 21A.42.300, may review and approve an increase of up to three thousand five hundred  
 7879 square feet of floor area devoted to all (~~warehousing~~) warehousing, storage, including  
 7880 refrigeration, or other similar activities in the RA zones or on farms less than thirty-five  
 7881 acres located in the A zones or up to seven thousand square feet on farms greater than  
 7882 thirty-five acres in the A zone;

7883 (4) in the A zone, structures and areas used for processing, warehousing,  
 7884 refrigeration, storage, and other similar activities shall be located on portions of  
 7885 agricultural lands that are unsuitable for other agricultural purposes, such as areas within  
 7886 the already developed portion of such agricultural lands that are not available for direct  
 7887 agricultural production, or areas without prime agricultural soils; and

7888 (5) structures and areas used for processing, warehousing, storage, including  
 7889 refrigeration, and other similar activities shall maintain a minimum distance of seventy-  
 7890 five feet from property lines adjoining (~~rural area and residential~~) RA, UR, and R zones,  
 7891 unless located in a building designated as historic resource under K.C.C. chapter 20.62.

7892 b. For activities relating to the retail sale of agricultural products, except  
 7893 livestock:

7894 (1) sales shall be limited to agricultural products and locally made arts and  
 7895 crafts;

7896 (2) in the RA and UR zones, only allowed on sites at least four and one-  
 7897 half acres;

7898 (3) as a permitted use, the covered sales area shall not exceed (~~two~~) three  
 7899 thousand five hundred square feet, unless located in a building designated as a historic

Ordinance 19881

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7900 resource under K.C.C. chapter 20.62. The agricultural technical review committee, as  
7901 established in K.C.C. 21A.42.300, may review and approve an increase of up to ~~((three))~~  
7902 five thousand ~~((five hundred))~~ square feet of covered sales area;

7903                   (4) forty percent or more of the gross sales of agricultural product sold  
7904 through the store ~~((must))~~ shall be sold by the producers of primary agricultural products;

7905                   (5) sixty percent or more of the gross sales of agricultural products sold  
7906 through the store shall be derived from products grown or produced in the Puget Sound  
7907 counties. At the time of the initial application, the applicant shall submit a reasonable  
7908 projection of the source of product sales;

7909                   (6) tasting of products, in accordance with applicable health regulations, is  
7910 allowed;

7911                   (7) storage areas for agricultural products may be included in a farm store  
7912 structure or in any accessory building; and

7913                   (8) outside lighting is ~~((permitted))~~ allowed if there is no off-site glare.

7914                   c. Retail sales of livestock is ~~((permitted))~~ allowed only as accessory to  
7915 raising livestock.

7916                   d. Farm operations, including equipment repair and related facilities, except  
7917 that:

7918                   (1) the repair of tools and machinery is limited to those necessary for the  
7919 operation of a farm or forest;

7920                   (2) in the RA and UR zones, only allowed on sites of at least four and one-  
7921 half acres;



Ordinance 19881

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7922 (3) the size of the total repair use is limited to one percent of the farm size  
7923 in the A zone, and up to one percent of the size in other zones, up to a maximum of five  
7924 thousand square feet unless located within an existing farm structure, including, but not  
7925 limited to, barns, existing as of December 31, 2003; and

7926 (4) Equipment repair shall not be (~~permitted~~) allowed in the Forest zone.

7927 e. The agricultural technical review committee, as established in K.C.C.  
7928 21A.42.300, may review and approve reductions of minimum site sizes in the (~~rural and~~  
7929 ~~residential~~) RA, UR, and R zones and minimum setbacks from (~~rural and residential~~)  
7930 RA, UR, and R zones.

7931 25. The department may review and approve establishment of agricultural  
7932 support services in accordance with the code compliance review process in K.C.C.  
7933 21A.42.300 only if:

7934 a. project is sited on lands that are unsuitable for direct agricultural production  
7935 based on size, soil conditions, or other factors and cannot be returned to productivity by  
7936 drainage maintenance; and

7937 b. the proposed use is allowed under any Farmland Preservation Program  
7938 conservation easement and zoning development standards.

7939 26. The agricultural technical review committee, as established in K.C.C.  
7940 21A.42.300, may review and approve establishment of agricultural support services only  
7941 if the project site:

7942 a. adjoins or is within six hundred sixty feet of the agricultural production  
7943 district;

7944 b. has direct vehicular access to the agricultural production district;

Ordinance 19881

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7945 c. except for farm\_worker housing, does not use local access streets that abut  
7946 lots developed for residential use; and

7947 ~~((b-))~~ d. has a minimum lot size of four and one-half acres.

7948 27. The agricultural technical review committee, as established in K.C.C.  
7949 21A.42.300, may review and approve establishment of agricultural support services only  
7950 if the project site:

7951 a. is outside the urban ~~((growth))~~ area~~((;))~~;

7952 b. adjoins or is within six hundred sixty feet of the agricultural production  
7953 district~~((;))~~;

7954 c. has direct vehicular access to the agricultural production district~~((;))~~;

7955 d. except for farm\_worker housing, does not use local access streets that abut  
7956 lots developed for residential use; and

7957 e. has a minimum lot size of four and one-half acres.

7958 28. Only allowed on properties that are outside the urban ~~((growth))~~ area.

7959 29. Battery energy storage systems are considered a resource accessory use  
7960 when the total system capacity is two megawatts or less, and:

7961 ~~((+))~~ a. the system provides electricity for on-site use only, with "on-site use"  
7962 including net metering as well as charging of vehicles on-site or in the right-of-way  
7963 immediately adjacent to the site; or

7964 ~~((+))~~ b. the system is intended primarily for on-site use, but also participates  
7965 in load sharing or another grid-connected electricity-sharing arrangement.

7966 30.a. Permitted as a primary use or an accessory use, except in accordance with  
7967 subsection B.30.g. of this section;

Ordinance 19881

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7968            b. A sufficient water supply shall be available to support cultivation practices  
7969 on-site;

7970            c. The site shall be designed and maintained to prevent water and fertilizer  
7971 runoff onto adjacent properties;

7972            d. Compost materials shall be stored at least twenty feet from interior lot lines  
7973 and in a manner that minimizes odors and is not visible from adjacent properties;

7974            e. Raising livestock and small animals, animal mortality management, and on-  
7975 site animal waste storage, disposal, and processing is not allowed;

7976            f. In the R-1 through R-48 zones:

7977            (1) The total lot area devoted to the use shall not exceed four thousand square  
7978 feet.

7979            (2) Structures used for agricultural activities:

7980            (a) shall not exceed one thousand square feet in gross floor area per lot;

7981            (b) shall not exceed twelve feet in height, including any pitched roof;

7982            (c) shall be limited to raised garden beds, greenhouses, hoop houses, storage  
7983 sheds, cold frames, and rain barrel systems; and

7984            (d) are also subject to the development standards that would apply to an  
7985 accessory structure in the zone, if the use is accessory;

7986            (3) Only mechanical equipment designed for household use may be used;

7987            (4) Retail sales and all other public use shall begin no earlier than 8:00 a.m.  
7988 and end by 7:00 p.m.;

7989            (5) Commercial deliveries and pickups are limited to one per day. On-site  
7990 sales are not considered commercial pickups;

Ordinance 19881

7991 (6) No more than two motor vehicles dedicated to the use shall be stored on-  
 7992 site, each with a gross vehicle weight of ten thousand pounds or less; and

7993 (7) One identification sign is allowed, not exceeding one-hundred square  
 7994 inches in area; and

7995 g. A conditional use permit is required on properties twenty acres or more in  
 7996 size in the R-1 zone, or to exceed the limitations of subsection B.30.f. of this section in  
 7997 the R-1 through R-48 zones. Conditional use permits shall not be granted for properties  
 7998 with an urban separator land use designation.

7999 31. Digester shall be limited to processing of waste generated on-site only.

8000 32. Covered riding arenas are subject to K.C.C. 21A.30.030 and shall not  
 8001 exceed twenty thousand square feet. Stabling areas, whether attached or detached, shall  
 8002 not be counted in this calculation.

8003 SECTION 169. Ordinance 10870, Section 337, as amended, and K.C.C.

8004 21A.08.100 are hereby amended to read as follows:

8005 A. Regional land uses.

<del>(P-Permitted Use</del>		<b>RESOURCE</b>			<b>R</b>	<b>RESIDENTIAL</b>				<b>COMMERCIAL/INDUSTRIAL))</b>				
<del>C-Conditional Use</del>					<b>U</b>									
<del>S-Special Use</del>					<b>R</b>									
					<b>A</b>									
					<b>E</b>									
<b>SIC#</b>	<b>SPECIFIC LAND USE</b>	<b>A</b>	<b>F</b>	<b>M</b>	<b>RA</b>	<b>UR</b>	<b><u>R-1</u></b>	<del>((<b>R</b></del>	<b>R<sub>2</sub></b>	<b>NB</b>	<b>CB</b>	<b>RB</b>	<b>O</b>	<b>I</b>
								<del>1-</del>	<b>12</b>					<b>(15)</b>
								<b>8))</b>	<b><u>R-</u></b>					
								<b><u>R-4</u></b>	<b>48</b>					
								<b>=</b>						

Ordinance 19881

							<u>R-8</u>							
*	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

Ordinance 19881

*	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>	((P25))						
*	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 Sports Facility													P
*	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
<del>((8224</del>	<del>College/University</del>	<del>P10</del>	<del>P10</del>		<del>P10</del>	<del>P10</del>		<del>P10</del>	<del>P10</del>	<del>P10</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P))</del>
<del>-8222</del>	<del>4)</del>				<del>C11</del>	<del>C11</del>		<del>C11</del>	<del>C11</del>	<del>C11</del>	<del>S</del>	<del>S</del>	<del>S</del>	
					<del>S18</del>	<del>S18</del>		<del>S</del>	<del>S</del>	<del>S</del>				

Ordinance 19881

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*	Zoo Animal Breeding Facility	P16	P16		P16									
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- 8006            B. Development conditions.
- 8007            1. ~~((Except technical institutions. See vocational schools on general services~~
- 8008 ~~land use table, K.C.C. 21A.08.050)) Repealed.~~
- 8009            2. Except arboretum. ~~((See K.C.C. 21A.08.040, recreation/\_cultural land use~~
- 8010 ~~table:))~~
- 8011            3. Except weapons armories and outdoor shooting ranges.
- 8012            4. Except outdoor shooting range.
- 8013            5. Only in conjunction with an existing or proposed school.
- 8014            6.a. Limited to no more than three satellite dish antennae.
- 8015            b. Limited to one satellite dish antenna.
- 8016            c. Limited to tower consolidations.
- 8017            7. Limited to landing field for aircraft involved in forestry or agricultural
- 8018 practices or for emergency landing sites.
- 8019            8. Except racing of motorized vehicles.
- 8020            9. Limited to wildlife exhibit.
- 8021            10. ~~((Only as a reuse of a public school facility subject to K.C.C. chapter~~
- 8022 ~~21A.32)) Repealed.~~
- 8023            11. ~~((Only as a reuse of a surplus nonresidential facility subject to K.C.C.~~
- 8024 ~~chapter 21A.32)) Repealed.~~

Ordinance 19881

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8025           12.a. Limited to gas extraction as an accessory use to a waste management  
 8026 process, such as wastewater treatment, landfill waste management, livestock manure, and  
 8027 composting processes, and excluding anaerobic digesters.

8028           **b. an equity impact review of the proposal using tools developed by the office**  
 8029 **of equity and racial and social justice. Until the tools have been developed and made**  
 8030 **publicly available by the office, the equity impact review is not required. The results**  
 8031 **from the equity impact review shall be used to assess equity impacts and opportunities**  
 8032 **during county permit review and may be used to inform determinations of project**  
 8033 **approval.**

8034           13. Excluding impoundment of water using a dam.

8035           14.a. Limited to facilities that comply with the following:

8036           ~~((a-))~~ (1) Any new diversion structure shall not:

8037           ~~((1))~~ (a) exceed a height of eight feet as measured from the streambed; or

8038           ~~((2))~~ (b) impound more than three surface acres of water at the normal  
 8039 maximum surface level;

8040           ~~((b-))~~ (2) There shall be no active storage;

8041           ~~((c-))~~ (3) The maximum water surface area at any existing dam or diversion  
 8042 shall not be increased;

8043           ~~((d-))~~ (4) An exceedance flow of no greater than fifty percent in mainstream  
 8044 reach shall be maintained;

8045           ~~((e-))~~ (5) Any transmission line shall ~~((be limited to a))~~ comply with the  
 8046 following:

8047           ~~((1))~~ (a) be limited to right-of-way of five miles or less; and



Ordinance 19881

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8048                    ~~((2))~~ (b) be limited to capacity of two hundred thirty KV or less;

8049                    ~~((f))~~ (6) Any new, permanent access road shall be limited to five miles or less;

8050                    and

8051                    ~~((g))~~ (7) The facility shall only be located above any portion of the stream

8052                    used by anadromous fish.

8053                    b. The applicant shall submit an equity impact review of the proposal using  
 8054 tools developed by the office of equity and racial and social justice. Until the tools have  
 8055 been developed and made publicly available by the office, the equity impact review is not  
 8056 required. The results from the equity impact review shall be used to assess equity  
 8057 impacts and opportunities during county permit review and may be used to inform  
 8058 determinations of project approval.

8059                    15. For I-zoned sites located outside the urban ~~((growth))~~ area ~~((designated by~~  
 8060 ~~the King County Comprehensive Plan))~~, uses shown as a conditional or special use in  
 8061 K.C.C. 21A.08.100.A., except for ~~((waste water))~~ wastewater treatment facilities and  
 8062 racetracks, shall be prohibited. All other uses, including ~~((waste water))~~ wastewater  
 8063 treatment facilities, shall be subject to the provisions for rural industrial uses in K.C.C.  
 8064 ~~((chapter 21A.12))~~ 21A.14.280, as recodified by this ordinance.

8065                    16. The operator of such a facility shall provide verification to the department of  
 8066 natural resources and parks or its successor organization that the facility meets or exceeds  
 8067 the standards of the Animal and Plant Health Inspection Service of the United States  
 8068 Department of Agriculture and the accreditation guidelines of the American Zoo and  
 8069 Aquarium Association.

Ordinance 19881

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8070           17. The following provisions of the table apply only to major communication  
 8071 facilities. Minor communication facilities shall be reviewed in accordance with the  
 8072 processes and standard outlined in K.C.C. chapter 21A.27.

8073           18. ~~((Only for facilities related to resource-based research))~~ Repealed.

8074           19. Limited to work release facilities associated with natural resource-based  
 8075 activities.

8076           20. Limited to projects ~~((which))~~ that do not require or result in an expansion of  
 8077 sewer service outside the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area boundary, unless a finding is  
 8078 made that no cost-effective alternative technologies are feasible, in which case a tightline  
 8079 sewer sized only to meet the needs of the school bus base and serving only the school bus  
 8080 base may be used. Renovation, expansion, modernization, or reconstruction of a school  
 8081 bus base is ~~((permitted))~~ allowed but shall not require or result in an expansion of sewer  
 8082 service outside the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area boundary, unless a finding is made  
 8083 that no cost-effective alternative technologies are feasible, in which case a tightline sewer  
 8084 sized only to meet the needs of the school bus base.

8085           21.a. Only in conformance with the King County Fairgrounds Site Development  
 8086 Plan ~~((Report, through))~~ Attachment A to Ordinance 14808 ~~((m))~~Modifications to the  
 8087 plan of up to ten percent are allowed for the following:

- 8088           a. building square footage;
- 8089           b. landscaping;
- 8090           c. parking;
- 8091           d. building height; or

Ordinance 19881

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8092 e. impervious surface as established in the King County Fairgrounds Site  
8093 Development Plan Environmental Checklist, dated September 21, 1999, Attachment B to  
8094 Ordinance 14808.

8095 22. A special use permit shall be required for any modification or expansion of  
8096 the King County fairgrounds facility that is not in conformance with the King County  
8097 Site Development Plan Report or that exceeds the allowed modifications to the plan  
8098 identified in subsection B.21. of this section.

8099 23. The facility shall be primarily devoted to rural public infrastructure  
8100 maintenance and is subject to the following conditions:

8101 a. The minimum site area shall be ten acres, unless:

8102 (1) the facility is a reuse of a public agency yard; or

8103 (2) the site is separated from a county park by a street or utility right-of-way;

8104 b. Type 1 landscaping as provided in K.C.C. chapter 21A.16 shall be provided  
8105 between any stockpiling or grinding operations and adjacent (~~residential~~) R or UR  
8106 zoned property;

8107 c. Type 2 landscaping as provided in K.C.C. chapter 21A.16 shall be provided  
8108 between any office and parking lots and adjacent (~~residential~~) R or UR zoned property;

8109 d. Access to the site does not use local access streets that abut (~~residential~~) R  
8110 or UR zoned property, unless the facility is a reuse of a public agency yard;

8111 e. Structural setbacks from property lines shall be as follows:

8112 (1) Buildings, structures, and stockpiles used in the processing of materials  
8113 shall be no closer than:

Ordinance 19881

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8114 (a) one hundred feet from any (~~residential~~) R or UR zoned properties,  
 8115 except that the setback may be reduced to fifty feet when the grade where the building or  
 8116 structures are proposed is fifty feet or greater below the grade of the (~~residential~~) R or  
 8117 UR zoned property;

8118 (b) fifty feet from any other zoned property, except when adjacent to a  
 8119 mineral extraction or materials processing site;

8120 (c) the greater of fifty feet from the edge of any public street or the setback  
 8121 from (~~residential~~) R or UR zoned property on the far side of the street; and

8122 (2) Offices, scale facilities, equipment storage buildings, and stockpiles shall  
 8123 not be closer than fifty feet from any property line except when adjacent to M or F zoned  
 8124 property or when a reuse of an existing building. Facilities necessary to control access to  
 8125 the site, when demonstrated to have no practical alternative, may be located closer to the  
 8126 property line;

8127 f. On-site clearing, grading, or excavation, excluding that necessary for  
 8128 required access, roadway, or storm drainage facility construction, shall not be  
 8129 (~~permitted~~) allowed within fifty feet of any property line except along any portion of the  
 8130 perimeter adjacent to M or F zoned property. If native vegetation is restored, temporary  
 8131 disturbance resulting from construction of noise attenuation features located closer than  
 8132 fifty feet shall be (~~permitted~~) allowed; and

8133 g. Sand and gravel extraction shall be limited to forty thousand yards per year.

8134 24. The following accessory uses to a motor race track operation are allowed if  
 8135 approved as part of the special use permit:

8136 a. motocross;

Ordinance 19881

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8137 b. autocross;

8138 c. skidpad;

8139 d. garage;

8140 e. driving school; and

8141 f. fire station.

8142 25. Regional transit authority facilities shall be exempt from setback and height  
8143 requirements.

8144 26. Transit comfort facility shall:

8145 a. only be located outside of the urban (~~(growth)~~) area (~~(boundary)~~);

8146 b. be exempt from street setback requirements; and

8147 c. be no more than (~~(200)~~) two hundred square feet in size.

8148 27.a. Required for all new, modified, or expanded fossil fuel facilities.

8149 Modification or expansion includes, but is not limited to:

8150 (1) new uses or fuel types within existing facilities;

8151 (2) changes to the type of refining, manufacturing, or processing;

8152 (3) changes in the methods or volumes of storage or transport of raw  
8153 materials or processed products;

8154 (4) changes in the location of the facilities on-site;

8155 (5) replacement of existing facilities;

8156 (6) increases in power or water demands; or

8157 (7) increases in production capacity.

8158 b. Before filing an application with the department, the applicant shall hold a  
8159 community meeting in accordance with K.C.C. 20.20.035.

Ordinance 19881

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8160 c. As part of permit application submittal for new, modified, or expanded fossil  
8161 fuel facilities, the applicant shall submit the following documentation:

8162 (1) an inventory of similar existing facilities in King County and neighboring  
8163 counties, including their locations and capacities;

8164 (2) a forecast of the future needs for the facility;

8165 (3) an ~~((analysis of the potential social and economic impacts and benefits to  
8166 jurisdictions and local communities receiving or surrounding the facility))~~ equity impact

8167 review of the proposal using tools developed by the office of equity and racial and social  
8168 justice. Until the tools have been developed and made publicly available by the office,

8169 the equity impact review is not required. The results from the equity impact review shall  
8170 be used to assess equity impacts and opportunities during county permit review and may

8171 be used to inform determinations of project approval;

8172 (4) an analysis of alternatives to the facility, including location, conservation,  
8173 demand management and other strategies;

8174 (5) an analysis of economic and environmental impacts, including mitigation,  
8175 of any similar existing facilities and of any new site~~((s))~~ or sites under consideration as  
8176 an alternative to expansion of an existing facility;

8177 (6) an extensive public involvement strategy that strives to effectively engage  
8178 a wide range of racial, ethnic, cultural, and socioeconomic groups, including

8179 communities that are the most impacted;

8180 (7) considered evaluation of any applicable prior review conducted by a  
8181 public agency, local government, or ~~((stakeholder group))~~ interested party; and

Ordinance 19881

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8182 (8) a greenhouse gas impact analysis prepared by the applicant , the results of  
8183 which shall be used to identify and mitigate the impacts of such facilities.

8184 d. As part of permit application submittal, the applicant shall demonstrate  
8185 financial responsibility meeting the requirements of K.C.C. chapter 21A.49. The  
8186 financial responsibility shall be reviewed as part of the facility's periodic review under  
8187 K.C.C. 21A.22.050.

8188 e. New, modified or expanded fossil fuel facilities shall:

8189 (1) not be located within one thousand feet from any schools, medical care  
8190 facilities, or places of assembly that have occupancies of greater than one thousand  
8191 persons;

8192 (2) not be located within two hundred fifty feet from a regulated wetland or  
8193 aquatic area, except when a larger buffer is required under K.C.C. chapter 21A.24, the  
8194 buffer in K.C.C. chapter 21A.24 shall apply;

8195 (3) maintain an interior setback of at least two hundred feet;

8196 (4) store fossil fuels completely within enclosed structures, tanks, or similar  
8197 facilities;

8198 (5) be accessed directly to and from an arterial roadway; and

8199 (6) comply with all applicable regulations in K.C.C. chapter 21A.22.

8200 f. Proposals shall only be approved when the following conditions are met:

8201 (1) the proposed facility can confine or mitigate all operational impacts;

8202 (2) the facility can adequately mitigate conflicts with adjacent land uses;

8203 (3) the full scope of environmental impacts, including life cycle greenhouse  
8204 gas emissions and public health, have been evaluated and appropriately conditioned or

Ordinance 19881

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8205 mitigated as necessary, consistent with the County's substantive State Environmental  
8206 Policy Act authority;

8207 (4) the applicant can comply with applicable federal and state regulations,  
8208 including the Clean Water Act, Clean Air Act, and Endangered Species Act;

8209 (5) the applicant has demonstrated early, meaningful, and robust consultation  
8210 with Indian tribes, the public, and surrounding property owners to assess impacts to  
8211 Indian tribal treaty-protected cultural and fisheries resources; and

8212 (6) risks to public health and public safety can be mitigated.

8213 28. Limited to uses that will not convert more than two acres of farmland or  
8214 forestland, or two and one-half percent of the farmland or forestland, whichever is less.

8215 29.a. Before filing an application with the department, the applicant shall hold a  
8216 community meeting in accordance with K.C.C. 20.20.035.

8217 b. As part of permit application submittal for nonhydroelectric generation  
8218 facilities, the applicant shall submit the following documentation:

8219 (1) an inventory of similar existing facilities in King County and neighboring  
8220 counties, including their locations and capacities;

8221 (2) a report demonstrating that the facility would serve a significant portion  
8222 of the county, metropolitan region, or is part of a statewide or national system;

8223 (3) a forecast of the future needs for the facility;

8224 (4) an ~~((analysis of the potential social and economic impacts and benefits to~~  
8225 ~~jurisdictions and local communities receiving or surrounding the facility))~~ equity impact  
8226 review of the proposal using tools developed by the office of equity and racial and social  
8227 justice. Until the tools have been developed and made publicly available by the office,

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Ordinance 19881

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8228 the equity impact review is not required. The results from the equity impact review shall  
8229 be used to assess equity impacts and opportunities during county permit review and may  
8230 be used to inform determinations of project approval;

8231 (5) an analysis of alternatives to the facility, including location, conservation,  
8232 demand management, and other strategies;

8233 (6) an analysis of economic and environmental impacts, including mitigation,  
8234 of any similar existing facilities and of any new site or sites under consideration as an  
8235 alternative to expansion of an existing facility;

8236 (7) an extensive public involvement strategy (~~(which)~~) that strives to  
8237 effectively engage a wide range of racial, ethnic, cultural, and socioeconomic groups,  
8238 including communities that are the most impacted;

8239 (8) considered evaluation of any applicable prior review conducted by a  
8240 public agency, local government, or (~~(stakeholder group)~~) interested party; and

8241 (9) a greenhouse gas impact analysis prepared by the applicant, the results of  
8242 which shall be used to identify and mitigate the impacts of such facilities.

8243 c. As part of permit application submittal, an applicant shall demonstrate  
8244 financial responsibility meeting the requirements of K.C.C. chapter 21A.49.

8245 d. Non((-))hydroelectric generation facilities shall be subject to a periodic  
8246 review meeting the same standards given in K.C.C. 21A.22.050. The financial  
8247 responsibility required by subsection B.29.c. of this section shall be reviewed as part of  
8248 the periodic review.

Ordinance 19881

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8249           30. Battery energy storage systems, except those defined as an accessory use  
8250 under K.C.C. 21A.06.015, 21A.06.020, or 21A.06.025, are subject to the applicable  
8251 permit requirements of subsection A. of this section and the following conditions:

8252           a. A minimum separation of ten feet shall be maintained between rooms or  
8253 enclosures containing battery energy storage systems and landscaping or other  
8254 vegetation;

8255           b. As part of building permit application submittal, battery energy storage  
8256 systems shall demonstrate financial responsibility for public liability and environmental  
8257 risks in accordance with K.C.C. chapter 21A.49 if the total system capacity is more than  
8258 two megawatts and all three of the following apply:

8259           (1) the battery technology requires thermal runaway compliance under WAC  
8260 51-54A-1207.6;

8261           (2) any individual room, cabinet, container, or other enclosure containing the  
8262 system has an energy rating greater than two megawatt-hours, or any two enclosures are  
8263 less than ten feet apart; and

8264           (3) the system does not qualify as a remote installation under IFC 1207.8.1.;

8265           c. As part of building permit application submittal, battery energy storage  
8266 systems with a total system capacity more than two megawatts shall demonstrate  
8267 financial responsibility for decommissioning in accordance with K.C.C. chapter 21A.49

8268           d. If financial responsibility is required by subsection B.30.b. or c. of this  
8269 section, the applicant shall submit verification of financial responsibility to the  
8270 department every five years, beginning five years from the date of permit issuance;

Ordinance 19881

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8271 e. The findings and recommendations of studies, analyses, and testing required  
8272 by K.C.C. Title 17, WAC 51-54A-1207, and the International Fire Code((;)) should be  
8273 incorporated into the permit conditions for the facility; and

8274 f. As part of application submittal, the applicant shall submit verification that  
8275 preliminary fire safety and evacuation plans have been shared with the local fire  
8276 protection district. The final plans shall be shared with the local fire protection district  
8277 before final inspection approval.

8278 31.a. For all search and rescue facilities:

8279 (1) the minimum lot size is four and one half acres;

8280 (2) structures and parking areas for search and rescue facilities shall maintain  
8281 a minimum distance of seventy-five feet from interior lot lines that adjoin ((~~rural area and~~  
8282 ~~residential~~)) RA, UR, and R zones, unless located in a building designated as historic  
8283 resource under K.C.C. chapter 20.62;

8284 (3) use of the search and rescue facility is limited to activities directly relating  
8285 to the search and rescue organization, except that the facility may be used by law  
8286 enforcement and other public emergency responders for training and operations related to  
8287 search and rescue activities; and

8288 (4) the applicant ((~~must~~)) shall demonstrate the absence of existing search and  
8289 rescue facilities that are adequate to conduct search and rescue operations in the rural  
8290 area.

8291 b. A special use permit is required when helicopter fueling, maintenance, or  
8292 storage is proposed.

8293 SECTION 170. The following should constitute a new chapter in K.C.C. Title

Ordinance 19881

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8294 21A, to follow K.C.C. chapter 21A.08:

- 8295 A. Sections 171, 172, 173, and 174 of this ordinance;
- 8296 B. K.C.C. 21A.60.060, as recodified by this ordinance;
- 8297 C. Section 177 of this ordinance;
- 8298 D. K.C.C. 21A.60.010, as recodified by this ordinance;
- 8299 E. K.C.C. 21A.60.040, as recodified by this ordinance;
- 8300 F. K.C.C. 21A.60.050, as recodified by this ordinance;
- 8301 G. K.C.C. 21A.60.070, as recodified by this ordinance;
- 8302 H. K.C.C. 21A.60.080, as recodified by this ordinance;
- 8303 I. K.C.C. 21A.60.090, as recodified by this ordinance;
- 8304 J. K.C.C. 21A.60.030, as recodified by this ordinance;
- 8305 K. K.C.C. 21A.60.100, as recodified by this ordinance; and
- 8306 L. K.C.C. 21A.60.110, as recodified by this ordinance.

8307 NEW SECTION. SECTION 171.

8308 A. This chapter contains regulations for the North Highline subarea geography.

8309 B. All developments in the North Highline subarea geography are subject to the  
8310 development standards in this chapter and as supplemented by this title.

8311 C. Where a conflict exists, the standards in this chapter shall apply except for the  
8312 following:

- 8313 1. K.C.C. chapter 21A.24, critical areas;
- 8314 2. K.C.C. chapter 21A.25, shorelines; and
- 8315 3. Special district overlays, p-suffix conditions, or demonstration projects.

8316 NEW SECTION. SECTION 172.

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Ordinance 19881

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8317           A. The allowed uses in K.C.C. chapter 21A.08 shall apply, except as provided in  
8318 this section.

8319           B. Mixed-use development shall be required in the block bounded by SW 100th  
8320 Street, 15th Avenue SW, SW 102nd Street, and 16th Avenue SW.

8321           C. The total number of cannabis retailers, as permitted in K.C.C. 21A.08.070,  
8322 within the North Highline subarea geography shall not exceed two. Any cannabis retailers  
8323 legally established beyond this limit within North Highline prior to the adoption of  
8324 Ordinance 19555 shall be considered a legal nonconformance under K.C.C. chapter  
8325 21A.32.

8326           D. In the core street type as identified in K.C.C. 21A.60.040, as recodified by this  
8327 ordinance:

8328               1. Formula businesses are prohibited.

8329               2. The maximum size for an individual ground floor commercial space is five  
8330 thousand square feet per tenant.

8331           E. In the Top Hat community business center or I zoned property within North  
8332 Highline:

8333               1. Legally established commercial or industrial uses that exist as of November  
8334 28, 1994, but that are not otherwise allowed by the zoning, shall be considered permitted  
8335 uses upon only the lots that they occupied as of that date.

8336               2. Permitted uses shall include those of the CB zone and I zone, except that the  
8337 following are not allowed:

8338                   a. any use allowed in the I zone requiring a conditional use permit;

8339                   b. auction houses;

Ordinance 19881

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- 8340 c. livestock sales;
  - 8341 d. motor vehicle and boat dealers;
  - 8342 e. SIC Major Group 24-Lumber and Wood Products, Except Furniture, except
  - 8343 SIC Industries 2431-Millwork and 2434-Wood Kitchen Cabinets;
  - 8344 f. SIC Major Group 32-Stone, Clay, Glass, and Concrete Products;
  - 8345 g. SIC Industry 7534-Tire Retreading;
  - 8346 h. SIC Major Group 02-Raising Livestock and Small Animals;
  - 8347 i. SIC Industry 2951-Asphalt Paving Mixtures and Blocks;
  - 8348 j. resource accessory uses;
  - 8349 k. outdoor storage of equipment or materials occupying more than twenty-five
  - 8350 percent of the site associated with SIC Industry 7312-Outdoor Advertising Services;
  - 8351 l. interim recycling facilities on lots that directly abut R-zoned properties; and
  - 8352 m. formula businesses in the Top Hat community business center.
- 8353 3. Use limitations of the base zone do not apply to commercial/industrial
- 8354 accessory uses.

8355 NEW SECTION. SECTION 173.

- 8356 A.1. This section establishes the density and dimensional standards for residential
- 8357 zones in North Highline. Measurement methods are identified in K.C.C. chapter 21A.12.
- 8358 2. The matrix identifies zones in the vertical columns and corresponding
- 8359 development standards for each zone are in the horizontal rows. The matrix cells contain
- 8360 the minimum dimensional requirements of the zone.
- 8361 3. The parenthetical numbers in the matrix identify conditions, requirements,
- 8362 notes, or modifiers that correspond to the text in subsection B. of this section. A blank

Ordinance 19881

8363 cell indicates that there are no specific requirements. If more than one standard appears

8364 in a cell, each standard shall be applicable to any applicable parenthetical number.

<b>North Highline Residential Density and Dimensional Standards</b>							
<b>STANDARDS</b>	<b>R-4</b>	<b>R-6</b>	<b>R-8</b>	<b>R-12</b>	<b>R-18</b>	<b>R-24</b>	<b>R-48</b>
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 (1)	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 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	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)

Ordinance 19881

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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%



Ordinance 19881

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Nonresidential	70%	70%	75%	85%	85%	85%	90%
Maximum							
Impervious							
Surface (9)							

8365           B. Development conditions for the North Highline residential density and  
8366   dimensional standards.

8367           1. Density applies only to dwelling units and not to sleeping units.

8368           2. This maximum density is allowed in the following circumstances:

8369           a. for a duplex through a transfer of development right in accordance with  
8370   K.C.C. 21A.08.030.B.12.; or

8371           b. for a development with nine or fewer units through a transfer of  
8372   development rights;

8373           3. This maximum is allowed in the following circumstances:

8374           a. for a development with nine or fewer units on a site located within a half-  
8375   mile watershed of a high-capacity or frequent transit stop as mapped by the Metro transit  
8376   department; or

8377           b. through the inclusionary housing program in K.C.C. chapter 21A.48.

8378           4. The minimum density shall be calculated consistent with K.C.C. 21A.12.060  
8379   and K.C.C. 21A.12.087.

8380           5. These standards may be modified under the provisions for zero-lot-line and  
8381   townhouse developments in K.C.C. chapter 21A.14.

8382           6. The setback distance shall be measured along the center line of the driveway  
8383   from the access point to such garage, carport, or fenced area to the street property line.

Ordinance 19881

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- 8384           7. This maximum height is allowed in the following circumstances:
- 8385           a. for a building on slopes exceeding a fifteen percent finished grade;
- 8386           b. through the inclusionary housing regulations in accordance with K.C.C.
- 8387 chapter 21A.48; or
- 8388           c. for a structure that provide one additional foot of street and interior setback
- 8389 for each foot above the base height.
- 8390           8.a. Portions of a nonresidential structure may exceed the base height if one
- 8391 additional foot of street and interior setback is provided for each foot above the base
- 8392 height.
- 8393           b. Netting, fencing, and related support structures used to contain golf balls on
- 8394 a golf course or golf driving range are exempt from additional interior setback
- 8395 requirements. In recreation and multiuse parks, golf ball netting, fencing and related
- 8396 support structures shall not exceed one-hundred twenty-five feet, unless a golf ball
- 8397 trajectory study requires a higher fence.
- 8398           9. The impervious surface maximum applies to each individual lot. Impervious
- 8399 surface does not include access easements serving neighboring property and driveways to
- 8400 the extent that they extend beyond the street setback due to location within an access
- 8401 panhandle or due to the application of King County Code requirements to locate features
- 8402 over which the applicant does not have control. Impervious surface area standards for:
- 8403           a. individual lots in the R-4 through R-6 zones that are less than nine thousand
- 8404 seventy-six square feet in area shall be subject to the applicable provisions of the nearest
- 8405 comparable R-6 or R-8 zone;
- 8406           b. a lot may be increased beyond the total amount allowed in this chapter

Ordinance 19881

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8407 subject to approval of a conditional use permit; and

8408 c. regional uses shall be established at the time of permit review.

8409 10. This maximum density is allowed for developments with child daycares  
8410 under section 240 of this ordinance.

8411 11. For cottage housing developments only:

8412 a. the base height is twenty-five feet; and

8413 b. buildings that have pitched roofs with a minimum slope of six over twelve  
8414 may achieve a maximum height of thirty feet at the ridge of the roof.

8415 12. Developments may be subject to the North Highline urban design standards  
8416 in K.C.C. 21A.60.060, as recodified by this ordinance, K.C.C. 21A.60.010, as recodified  
8417 by this ordinance, K.C.C. 21A.60.040, as recodified by this ordinance, K.C.C.  
8418 21A.60.050, as recodified by this ordinance, K.C.C. 21A.60.070, as recodified by this  
8419 ordinance, K.C.C. 21A.60.080, as recodified by this ordinance, K.C.C. 21A.60.090, as  
8420 recodified by this ordinance, K.C.C. 21A.60.030, as recodified by this ordinance, K.C.C.  
8421 21A.60.100, as recodified by this ordinance, and K.C.C. 21A.60.110, as recodified by  
8422 this ordinance, which may modify these standards.

8423 13. The street and interior setbacks for nonresidential development, except for  
8424 fences and backstops, are as follows:

8425 a. nonresidential uses with less than two thousand five hundred square feet of  
8426 floor area shall be subject to the setbacks of the underlying zone;

8427 b. government and institutional uses shall be thirty feet;

8428 c. battery energy storage systems not defined as accessory uses under K.C.C.  
8429 21A.06.015, 21A.06.020, or 21A.06.025 shall be thirty feet;

Ordinance 19881

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- 8430 d. regional uses shall be established at the time of permit review;
- 8431 e. utility facilities shall be subject to the setbacks of the underlying zone;
- 8432 f. where a setback is identified for a specific land use in the applicable zone,
- 8433 that setback shall apply; and
- 8434 g. all other nonresidential development exceeding two thousand five hundred
- 8435 square feet of floor area shall be fifteen feet.

8436 NEW SECTION. SECTION 174.

8437 A.1. This section establishes the density and dimensional standards for

8438 commercial and industrial zones in North Highline. Measurement methods are identified

8439 in K.C.C. chapter 21A.12.

8440 2. The matrix identifies zones in the vertical columns and corresponding

8441 development standards for each zone are in the horizontal rows. The matrix cells contain

8442 the minimum dimensional requirements of the zone.

8443 3. The parenthetical numbers in the matrix identify conditions, requirements,

8444 notes, or modifiers that correspond to the text in subsection B. of this section. A blank

8445 cell indicates that there are no specific requirements. If more than one standard appears

8446 in a cell, each standard shall be applicable to any applicable parenthetical number.

<b>North Highline Commercial and Industrial Density and Dimensional Standards</b>					
<b>STANDARDS</b>	<b>NB</b>	<b>CB</b>	<b>RB</b>	<b>O</b>	<b>I</b>
Base Density (1)	8 du/ac	48 du/ac	48 du/ac	48 du/ac	
Maximum	12 du/ac	72 du/ac	72 du/ac	72 du/ac	

Ordinance 19881

Density	(2) 24 du/ac (3)	(2) 144 du/ac (3)	(2) 144 du/ac (3)	(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	1/1	3/1	3/1	3/1	3/1

Ordinance 19881

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Floor Area Ratio (10)					
Maximum Impervious Surface (9)	85%	85%	90%	75%	90%

- 8447 B. Development conditions for the North Highline commercial and industrial  
 8448 density and dimensional standards.
- 8449 1.a. Density applies only to dwelling units and not to sleeping units.
- 8450 b. These densities are allowed only:
- 8451 (1) for mixed-use developments; or
- 8452 (2) standalone townhouses on property zoned NB and designated commercial  
 8453 outside of center.
- 8454 2. This maximum density is allowed for a mixed-use development with nine or  
 8455 fewer units through a transfer of development rights.
- 8456 3. This maximum is allowed in the following circumstances:
- 8457 a. for a mixed-use development through the inclusionary housing program in  
 8458 K.C.C. chapter 21A.48; or
- 8459 b. for a mixed-use development with nine or fewer units on a site located  
 8460 within a half-mile walkshed of a high-capacity or frequent transit stop as mapped by the  
 8461 Metro transit department.
- 8462 4. Gasoline service station pump islands shall be placed no closer than twenty-  
 8463 five feet to street property lines.
- 8464 5.a. Required on property lines adjoining R zones with Type I landscaping

Ordinance 19881

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8465 consistent with K.C.C. 21A.16.040.

8466           b. Required on property lines adjoining R zones for industrial uses established  
8467 by conditional use permits.

8468           c. Required on property lines adjoining R zones unless a standalone townhouse  
8469 development on property designated commercial outside of center is adjacent to a  
8470 property developed with an existing townhouse development.

8471           d. Required on property lines adjoining R zones only for a social service  
8472 agency office reusing a residential structure in existence on January 1, 2010.

8473           6. Developments under the inclusionary housing program in K.C.C. chapter  
8474 21A.48 shall not be subject to a floor area ratio maximum.

8475           7. This maximum height allowed only for:

8476           a. mixed-use developments; and

8477           b. standalone townhouse development in the NB zone on property designated  
8478 commercial outside of center.

8479           8.a. Portions of a nonresidential structure may exceed the base height if one  
8480 additional foot of street and interior setback is provided for each foot above the base  
8481 height.

8482           b. Netting, fencing, and related support structures used to contain golf balls on  
8483 a golf course or golf driving range are exempt from additional interior setback  
8484 requirements. In recreation and multiuse parks, golf ball netting, fencing and related  
8485 support structures shall not exceed one-hundred twenty-five feet, unless a golf ball  
8486 trajectory study requires a higher fence.

8487           9. The impervious surface area may be increased beyond the total amount

Ordinance 19881

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8488 allowed in this chapter subject to approval of a conditional use permit.

8489           10. Additional floor area ratio is allowed for developments with child daycares  
8490 under section 240 of this ordinance.

8491           11. Except for the White Center unincorporated activity center, upper-level step  
8492 backs are required for any facade facing a pedestrian street for any portion of the  
8493 structure greater than forty-five feet in height. The upper-level step back shall be at least  
8494 one foot for every two feet of height above forty-five feet, up to a maximum of ten feet.  
8495 The first four feet of horizontal projection of decks, balconies with open railings, eaves,  
8496 cornices, and gutters are allowed in required step backs.

8497           12. Developments may be subject to the North Highline urban design standards  
8498 in K.C.C. 21A.60.060, as recodified by this ordinance, K.C.C. 21A.60.010, as recodified  
8499 by this ordinance, K.C.C. 21A.60.040, as recodified by this ordinance, K.C.C.  
8500 21A.60.050, as recodified by this ordinance, K.C.C. 21A.60.070, as recodified by this  
8501 ordinance, K.C.C. 21A.60.080, as recodified by this ordinance, K.C.C. 21A.60.090, as  
8502 recodified by this ordinance, K.C.C. 21A.60.030, as recodified by this ordinance, K.C.C.  
8503 21A.60.100, as recodified by this ordinance, and K.C.C. 21A.60.110, as recodified by  
8504 this ordinance, which may modify these standards.

8505           13. Reserved.

8506           14. Reserved.

8507           15. Except for the core street type designated in K.C.C. 21A.60.040, as  
8508 recodified by this ordinance, this maximum height may be achieved through the  
8509 inclusionary housing program in K.C.C. chapter 21A.48.



Ordinance 19881

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8510           16. Required on the core street type as designated in K.C.C. 21A.60.040, as  
8511 recodified by this ordinance.

8512           SECTION 175. K.C.C. 21A.60.060, as amended by this ordinance, is hereby  
8513 recodified as a new section in K.C.C. chapter 21A.xx (the new chapter created in section  
8514 170 of this ordinance) to follow section 174 of this ordinance.

8515           SECTION 176. Ordinance 19687, Section 14, and K.C.C. 21A.60.060 is hereby  
8516 amended to read as follows:

8517           A. Developments shall provide landscaping consistent with K.C.C. chapter  
8518 21A.16, except as provided in this chapter and as follows:

8519           1. New and substantially improved developments subject to the North Highline  
8520 urban design standards ((of this chapter)) in K.C.C. 21A.60.060, as recodified by this  
8521 ordinance, K.C.C. 21A.60.010, as recodified by this ordinance, K.C.C. 21A.60.040, as  
8522 recodified by this ordinance, K.C.C. 21A.60.050, as recodified by this ordinance, K.C.C.  
8523 21A.60.070, as recodified by this ordinance, K.C.C. 21A.60.080, as recodified by this  
8524 ordinance, K.C.C. 21A.60.090, as recodified by this ordinance, K.C.C. 21A.60.030, as  
8525 recodified by this ordinance, K.C.C. 21A.60.100, as recodified by this ordinance, and  
8526 K.C.C. 21A.60.110, as recodified by this ordinance, are required to meet a minimum  
8527 GreenCenter score of 0.3. If an applicant demonstrates to the director that the existing  
8528 conditions of the site do not allow for a GreenCenter score of 0.3, the director may modify  
8529 the requirement.

8530           2. In the White Center unincorporated activity center, perimeter landscaping  
8531 along streets may be waived, provided street trees and other pedestrian-related amenities  
8532 are provided.

Ordinance 19881

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8533 B. The GreenCenter score shall be calculated as follows:

8534 1. For each landscape element, multiply the square feet, or equivalent square  
8535 footage where applicable, by the multiplier provided for that element in subsection C. of  
8536 this section, according to the following provisions:

8537 a. If multiple elements listed in subsection C. of this section occupy the same  
8538 area, such as groundcover under a tree, count the full square footage or equivalent square  
8539 footage of each element;

8540 b. Landscaping elements in the right-of-way between the property line and the  
8541 roadway may be counted, but only if they are approved by the manager of the road services  
8542 division of the department of local services;

8543 c. Elements listed in subsection C. of this section that are provided to satisfy any  
8544 other requirements of K.C.C. Title 21A may be counted;

8545 d. For vegetated walls, use the square footage of the portion of the wall covered  
8546 by vegetation. All vegetated wall structures shall be constructed of durable materials,  
8547 provide adequate planting areas for plant health, provide irrigation for the planting areas,  
8548 and provide appropriate surfaces or structures that enable plant coverage; and

8549 e. For small shrubs, small plantings, and grass, square footage is determined by  
8550 the area of the portion of a horizontal plane that lies under the element.

8551 2. Add together all the products calculated under subsection B.1. of this section to  
8552 determine the GreenCenter numerator; and

8553 3. Divide the GreenCenter numerator by the parcel size to determine the  
8554 GreenCenter score.

8555 C. GreenCenter landscape elements and categories:

Ordinance 19881

<b>GreenCenter landscape elements</b>	<b>Multiplier</b>
<b>1. Planted areas</b>	
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
<b>2. Small plantings and shrubs</b>	
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
<b>3. Trees</b>	
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
<b>4. Green roofs</b>	
a. Planted over 2 inches to 4 inches of growth medium	0.2

Ordinance 19881

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
<b>5. Vegetated walls</b> (maximum 500 square feet)	0.2
<b>6. Bonuses</b>	
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

8556 NEW SECTION. SECTION 177.

8557 A.1. The required number of off-street parking spaces shall be provided in  
 8558 accordance with the table in this section. If a parking standard for a use is not specified  
 8559 in this chapter, the Director shall establish the minimum parking requirement.

8560 2. Off-street parking ratios shall be based on the usable or net floor area,  
 8561 exclusive of nonoccupied areas. For the purposes of calculating parking, "nonoccupied  
 8562 areas" include, but are not limited to, building maintenance areas, storage areas, closets,  
 8563 or restrooms.

Ordinance 19881

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8564            3. If the calculation for determining the number of off-street parking spaces  
 8565 results in a fraction, the number of off-street parking spaces shall be rounded to the  
 8566 nearest whole number with fractions of 0.50 or greater rounded up and fractions below  
 8567 0.50 rounded down.

<b>LAND USE</b>	<b>White Center Unincorporated Activity Center</b>	<b>Within 1/2 Mile Walkshed or High- Capacity of Frequent Transit Stop as Mapped by the Metro Transit Department</b>	<b>Other Areas of North Highline</b>
<b>RESIDENTIAL (K.C.C. 21A.08.030.A.):</b>			
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

Ordinance 19881

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
<b>RECREATIONAL AND CULTURAL (K.C.C. 21A.08.040.A.):</b>			
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	4 per tennis court plus 1 per 500 square feet	4 per tennis court plus 1 per 300

Ordinance 19881

	square feet of clubhouse facility	of clubhouse facility	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.
<b>HEALTH CARE SERVICES AND RESIDENTIAL CARE SERVICES (subsection A. of section 162 of this ordinance):</b>			
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

Ordinance 19881

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
<b>PERSONAL SERVICE AND TEMPORARY LODGING (K.C.C. 21A.08.050.A.):</b>			
Personal service and temporary lodging uses, if not otherwise specified	No minimum required	1 per 400 square feet	1 per 300 square feet



Ordinance 19881

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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

Ordinance 19881

Organizational hotel/lodging	0.8 per room	0.9 per room	1 per room
<b>GOVERNMENT AND EDUCATION (subsection A. of section 164 of this ordinance):</b>			
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	3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly	3 per courtroom, plus 1 per 50 square feet of fixed seat or

Ordinance 19881

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	assembly areas	areas	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
<b>BUSINESS SERVICES (K.C.C. 21A.08.060.A.):</b>			
Business services	1 per 400 square feet	1 per 350 square feet	1 per 300 square

Ordinance 19881

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uses, if not otherwise specified			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 1,000 square feet of storage area	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area
Office	1 per 400 square feet	1 per 350 square feet	1 per 300 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

Ordinance 19881

			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
<b>RETAIL (K.C.C. 21A.08.070.A.):</b>			
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	1 per 400 square feet	1 per 300 square

Ordinance 19881

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	required	of tasting and retail areas	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
<b>MANUFACTURING (K.C.C. 21A.08.080.A.):</b>			
Manufacturing 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
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
<b>RESOURCES (K.C.C. 21A.08.090.A.):</b>			
Resource uses	(director)	(director)	(director)
<b>REGIONAL (K.C.C. 21A.08.100.A.):</b>			
Regional uses	(director)	(director)	(director)

Ordinance 19881

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8568 B. Off-street parking shall comply with the requirements in K.C.C. chapter  
8569 21A.18.

8570 SECTION 178. K.C.C. 21A.60.010, as amended by this ordinance, is hereby  
8571 recodified as a new section in K.C.C. chapter 21A.xx (the new chapter created in section  
8572 170 of this ordinance) to follow section 177 of this ordinance.

8573 SECTION 179. Ordinance 19687, Section 9, and K.C.C. 21A.60.010 is hereby  
8574 amended to read as follows:

8575 A. The North Highline urban design standards are hereby established. The purpose  
8576 of the North Highline urban design standards is to implement the vision of North Highline  
8577 for its future as described in the North Highline community service area subarea plan and  
8578 ~~((the intent in subsection B. of this section.~~

8579 ~~B. The intent of the North Highline urban design standards relating to))~~ creating  
8580 site design, building design, urban form, and neighborhood character ~~((include))~~ that:

8581 1. ~~((Development i))~~ Is based on an understanding of the physical and cultural  
8582 context of the neighborhood and the North Highline ~~((community service area))~~ subarea;

8583 2. ~~((Development p))~~ Prioritizes compatibility with the existing scale of the  
8584 neighborhood, walkability, and generous landscaping;

8585 3. ~~((Development r))~~ Results in a streetscape that is attractive and comfortable for  
8586 moving through the neighborhood and spending time in it, reflects the character of the  
8587 neighborhood, and supports neighborhood activities and businesses;

8588 4. ~~((Development k))~~ Keeps the neighborhood's diversity visible and promotes  
8589 distinctive, unique designs through architectural features, signage, art, landscape, and  
8590 amenities such as seating, lighting, and ornament; and

Ordinance 19881

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8591           5. Utilizes ((S))stormwater and landscape design connect the urban environment  
8592 to the natural systems with designs that are both functional and beautiful.

8593           B. K.C.C. 21A.60.040, as recodified by this ordinance, K.C.C. 21A.60.050, as  
8594 recodified by this ordinance, K.C.C. 21A.60.070, as recodified by this ordinance, K.C.C.  
8595 21A.60.080, as recodified by this ordinance, K.C.C. 21A.60.090, as recodified by this  
8596 ordinance, K.C.C. 21A.60.030, as recodified by this ordinance, K.C.C. 21A.60.100, as  
8597 recodified by this ordinance, and K.C.C. 21A.60.110, as recodified by this ordinance,  
8598 shall apply to:

8599           1. All new buildings or substantial improvements to developments in the CB, NB,  
8600 RB, O, R-12, R-18, R-24, and R-48 zones; and

8601           2. Modification to any existing building that affects its exterior appearance in the  
8602 White Center unincorporated activity center land use designation, except for single  
8603 detached dwelling units. When only exterior appearance modifications are proposed, only  
8604 portions of the building being modified shall be subject to the design standards that are  
8605 applicable to that change.

8606           C. The following are exempt from the North Highline urban design standards:

8607           1. New or substantially improved residential-only development with less than  
8608 ten dwellings;

8609           2. Developments with a minimum of twenty percent of units affordable to  
8610 households at or below seventy percent AMI; and

8611           3. Mobile vendors, regardless of the amount of time present on a site.



Ordinance 19881

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8612            SECTION 180. K.C.C. 21A.60.040, as amended by this ordinance, is hereby  
 8613 recodified as a new section in K.C.C. chapter 21A.xx (the new chapter created in section  
 8614 170 of this ordinance) to follow K.C.C. 21A.60.010, as recodified by this ordinance.

8615            SECTION 181. Ordinance 19687, Section 12, and K.C.C. 21A.60.040 is hereby  
 8616 amended to read as follows:

8617            A. ~~((For each street frontage, the street type shall be classified based on the~~  
 8618 ~~following order:~~

8619            1. ~~Arterial: streets with a classification of principal, minor, or collector arterial,~~  
 8620 ~~excluding core street as described in subsection A.4. of this section;~~

8621            2. ~~Local mixed use: two-lane, nonarterial streets adjacent to CB, NB, RB, and~~  
 8622 ~~O zones;~~

8623            3. ~~Local residential: nonarterial streets adjacent to R-12, R-18, R-24, and R-48~~  
 8624 ~~zones; and~~

8625            4. ~~Core street: both sides of 16th Avenue Southwest in the White Center~~  
 8626 ~~unincorporated activity center from Southwest Roxbury Street at the north to Southwest~~  
 8627 ~~100th Street at the south.)) All public streets in North Highline are assigned a street type~~

8628 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 Street at the north to SW 100th Street at the south.</u>	<u>Main street or plaza</u>
<u>Arterial</u>	<u>Streets with a classification of principal, minor, or collector arterial, excluding</u>	<u>Forecourt, plaza, or landscape</u>

Ordinance 19881

	<u>the core street</u>	
<u>Local mixed-use</u>	<u>Two-lane, nonarterial streets adjacent to CB, NB, RB, and O zones</u>	<u>Main street, forecourt, plaza, porch-stoop-terrace, or landscape</u>
<u>Local residential</u>	<u>Nonarterial streets adjacent to R-12, R-18, R-24, and R-48 zones</u>	<u>Forecourt, plaza, porch-stoop-terrace, or landscape</u>

8629 B. Where a building or site is located on multiple street frontages:

8630 1. The portion of the building facing the higher-order street shall be designated  
8631 the primary street frontage; and

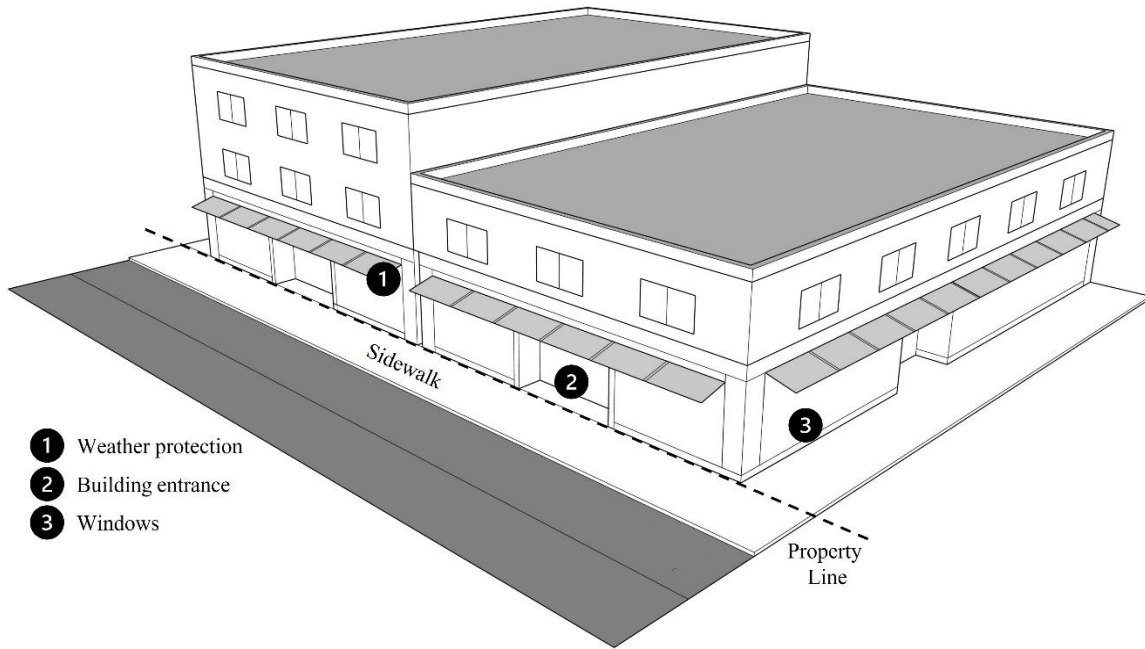
8632 2. The portion of the building facing the lower-order street or streets shall be  
8633 designated the secondary street frontage.

8634 C. Based on the street type identified in subsection A. of this section, the  
8635 following frontage types are allowed:

8636 1.a. Main street building frontage: a main street building frontage, an example  
8637 of which is shown in the figure in subsection C.1.b. of this section, is characterized by a  
8638 well-articulated, pedestrian-oriented facade that abuts the sidewalk, multiple at-grade  
8639 building entrances for businesses, and public features that support sidewalk activation.  
8640 Main street building frontages have substantial glazing on the ground floor and provide  
8641 weather protection for pedestrians on the sidewalk.

8642 b. Main street building frontage figure:

Ordinance 19881



8643

8644

c. Buildings with a main street building frontage are subject to the following:

<b>((Allowed street types</b>	<b>Core street, local mixed-use-))</b>
<b>Setback from <u>street</u> property line</b>	0 feet, except as needed to accommodate required amenities.
<b>Weather protection</b>	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.
<b>Building entrances</b>	Entrances shall be at sidewalk grade, face the street, be provided every 75 feet((75)) or less, and have a transparency of 40%.
<b>Windows</b>	70% minimum or 60% if ground floor windows are

Ordinance 19881

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	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.
<b>Surface parking</b>	Not permitted adjacent to a primary or secondary street.

8645 d. New and substantially improved buildings that are the main street building  
 8646 frontage type shall provide at least one of the following amenities near the sidewalk for  
 8647 every fifty linear feet of street frontage:

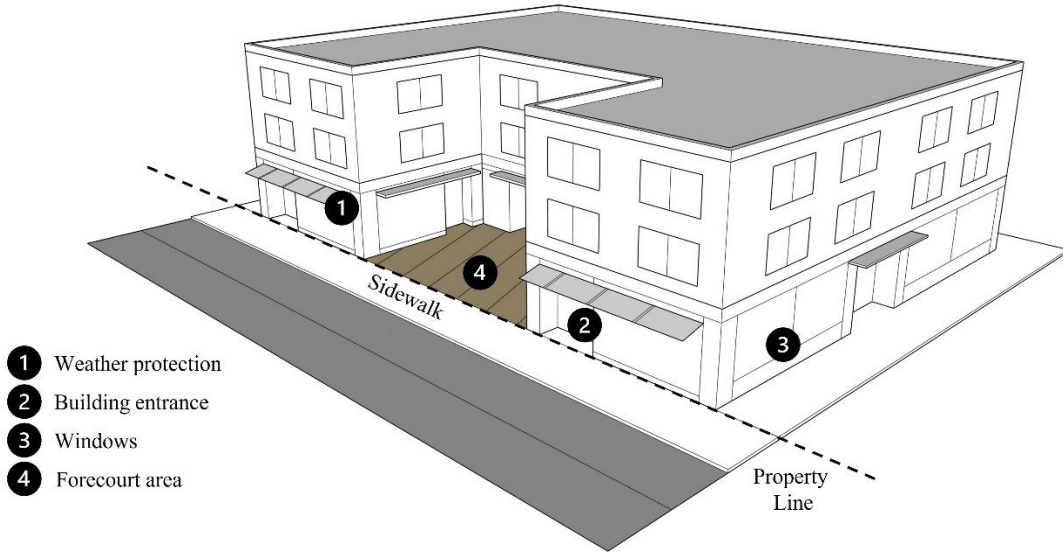
- 8648 (1) seating space;
- 8649 (2) supplemental area lighting;
- 8650 (3) drinking fountain;
- 8651 (4) waste receptacle;
- 8652 (5) artwork or decorative landmark;
- 8653 (6) kiosk suitable for temporary community-oriented notices;
- 8654 (7) raised planter;
- 8655 (8) bike rack; or
- 8656 (9) other amenities appropriate to the space acceptable to the director;

8657 2.a. Forecourt building frontage: a forecourt building frontage, an example of  
 8658 which is shown in the figure in subsection C.2.b. of this section, is characterized by a  
 8659 well-articulated, pedestrian-oriented façade centered around a plaza or gathering space  
 8660 that includes a garden, outdoor seating, or other pedestrian amenities. A forecourt is

Ordinance 19881

8661 created by recessing a portion of the facade for a portion of the building frontage. A  
 8662 forecourt building frontage is suitable for commercial or residential uses.

8663 b. Forecourt building frontage figure:



8664

8665 c. Buildings with a forecourt building frontage are subject to the following:

<del>((Allowed street types</del>	<del>Arterial, local mixed use, local residential.))</del>
<b>Setback from property line</b>	0 feet.
<b>Weather Protection</b>	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.  Weather protection may be in the form of awnings, marquees, canopies, or building overhangs.

Ordinance 19881

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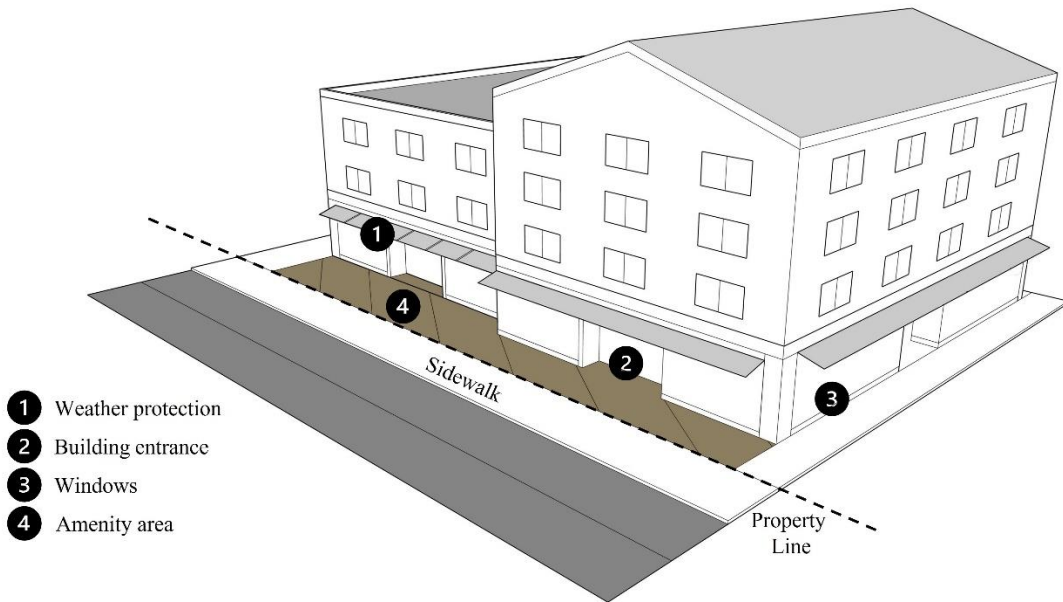
<b>Building entrances</b>	Entrances shall be provided every 75 feet((75)) or less, and have a transparency of 40%. Entrances abutting a sidewalk must face the street and be at sidewalk grade.
<b>Windows</b>	60% minimum or 55% if ground floor windows are operable. Required window areas shall allow views from the building to the street. Reflective, dark, tinted, or textured glass is not permitted.
<b>Forecourt depth from property line</b>	10 feet minimum; 30 feet maximum.
<b>Forecourt width</b>	20 feet minimum; 50 feet maximum.
<b>Fence</b>	No greater than 3 feet in height; minimum 20% transparent.

- 8666           d. New and substantially improved buildings that are the forecourt building  
8667 frontage type shall provide at least two of the following amenities in the forecourt area:
- 8668           (1) seating space;
  - 8669           (2) supplemental area lighting;
  - 8670           (3) water feature or decorative drinking fountain;
  - 8671           (4) waste receptacle;
  - 8672           (5) artwork or decorative landmark;
  - 8673           (6) kiosk suitable for temporary community-oriented notices;
  - 8674           (7) raised planter;
  - 8675           (8) bike rack; or
  - 8676           (9) other item appropriate to the space acceptable to the director;

Ordinance 19881

8677 3.a. Plaza building frontage: The plaza building frontage, an example of which  
 8678 is shown in the figure in subsection C.3.b. of this section, is characterized by public space  
 8679 in the setback area between the building and the property line. The plaza area should  
 8680 support human activity with amenities such as seating, art, and wayfinding. A plaza  
 8681 building frontage is suitable for active ground floor uses such as retail, dining, or civic  
 8682 and cultural uses.

8683 b. Plaza building frontage figure:



8684

8685 c. Buildings with a plaza building frontage are subject to the following:

<del>((Allowed street types</del>	<del>Arterial, core street, local mixed-use, local residential.))</del>
<b>Setback from <u>street</u> property line</b>	5 feet minimum; 25 feet maximum.
<b>Weather protection</b>	Weather protection at least 6 feet in depth shall be provided along 75% of the building facade facing a

Ordinance 19881

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	<p>street or pedestrian pathway including building entrances.</p> <p>Weather protection may be in the form of awnings, marquees, canopies, or building overhangs.</p>
<b>Building entrances</b>	<p>Entrances shall be at sidewalk grade, face the street, be provided every 75 feet((;)) or less, and have a transparency of 40%.</p>
<b>Windows</b>	<p>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.</p> <p>Reflective, dark, tinted, or textured glass is not permitted.</p>

8686 d. New and substantially improved buildings that are the plaza building  
 8687 frontage type shall provide at least two of the following amenities between the property  
 8688 line and the building for every fifty linear feet of street frontage:

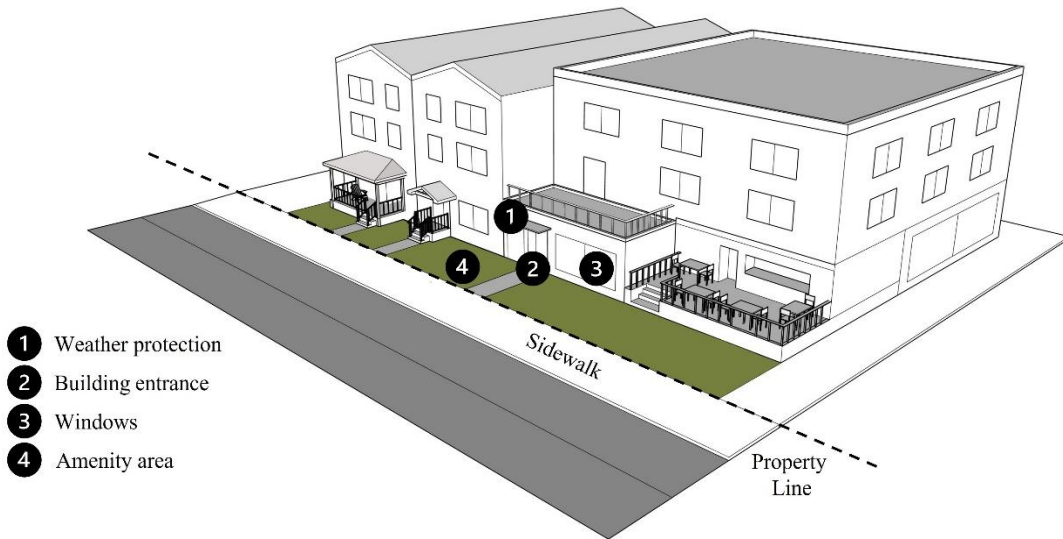
- 8689 (1) seating space;
- 8690 (2) supplemental area lighting;
- 8691 (3) water feature or decorative drinking fountain;
- 8692 (4) waste receptacle;
- 8693 (5) artwork or decorative landmark;
- 8694 (6) kiosk suitable for temporary community-oriented notices;
- 8695 (7) raised planter;
- 8696 (8) bike rack; or
- 8697 (9) other item appropriate to the space acceptable to the director;



Ordinance 19881

8698 4.a. Porch-stoop-terrace building frontage: the porch-stoop-terrace building  
 8699 frontage, an example of which is shown in the figure in subsection C.4.b. of this section,  
 8700 is characterized by buildings that are set back from the street with a series of highly  
 8701 articulated individual entrances and semi-private landings such as porches, stoops, or  
 8702 terraces. Entrances may be elevated above grade. Landscaping is provided in the setback  
 8703 area between the building and the sidewalk. A porch-stoop-terrace building frontage is  
 8704 suitable for residential uses, service, or office uses.

8705 b. Porch-stoop-terrace building frontage figure:



8706

8707 c. Buildings with a porch-stoop-terrace building frontage are subject to the  
 8708 following:

<del>((Allowed street types</del>	<del>Local mixed use, local residential.))</del>
<b>Setback from street property line</b>	5 feet minimum; 15 feet maximum.
<b>Weather protection</b>	Building entrances shall be either be covered by an

Ordinance 19881

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	awning or canopy or be covered by being recessed behind the front building facade.
<b>Building entrances</b>	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.
<b>Windows</b>	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.
<b>Fence</b>	No greater than 3 feet in height; minimum 20% transparent.

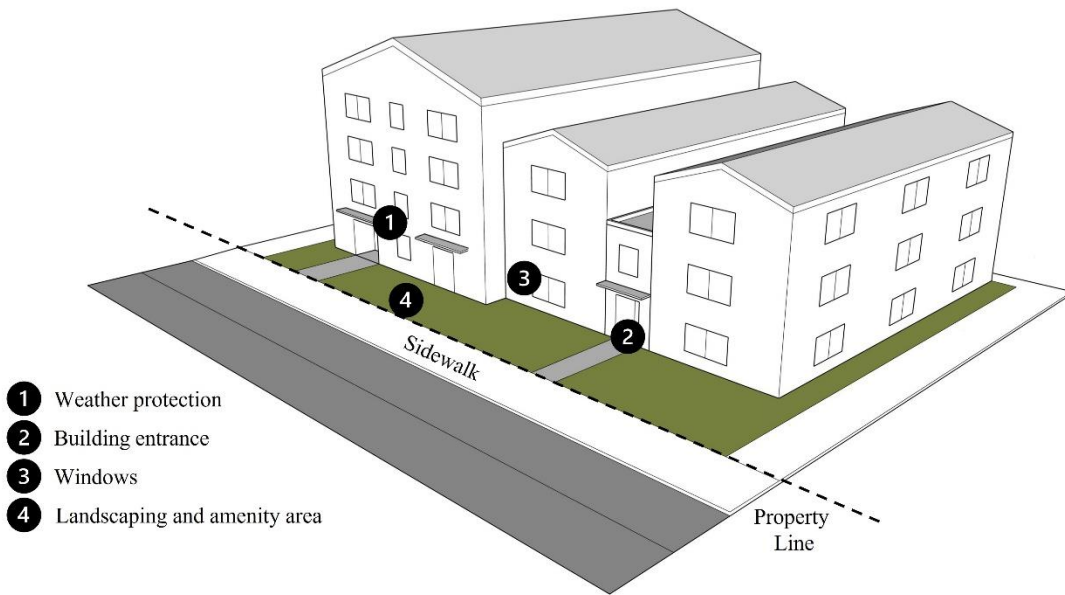
8709 c. New and substantially improved buildings that are the porch-stoop-terrace  
 8710 building frontage type shall provide at least two of the following amenities between the  
 8711 property line and the building for every fifty linear feet of street frontage:

- 8712 (1) seating space;
- 8713 (2) supplemental area lighting;
- 8714 (3) water feature or decorative drinking fountain;
- 8715 (4) waste receptacle;
- 8716 (5) artwork or decorative landmark;
- 8717 (6) bike rack; or
- 8718 (7) type II or type III landscaping consistent with K.C.C. chapter 21A.16; or
- 8719 (8) other item appropriate to the space acceptable to the director; and

Ordinance 19881

8720 5.a. Landscape building frontage: a landscape building frontage, an example of  
 8721 which is shown in the figure in subsection C.5.b. of this section, is set back from the  
 8722 property line by a wide landscaped strip between the building and the sidewalk. This  
 8723 frontage type is appropriate along streets where the existing streetscape may not be  
 8724 conducive to pedestrian-oriented ground-floor retail or residential uses, such as where  
 8725 there is no on-street parking or where streets are very wide. Ground floor entries shall  
 8726 still be provided along and connected to the sidewalk.

8727 b. Landscape building frontage figure:



8728

8729 c. Buildings with a landscape building frontage are subject to the following:

<del>((Allowed street types</del>	<del>Arterial, local mixed use, local residential.))</del>
<b>Setback from street property line</b>	10 feet minimum; 20 feet maximum landscaped setback.
<b>Weather protection</b>	Building entrances shall be either be covered by an

Ordinance 19881

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	awning or canopy or be covered by being recessed behind the front building facade.
<b>Building entrances</b>	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.
<b>Windows</b>	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.
<b>Landscaping</b>	10 feet minimum; 20 feet maximum Type II or Type III landscaping consistent with K.C.C. chapter 21A.16.

8730 d. New and substantially improved buildings that are the landscape building  
 8731 frontage type shall provide at least two of the following amenities between the property  
 8732 line and the building for every fifty linear feet of street frontage:

- 8733 (1) seating space;
- 8734 (2) supplemental area lighting;
- 8735 (3) artwork or decorative landmark;
- 8736 (4) water feature or rain garden; or
- 8737 (5) other item appropriate to the space acceptable to the director.

Ordinance 19881

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8738            SECTION 182. K.C.C. 21A.60.050, as amended by this ordinance, is hereby  
8739 recodified as a new section in K.C.C. chapter 21A.xx (the new chapter created in section  
8740 170 of this ordinance) to follow K.C.C. 21A.60.040, as recodified by this ordinance.

8741            SECTION 183. Ordinance 19687, Section 13, and K.C.C. 21A.60.050 are hereby  
8742 amended to read as follows:

8743            A. Parking shall be accessed from alleys, where an alley exists. If there is no alley,  
8744 parking entries shall prioritize pedestrians by limiting the maximum width to twenty feet  
8745 for two-way driveways.

8746            B. Developments with over two hundred linear feet on a single street frontage or  
8747 two hundred linear feet of total street frontage on properties that abut two parallel streets  
8748 shall provide a midblock connection. The route may be through the building interior if the  
8749 building is open to the public during business hours.

8750            C. Developments on corner lots shall either orient a building façade toward the  
8751 street corner within fifteen feet of the property line or provide pedestrian-oriented space at  
8752 the corner leading directly to a building entrance or entrances.

8753            D. Minimum interior setbacks of the underlying zone are waived.

8754            E. Service areas including loading docks, refuse containers, compactors, and  
8755 mechanical equipment shall be located and screened to avoid negative visual, auditory,  
8756 olfactory, or physical impacts on the property and adjacent street frontages. Service areas  
8757 shall be located within buildings or screened with acceptable materials including brick,  
8758 concrete block, stone, or wood. Chain-link fencing is not permitted as a screening material.

Ordinance 19881

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8759            SECTION 184. K.C.C. 21A.60.070 is hereby recodified as a new section in  
8760 K.C.C. chapter 21A.xx (the new chapter created in section 170 of this ordinance) to  
8761 follow K.C.C. 21A.60.050, as recodified by this ordinance.

8762            SECTION 185. K.C.C. 21A.60.080, as amended by this ordinance, is hereby  
8763 recodified as a new section in K.C.C. chapter 21A.xx (the new chapter created in section  
8764 170 of this ordinance) to follow K.C.C. 21A.60.070, as recodified by this ordinance.

8765            SECTION 186. Ordinance 19687, Section 16, and K.C.C. 21A.60.080 are hereby  
8766 amended to read as follows:

8767            A. Façades with street frontage on new and substantially improved buildings  
8768 shall be modulated approximately every forty feet. Modulation shall have a depth  
8769 between three and ten feet and shall be accompanied by at least three of the following  
8770 architectural measures:

- 8771            1. Change in window patterns at each modulation, such as window size, color,  
8772 and shape;
- 8773            2. Use of vertical piers or columns;
- 8774            3. Change in roofline or roof style, such as stepped roofs, dormers, gables, or  
8775 shed roofs, with a vertical modulation of at least twelve inches;
- 8776            4. Change in color and building material or siding style at each modulation;
- 8777            5. Vertical elements such as a vegetated wall or art. Vegetated walls shall count  
8778 toward the GreenCenter score in K.C.C. 21A.60.060, as recodified by this ordinance; and
- 8779            6. Change in lighting fixtures at each modulation.

8780            B. The director may approve changes to the modulation intervals or other  
8781 methods that provide architecturally scaled elements not specifically listed in subsection

Ordinance 19881

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8782 A. of this section. The proposed methods must satisfy the intent of the design standards  
8783 in K.C.C. 21A.60.010, as recodified by this ordinance.

8784 C. When balconies are part of the modulation and have a minimum depth of six  
8785 feet and a minimum area of sixty feet, the minimum depth of modulation shall be two  
8786 feet.

8787 D. The use of stock building plans, typical corporate or franchise designs,  
8788 regional prototype alternatives, or other designs that are easily identified with a particular  
8789 chain or corporation, are prohibited. Signs allowed in accordance with K.C.C. chapter  
8790 21A.20 may be permitted to use stock plans, except on core street types subject to K.C.C.  
8791 21A.60.090, as recodified by this ordinance.

8792 SECTION 187. K.C.C. 21A.60.090, as amended by this ordinance, is hereby  
8793 recodified as a new section in K.C.C. chapter 21A.xx (the new chapter created in section  
8794 170 of this ordinance) to follow K.C.C. 21A.60.080, as recodified by this ordinance.

8795 SECTION 188. Ordinance 19687, Section 17, and K.C.C. 21A.60.090 are hereby  
8796 amended as follows:

8797 A. New and substantially improved buildings along the core street type as  
8798 defined in K.C.C. 21A.60.040, as recodified by this ordinance, shall be in scale with the  
8799 existing historic building stock of the White Center unincorporated activity center.

8800 Where the scale of the new or substantially improved building is larger, techniques such  
8801 as variations in roof height, vertical columns to break up facades, changes in roof or  
8802 parapet detail, use of smaller repeating window patterns, use of fascia on the facade,  
8803 facade articulation, and stepping back or modulating of upper stories shall be used to  
8804 break up the scale of the building to complement existing patterns.

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Ordinance 19881

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8805 B. New signs for local businesses along the core street type are subject to the  
8806 following:

8807 1. The principal sign of any building or establishment shall be unique and  
8808 custom-designed. Such signs may include logos, colors, or other brand-identifying  
8809 elements, but the overall sign shall not be generic or identical to an existing sign within  
8810 five hundred feet of the business;

8811 2. Multi((-))lingual signage is encouraged; and

8812 3. Flashing or moving images are prohibited.

8813 SECTION 189. K.C.C. 21A.60.030, as amended by this ordinance, is hereby  
8814 recodified as a new section in K.C.C. chapter 21A.xx (the new chapter created in section  
8815 170 of this ordinance) to follow K.C.C. 21A.60.080, as recodified by this ordinance.

8816 SECTION 190. Ordinance 19687, Section 11, and K.C.C. 21A.60.030 is hereby  
8817 amended to read as follows:

8818 A. The provisions of this section shall apply to projects subject to the North  
8819 Highline urban design standards under K.C.C. 21A.60.010.B.1., as recodified by this  
8820 ordinance.

8821 B. A preapplication conference, in accordance with K.C.C. 20.20.030, is required  
8822 ~~((for all projects subject to the North Highline urban design standards)).~~ The applicant  
8823 shall submit the following information to the department with a request to schedule a  
8824 preapplication conference:

8825 1. Questions for department staff;

8826 2. A project narrative explaining how the preliminary design addresses the  
8827 intent of the North Highline urban design standards in K.C.C. 21A.60.010, as recodified



Ordinance 19881

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8828 by this ordinance, responds to the context analysis required in subsection ((~~A.3.~~) B.3.) of  
8829 this section, and meets the design standard requirements ((~~in this chapter~~)). The  
8830 department shall provide a template for the project narrative;

8831           3. A context analysis that documents an understanding of the urban form and  
8832 neighborhood character of the project site. The context analysis shall include:

8833           a. discussion of neighborhood demographics;

8834           b. inventory of historic structures, local businesses, artwork, landmarks, and  
8835 culturally significant elements, including a map of those features within five hundred feet  
8836 of the site;

8837           c. analysis of the current uses within five hundred feet of the site, including  
8838 building footprints, existing businesses, private and public lands, and any public  
8839 facilities;

8840           d. location and dimensions of existing public rights-of-way, including streets,  
8841 sidewalks, and parking areas; landscape features; and drainage elements; and

8842           e. identification of street type and frontage type as required by K.C.C.

8843 21A.60.040, as recodified by this ordinance.

8844           4. A site plan, which shall include:

8845           a. location of the property, with a vicinity map showing cross street;

8846           b. address, if an address has been assigned;

8847           c. parcel number or numbers;

8848           d. zoning of parcel or parcels and adjacent parcel or parcels;

8849           e. north arrow and scaled dimensions;

8850           f. existing and proposed building footprints, with overhangs and projections;

Ordinance 19881

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- 8851 g. existing and proposed grade contours;
- 8852 h. site area in square feet or acres of the project site;
- 8853 i. area of either disturbance or development, or both, including utilities, septic,
- 8854 and internal circulation, as needed;
- 8855 j. existing and proposed easements, including ingress, egress, utilities, or
- 8856 drainage; and
- 8857 k. critical areas and their buffers;
- 8858 l. proposed locations for artwork and neighborhood expression;
- 8859 m. proposed pedestrian amenities and bicycle facilities;
- 8860 n. proposed barrier-free access;
- 8861 o. proposed parking quantity, location, and access point or points;
- 8862 p. proposed landscape concept;
- 8863 q. proposed stormwater design;
- 8864 r. proposed approach to managing waste and recycling;
- 8865 s. quantity, location, and quality of an on-site recreation area, or areas, if
- 8866 proposed;
- 8867 t. phasing, if proposed; and
- 8868 5. A building plan, which shall include:
- 8869 a. architectural intent and proposed building design including elevations,
- 8870 façade details, colors, and materials; and
- 8871 b. proposed building uses.
- 8872 ((B-)) C. After at least one preapplication conference, and before filing an
- 8873 application with the department, the applicant shall hold at least one community meeting

Ordinance 19881

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8874 in accordance with K.C.C. 20.20.035. In addition to the requirements of K.C.C.

8875 20.20.035, the applicant shall:

8876 1. Create a web-based community input survey to solicit feedback on the  
8877 proposed development from the North Highline community for twenty-one days. The  
8878 applicant shall notify via email a list of parties of interest and notify by mail residents  
8879 within five hundred feet of the site at least one week before the beginning of the feedback  
8880 period. The department shall establish a template for the web-based community input  
8881 survey. The web-based community input survey shall:

8882 a. present the context analysis, preliminary site plan, and preliminary building  
8883 plan required in subsection ~~((A-))~~ B. of this section for solicitation of community  
8884 feedback;

8885 b. be capable of accepting community feedback within the webpage; and

8886 c. be accessible for those who are visually impaired and include translations to  
8887 the top three non-English languages within North Highline as determined by the  
8888 department; and

8889 2. Provide a list of community meeting attendees and commenters on the  
8890 community input survey and proof of those who received emailed and mailed notice to  
8891 the department.

8892 ~~((C-))~~ D. Preapplication review shall remain open until the applicant has held the  
8893 required community meeting and the twenty-one-day community input survey window is  
8894 closed.

8895 ~~((D-))~~ E. As part of a complete permit application, the applicant shall provide, in  
8896 addition to that which is required under K.C.C. 20.20.040, the following:

Ordinance 19881

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8897           1. A memorandum of how the proposal incorporates community feedback. For  
8898 feedback that was not incorporated into the project, the memorandum shall state why the  
8899 input was not addressed. The memorandum shall include an appendix that contains all  
8900 the community input received by the application; and

8901           2. An updated project narrative demonstrating how the proposal addresses the  
8902 intent of the North Highline urban design standards in K.C.C. 21A.60.010, as recodified  
8903 by this ordinance, and meets the design standards in ~~((this chapter))~~ K.C.C. 21A.60.060,  
8904 as recodified by this ordinance, K.C.C. 21A.60.040, as recodified by this ordinance,  
8905 K.C.C. 21A.60.050, as recodified by this ordinance, K.C.C. 21A.60.070, as recodified by  
8906 this ordinance, K.C.C. 21A.60.080, as recodified by this ordinance, K.C.C. 21A.60.090,  
8907 as recodified by this ordinance, K.C.C. 21A.60.030, as recodified by this ordinance,  
8908 K.C.C. 21A.60.100, as recodified by this ordinance, and K.C.C. 21A.60.110, as  
8909 recodified by this ordinance.

8910           ~~((E.))~~ F. The department shall review the community feedback on the project's  
8911 design, the project's alignment with the intent of the North Highline urban design  
8912 standards in K.C.C. 21A.60.010, as recodified by this ordinance, and the project's  
8913 consistency with the design standards in ~~((this chapter))~~ K.C.C. 21A.60.060, as recodified  
8914 by this ordinance, K.C.C. 21A.60.040, as recodified by this ordinance, K.C.C.  
8915 21A.60.050, as recodified by this ordinance, K.C.C. 21A.60.070, as recodified by this  
8916 ordinance, K.C.C. 21A.60.080, as recodified by this ordinance, K.C.C. 21A.60.090, as  
8917 recodified by this ordinance, K.C.C. 21A.60.030, as recodified by this ordinance, K.C.C.  
8918 21A.60.100, as recodified by this ordinance, and K.C.C. 21A.60.110, as recodified by  
8919 this ordinance. The department's design review decision shall be made as part of the final

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Ordinance 19881

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8920 decision on the underlying development proposal. Where a modification to a structure  
8921 requires design review under K.C.C. (~~(21A.60.020.A.2.)~~) 21A.60.010, as recodified by  
8922 this ordinance, but no other permit is required, the department's design decision shall be a  
8923 Type 1 land use decision.

8924 SECTION 191. K.C.C. 21A.60.100, as amended by this ordinance, is hereby  
8925 recodified as a new section in K.C.C. chapter 21A.xx (the new chapter created in section  
8926 170 of this ordinance) to follow K.C.C. 21A.60.030, as recodified this ordinance.

8927 SECTION 192. Ordinance 19687, Section 18, and K.C.C. 21A.60.100 are hereby  
8928 amended to read as follows:

8929 A. The director may waive or modify the application of the North Highline  
8930 standards (~~(of this chapter,)~~) if, as determined by a notarized letter from a landlord, leasing  
8931 agreement, affidavit of residency, real estate deed, tax return, or record of filing with the  
8932 Washington Office of the Secretary of State, the business:

8933 1. Has been located in North Highline for at least five years, excluding a franchise  
8934 with headquarters outside of North Highline;

8935 2. Is owned by a person who has lived in North Highline for at least five years,  
8936 excluding a franchise with headquarters outside of North Highline;

8937 3. Is a nonprofit organization that provides community and human services to  
8938 residents of North Highline; or

8939 4. Is located in a structure listed on the National Register of Historic Places (~~(as a~~  
8940 ~~historic site)~~) or designated as a state or King County landmark subject to K.C.C. chapter  
8941 21A.32.

Ordinance 19881

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8942 B. ~~((The director may waive or modify the application of the standards of this~~  
8943 ~~chapter if the development provides affordable dwelling units in accordance with K.C.C.~~  
8944 ~~chapter 21A.48 and the director determines that the waiver or modification would result in~~  
8945 ~~a development that better meets the intent of the design standards in K.C.C. 21A.60.010.~~

8946 ~~€.)~~) The director may waive or modify the application of ~~((a))~~ one or more  
8947 requirements of the North Highline design standards ~~((in this chapter to))~~ for a  
8948 development proposal if the director determines that waiver or modification would result in  
8949 a development that better meets the intent of the design standards in K.C.C. 21A.60.010, as  
8950 recodified by this ordinance.

8951 ~~((D:))~~ C. A waiver or modification request shall be submitted in writing by the  
8952 ~~((developer))~~ applicant to the director. The request shall identify the proposed design  
8953 standard requested to be waived or modified, the rationale for why the waiver or  
8954 modification should be granted, and how the waiver or modification would result in a  
8955 development that better meets the intent of the design standards in K.C.C. 21A.60.010, as  
8956 recodified by this ordinance.

8957 SECTION 193. K.C.C. 21A.60.110, as amended by this ordinance, is hereby  
8958 recodified as a new section in K.C.C. 21A.xx (the new chapter created in section 170 of  
8959 this ordinance) to follow K.C.C. 21A.60.100, as recodified by this ordinance.

8960 SECTION 194. Ordinance 19687, Section 19, and K.C.C. 21A.60.110 is hereby  
8961 amended to read as follows:

8962 The director is authorized to promulgate and adopt administrative rules in  
8963 accordance with K.C.C. chapter 2.98, to implement and enforce ~~((this chapter))~~ the North  
8964 Highline design standards.

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Ordinance 19881

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8965            SECTION 195. Sections 196 through 202 of this ordinance should constitute a  
8966 new chapter in K.C.C. Title 21A, to follow the chapter established in section 170 of this  
8967 ordinance.

8968            NEW SECTION. SECTION 196.

8969            A. This chapter contains regulations for the Skyway-West Hill subarea  
8970 geography.

8971            B. All developments in the Skyway-West Hill subarea geography are subject to  
8972 the development standards in this chapter and as supplemented by this title.

8973            C. Where a conflict exists, the standards in this chapter shall apply except for the  
8974 following:

- 8975            1. K.C.C. chapter 21A.24, critical areas;
- 8976            2. K.C.C. chapter 21A.25, shorelines; and
- 8977            3. Special district overlays, p-suffix conditions, or demonstration projects.

8978            NEW SECTION. SECTION 197.

8979            A. The allowed uses in K.C.C. chapter 21A.08 shall apply, except as provided in  
8980 this section.

8981            B. The total number of cannabis retailers, as permitted in K.C.C. 21A.08.070,  
8982 within the Skyway-West Hill subarea geography shall not exceed two. Any cannabis  
8983 retailers legally established beyond this limit within Skyway-West Hill before the  
8984 adoption of Ordinance 19555 shall be considered a legal nonconformance under K.C.C.  
8985 chapter 21A.32.

8986            C. In the CB zone in the Skyway Business District unincorporated activity center,  
8987 allowed uses shall be those uses allowed in the underlying zone, excluding the following:

Ordinance 19881

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- 8988            1. Motor vehicle and boat dealer;
- 8989            2. Gasoline service station;
- 8990            3. Uses with drive-through facilities, except SIC Industry 5812-Eating Places in  
8991 buildings existing before July 2017;
- 8992            4. SIC Industry Group 598-Fuel Dealers;
- 8993            5. Uses with outside storage, such as lumber yards, miscellaneous equipment  
8994 rental, or machinery sales;
- 8995            6. Bulk retail;
- 8996            7. Recreational and cultural uses in K.C.C. 21A.08.040, except parks, sports  
8997 clubs, theaters, libraries, and museums;
- 8998            8. SIC Major Group 75-Automotive Repair, Services, and Parking, except SIC  
8999 Industry 7521-Automobile Parking, but excluding tow-in parking lots;
- 9000            9. SIC Major Group 76-Miscellaneous repair services, except SIC Industry  
9001 7631-Watch, Clock, and Jewelry Repair;
- 9002            10. SIC Major Group 78-Motion Pictures;
- 9003            11. SIC Major Group 80-Health Services, except SIC Industry Groups 801 to  
9004 804;
- 9005            12. SIC Industry Group 421-Trucking and Courier Service;
- 9006            13. Public agency archive;
- 9007            14. Self-service storage;
- 9008            15. Manufacturing land uses in K.C.C. 21A.08.080, except SIC Industry 2759-  
9009 Commercial Printing;
- 9010            16. Resource land uses in K.C.C. 21A.08.090;



Ordinance 19881

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- 9011 17. Funeral home/crematory;
- 9012 18. Cemetery, columbarium, or mausoleum;
- 9013 19. Interim recycling facility;
- 9014 20. Utility facility, except underground water, gas, or wastewater pipelines; and
- 9015 21. Vector waste receiving facility.
- 9016 D. In the NB zone in the Skyway Business District unincorporated activity
- 9017 center:
- 9018 1. Allowed uses shall be those uses allowed in the underlying zone, excluding
- 9019 the following:
- 9020 a. automotive repair;
- 9021 b. automotive service;
- 9022 c. gasoline service stations;
- 9023 d. uses with drive-through facilities;
- 9024 e. vector waste receiving facility;
- 9025 f. self-service storage;
- 9026 g. cemetery, columbarium, or mausoleum;
- 9027 h. automobile parking, unless accessory to a permitted primary use occurring on
- 9028 the property; and
- 9029 i. interim recycling facility; and
- 9030 2. In addition to the uses permitted in the underlying zone, the following uses
- 9031 shall also be permitted:
- 9032 a. apparel and accessory stores;
- 9033 b. furniture and home furnishings stores;

Ordinance 19881

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- 9034 c. Used goods: antiques/secondhand shops; and  
 9035 d. Jewelry stores; and  
 9036 3. The maximum size for an individual ground floor commercial space shall be  
 9037 one thousand square feet per tenant.

9038 NEW SECTION. SECTION 198.

9039 A.1. This section establishes the density and dimensional standards for residential  
 9040 zones in Skyway-West Hill. Measurement methods are identified in K.C.C. chapter  
 9041 21A.12.

9042 2. The matrix identifies zones in the vertical columns and corresponding  
 9043 development standards for each zone are in the horizontal rows. The matrix cells contain  
 9044 the minimum dimensional requirements of the zone.

9045 3. The parenthetical numbers in the matrix identify conditions, requirements,  
 9046 notes, or modifiers that correspond to the text in subsection B. of this section. A blank  
 9047 cell indicates that there are no specific requirements. If more than one standard appears  
 9048 in a cell, each standard shall be applicable to any applicable parenthetical number.

<b>Skyway-West Hill Residential Density and Dimensional Standards</b>							
<b>STANDARDS</b>	<b>R-4</b>	<b>R-6</b>	<b>R-8</b>	<b>R-12</b>	<b>R-18</b>	<b>R-24</b>	<b>R-48</b>
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 (1)	5 du/ac (10) 6 du/ac (2)	7.5 du/ac (10) 9	10 du/ac (10) 12	15 du/ac (10) 18	22.5 du/ac (10) 27	30 du/ac (10) 36	60 du/ac (10) 72

Ordinance 19881

	10 du/ac (3)	du/ac (2) 15 du/ac (3)	du/ac (2) 24 du/ac (3)	du/ac (2) 30 du/ac (3)	du/ac (2) 45 du/ac (3)	du/ac (2) 60 du/ac (3)	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	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft

Ordinance 19881

Setback (5)							
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%

9049 B. Development conditions for the Skyway-West Hill residential density and  
 9050 dimensional standards.

9051 1. Density applies only to dwelling units and not to sleeping units.

9052 2. This maximum density is allowed in the following circumstances:

9053 a. for a duplex through a transfer of development right in accordance with

Ordinance 19881

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9054 K.C.C. 21A.08.030.B.12.;

9055 b. for a development with nine or fewer units through a transfer of

9056 development rights; or

9057 c. for a development with nine or fewer units on a site located within a half-

9058 mile watershed of a high-capacity or frequent transit stop as mapped by the Metro transit

9059 department.

9060 3. This maximum is allowed through the inclusionary housing program in

9061 K.C.C. chapter 21A.48.

9062 4. The minimum density shall be calculated consistent with K.C.C. 21A.12.060

9063 and K.C.C. 21A.12.087.

9064 5. These standards may be modified under the provisions for zero-lot-line and

9065 townhouse developments in K.C.C. chapter 21A.14.

9066 6. The setback distance shall be measured along the center line of the driveway

9067 from the access point to such garage, carport, or fenced area to the street property line.

9068 7. This maximum height is allowed in the following circumstances:

9069 a. for a building on slopes exceeding a fifteen percent finished grade;

9070 b. through the inclusionary housing regulations in accordance with K.C.C.

9071 chapter 21A.48; or

9072 c. for a structure that provide one additional foot of street and interior setback

9073 for each foot above the base height.

9074 8.a. Portions of a nonresidential structure may exceed the base height if one

9075 additional foot of street and interior setback is provided for each foot above the base

9076 height.

Ordinance 19881

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9077            b. Netting, fencing, and related support structures used to contain golf balls on  
9078 a golf course or golf driving range are exempt from additional interior setback  
9079 requirements. In recreation and multiuse parks, golf ball netting, fencing and related  
9080 support structures shall not exceed one-hundred twenty-five feet, unless a golf ball  
9081 trajectory study requires a higher fence.

9082            9. The impervious surface maximum applies to each individual lot. Impervious  
9083 surface does not include access easements serving neighboring property and driveways to  
9084 the extent that they extend beyond the street setback due to location within an access  
9085 panhandle or due to the application of King County Code requirements to locate features  
9086 over which the applicant does not have control. Impervious surface area standards for:

9087            a. individual lots in the R-4 through R-6 zones that are less than nine thousand  
9088 seventy-six square feet in area shall be subject to the applicable provisions of the nearest  
9089 comparable R-6 or R-8 zone;

9090            b. a lot may be increased beyond the total amount allowed in this chapter  
9091 subject to approval of a conditional use permit; and

9092            c. regional uses shall be established at the time of permit review.

9093            10. This maximum density is allowed for developments with child daycares  
9094 under section 240 of this ordinance.

9095            11. For cottage housing developments only:

9096            a. the base height is twenty-five feet; and

9097            b. buildings that have pitched roofs with a minimum slope of six over twelve  
9098 may achieve a maximum height of thirty feet at the ridge of the roof.

9099            12. Reserved.

Ordinance 19881

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9100           13. The street and interior setbacks for nonresidential development, except for  
9101 fences and backstops, are as follows:

9102           a. nonresidential uses with less than two thousand five hundred square feet of  
9103 floor area shall be subject to the setbacks of the underlying zone;

9104           b. government and institutional uses shall be thirty feet;

9105           c. battery energy storage systems not defined as accessory uses under K.C.C.  
9106 21A.06.015, 21A.06.020, or 21A.06.025 shall be thirty feet;

9107           d. regional uses shall be established at the time of permit review;

9108           e. utility facilities shall be subject to the setbacks of the underlying zone;

9109           f. where a setback is identified for a specific land use in the applicable zone,  
9110 that setback shall apply; and

9111           g. all other nonresidential development exceeding two thousand five hundred  
9112 square feet of floor area shall be fifteen feet.

9113           NEW SECTION. SECTION 199.

9114           A.1. This section establishes the density and dimensional standards for  
9115 commercial and industrial zones in in Skyway-West Hill. Measurement methods are  
9116 identified in K.C.C. chapter 21A.12.

9117           2. The matrix identifies zones in the vertical columns and corresponding  
9118 development standards for each zone are in the horizontal rows. The matrix cells contain  
9119 the minimum dimensional requirements of the zone.

9120           3. The parenthetical numbers in the matrix identify conditions, requirements,  
9121 notes, or modifiers that correspond to the text in subsection B. of this section. A blank  
9122 cell indicates that there are no specific requirements. If more than one standard appears

Ordinance 19881

9123 in a cell, each standard shall be applicable to any applicable parenthetical number.

<b>Skyway-West Hill Commercial and Industrial Density and Dimensional Standards</b>					
<b>STANDARDS</b>	<b>NB</b>	<b>CB</b>	<b>RB</b>	<b>O</b>	<b>I</b>
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	



Ordinance 19881

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%

9124 B. Development conditions for the Skyway-West Hill commercial and industrial

9125 density and dimensional standards.

9126 1.a. Density applies only to dwelling units and not to sleeping units.

9127 b. These densities are allowed only:

9128 (1) for mixed-use developments; or

9129 (2) standalone townhouses on property zoned NB and designated commercial  
9130 outside of center.

9131 2. This maximum density is allowed in the following circumstances:

9132 a. for a mixed-use development with nine or fewer units through a transfer of  
9133 development rights; or

9134 b. for a mixed-use development with nine or fewer units on a site located  
9135 within a half-mile walkshed of a high-capacity or frequent transit stop as mapped by the  
9136 Metro transit department.

9137 3. This maximum is allowed for a mixed-use development through the  
9138 inclusionary housing program in K.C.C. chapter 21A.48.

9139 4. Gasoline service station pump islands shall be placed no closer than twenty-

Ordinance 19881

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9140 five feet to street property lines.

9141 5.a. Required on property lines adjoining RA, UR, and R zones.

9142 b. Required on property lines adjoining R zones for industrial uses established  
9143 by conditional use permits.

9144 c. Required on property lines adjoining R zones unless a standalone townhouse  
9145 development on property designated commercial outside of center is adjacent to a  
9146 property developed with an existing townhouse development.

9147 d. Required on property lines adjoining R zones only for a social service agency  
9148 office reusing a residential structure in existence on January 1, 2010.

9149 6. Developments under the inclusionary housing program in K.C.C. chapter  
9150 21A.48 shall not be subject to a floor area ratio maximum.

9151 7. This maximum height allowed only for:

9152 a. mixed-use developments; and

9153 b. standalone townhouse development in the NB zone on property designated  
9154 commercial outside of center.

9155 8.a. Portions of a nonresidential structure may exceed the base height if one  
9156 additional foot of street and interior setback is provided for each foot above the base  
9157 height.

9158 b. Netting, fencing, and related support structures used to contain golf balls on  
9159 a golf course or golf driving range are exempt from additional interior setback  
9160 requirements. In recreation and multiuse parks, golf ball netting, fencing, and related  
9161 support structures shall not exceed one-hundred twenty-five feet, unless a golf ball  
9162 trajectory study requires a higher fence.

Ordinance 19881

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9163           9. The impervious surface area may be increased beyond the total amount  
9164 allowed in this chapter subject to approval of a conditional use permit.

9165           10. Additional floor area ratio is allowed for developments with child daycares  
9166 under section 240 of this ordinance.

9167           11. Upper-level step backs are required for any facade facing a pedestrian street  
9168 for any portion of the structure greater than forty-five feet in height. The upper-level step  
9169 back shall be at least one foot for every two feet of height above forty-five feet, up to a  
9170 maximum of ten feet. The first four feet of horizontal projection of decks, balconies with  
9171 open railings, eaves, cornices, and gutters are allowed in required step backs.

9172           NEW SECTION. SECTION 200.

9173           A. The landscaping standards in K.C.C. chapter 21A.16 shall apply, except as  
9174 provided in this section.

9175           B. In the Skyway unincorporated activity center, perimeter landscaping along  
9176 streets may be waived, if street trees and other pedestrian-related amenities are provided.

9177           NEW SECTION. SECTION 201.

9178           A. The parking standards in K.C.C. chapter 21A.18 shall apply, except as  
9179 provided in this section.

9180           B. In the CB zone of the Skyway unincorporated activity center, relief from  
9181 K.C.C. 21A.18.110.A.4. that may be granted by the director shall only allow use of on-  
9182 street parallel parking in front of or adjacent to the subject parcel for the parking spaces  
9183 that cannot be accommodated to the rear or sides of buildings.

9184           C. In the NB zone of the Skyway unincorporated activity center:

9185           a. required off-street parking and access shall be to rear or side of building; and

Ordinance 19881

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9186           b. on-street parking within two hundred and fifty feet of the site may be counted  
9187 toward the off-street parking requirement for the commercial uses.

9188           NEW SECTION. SECTION 202.

9189           A. In the NB and O zones in Skyway-West Hill, the following design standards  
9190 apply:

9191           1. Main building entrances shall be oriented to public streets;  
9192           2. Building facades of ground floor retail, general business service, and  
9193 professional office land uses that front onto a street shall incorporate windows into at  
9194 least thirty percent of the building facade surface area and overhead protection above all  
9195 building entryways;

9196           3. Building shall comprise at least seventy-five percent of the total street  
9197 frontage for a property and if applicable, at least seventy-five percent of the total  
9198 pedestrian route frontage for a property;

9199           4. Buildings facades shall not be comprised of uninterrupted glass curtain walls  
9200 or mirrored glass;

9201           5. For developments on Rainier Avenue S, vehicle access shall be limited to the  
9202 rear access alley or rear access street where such an alley or street exists; and

9203           6. For developments on Rainier Avenue S, the ground floor (at grade) of  
9204 buildings shall be located no more than five feet from the sidewalk or sidewalk  
9205 improvement, but shall not encroach on the public right-of-way. For buildings existing  
9206 before August 20, 2020, with setbacks greater than five feet and that have substantial  
9207 improvements made to them after August 20, 2020, a minimum five-foot-wide pedestrian

Ordinance 19881

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9208 walkway shall be constructed that connects the main building entrance to the public  
9209 sidewalk or sidewalk improvement.

9210 B. In the CB zone in the Skyway unincorporated activity center, the following  
9211 design standards apply:

9212 1. Main building entrances shall be oriented to the public street;

9213 2. At the ground floor (at grade), buildings shall be located no more than five  
9214 feet from the sidewalk or sidewalk improvement, but shall not encroach on the public  
9215 right-of-way. For buildings existing before August 20, 2020, with setbacks greater than  
9216 five feet and that have substantial improvements made to them after August 20, 2020, a  
9217 minimum five-foot-wide pedestrian walkway shall be constructed that connects the main  
9218 building entrance to the public sidewalk or sidewalk improvement;

9219 3. Building facades shall comprise at least seventy-five percent of the total street  
9220 frontage for a property and if applicable, at least seventy-five percent of the total  
9221 pedestrian route frontage for a property;

9222 4. Minimum setbacks of the underlying zoning are waived;

9223 5. Building facades that front onto a street shall incorporate windows into at  
9224 least thirty percent of the building facade surface area and overhead protection above all  
9225 building entrances and along at least fifty percent of length of the building facade, which  
9226 may extend over the sidewalk if it does not impede use of the sidewalk by the public;

9227 6. Ground floor building facades shall include ornamentation such as decorative  
9228 architectural treatments or finishes, pedestrian scale lighting, and window and door trim;

9229 7. Buildings facades shall not be comprised of uninterrupted glass curtain walls  
9230 or mirrored glass; and

Ordinance 19881

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9231           8. Vehicle access shall be limited to the rear access alley or rear access street  
9232 where such an alley or street exists.

9233           SECTION 203. Sections 204 through 208 of this ordinance should constitute a  
9234 new chapter in K.C.C. Title 21A, to follow the chapter established in section 195 of this  
9235 ordinance.

9236           NEW SECTION. SECTION 204.

9237           A. This chapter contains regulations for the urban area outside of Skyway-West  
9238 Hill and North Highline subarea geographies.

9239           B. All developments in the urban area are subject to the development standards in  
9240 this chapter and as supplemented by this title.

9241           C. Where a conflict exists, the standards in this chapter shall apply except for the  
9242 following:

- 9243           1. K.C.C. chapter 21A.23, sea level rise risk area;
- 9244           2. K.C.C. chapter 21A.24, critical areas;
- 9245           3. K.C.C. chapter 21A.25, shorelines; and
- 9246           4. Special district overlays, p-suffix conditions, or demonstration projects.

9247           NEW SECTION. SECTION 205.

9248           A.1. This section establishes the density and dimensional standards for residential  
9249 zones in the urban area outside of North Highline and Skyway-West Hill. Measurement  
9250 methods are identified in K.C.C. chapter 21A.12.

9251           2. The matrix identifies zones in the vertical columns and corresponding  
9252 development standards for each zone are in the horizontal rows. The matrix cells contain  
9253 the minimum dimensional requirements of the zone.

Ordinance 19881

9254 3. The parenthetical numbers in the matrix identify conditions, requirements,  
 9255 notes, or modifiers that correspond to the text in subsection B. of this section. A blank  
 9256 cell indicates that there are no specific requirements. If more than one standard appears  
 9257 in a cell, each standard shall be applicable to any applicable parenthetical number.

<b>Urban Area Residential Density and Dimensional Standards</b>									
<b>STANDARD</b>	<b>UR</b>	<b>R-1</b>	<b>R-4</b>	<b>R-6</b>	<b>R-8</b>	<b>R-12</b>	<b>R-18</b>	<b>R-24</b>	<b>R-48</b>
<b>S</b>		<b>(14)</b>							
		<b>(15)</b>							
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)		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			12 du/ac	12 du/ac	12 du/ac	12 du/ac	18 du/ac	24 du/ac	48 du/ac

Ordinance 19881

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Communities									
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	35 ft	35 ft	35 ft	35 ft	35 ft	60 ft	60 ft	60 ft	60 ft



Ordinance 19881

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(11a)									
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%

9258 B. Development conditions for the urban area residential density and dimensional  
 9259 standards.

- 9260 1. Density applies only to dwelling units and not to sleeping units.
- 9261 2. This maximum density is allowed in the following circumstances:
- 9262 a. for a duplex through a transfer of development right in accordance with
- 9263 K.C.C. 21A.08.030.B.12.;
- 9264 b. for a development with nine or fewer units through a transfer of
- 9265 development rights; or
- 9266 c. for a development with nine or fewer units on a site located within a half-

Ordinance 19881

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9267 mile watershed of a high-capacity or frequent transit stop as mapped by the Metro transit  
9268 department.

9269           3. This maximum is allowed through the inclusionary housing program in  
9270 K.C.C. chapter 21A.48.

9271           4. The minimum density shall be calculated consistent with K.C.C. 21A.12.060  
9272 and K.C.C. 21A.12.087.

9273           5. These standards may be modified under the provisions for zero-lot-line and  
9274 townhouse developments in K.C.C. chapter 21A.14.

9275           6. The setback distance shall be measured along the center line of the driveway  
9276 from the access point to such garage, carport, or fenced area to the street property line.

9277           7. This maximum height is allowed in the following circumstances:

9278           a. for a building on slopes exceeding a fifteen percent finished grade;

9279           b. through the inclusionary housing regulations in accordance with K.C.C.  
9280 chapter 21A.48; or

9281           c. for a structure that provide one additional foot of street and interior setback  
9282 for each foot above the base height.

9283           8.a. Portions of a nonresidential structure may exceed the base height if one  
9284 additional foot of street and interior setback is provided for each foot above the base  
9285 height.

9286           b. Netting, fencing, and related support structures used to contain golf balls on  
9287 a golf course or golf driving range are exempt from additional interior setback  
9288 requirements. In recreation and multiuse parks, golf ball netting, fencing and related  
9289 support structures shall not exceed one-hundred twenty-five feet, unless a golf ball

Ordinance 19881

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9290 trajectory study requires a higher fence.

9291           9. The impervious surface maximum applies to each individual lot. Impervious  
9292 surface does not include access easements serving neighboring property and driveways to  
9293 the extent that they extend beyond the street setback due to location within an access  
9294 panhandle or due to the application of King County Code requirements to locate features  
9295 over which the applicant does not have control. Impervious surface area standards for:

9296           a. individual lots in the R-4 through R-6 zones that are less than nine thousand  
9297 seventy-six square feet in area shall be subject to the applicable provisions of the nearest  
9298 comparable R-6 or R-8 zone;

9299           b. a lot may be increased beyond the total amount allowed in this chapter  
9300 subject to approval of a conditional use permit; and

9301           c. regional uses shall be established at the time of permit review.

9302           10. This maximum density is allowed for developments with child daycares  
9303 under section 240 of this ordinance.

9304           11. For cottage housing developments only:

9305           a. the base height is twenty-five feet; and

9306           b. buildings that have pitched roofs with a minimum slope of six over twelve  
9307 may achieve a maximum height of thirty feet at the ridge of the roof.

9308           12.a. Lots smaller than one-half acre shall comply with the standards of the  
9309 nearest comparable R-4 through R-8 zone.

9310           b. Lots that are one-half acre or larger shall have a maximum impervious  
9311 surface area of at least ten thousand square feet.

9312           c. Lots over one acre may have an additional five percent for buildings related

Ordinance 19881

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9313 to agricultural or forestry practices.

9314 d. Lots between one-half acre and two acres may have an additional ten  
9315 percent for structures that are determined to be medically necessary consistent with  
9316 K.C.C. 21A.32.170.

9317 13. The street and interior setbacks for nonresidential development, except for  
9318 fences and backstops, are as follows:

9319 a. nonresidential uses with less than two thousand five hundred square feet of  
9320 floor area shall be subject to the setbacks of the underlying zone;

9321 b. government and institutional uses shall be thirty feet;

9322 c. battery energy storage systems not defined as accessory uses under K.C.C.  
9323 21A.06.015, 21A.06.020, or 21A.06.025 shall be thirty feet;

9324 d. regional uses shall be established at the time of permit review;

9325 e. utility facilities shall be subject to the setbacks of the underlying zone;

9326 f. where a setback is identified for a specific land use in the applicable zone,  
9327 that setback shall apply; and

9328 g. all other nonresidential development exceeding two thousand five hundred  
9329 square feet of floor area shall be fifteen feet.

9330 14.a. Clustering in accordance with K.C.C. 21A.14.040 shall be required for  
9331 subdivisions and short subdivisions in the R-1 zone if the property is located within or  
9332 contains one or more of the following:

9333 (1) alluvial fan hazard areas;

9334 (2) critical aquifer recharge area;

9335 (3) moderate or severe coal mine hazard areas;

Ordinance 19881

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- 9336 (4) flood hazard areas;
- 9337 (5) landslide hazard areas;
- 9338 (6) the riparian area of a type S or F aquatic area;
- 9339 (7) steep slope hazard area;
- 9340 (8) category I or II wetlands or their buffers;
- 9341 (9) existing or planned public parks or trails, or connections to such facilities;

9342 or

- 9343 (10) an urban separator or wildlife habitat network designated by the
- 9344 Comprehensive Plan.

9345 b. The development shall be clustered away from critical areas or the axis of  
9346 designated corridors such as urban separators or the wildlife habitat network to the extent  
9347 possible and the natural area shall be placed in a separate tract. Natural area tracts shall  
9348 be permanent and shall be dedicated to a homeowners association or other suitable  
9349 organization, as determined by the director, and meet the requirements in K.C.C.

9350 21A.14.040. On-site critical area and buffers and designated urban separators shall be  
9351 placed within the natural area tract to the extent possible. Passive recreation, with no  
9352 development of recreational facilities, and natural-surface pedestrian and equestrian trails  
9353 are acceptable uses within the natural area tract.

9354 15. Height and setback requirements shall not apply to regional transit authority  
9355 facilities.

9356 16. Lots smaller than fifteen thousand square feet shall comply with standards  
9357 of the R-4 zone.

9358 17. Subdivisions and short subdivisions in R-1 and RA zones within the North

Ordinance 19881

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9359 Fork and Upper Issaquah Creek subbasins of the Issaquah Creek Basin, as identified in  
9360 the Issaquah Creek Basin and Nonpoint Action Plan, and the portion of the Grand Ridge  
9361 area of the Snoqualmie Valley/Northeast King County subarea geography that drains to  
9362 Patterson Creek shall have a maximum impervious surface area of eight percent. The  
9363 maximum impervious surface area for each lot shall be recorded on the face of the plat.  
9364 The impervious surface of roads is excluded from the maximum impervious area. Where  
9365 both lot- and plat-specific impervious surface limits apply, the more restrictive shall  
9366 apply.

9367           18. Base density may be exceeded if the property is located in a designated  
9368 Urban Growth Area for Cities in the Rural Area and each proposed lot contains an  
9369 occupied legal residence that predates 1959.

9370           NEW SECTION. SECTION 206.

9371           A.1. This section establishes the density and dimensional standards for  
9372 commercial and industrial zones in the urban area outside of North Highline and Skyway-  
9373 West Hill. Measurement methods are identified in K.C.C. chapter 21A.12.

9374           2. The matrix identifies zones in the vertical columns and corresponding  
9375 development standards for each zone are in the horizontal rows. The matrix cells contain  
9376 the minimum dimensional requirements of the zone.

9377           3. The parenthetical numbers in the matrix identify conditions, requirements,  
9378 notes, or modifiers that correspond to the text in subsection B. of this section. A blank  
9379 cell indicates that there are no specific requirements. If more than one standard appears  
9380 in a cell, each standard shall be applicable to any applicable parenthetical number.

Ordinance 19881

<b>Urban Area Commercial and Industrial Density and Dimensional Standards</b>					
<b>STANDARDS</b>	<b>NB</b>	<b>CB</b>	<b>RB</b>	<b>O</b>	<b>I</b>
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	2/1	3.5/1	4/1	4/1	

Ordinance 19881

Ratio (6) (10)					
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%

9381 B. Development conditions for the urban area commercial and residential density  
 9382 and dimensional standards.

9383 1.a. Density applies only to dwelling units and not to sleeping units.

9384 b. These densities are allowed only:

9385 (1) for mixed-use developments; or

9386 (2) standalone townhouses on property zoned NB and designated commercial  
 9387 outside of center.

9388 2. This maximum density is allowed in the following circumstances:

9389 a. for a mixed-use development with nine or fewer units through a transfer of  
 9390 development rights; or

9391 b. for a mixed-use development with nine or fewer units on a site located  
 9392 within a half-mile walkshed of a high-capacity or frequent transit stop as mapped by the  
 9393 Metro transit department.

9394 3. This maximum is allowed for a mixed-use development through the  
 9395 inclusionary housing program in K.C.C. chapter 21A.48.

9396 4. Gasoline service station pump islands shall be placed no closer than twenty-



Ordinance 19881

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- 9397 five feet to street property lines.
- 9398           5.a. Required on property lines adjoining RA, UR, and R zones.
- 9399           b. Required on property lines adjoining RA, UR, and R zones for industrial
- 9400 uses established by conditional use permits.
- 9401           c. Required on property lines adjoining R zones unless a standalone townhouse
- 9402 development on property designated commercial outside of center is adjacent to a
- 9403 property developed with an existing townhouse development.
- 9404           d. Required on property lines adjoining R zones only for a social service
- 9405 agency office reusing a residential structure in existence on January 1, 2010.
- 9406           6. Developments under the inclusionary housing program in K.C.C. chapter
- 9407 21A.48 shall not be subject to a floor area ratio maximum.
- 9408           7. This maximum height allowed only for:
- 9409           a. mixed-use developments; and
- 9410           b. standalone townhouse development in the NB zone on property designated
- 9411 commercial outside of center.
- 9412           8.a. Portions of a nonresidential structure may exceed the base height if one
- 9413 additional foot of street and interior setback is provided for each foot above the base
- 9414 height.
- 9415           b. Netting, fencing, and related support structures used to contain golf balls on
- 9416 a golf course or golf driving range are exempt from additional interior setback
- 9417 requirements. In recreation and multiuse parks, golf ball netting, fencing, and related
- 9418 support structures shall not exceed one-hundred twenty-five feet, unless a golf ball
- 9419 trajectory study requires a higher fence.

Ordinance 19881

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9420           9. The impervious surface area may be increased beyond the total amount  
9421 allowed in this chapter subject to approval of a conditional use permit.

9422           10. Additional floor area ratio is allowed for developments with child daycares  
9423 under section 240 of this ordinance.

9424           11. Upper-level step backs are required for any facade facing a pedestrian street  
9425 for any portion of the structure greater than forty-five feet in height. The upper-level step  
9426 back shall be at least one foot for every two feet of height above forty-five feet, up to a  
9427 maximum of ten feet. The first four feet of horizontal projection of decks, balconies with  
9428 open railings, eaves, cornices, and gutters are allowed in required step backs.

9429           NEW SECTION. SECTION 207. The landscaping standards in K.C.C. chapter  
9430 21A.16 shall apply.

9431           NEW SECTION. SECTION 208. The parking standards in K.C.C. chapter  
9432 21A.18 shall apply.

9433           SECTION 209. Sections 210 through 216 of this ordinance should constitute a  
9434 new chapter in K.C.C. Title 21A, to follow the chapter established in section 203 of this  
9435 ordinance.

9436           NEW SECTION. SECTION 210.

9437           A. This chapter contains regulations for the Snoqualmie Pass and Vashon Rural  
9438 Towns.

9439           B. All developments in the Snoqualmie Pass and Vashon Rural Towns are subject  
9440 to the development standards in this chapter and as supplemented by this title.

9441           C. Where a conflict exists, the standards in this chapter shall apply except for the  
9442 following:

Ordinance 19881

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- 9443 1. K.C.C. chapter 21A.23, sea level rise risk area;
- 9444 2. K.C.C. chapter 21A.24, critical areas;
- 9445 3. K.C.C. chapter 21A.25, shorelines; and
- 9446 4. Special district overlays, p-suffix conditions, or demonstration projects.

9447 NEW SECTION. SECTION 211.

9448 A. The allowed uses in K.C.C. chapter 21A.08 shall apply, except as provided in

9449 this section.

9450 B. Formula businesses are prohibited in the Vashon Rural Town, except that

9451 formula businesses classified as general business service, food stores, or building

9452 materials and hardware stores are allowed as noted in this section.

9453 C. In the CB zone of the Vashon Rural Town, the allowed uses in K.C.C. chapter

9454 21A.08 are replaced with the uses in this subsection. Where one or more development

9455 conditions is identified in a land use table in K.C.C. chapter 21A.08 for a specific use in

9456 the CB zone, they shall also apply to the following uses:

- 9457 1. Residential land uses:
- 9458 a. as a permitted use:
- 9459 (1) townhouses;
- 9460 (2) apartments;
- 9461 (3) senior assisted housing; and
- 9462 (4) home occupations under K.C.C. chapter 21A.30;
- 9463 2. Recreational and cultural land uses:
- 9464 a. as a permitted use:
- 9465 (1) park;

Ordinance 19881

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- 9466 (2) theater;
- 9467 (3) bowling center;
- 9468 (4) library;
- 9469 (5) museum;
- 9470 (6) arboretum; and
- 9471 (7) conference center;
- 9472 b. as a conditional use:
  - 9473 (1) community center;
- 9474 3. Health care services and residential care services land uses:
  - 9475 a. as a permitted use:
    - 9476 (1) doctor's office/outpatient clinic;
    - 9477 (2) medical or dental lab;
    - 9478 (3) social services;
    - 9479 (4) nursing and personal care facilities;
    - 9480 (5) hospital; and
    - 9481 (6) community residential facility I and II;
- 9482 4. Personal services and temporary lodging land uses:
  - 9483 a. as a permitted use:
    - 9484 (1) beauty and barber shops;
    - 9485 (2) shoe repair shops;
    - 9486 (3) laundry, cleaning, and garment services;
    - 9487 (4) drycleaners and garment pressing;
    - 9488 (5) carpet and upholstery cleaning;

Ordinance 19881

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- 9489 (6) sports club;
- 9490 (7) specialized instruction school;
- 9491 (8) funeral home/crematory;
- 9492 (9) daycare I;
- 9493 (10) daycare II;
- 9494 (11) automotive repair;
- 9495 (12) miscellaneous repair;
- 9496 (13) religious facility;
- 9497 (14) veterinary clinic;
- 9498 (15) commercial kennel;
- 9499 (16) interim recycling facility;
- 9500 (17) hotel/motel;
- 9501 (18) bed and breakfast guesthouse;
- 9502 (19) industrial launderers;
- 9503 (20) drycleaning plants; and
- 9504 (21) theatrical production services;
- 9505 5. Government and education land uses:
- 9506 a. as a permitted use:
- 9507 (1) public agency or utility office;
- 9508 (2) police facility;
- 9509 (3) utility facility;
- 9510 (4) private stormwater management facility;
- 9511 (5) commuter parking lot; and

Ordinance 19881

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- 9512 (6) secondary or high school;
- 9513 6. Business services land uses:
  - 9514 a. as a permitted use:
    - 9515 (1) individual transportation and taxi;
    - 9516 (2) trucking and courier service;
    - 9517 (3) self-service storage;
    - 9518 (4) passenger transportation service;
    - 9519 (5) telegraph and other communications (excluding towers);
    - 9520 (6) general business service;
    - 9521 (7) professional office;
    - 9522 (8) miscellaneous equipment rental;
    - 9523 (9) automotive parking; and
    - 9524 (10) commercial/industrial accessory uses (administrative offices, employee
    - 9525 exercise and food service facilities, storage of agricultural raw materials or products
    - 9526 manufactured on-site, owner/caretaker residence, grounds maintenance);
  - 9527 7. Retail land uses:
    - 9528 a. as a permitted use:
      - 9529 (1) building materials and hardware stores;
      - 9530 (2) retail nursery, garden center, and farm supply stores;
      - 9531 (3) department and variety stores;
      - 9532 (4) food stores;
      - 9533 (5) farmers market;
      - 9534 (6) auto supply stores;

Ordinance 19881

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- 9535 (7) apparel and accessory stores;
- 9536 (8) furniture and home furnishings stores;
- 9537 (9) eating and drinking places;
- 9538 (10) remote tasting rooms;
- 9539 (11) drug stores;
- 9540 (12) liquor stores;
- 9541 (13) used goods: antiques/secondhand shops;
- 9542 (14) sporting goods and related stores;
- 9543 (15) book, stationery, video, and art supply stores;
- 9544 (16) jewelry stores;
- 9545 (17) hobby, toy, game shops;
- 9546 (18) photographic and electronic shops;
- 9547 (19) photographic and electronic shops;
- 9548 (20) fabric shops;
- 9549 (21) florist shops;
- 9550 (22) personal medical supply stores;
- 9551 (23) pet shops; and
- 9552 (24) cannabis retailer;
- 9553 8. Manufacturing land uses:
- 9554 a. as a permitted use:
- 9555 (1) cannabis processor I;
- 9556 (2) printing and publishing; and
- 9557 (3) winery/brewery/distillery; and

Ordinance 19881

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9558 9. Regional land uses:

9559 a. as a permitted use:

9560 (1) wastewater treatment facility.

9561 D. In the I zone of the Vashon Rural Town, the allowed uses in K.C.C. chapter

9562 21A.08 are replaced with the uses in this subsection. Where one or more development

9563 conditions is identified in a land use table in K.C.C. chapter 21A.08 for a specific use in

9564 the I zone, they shall also apply to the following uses.

9565 1. Recreational and cultural land uses:

9566 a. as a permitted use:

9567 (1) Park;

9568 (2) Trails;

9569 (3) Campgrounds;

9570 (4) Theater;

9571 (5) Bowling Center;

9572 (6) Amusement and recreation services; and

9573 (7) Museum;

9574 2. Health care services and residential care services land uses:

9575 a. as a permitted use:

9576 (1) doctor's office/outpatient clinic; and

9577 (2) medical or dental lab;

9578 3. Personal services and temporary lodging land uses:

9579 a. as a permitted use:

9580 (1) specialized instruction school;



Ordinance 19881

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- 9581 (2) beauty and barber shops;
- 9582 (3) shoe repair shops;
- 9583 (4) laundry, cleaning and garment services;
- 9584 (5) drycleaners and garment pressing;
- 9585 (6) carpet and upholstery cleaning;
- 9586 (7) daycare I;
- 9587 (8) daycare II;
- 9588 (9) veterinary clinic, subject to K.C.C. 21A.08.050.B.10.;
- 9589 (10) automotive repair;
- 9590 (11) automotive service;
- 9591 (12) miscellaneous repair;
- 9592 (13) animal specialty services;
- 9593 (14) dog training facilities;
- 9594 (15) artist studios; and
- 9595 (16) interim recycling facility;
- 9596 4. Government and education land uses:
  - 9597 a. as a permitted use:
    - 9598 (1) public agency or utility office;
    - 9599 (2) public agency or utility yard;
    - 9600 (3) public agency archives;
    - 9601 (4) police facility;
    - 9602 (5) fire facility;
    - 9603 (6) utility facility;

Ordinance 19881

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- 9604 (7) commuter parking lot;
- 9605 (8) private stormwater management facility;
- 9606 (9) vector waste receiving facility;
- 9607 (10) vocational school; and
- 9608 (11) school district support facility;
- 9609 5. Business services land uses:
- 9610 a. as a permitted use:
- 9611 (1) individual transportation and taxi;
- 9612 (2) self-service storage;
- 9613 (3) farm product warehousing, refrigeration, and storage;
- 9614 (4) communication offices;
- 9615 (5) telegraph and other communications;
- 9616 (6) general business service;
- 9617 (7) professional office;
- 9618 (8) outdoor advertising service;
- 9619 (9) automotive rental and leasing;
- 9620 (10) automotive parking;
- 9621 (11) off-street required parking lot;
- 9622 (12) construction and trade;
- 9623 (13) warehousing and wholesale trade;
- 9624 (14) log storage;
- 9625 (15) transportation service;
- 9626 (16) trucking and courier service;

Ordinance 19881

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- 9627 (17) freight and cargo service;
- 9628 (18) miscellaneous equipment rental;
- 9629 (19) research, development, and testing;
- 9630 (20) heavy equipment and truck repair;
- 9631 (21) commercial/industrial accessory uses (administrative offices, employee
- 9632 exercise and food service facilities, storage of agricultural raw materials or products
- 9633 manufactured on-site, owner/caretaker residence, grounds maintenance); and
- 9634 (22) helistop, as a conditional use;
- 9635 6. Retail land uses:
- 9636 a. as a permitted use:
- 9637 (1) food stores;
- 9638 (2) agricultural product sales;
- 9639 (3) farmers market;
- 9640 (4) motor vehicles and boat dealers;
- 9641 (5) auto supply stores;
- 9642 (6) gasoline service stations;
- 9643 (7) eating and drinking places;
- 9644 (8) sporting goods and related stores;
- 9645 (9) fuel dealers;
- 9646 (10) auction houses; and
- 9647 (11) livestock sales;
- 9648 7. Manufacturing land uses:
- 9649 a. as a permitted use:

Ordinance 19881

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- 9650 (1) food and kindred products;
- 9651 (2) winery/brewery/distillery facility II;
- 9652 (3) winery/brewery/distillery facility III;
- 9653 (4) materials processing facility;
- 9654 (5) textile mill products;
- 9655 (6) apparel and other textile products;
- 9656 (7) wood products, except furniture;
- 9657 (8) furniture and fixtures;
- 9658 (9) paper and allied products, limited to ten thousand square feet;
- 9659 (10) printing and publishing;
- 9660 (11) cannabis processor ii;
- 9661 (12) leather and leather goods, limited to ten thousand square feet;;
- 9662 (13) stone, clay, glass, and concrete products, limited to ten thousand square
- 9663 feet;
- 9664 (14) fabricated metal products;
- 9665 (15) industrial and commercial machinery;
- 9666 (16) computer and office equipment;
- 9667 (17) electronic and other electric equipment;
- 9668 (18) measuring and controlling instruments;
- 9669 (19) miscellaneous light manufacturing; and
- 9670 (20) aircraft, ship, and boat building, limited to small boats under 30 feet
- 9671 length;
- 9672 8. Resource land uses:

Ordinance 19881

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- 9673 a. as a permitted use:
- 9674 (1) growing and harvesting crops;
- 9675 (b) raising livestock and small animals, excluding feed lots and auctions;
- 9676 (c) cannabis producer;
- 9677 (d) growing and harvesting forest production;
- 9678 (e) forest research;
- 9679 (f) hatchery/fish preserve;
- 9680 (g) aquaculture; and
- 9681 (h) resource accessory uses;
- 9682 9. Regional land uses:
- 9683 a. as a permitted use:
- 9684 (1) public agency animal control facility;
- 9685 (2) public agency training facility;
- 9686 (3) renewable energy generation facility;
- 9687 (4) communication facility;
- 9688 (5) municipal water production;
- 9689 (6) airport/heliport, limited to heliports only;
- 9690 (7) rural public infrastructure maintenance facility;
- 9691 (8) transit bus base;
- 9692 (9) transit comfort facility;
- 9693 (10) school bus base; and
- 9694 (11) fairground.

Ordinance 19881

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9695           2. Uses shall not require substantial investments in infrastructure, such as water,  
9696 sewers, or transportation, or facilities that generate substantial volumes of heavy gross-  
9697 weight truck trips.

9698           3. Developments shall maintain rural character through site and building design,  
9699 buffering, and compatible commercial and industrial uses as follows:

9700           a. All uses occurring outside an enclosed building shall be screened from  
9701 adjoining residential uses in RA zones;

9702           b. The landscaping standards in K.C.C. chapter 21A.16 are modified as  
9703 follows:

9704           (1) Twenty-foot-wide Type II landscaping shall be provided along exterior  
9705 streets;

9706           (2) Twenty-foot-wide Type I landscaping shall be provided along property  
9707 lines adjacent to RA or R zoned areas; and

9708           (3) Fifteen-foot-wide Type II landscaping shall be provided along lines  
9709 adjacent to nonresidential zoned areas;

9710           c. Outdoor lighting shall be focused downward and configured to minimize  
9711 intrusion of light into surrounding RA or R-zoned areas;

9712           d. Refuse collection, recycling, and loading or delivery areas shall be located at  
9713 least one hundred feet from RA, UR, and R zones and screened with a solid view-  
9714 obscuring barrier;

9715           e. Off-street parking shall be no less than one space for every one thousand  
9716 square feet of floor area and no greater than one space for every five hundred square feet  
9717 of floor area;

Ordinance 19881

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9718 f. Sign are allowed as follows:

9719 (1) Signs shall not exceed an area of sixty-four square feet per sign;

9720 (2) Pole signs are prohibited; and

9721 (3) Signs shall not be internally illuminated; and

9722 g. The director shall approve building design, materials, and color. Buildings  
 9723 shall be designed and use accent materials such as wood and brick, nonreflective glass,  
 9724 and muted colors to be compatible with rural character.

9725 NEW SECTION. SECTION 212.

9726 A.1. This section establishes the density and dimensional standards for residential  
 9727 zones in the Snoqualmie Pass and Vashon Rural Towns. Measurement methods are  
 9728 identified in K.C.C. chapter 21A.12.

9729 2. The matrix identifies zones in the vertical columns and corresponding  
 9730 development standards for each zone are in the horizontal rows. The matrix cells contain  
 9731 the minimum dimensional requirements of the zone.

9732 3. The parenthetical numbers in the matrix identify conditions, requirements,  
 9733 notes, or modifiers that correspond to the text in subsection B. of this section. A blank  
 9734 cell indicates that there are no specific requirements. If more than one standard appears  
 9735 in a cell, each standard shall be applicable to any applicable parenthetical number.

<b>Snoqualmie Pass and Vashon Rural Towns Residential Density and Dimensional Standards</b>							
<b>STANDARD</b>	<b>R-1</b>	<b>R-4</b>	<b>R-6</b>	<b>R-8</b>	<b>R-12</b>	<b>R-18</b>	<b>R-24</b>
<b>S</b>	<b>(14)</b>						

Ordinance 19881

	<b>(15)</b>						
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)	1.5 du/ac  (2)	6 du/ac  (2)  8 du/ac  (3a)  8 du/ ac (3b)	9 du/ac  (2)  12 du/ac  (3a)  12 du/ac  (3b)	12 du/ac  (2)  16 du/ac  (3a)  16 du/ac  (3b)	18 du/ac  (2)  24 du/ac  (3a)  24 du/ac  (3b)	27 du/ac  (2)  36 du/ac  (3a)  36 du/ac  (3a)	36 du/ac  (2)  48 du/ac  (3a)  48 du/ac  (3b)
Maximum Density for Manufacture d 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 Manufacture d Home	n/a	12 du/ac	12 du/ac	12 du/ac	12 du/ac	18 du/ac	24 du/ac



Ordinance 19881

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	5 ft (16)	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft

Ordinance 19881

Setback (5)							
Nonresidential Minimum Street and Interior Setbacks	(13) (16)	(13)	(13)	(13)	(13)	(13)	(13)
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 (3b)	80 ft (3b)	80 ft (3b)
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%

9736

B. Development conditions for the Snoqualmie Pass and Vashon Rural Towns

Ordinance 19881

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9737 residential density and dimensional standards.

9738 1. Density applies only to dwelling units and not to sleeping units.

9739 2. This maximum density is allowed in the following circumstances only in the  
9740 Snoqualmie Pass Rural Town:

9741 a. for a duplex through a transfer of development right in accordance with  
9742 K.C.C. 21A.08.030.B.12.; or

9743 b. for a development with nine or fewer units through a transfer of  
9744 development rights.

9745 3.a. This maximum may be achieved through the inclusionary housing program  
9746 in K.C.C. chapter 21A.48 in the Vashon Rural Town.

9747 b. This maximum may be achieved through the inclusionary housing program in  
9748 K.C.C. chapter 21A.48 in the Snoqualmie Pass Rural Town.

9749 4. The minimum density shall be calculated consistent with K.C.C. 21A.12.060  
9750 and K.C.C. 21A.12.087.

9751 5. These standards may be modified under the provisions for zero-lot-line and  
9752 townhouse developments in K.C.C. chapter 21A.14.

9753 6. The setback distance shall be measured along the center line of the driveway  
9754 from the access point to such garage, carport, or fenced area to the street property line.

9755 7. This maximum height is allowed in the following circumstances:

9756 a. for a building on slopes exceeding a fifteen percent finished grade;

9757 b. through the inclusionary housing regulations in accordance with K.C.C.  
9758 chapter 21A.48; or

9759 c. for a structure that provide one additional foot of street and interior setback

Ordinance 19881

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9760 for each foot above the base height.

9761 8.a. Portions of a nonresidential structure may exceed the base height if one  
9762 additional foot of street and interior setback is provided for each foot above the base  
9763 height.

9764 b. Netting, fencing, and related support structures used to contain golf balls on  
9765 a golf course or golf driving range are exempt from additional interior setback  
9766 requirements. In recreation and multiuse parks, golf ball netting, fencing and related  
9767 support structures shall not exceed one-hundred twenty-five feet, unless a golf ball  
9768 trajectory study requires a higher fence.

9769 9. The impervious surface maximum applies to each individual lot. Impervious  
9770 surface does not include access easements serving neighboring property and driveways to  
9771 the extent that they extend beyond the street setback due to location within an access  
9772 panhandle or due to the application of King County Code requirements to locate features  
9773 over which the applicant does not have control. Impervious surface area standards for:

9774 a. individual lots in the R-4 through R-6 zones that are less than nine thousand  
9775 seventy-six square feet in area shall be subject to the applicable provisions of the nearest  
9776 comparable R-6 or R-8 zone;

9777 b. a lot may be increased beyond the total amount allowed in this chapter  
9778 subject to approval of a conditional use permit; and

9779 c. regional uses shall be established at the time of permit review.

9780 10. Reserved.

9781 11. For cottage housing developments only:

9782 a. the base height is twenty-five feet; and

Ordinance 19881

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9783            b. buildings that have pitched roofs with a minimum slope of six over twelve  
9784 may achieve a maximum height of thirty feet at the ridge of the roof.

9785            12.a. Lots smaller than one-half acre shall comply with the standards of the  
9786 nearest comparable R-4 through R-8 zone.

9787            b. Lots that are one-half acre or larger shall have a maximum impervious  
9788 surface area of at least ten thousand square feet.

9789            c. Lots over one acre may have an additional five percent for buildings related  
9790 to agricultural or forestry practices.

9791            d. Lots between one-half acre and two acres may have an additional ten  
9792 percent for structures that are determined to be medically necessary consistent with  
9793 K.C.C. 21A.32.170.

9794            13. The street and interior setbacks for nonresidential development, except for  
9795 fences and backstops, are as follows:

9796            a. nonresidential uses with less than two thousand five hundred square feet of  
9797 floor area shall be subject to the setbacks of the underlying zone;

9798            b. government and institutional uses shall be thirty feet;

9799            c. battery energy storage systems not defined as accessory uses under K.C.C.  
9800 21A.06.015, 21A.06.020, or 21A.06.025 shall be thirty feet;

9801            d. regional uses shall be established at the time of permit review;

9802            e. utility facilities shall be subject to the setbacks of the underlying zone;

9803            f. where a setback is identified for a specific land use in the applicable zone,  
9804 that setback shall apply; and

9805            g. all other nonresidential development exceeding two thousand five hundred

Ordinance 19881

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9806 square feet of floor area shall be fifteen feet.

9807 14.a. Clustering in accordance with K.C.C. 21A.14.040 shall be required for  
9808 subdivisions and short subdivisions in the R-1 zone if the property is located within or  
9809 contains one or more of the following:

- 9810 (1) alluvial fan hazard areas;
- 9811 (2) critical aquifer recharge area;
- 9812 (3) moderate or severe coal mine hazard areas;
- 9813 (4) flood hazard areas;
- 9814 (5) landslide hazard areas;
- 9815 (6) the riparian area of a type S or F aquatic area;
- 9816 (7) steep slope hazard area;
- 9817 (8) category I or II wetlands or their buffers;
- 9818 (9) existing or planned public parks or trails, or connections to such facilities;

9819 or

- 9820 (10) an urban separator or wildlife habitat network designated by the  
9821 Comprehensive Plan.

9822 b. The development shall be clustered away from critical areas or the axis of  
9823 designated corridors such as urban separators or the wildlife habitat network to the extent  
9824 possible and the natural area shall be placed in a separate tract. Natural area tracts shall  
9825 be permanent and shall be dedicated to a homeowners association or other suitable  
9826 organization, as determined by the director, and meet the requirements in K.C.C.  
9827 21A.14.040. On-site critical area and buffers and designated urban separators shall be  
9828 placed within the natural area tract to the extent possible. Passive recreation, with no

Ordinance 19881

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9829 development of recreational facilities, and natural-surface pedestrian and equestrian trails  
9830 are acceptable uses within the natural area tract.

9831 15. Height and setback requirements shall not apply to regional transit authority  
9832 facilities.

9833 16. Lots smaller than fifteen thousand square feet shall comply with standards  
9834 of the R-4 zone.

9835 17. Properties in the Vashon Town Core, as adopted in the Vashon-Maury  
9836 Island Community Service Area Subarea Plan in Attachment H to this ordinance, shall  
9837 have a maximum height limit of three floors. Floors above the second floor shall be step  
9838 back an additional ten feet from the street property line in this section.

9839 NEW SECTION. SECTION 213.

9840 A.1. This section establishes the density and dimensional standards for  
9841 commercial and industrial zones in the Snoqualmie Pass and Vashon Rural Towns.  
9842 Measurement methods are identified in K.C.C. chapter 21A.12.

9843 2. The matrix identifies zones in the vertical columns and corresponding  
9844 development standards for each zone are in the horizontal rows. The matrix cells contain  
9845 the minimum dimensional requirements of the zone.

9846 3. The parenthetical numbers in the matrix identify conditions, requirements,  
9847 notes, or modifiers that correspond to the text in subsection B. of this section. A blank  
9848 cell indicates that there are no specific requirements. If more than one standard appears  
9849 in a cell, each standard shall be applicable to any applicable parenthetical number.

**Snoqualmie Pass and Vashon Rural Towns Commercial and Industrial**

Ordinance 19881

<b>Density and Dimensional Standards</b>				
<b>STANDARDS</b>	<b>NB</b>	<b>CB</b>	<b>O</b>	<b>I</b>
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) 24 du/ac (3a) 96 du/ac (3b)	72 du/ac (2)	
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
Mixed-Use Maximum Height (11)	45 ft	60 ft 65 ft (3b)	65 ft	
Nonresidential Maximum Height (8)	75 ft	75 ft	75 ft	40 ft



Ordinance 19881

(11)				
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)

9850 B. Development conditions for the Snoqualmie Pass and Vashon Rural Towns  
 9851 commercial and industrial density and dimensional standards.

9852 1.a. Density applies only to dwelling units and not to sleeping units.

9853 b. These densities are allowed only for mixed-use developments.

9854 2. This maximum density is allowed for a mixed-use development with nine or  
 9855 fewer units through a transfer of development rights in the Snoqualmie Pass Rural Town.

9856 3.a. This maximum may be achieved through the inclusionary housing program  
 9857 in K.C.C. chapter 21A.48 in the Vashon Rural Town.

9858 b. This maximum may be achieved through the inclusionary housing program in  
 9859 K.C.C. chapter 21A.48 in the Snoqualmie Pass Rural Town.

9860 4. Gasoline service station pump islands shall be placed no closer than twenty-  
 9861 five feet to street property lines.

9862 5.a Required on property lines adjoining RA, UR, and R zones.

9863 b. Required on property lines adjoining R zones only for a social service agency  
 9864 office reusing a residential structure in existence on January 1, 2010.

Ordinance 19881

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9865           6. Developments under the inclusionary housing program in K.C.C. chapter  
9866 21A.48 shall not be subject to a floor area ratio maximum.

9867           7.a. This base density applies to the Vashon Rural Town.

9868           b. This base density applies to the Snoqualmie Pass Rural Town.

9869           8.a. Portions of a nonresidential structure may exceed the base height if one  
9870 additional foot of street and interior setback is provided for each foot above the base  
9871 height.

9872           b. Netting, fencing, and related support structures used to contain golf balls on  
9873 a golf course or golf driving range are exempt from additional interior setback  
9874 requirements. In recreation and multiuse parks, golf ball netting, fencing and related  
9875 support structures shall not exceed one-hundred twenty-five feet, unless a golf ball  
9876 trajectory study requires a higher fence.

9877           9. The impervious surface area may be increased beyond the total amount  
9878 allowed in this chapter subject to approval of a conditional use permit.

9879           10. Reserved.

9880           11.a. In the Snoqualmie Pass Rural Town, upper-level step backs are required  
9881 for any building façade facing a pedestrian street greater than forty-five feet in height.  
9882 The upper-level step back shall be at least one foot for every two feet of height above  
9883 forty-five feet, up to a maximum of ten feet. The first four feet of horizontal projection  
9884 of decks, balconies with open railings, eaves, cornices, and gutters are allowed in  
9885 required step backs.

9886           b. In the Vashon Town Core, as adopted in the Vashon-Maury Island  
9887 Community Service Area Subarea Plan in Attachment H to this ordinance, the maximum

Ordinance 19881

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9888 height limit is three floors. Upper-level step backs are required for any building façade  
9889 above the second floor and facing a public street. The upper-level step back shall be at  
9890 least ten feet from the street property line.

9891 12.a. Developments consisting of multiple lots shall be limited to a floor area  
9892 ratio of one and maximum impervious surface of seventy percent.

9893 b. Developments on an individual building lot be limited to a floor area of ratio  
9894 of one and twenty-five and a maximum impervious surface of eighty percent.

9895 NEW SECTION. SECTION 214.

9896 A. The landscaping standards in K.C.C. chapter 21A.16 shall apply, except as  
9897 provided in this section.

9898 B. On CB-zoned parcels in the Snoqualmie Pass Rural Town, structures greater  
9899 than twenty-five feet in height shall be buffered with one-hundred feet of Type 1  
9900 landscaping, consistent with K.C.C. 21A.16.040 and this subsection, adjacent to the  
9901 Interstate-90 right-of-way. The landscaping shall be the composition of adjacent mature  
9902 forest cover, to preserve the quality of landscape views within the Mountains to Sound  
9903 Greenway. The only exception to the landscaping buffer would be for the development  
9904 of a regional trail, if approved by the department of natural resources and parks, parks  
9905 division.

9906 NEW SECTION. SECTION 215.

9907 A. The parking standards in K.C.C. chapter 21A.18 shall apply, except as  
9908 provided in this section.

9909 B. In the Vashon Rural Town, required parking shall be one space per dwelling  
9910 unit for houseplexes, townhouses, and apartments.

Ordinance 19881

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9911 NEW SECTION. SECTION 216.

9912 A. The following standards apply to the Vashon Town Core, as adopted in the  
9913 Vashon-Maury Island Community Service Area Subarea Plan in Attachment H to this  
9914 ordinance:

9915 1. Buildings fronting on streets, parking lots, and pedestrian ways shall meet the  
9916 following criteria:

9917 a. Buildings shall be set back no more than ten feet from property lines, except  
9918 to provide for landscaping, courtyards, and other pedestrian or seating areas, and outdoor  
9919 eating areas;

9920 b. Building height shall be a maximum of three stories;

9921 c. Building facades facing Vashon Highway SW, SW Bank Road, SW 178th  
9922 Street, 100th Avenue SW, or SW 174th Street shall have openings comprising not less  
9923 than sixty percent of the width facing the street. No more than twenty feet of continuous  
9924 width shall be without openings, such as windows and doors;

9925 d. Walkways internal to a private development shall connect to public  
9926 walkways; and

9927 e. Building facades which occupy the full width of street frontages are  
9928 preferred. Where façade continuity is interrupted by a parking lots or driveways, such  
9929 parking lots or entrances shall not occupy more than the lesser of sixty feet or thirty  
9930 percent of the lot width in the first sixty feet of street-abutting lot depth. This limitation  
9931 may be increased by up to fifteen feet to provide sidewalks and entrance landscaping; and

Ordinance 19881

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9932           2. New developments or alterations to an existing building which are valued in  
9933 excess of fifty percent of the prealteration assessed value, shall provide the following  
9934 public features:

9935           a. street trees with planting areas, which are spacing and species consistent  
9936 with existing street trees, in a manner consistent with road design and construction  
9937 standards; and

9938           b. a roof or awning that extends over any abutting sidewalk or pedestrian  
9939 walkway a minimum of five feet or the width of the walkway if the walkway is less than  
9940 five feet wide.

9941           SECTION 217. The following should constitute a new chapter in K.C.C. Title  
9942 21A, to follow the chapter established in section 209 of this ordinance:

9943           A. Section 218 of this ordinance;

9944           B. K.C.C. 21A.38.260, as recodified by this ordinance; and

9945           C. Sections 221, 222, and 223 of this ordinance.

9946           NEW SECTION. SECTION 218.

9947           A. This chapter contains regulations for the Fall City Rural Town.

9948           B. All developments in the Fall City Rural Town are subject to the development  
9949 standards in this chapter and as supplemented by this title.

9950           C. Where a conflict exists, the standards in this chapter shall apply except for the  
9951 following:

9952           1. K.C.C. chapter 21A.24, critical areas;

9953           2. K.C.C. chapter 21A.25, shorelines; and

9954           3. Special district overlays, p-suffix conditions, or demonstration projects.

Ordinance 19881

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9955            SECTION 219. K.C.C. 21A.38.260, as amended by this ordinance, is hereby  
 9956 recodified as a new section in the new chapter created in section 217 of this ordinance to  
 9957 follow section 218 of this ordinance.

9958            SECTION 220. Ordinance 17485, Section 43, as amended, and K.C.C.  
 9959 21A.38.260 are hereby amended to read as follows:

9960            A. ~~((The purpose of the Fall City business district special district overlay is to~~  
 9961 ~~allow commercial development in Fall City to occur with on-site septic systems until~~  
 9962 ~~such time as an alternative wastewater system is available. The special district shall only~~  
 9963 ~~be established in areas of Fall City zoned CB and shall be evaluated to determine if it is~~  
 9964 ~~applicable to other rural commercial centers)). Development using a community on-site  
 9965 sewage system or large on-site sewage system shall comply with the requirements in  
 9966 section 285 of this ordinance.~~

9967            B. ~~((The standards of this title and other county codes shall be applicable to~~  
 9968 ~~development within the Fall City business district special district overlay except as~~  
 9969 ~~follows:)) For the R-zoned area of the Fall City Rural Town, the allowed uses in K.C.C.  
 9970 chapter 21A.08 shall apply.~~

9971            ~~((1. The permitted))~~ C. For the CB zone of the Fall City Rural Town, the  
 9972 allowed uses in K.C.C. ((C))chapter 21A.08 ((do not apply and)) are replaced with the  
 9973 ~~((following:))~~ uses in this subsection. Where one or more development conditions is  
 9974 identified in a land use table in K.C.C. chapter 21A.08 for a specific use in the CB zone,  
 9975 they shall also apply to the following uses:

9976            ~~((a.))~~ 1. Residential land uses ((as set forth in K.C.C. 21A.08.030)):  
 9977            ~~((i.))~~ a. ((A))as a permitted use:

Ordinance 19881

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9978 ~~((A) Multifamily residential units shall only be allowed)~~ (1) mixed-use  
 9979 development provided residential units are limited only to ~~((H))~~ the upper floors of a  
 9980 building(s);

9981 (2) senior assisted housing, up to eleven units, and limited only to the upper  
 9982 floors of a building; and

9983 ~~((B))~~ (3) (H)home occupations under K.C.C. chapter 21A.30;

9984 ~~((ii. As a conditional use:~~

9985 ~~(A) Bed and Breakfast (five rooms maximum); and~~

9986 ~~(B) Hotel/Motel.~~

9987 ~~b.)~~ 2. Recreational ~~((/))~~ and cultural land uses ~~((as set forth in K.C.C.~~  
 9988 ~~21A.08.040)):~~

9989 ~~((i.))~~ a. (A)as a permitted use:

9990 ~~((A))~~ (1) (L)library;

9991 ~~((B))~~ (2) (M)museum;

9992 ~~((C))~~ (3) (A)arboretum; ((and))

9993 ~~((D))~~ (4) (P)park;

9994 (5) trails; and

9995 (6) theater; and

9996 ~~((ii.))~~ b. (A)as a conditional use:

9997 ~~((A) Sports Club((Fitness Center;~~

9998 ~~(B))~~ (1) (A)amusement ~~((R))~~ and recreation ~~((S))~~ services ~~((Arcades~~

9999 ~~(Indoor))~~ , indoor only;

10000 ~~((C))~~ (2) (B)bowling ~~((C))~~ center; and

Ordinance 19881

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- 10001            (3) community center;
- 10002            3. Health care services and residential care services land uses:
- 10003            a. as a permitted use:
- 10004            (1) doctor's office/outpatient clinic;
- 10005            (2) nursing and personal care facilities;
- 10006            (3) medical/dental lab;
- 10007            (4) miscellaneous health;
- 10008            (5) social services; and
- 10009            (6) residential care services;
- 10010            ~~((e. General services))~~ 4. Personal services and temporary lodging land uses
- 10011            ~~((as set forth in K.C.C. 21A.08.050)):~~
- 10012            ~~((i.))~~ a. ((A))as a permitted use:
- 10013            ~~((A) General Personal Services, except escort services;))~~
- 10014            (1) beauty and barber shops;
- 10015            (2) shoe repair shops;
- 10016            (3) laundry, cleaning, and garment services;
- 10017            (4) drycleaners and garment pressing;
- 10018            (5) carpet and upholstery cleaning;
- 10019            ~~((B))~~ (6) ((F))funeral ((H))home/crematory;
- 10020            ~~((C))~~ (7) ((Appliance/Equipment)) miscellaneous ((R))repair;
- 10021            ~~((D))~~ (8) ((Medical or Dental Office/Outpatient Clinic;
- 10022            ~~(E) Medical or Dental Lab;~~
- 10023            ~~(F) Day Care))~~ daycare I;
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Ordinance 19881

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- 10024            ~~((G) Day Care)~~ (9) daycare II;
- 10025            ~~((H))~~ (10) ~~((V))~~veterinary ~~((C))~~clinic;
- 10026            ~~((I) Social Services;~~
- 10027            ~~((J))~~ (11) ~~((A))~~animal ~~((S))~~specialty ~~((S))~~services;
- 10028            ~~((K))~~ (12) ~~((A))~~artist ~~((S))~~studios;
- 10029            ~~((L) Nursing and Personal Care Facilities);~~
- 10030            (13) specialized instruction school; and
- 10031            (14) religious facilities; and
- 10032            a. as a conditional use:
- 10033            (1) sports clubs;
- 10034            (2) bed and breakfast guesthouse, which a maximum of five rooms;
- 10035            (3) hotel/motel;
- 10036            (4) automotive repair; and
- 10037            ~~((A) Theater (Movie or Live Performance);~~
- 10038            ~~((B) Religious Use))~~ (5) automotive service;
- 10039            5. Government and education land uses:
- 10040            a. as a permitted use:
- 10041            (1) private stormwater management facilities; and
- 10042            b. as a conditional use:
- 10043            (1) public agency or utility office;
- 10044            (2) police facility;
- 10045            (3) fire facility; and
- 10046            (4) utility facility;

Ordinance 19881

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- 10047            ~~((d. Government/))~~ 6. Business services land uses ~~((as set forth in K.C.C.~~
- 10048    ~~21A.08.060))~~:
- 10049            ~~((i.))~~ a. ~~((A))~~ as a permitted use:
- 10050            ~~((A))~~ (1) ~~((G))~~ general ~~((B))~~ business ~~((S))~~ service;
- 10051            ~~((B))~~ (2) ~~((P))~~ professional ~~((O))~~ office ~~((: Bank, Credit Union, Insurance~~
- 10052    ~~Office.))~~;
- 10053            (3) passenger transportation service;
- 10054            (4) communication offices; and
- 10055            (5) off-street required parking lot;
- 10056            ~~((ii.))~~ b. ~~((A))~~ as a conditional use:
- 10057            ~~((A) Public Agency or Utility Office;~~
- 10058            ~~(B) Police Substation;~~
- 10059            ~~(C) Fire ((Station;~~
- 10060            ~~(D) Utility Facility;~~
- 10061            ~~(E) Self Service Storage))~~ (1) farm product warehousing, refrigeration, and
- 10062    storage;
- 10063            ~~((e.))~~ 7. Retail ~~((commercial))~~ land uses ~~((as set forth in K.C.C. 21A.08.070))~~:
- 10064            ~~((i.))~~ a. ~~((A))~~ as a permitted use on the ground floor:
- 10065            ~~((A))~~ (1) ~~((F))~~ food ~~((S))~~ stores;
- 10066            ~~((B))~~ (2) ~~((D))~~ drug ~~((S))~~ stores ~~((Pharmacy))~~;
- 10067            ~~((C) Retail Store: includes florist))~~ (3) florist shops((;));
- 10068            (4) book, stationary, video, and art supply stores((;));
- 10069            (5) apparel and ((accessories)) accessory stores((;));
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Ordinance 19881

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- 10070 (6) furniture~~(/)~~ and home furnishings stores~~(/)~~;
- 10071 (7) used goods: antiques~~(/)~~~~(recycled goods store)~~secondhand shops~~(/)~~;
- 10072 (8) sporting goods and related stores~~(/)~~; ~~((video store, art supply store,))~~
- 10073 (9) hobby ~~((store))~~, toy, game shops~~(/)~~;
- 10074 (10) jewelry stores~~(/)~~; ~~((toy store, game store, photo store,~~
- 10075 ~~electronic/appliance store,))~~
- 10076 (11) photographic and electronic shops;
- 10077 (12) fabric shops~~(/)~~;
- 10078 (13) pet shops~~(/)~~, and other retail stores (excluding adult only retail));
- 10079 ~~((D))~~ (14) ~~((E))~~eating and ~~((D))~~drinking ~~((P))~~places~~(/)~~, ~~including coffee~~
- 10080 ~~shops and bakeries))~~;
- 10081 ~~((E))~~ (15) ~~((R))~~remote tasting rooms~~(/)~~; and
- 10082 (16) auto supply store; and
- 10083 ~~((H))~~ b. ~~((A))~~as a conditional use:
- 10084 ~~((A))~~ (1) ~~((L))~~liquor ~~((S))~~store or any ~~((R))~~retail ~~((S))~~store ~~((Selling))~~
- 10085 otherwise allowed as a permitted use in this section and that sells ~~((A))~~alcohol;
- 10086 ~~((B) Hardware/Building Supply))~~ (2) building materials and hardware
- 10087 ~~((S))~~stores;
- 10088 ~~((C))~~ (3) retail ~~((N))~~nursery~~(/)~~~~((G))~~garden ~~((C))~~center and farm supply
- 10089 stores;
- 10090 ~~((D))~~ (4) ~~((D))~~department and variety ~~((S))~~stores; and
- 10091 ~~((E) Auto Dealers (indoor sales rooms only))~~ 5. cannabis retailer;
- 10092 ~~((f. Manufacturing land uses as set forth in K.C.C. 21A.08.080 are not allowed.~~

Ordinance 19881

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10093 ~~g.))~~ 8. Resource land uses ((as set forth in K.C.C. 21A.08.090)):

10094 ((i.)) a. ((A))as an ((permitted)) accessory use:

10095 ((A) Solar photovoltaic/solar thermal energy systems;

10096 (B) Private storm water management facilities;

10097 ((C)) (1) ((G))growing and ((H))harvesting ((C))crops ((within rear/internal

10098 side yards or roof gardens, and with organic methods only));

10099 ((D) Raising Livestock and Small Animals (per the requirements of Section

10100 21A.30 of the Zoning Code)

10101 ii. As a conditional use: Wind Turbines))

10102 ((h.)) 8. Regional land uses ((as set forth in K.C.C. 21A.08.100 with)): as a

10103 ((special)) permitted use ((permit)): ((Communication F)) transit comfort facility.

10104 ((2. The densities and dimensions set forth in K.C.C. chapter 21A.12 apply,

10105 except as follows:

10106 a. Residential density is limited to six dwelling units per acre. For any building

10107 with more than ten dwelling units, at least ten percent of the dwelling units shall be

10108 classified as affordable under 21A.34.040F.1;

10109 b. Buildings are limited to two floors, plus an optional basement;

10110 c. The elevation of the ground floor may be elevated a maximum of six feet

10111 above the average grade of the site along the front facade of the building;

10112 d. If the ground floor is designed to accommodate non-residential uses, the

10113 elevation of the ground floor should be placed near the elevation of the sidewalk to

10114 minimize the need for stairs and ADA ramps;

Ordinance 19881

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10115 e. ~~If the ground floor is designed to accommodate non-residential space, the~~  
 10116 ~~height of the ceiling, as measured from finished floor, shall be no more than eighteen~~  
 10117 ~~feet;~~

10118 f. ~~Building height shall not exceed forty feet, as measured from the average~~  
 10119 ~~grade of the site along the front facade of the building.))~~

10120 NEW SECTION. SECTION 221.

10121 A.1. This section establishes the density and dimensional standards for zones in  
 10122 the Fall City Rural Town. Measurement methods are identified in K.C.C. chapter  
 10123 21A.12.

10124 2. The matrix identifies zones in the vertical columns and corresponding  
 10125 development standards for each zone are in the horizontal rows. The matrix cells contain  
 10126 the minimum dimensional requirements of the zone.

10127 3. The parenthetical numbers in the matrix identify conditions, requirements,  
 10128 notes, or modifiers that correspond to the text in subsection B. of this section. A blank  
 10129 cell indicates that there are no specific requirements. If more than one standard appears  
 10130 in a cell, each standard shall be applicable to any applicable parenthetical number.

<b>Fall City Residential and Commercial Density and Dimensional Standards</b>		
<b>STANDARDS</b>	<b>R-4</b>	<b>CB</b>
Base Density	4 du/ ac (1a)	4 du/ac (1)
Maximum Density	4 du/ac	8 du/ac (2)
Maximum Density for Manufactured	12 du/ac	

Ordinance 19881

Home Communities		
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)

10131 B. Development conditions for the Fall City residential and commercial density

10132 and dimensional standards.

10133 1.a. Density applies only to dwelling units and not to sleeping units.

10134 b. These densities are allowed only for mixed-use developments.

10135 2. This maximum density may be achieved when at least ten percent of the total

Ordinance 19881

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10136 dwelling units are affordable to households at or below eighty percent AMI for  
10137 ownership or sixty percent AMI for rental.

10138           3. Reserved.

10139           4. Gasoline service station pump islands shall be placed no closer than twenty-  
10140 five feet to street property lines.

10141           5. Required on property lines adjoining R zones.

10142           6. The setback distance shall be measured along the center line of the driveway  
10143 from the access point to such garage, carport, or fenced area to the street property line.

10144           7.a. Buildings are limited to two floors, plus an optional basement;

10145           b. The elevation of the ground floor may be elevated a maximum of six feet  
10146 above the average grade of the site along the front facade of the building;

10147           c. If the ground floor is designed to accommodate nonresidential uses, the  
10148 elevation of the ground floor should be placed near the elevation of the sidewalk to  
10149 minimize the need for stairs and ramps; and

10150           d. If the ground floor is designed to accommodate nonresidential space, the  
10151 height of the ceiling, as measured from finished floor, shall be no more than eighteen  
10152 feet.

10153           8. This maximum height is only for:

10154           a. buildings with pitched roofs with a minimum slope of six over twelve; or

10155           b. duplexes and houseplexes within two-hundred and fifty feet of the CB zone.

10156           9.a. The impervious surface maximum applies to each individual lot.

10157 Impervious surface does not include access easements serving neighboring property and  
10158 driveways to the extent that they extend beyond the street setback due to location within

Ordinance 19881

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10159 an access panhandle or due to the application of King County Code requirements to  
10160 locate features over which the applicant does not have control. Impervious surface area  
10161 standards for a lot with a detached garage set back further from the street than the  
10162 footprint of the residence may be increased five percent for driveway access; and

10163           b. A lot may be increased beyond the total amount allowed in this chapter  
10164 subject to approval of a conditional use permit.

10165           10. Reserved.

10166           11. For cottage housing developments only:

10167           a. the base height is twenty-five feet; and

10168           b. buildings that have pitched roofs with a minimum slope of six over twelve  
10169 may achieve a maximum height of thirty feet at the ridge of the roof.

10170           12. Reserved.

10171           13. The street and interior setbacks for nonresidential development, except for  
10172 fences and backstops, shall are as follows:

10173           a. nonresidential uses shall be thirty feet;

10174           b. government and institutional uses shall be thirty feet;

10175           c. battery energy storage systems not defined as accessory uses under K.C.C.  
10176 21A.06.015, 21A.06.020, or 21A.06.025 shall be thirty feet;

10177           d. regional uses shall be established at the time of permit review;

10178           e. utility facilities shall be subject to the setbacks of the underlying zone; and

10179           f. where a setback is identified for a specific land use in the applicable zone,  
10180 that setback shall apply.



Ordinance 19881

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10181            NEW SECTION. SECTION 222. The landscaping standards in K.C.C. chapter  
10182 21A.16 shall apply.

10183            NEW SECTION. SECTION 223. The parking standards in K.C.C. chapter  
10184 21A.18 shall apply.

10185            SECTION 224. The following should constitute a new chapter in K.C.C. Title  
10186 21A, to follow the chapter established in section 217 of this ordinance:

10187            A. Section 225 of this ordinance;

10188            B. K.C.C. 21A.14.280, as recodified by this ordinance;

10189            C. Sections 227, 228, 229, and 230 of this ordinance.

10190            NEW SECTION. SECTION 225.

10191            A. This chapter contains regulations for the rural area geography and natural  
10192 resource lands outside of rural towns.

10193            B. All developments in the rural area geography and natural resource lands  
10194 outside of rural towns are subject to the development standards in this chapter and as  
10195 supplemented by this title.

10196            C. Where a conflict exists, the standards in this chapter shall apply except for the  
10197 following:

10198            1. K.C.C. chapter 21A.23, sea level rise risk area;

10199            2. K.C.C. chapter 21A.24, critical areas;

10200            3. K.C.C. chapter 21A.25, shorelines; and

10201            4. Special district overlays, p-suffix conditions, or demonstration projects.

Ordinance 19881

10202            SECTION 226. K.C.C. 21A.14.280 is hereby recodified as a new section in the  
 10203 new chapter created in section 224 of this ordinance to follow section 225 of this  
 10204 ordinance.

10205            NEW SECTION. SECTION 227.

10206            A.1. This section establishes the density and dimensional standards for rural area  
 10207 and natural resource lands outside of rural towns. Measurement methods are identified in  
 10208 K.C.C. chapter 21A.12.

10209            2. The matrix identifies zones in the vertical columns and corresponding  
 10210 development standards for each zone are in the horizontal rows. The matrix cells contain  
 10211 the minimum dimensional requirements of the zone.

10212            3. The parenthetical numbers in the matrix identify conditions, requirements,  
 10213 notes, or modifiers that correspond to the text in subsection B. of this section. A blank  
 10214 cell indicates that there are no specific requirements. If more than one standard appears  
 10215 in a cell, each standard shall be applicable to any applicable parenthetical number.

<b>Rural Area and Natural Resource Lands Density and Dimensional Standards</b>								
<b>STANDARDS</b>	<b>RA- 2.5</b>	<b>RA- 5</b>	<b>RA- 10</b>	<b>RA- 20</b>	<b>A- 10</b>	<b>A-35</b>	<b>F</b>	<b>M</b>
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)							

Ordinance 19881

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 Impervious Surface (9)	8% (17) 25% (12)	8% (17) 20% (12)	8% (17) 15% (12)	8% (17) 12.5 % (12)	15% 35% (14)	10% 35% (14)	10% 35% (14)	
Nonresidential Maximum	8% (17)	8% (17)	8% (17)	8% (17)	15% 35%	10% 35%	10% 35%	

Ordinance 19881

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Impervious Surface	40%	40%	40%	40%	(14)	(14)	(14)	
(9)	(12)	(12)	(12)	(12)				

10216 B. Development conditions for the rural area and natural resource lands density

10217 and dimensional standards

10218 1. Density applies only to dwelling units and not to sleeping units.

10219 2. For sites with a building listed in the National Register of Historic Places or  
 10220 designated as a King County landmark in accordance with K.C.C. 20.62.070, dwelling  
 10221 units in excess of the base density may be allowed if all dwelling units are:

10222 a. located within the historic building; and

10223 b. limited to a maximum of five, subject to approval by the historic  
 10224 preservation officer and, where required, review and approval by the landmarks  
 10225 commission in accordance with K.C.C. 20.62.080.

10226 3. This density may only be achieved on RA-2.5 zoned parcels receiving density  
 10227 from rural forest focus areas through a transfer of development rights under K.C.C.  
 10228 chapter 21A.37.

10229 4. Reserved.

10230 5.a. Residences shall have a setback of at least one hundred feet from any  
 10231 property line adjoining A, M, or F zones or existing extractive operations. However,  
 10232 residences on lots less than one hundred fifty feet in width adjoining A, M, or F zones or  
 10233 existing extractive operations shall have a setback from the rear property line equal to  
 10234 fifty percent of the lot width and a setback from the side property equal to twenty-five  
 10235 percent of the lot width.

10236 b. Except for residences along a property line adjoining A, M, or F zones or

Ordinance 19881

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10237 existing extractive operations, lots between one acre and two and one-half acres in size  
10238 shall conform to the requirements of the R-1 zone and lots under one acre shall conform  
10239 to the requirements of the R-4 zone.

10240           6.a. For lots between one acre and two and one-half acres in size, the setback  
10241 requirements of the R-1 zone shall apply.

10242           b. For lots under one acre, the setback requirements of the R-4 zone shall  
10243 apply.

10244           c. In the F zone, scaling stations shall be located thirty-five feet and residences  
10245 shall be set back thirty feet from property lines.

10246           7. Reserved.

10247           8.a. Portions of a nonresidential structure may exceed the base height if one  
10248 additional foot of street and interior setback is provided for each foot above the base  
10249 height.

10250           b. Netting, fencing, and related support structures used to contain golf balls on  
10251 a golf course or golf driving range are exempt from additional interior setback  
10252 requirements. In recreation and multiuse parks, golf ball netting, fencing and related  
10253 support structures shall not exceed one-hundred twenty-five feet, unless a golf ball  
10254 trajectory study requires a higher fence.

10255           9. The impervious surface maximum applies to each individual lot. Impervious  
10256 surface does not include access easements serving neighboring property and driveways to  
10257 the extent that they extend beyond the street setback due to location within an access  
10258 panhandle or due to the application of King County Code requirements to locate features  
10259 over which the applicant does not have control. Impervious surface area standards for:

Ordinance 19881

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- 10260           a. a lot may be increased beyond the total amount allowed in this chapter  
10261 subject to approval of a conditional use permit; and
- 10262           b. regional uses shall be established at the time of permit review.
- 10263           10. Setback requirements in the mineral zone are established in K.C.C.  
10264 21A.22.060.
- 10265           11. The minimum lot area does not apply to lot clustering proposals as provided  
10266 in K.C.C. chapter 21A.14.
- 10267           12.a. Lots smaller than one-half acre shall comply with the standards of the  
10268 nearest comparable R-4 through R-8 zone.
- 10269           b. Lots that are one-half acre or larger shall have a maximum impervious  
10270 surface area of at least ten thousand square feet.
- 10271           c. Lots over one acre may have an additional five percent for buildings related  
10272 to agricultural or forestry practices.
- 10273           d. Lots between one-half acre and two acres may have an additional ten  
10274 percent for structures that are determined to be medically necessary consistent with  
10275 K.C.C. 21A.32.170.
- 10276           13. The street and interior setbacks for nonresidential development, except for  
10277 fences and backstops, are as follows:
- 10278           a. nonresidential uses shall be thirty feet;
- 10279           b. government and institutional uses shall be thirty feet;
- 10280           c. battery energy storage systems not defined as accessory uses under K.C.C.  
10281 21A.06.015, 21A.06.020, or 21A.06.025 shall be thirty feet;
- 10282           d. regional uses shall be established at the time of permit review;

Ordinance 19881

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10283 e. utility facilities shall be subject to the setbacks of the underlying zone; and

10284 f. where a setback is identified for a specific land use in the applicable zone,

10285 that setback shall apply.

10286 14. Applicable only to lots containing less than one acre of lot area.

10287 Development on lots containing less than fifteen thousand square feet of lot area shall

10288 comply with the standards of the nearest comparable R-4 through R-8 zone.

10289 15. Reserved.

10290 16. Reserved.

10291 17. Subdivisions and short subdivisions in R-1 and RA zones within the North

10292 Fork and Upper Issaquah Creek subbasins of the Issaquah Creek Basin, as identified in

10293 the Issaquah Creek Basin and Nonpoint Action Plan, and the portion of the Grand Ridge

10294 area of the Snoqualmie Valley/Northeast King County subarea geography that drains to

10295 Patterson Creek shall have a maximum impervious surface area of eight percent. The

10296 maximum impervious surface area for each lot shall be recorded on the face of the plat.

10297 The impervious surface of roads is excluded from the maximum impervious area. Where

10298 both lot- and plat-specific impervious surface limits apply, the more restrictive shall

10299 apply.

10300 NEW SECTION. SECTION 228.

10301 A.1. This section establishes the density and dimensional standards for the

10302 commercial zones in the rural area geography outside of rural towns. Measurement

10303 methods are identified in K.C.C. chapter 21A.12.

10304 2. The matrix identifies zones in the vertical columns and corresponding

10305 development standards for each zone are in the horizontal rows. The matrix cells contain

Ordinance 19881

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10306 the minimum dimensional requirements of the zone.

10307 3. The parenthetical numbers in the matrix identify conditions, requirements,

10308 notes, or modifiers that correspond to the text in subsection B. of this section. A blank

10309 cell indicates that there are no specific requirements. If more than one standard appears

10310 in a cell, each standard shall be applicable to any applicable parenthetical number.

<b>Rural Area Commercial and Industrial Density and Dimensional Standards</b>				
<b>STANDARDS</b>	<b>NB</b>	<b>CB</b>	<b>O</b>	<b>I</b>
Base Density (1)	4 du/ac	4 du/ac	4 du/ac	
Maximum Density (2)	4 du/ac	4 du/ac	4 du/ac	
Minimum Street Setback (4)	10 ft	10 ft	10 ft	(12)
Minimum Interior Setback	0 ft 10 ft (5b) 20 ft (5a)	0 ft 20 ft (5a)	0 ft 20 ft (5a)	(12)
Base Height	35 ft	35 ft	45 ft	(12)
Maximum Height (11)	45 ft	60 ft	65 ft	
Maximum Height for Nonresidential Structures (11)	75 ft (8)	75 ft (8)	75 ft (8)	(12)
Maximum Floor Area Ratio for Mixed-Use	2/1	3.5/1	4/1	(12)
Maximum Floor Area Ratio for Nonresidential	1/1	1.5/1	2.5/1	(12)
Maximum Impervious Surface (9)	85%	85%	75%	(12)



Ordinance 19881

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10311 B. Development conditions for the rural area commercial and residential density  
10312 and dimensional standards.

10313 1.a. Density applies only to dwelling units and not to sleeping units.

10314 b. This density is allowed for a mixed-use development on a property with a  
10315 designation of rural neighborhood commercial center.

10316 2. Reserved.

10317 3. Reserved.

10318 4. Gasoline service station pump islands shall be placed no closer than twenty-  
10319 five feet to street property lines.

10320 5.a. Required on property lines adjoining RA, UR, or R zones.

10321 b. Required on property lines adjoining RA and R zones only for a social  
10322 service agency office reusing a residential structure in existence on January 1, 2010.

10323 6. Reserved.

10324 7. Reserved.

10325 8.a. Portions of a nonresidential structure may exceed the base height if one  
10326 additional foot of street and interior setback is provided for each foot above the base  
10327 height.

10328 b. Netting, fencing, and related support structures used to contain golf balls on  
10329 a golf course or golf driving range are exempt from additional interior setback  
10330 requirements. In recreation and multiuse parks, golf ball netting, fencing and related  
10331 support structures shall not exceed one-hundred twenty-five feet, unless a golf ball  
10332 trajectory study requires a higher fence.

10333 9. The impervious surface area may be increased beyond the total amount

Ordinance 19881

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10334 allowed in this chapter subject to approval of a conditional use permit.

10335 10. Reserved.

10336 11. Upper-level step backs are required for any facade facing a pedestrian street  
10337 for any portion of the structure greater than forty-five feet in height. The upper-level step  
10338 back shall be at least one foot for every two feet of height above forty-five feet, up to a  
10339 maximum of ten feet. The first four feet of horizontal projection of decks, balconies with  
10340 open railings, eaves, cornices, and gutters are allowed in required step backs.

10341 12. See K.C.C. 21A.14.280, as recodified by this ordinance.

10342 NEW SECTION. SECTION 229. The landscaping standards in K.C.C. chapter  
10343 21A.16 shall apply, except as provided in this chapter.

10344 NEW SECTION. SECTION 230. The parking standards in K.C.C. chapter  
10345 21A.18 shall apply, except as provided in this chapter.

10346 SECTION 231. Ordinance 10870, Section 343, as amended, and K.C.C.  
10347 21A.12.060 are hereby amended to read as follows:

10348 A. Minimum density for residential development (~~((in the urban areas designated~~  
10349 ~~by the Comprehensive Plan))~~) shall be ~~((based on the tables in K.C.C. 21A.12.030,~~  
10350 ~~adjusted))~~ computed as provided in K.C.C. 21A.12.070 ~~((through 21A.12.080)).~~

10351 ~~((A. A proposal may be phased, if compliance with the minimum density~~  
10352 ~~requirement results in noncompliance with of K.C.C. chapter 21A.28, if the overall~~  
10353 ~~density of the proposal is consistent with this section.~~

10354 B-)) Minimum density requirements may be waived by King County if the  
10355 applicant demonstrates one or more of the following:

10356 1. The proposed layout of the lots in a subdivision or the buildings in a

Ordinance 19881

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10357 ~~((multiple dwelling))~~ multiunit development will not preclude future residential  
 10358 development consistent with the minimum density of the zone;

10359 2. The ~~((non-sensitive area of the parcel))~~ non-critical-area portion of the site is  
 10360 of a size or configuration that results in lots that cannot meet the minimum dimensional  
 10361 requirements of the zone;

10362 3. In the R-12 through R-48 zones, the area ~~((of the parcel))~~ required to  
 10363 accommodate storm~~((-))~~water facilities exceeds ten percent of the area of the site; or

10364 4. The site contains a national, state or county historic landmark.

10365 ~~((C-))~~ B. A proposal to locate a single ~~((residential unit))~~ detached residence on a  
 10366 ~~((lot shall))~~ site may be exempt from the minimum density requirement ~~((provided))~~ if  
 10367 the applicant ~~((either))~~ preplans the site by demonstrating that the proposed single  
 10368 detached residence would be located in a manner that is compatible with and does not  
 10369 preclude a future division of the site ~~((in a manner))~~ that would meet the minimum  
 10370 density requirements~~((, or locates the dwelling within fifteen feet of one or more of the~~  
 10371 ~~site's interior lot lines))~~.

10372 ~~((D-))~~ C. Alternative minimum density requirements may be imposed through  
 10373 ~~((county approved))~~ property-specific development standards ~~((P-suffix))~~, ~~((a))~~ special  
 10374 district overlays ~~((in accordance with K.C.C. chapter 21A.38))~~, demonstration projects, or  
 10375 ~~((a))~~ subarea plans.

10376 SECTION 232. Ordinance 10870, Section 344, as amended, and K.C.C.  
 10377 21A.12.070 are hereby amended to read as follows:

10378 ~~((Permitted number of units, or lots or floor area shall be determined as follows:))~~

10379 A. The allowed base number of dwelling units ~~((or lots (base density))~~ shall be

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Ordinance 19881

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10380 computed by multiplying the site area (~~(specified in K.C.C. 21A.12.080)~~) by the  
 10381 applicable (~~(residential)~~) base density (~~(number)~~).

10382 B. The maximum (~~(density (unit or lot) limits)~~) number of dwelling units shall be  
 10383 computed by adding the bonus or transfer units authorized by K.C.C. chapters  
 10384 (~~(21A.34,)~~) 21A.37 and 21A.48 to the base (~~(units)~~) number computed under subsection  
 10385 A. of this section(~~(;)~~).

10386 C. The minimum number of dwelling units shall be computed by multiplying the  
 10387 net buildable area by:

- 10388 1. The applicable base density; and
- 10389 2. The minimum density, as adjusted by K.C.C. 21A.12.087.

10390 D. The allowed floor area, which excludes structured or underground parking  
 10391 areas and areas housing mechanical equipment, shall be computed by (~~(applying the~~  
 10392 ~~floor to lot)~~) multiplying the floor area ratio (~~(to)~~) by the (~~(project)~~) site area (~~(specified~~  
 10393 ~~in K.C.C. 21A.12.080;)~~).

10394 (~~(D-)~~) E. If calculations result in a fraction, the fraction shall be rounded to the  
 10395 nearest whole number as follows, except as provided in subsection (~~(E-)~~) F. of this  
 10396 section and K.C.C. 21A.48.050:

- 10397 1. Fractions of 0.50 or above shall be rounded up; and
- 10398 2. Fractions below 0.50 shall be rounded down(~~(; and)~~).

10399 (~~(E-)~~) F. For subdivisions and short subdivisions in the RA and A zones,  
 10400 rounding up of the number of development units or lots is not allowed.

10401 G. All site areas may be used in the calculation of base and maximum residential  
 10402 density or floor area.

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Ordinance 19881

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10403            SECTION 233. Ordinance 10870, Section 354, as amended, and K.C.C.

10404            21A.12.170 are hereby amended to read as follows:

10405            If the required setbacks from regional utility corridors of K.C.C. 21A.12.140, the  
10406            adjoining half-street or designated arterial setbacks of K.C.C. 21A.12.160, and the sight  
10407            distance requirements of K.C.C. 21A.12.210 are maintained, structures may extend into  
10408            or be located in required setbacks(~~(, including setbacks as required by K.C.C.~~  
10409            ~~21A.12.220.C.,)~~) as follows:

10410            A. Fireplace structures, bay or garden windows, enclosed stair landings, closets,  
10411            or similar structures may project into any setback(~~(, provided s)~~). Such projections ((are))  
10412            shall be:

- 10413            1. Limited to two per facade;
- 10414            2. Not wider than ten feet; and
- 10415            3. Not more than twenty-four inches into an interior setback or thirty inches into  
10416            a street setback;

10417            B. Uncovered porches and decks that exceed eighteen inches above the finished  
10418            grade may project:

- 10419            1. Eighteen inches into interior setbacks; and
- 10420            2. Five feet into the street setback;

10421            C. Uncovered porches and decks not exceeding eighteen inches above the  
10422            finished grade may project to the property line;

10423            D. Eaves may not project more than:

- 10424            1. Eighteen inches into an interior setback;
- 10425            2. Twenty-four inches into a street setback; or

Ordinance 19881

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- 10426           3. Eighteen inches across a lot line in a zero-lot-line development;
- 10427           E. Fences with a height of six feet or less may project into or be located in any
- 10428 setback;
- 10429           F. Rockeries, retaining walls, and curbs may project into or be located in any
- 10430 setback. Except for structures that cross the setback perpendicularly to property lines or
- 10431 that abut a critical area, these structures:
- 10432           1. Shall not exceed a height of six feet in the R-1 through R-18, UR, RA, and
- 10433 resource zones;
- 10434           2. Shall not exceed a height of eight feet in the R-24 and R-48 zones; and
- 10435           3. Shall not exceed the building height for the zone in commercial/industrial
- 10436 zones, measured in accordance with the standards established in the King County
- 10437 Building Code, K.C.C. Title 16;
- 10438           G. Fences located on top of rockeries, retaining walls, or berms are subject to the
- 10439 requirements of K.C.C. 21A.14.220;
- 10440           H. Telephone, power, light, and flag poles;
- 10441           I. The following may project into or be located within a setback, but may only
- 10442 project into or be located within a five-foot interior setback area if an agreement
- 10443 documenting consent between the owners of record of the abutting properties is recorded
- 10444 with the records and licensing services division prior to the installment or construction of
- 10445 the structure:
- 10446           1. Sprinkler systems, electrical, and cellular equipment cabinets and other
- 10447 similar utility boxes and vaults, not to include equipment associated with a battery energy
- 10448 storage system;

Ordinance 19881

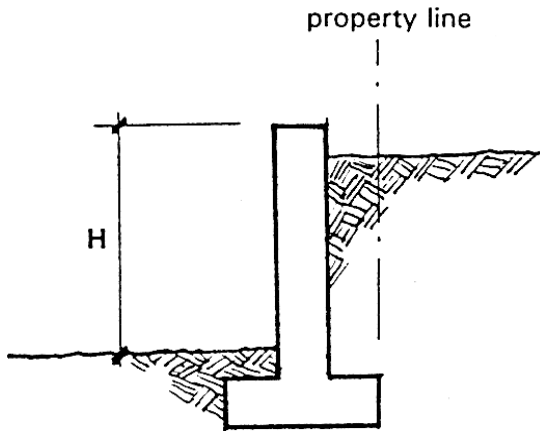
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- 10449           2. Security system access controls;
- 10450           3. Structures, except for buildings, associated with trails and on-site recreation  
10451 spaces and play areas required in K.C.C. 21A.14.180 (~~and K.C.C. 21A.14.190~~) such as  
10452 benches, picnic tables, and drinking fountains; and
- 10453           4. Surface water management facilities as required by K.C.C. chapter 9.04;
- 10454           J. Freestanding air conditioners and heat pumps (~~may project into or be located~~  
10455 ~~within a setback abutting a residential property, but may only be located closer than five~~  
10456 ~~feet of an abutting residential property if an agreement documenting consent between the~~  
10457 ~~owners of record of the abutting properties is recorded with the records and licensing~~  
10458 ~~services division prior to permit issuance.));~~
- 10459           K. Mailboxes and newspaper boxes may project into or be located within street  
10460 setbacks;
- 10461           L. Fire hydrants and associated appendages;
- 10462           M. (~~Metro~~) Transit bus shelters may be located within street setbacks;
- 10463           N. Unless otherwise allowed in K.C.C. 21A.20.080, free((-)standing and  
10464 monument signs four feet or less in height, with a maximum sign area of twenty square  
10465 feet, may project into or be located within street setbacks;
- 10466           O. On a parcel in the RA zone, in the interior setback that adjoins a property  
10467 zoned NB or CB, structures housing refrigeration equipment that extends no more than  
10468 ten feet into the setback and is no more than sixty feet in length;
- 10469           P. Stormwater conveyance and control facilities, both above and below ground(~~;~~  
10470 ~~provided such projections~~) that are:

Ordinance 19881

- 10471 1. Consistent with setback, easement, and access requirements specified in the  
 10472 Surface Water Design Manual; or  
 10473 2. In the absence of said specifications, not within five feet of the property line;  
 10474 and  
 10475 Q. Equipment associated with a battery energy storage system defined as an  
 10476 accessory use under K.C.C. 21A.06.015, 21A.06.020, or 21A.06.025 may be located  
 10477 within a street setback, but only when used solely to supply electricity for electric-  
 10478 vehicle-charging infrastructure also within the setback or within the adjacent right-of-  
 10479 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**

10480  
10481

10482 SECTION 234. Ordinance 10870, Section 355, as amended, and K.C.C.

10483 21A.12.180 are hereby amended to read as follows:

10484 The following structures may be erected above the height limits (~~of K.C.C.~~  
 10485 ~~21A.12.030 .050.~~) for the applicable zone as established by this title:

- 10486 A. Roof structures housing or screening elevators, stairways, tanks, ventilating  
 10487 fans, or similar equipment required for building operation and maintenance; and



Ordinance 19881

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10488 B. Fire or parapet walls((;)); skylights((;)); flagpoles((;)); chimneys((;));  
10489 smokestacks((; church)); religious facility steeples, crosses, and spires((;));  
10490 communication transmission and receiving structures((;)); utility line towers and  
10491 poles((;)); and similar structures.

10492 SECTION 235. Ordinance 10870, Section 357, as amended, and K.C.C.  
10493 21A.12.200 are hereby amended to read as follows:

10494 When a lot or site is divided by a zone boundary, the following applies:

10495 A. If a lot or site contains both ((~~rural area or residential~~)) RA, UR, or R zoning  
10496 and nonresidential zoning, the zone boundary between the ((~~rural area or residential~~))  
10497 RA, UR, or R zone and the nonresidential zone shall be considered a lot line for  
10498 determining ((~~permitted~~)) allowed building height and required setbacks on the site((;));

10499 B. If a lot or site contains residential zones of varying density:

10500 1. Any residential density transfer within the lot or site shall be allowed if:

10501 a. the density, as a result of moving dwelling units from one lot to another lot  
10502 within a site or across zone ((~~lines~~)) boundaries within a single lot, does not exceed one  
10503 hundred fifty percent of the base density on any of the lots or portions of a lot to which  
10504 the density is transferred;

10505 b. the transfer does not reduce the minimum density achievable on the lot or  
10506 site;

10507 c. the transfer enhances the efficient use of needed infrastructure;

10508 d. the transfer does not result in significant adverse impacts to the low density  
10509 portion of the lot or site;

Ordinance 19881

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10510 e. the transfer contributes to preservation of ~~((environmentally sensitive))~~  
10511 critical areas, wildlife corridors, or other natural features; and

10512 f. the transfer does not result in significant adverse impacts to adjoining lower  
10513 density properties;

10514 2. Residential density transfers from one lot to another lot within a site or from  
10515 one portion of a lot to another portion of a lot across a zone ~~((line shall not be allowed))~~  
10516 boundary is prohibited in the RA zone;

10517 3. Residential density transfers ~~((shall not be allowed))~~ to a lot or portion of a  
10518 lot zoned R-1 is prohibited; and

10519 4. Compliance with the criteria in this subsection B<sub>2</sub> shall be evaluated during  
10520 review of any development proposals in which such a transfer is proposed; and

10521 ~~((5. Residential density transfers from one lot to another lot within a site or from  
10522 one portion of a lot to another portion of a lot across a zone line shall not, in of itself, be  
10523 considered development above the base density for purposes of requiring a conditional  
10524 use permit for apartments or townhouses in the R-1 through R-8 zones.))~~

10525 C. Uses on each portion of the lot shall only be those ~~((permitted))~~ allowed in  
10526 each zone in accordance with K.C.C. chapter 21A.08.

10527 SECTION 236. Ordinance 10870, Section 359, as amended, and K.C.C.  
10528 21A.12.220 are hereby amended to read as follows:

10529 A. ~~((The requirements of this section apply to all n))~~ Nonresidential uses located  
10530 in the RA, UR, or R zones, except those listed in subsection B. of this section, are subject  
10531 to the following requirements:

10532 ~~((1. Utility facilities~~

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Ordinance 19881

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10533           ~~2. Uses listed in K.C.C. 21A.08.100, except that the standards in this section~~  
 10534 ~~shall apply to battery energy storage systems not defined as accessory uses under K.C.C.~~  
 10535 ~~21A.06.015, 21A.06.020, or 21A.06.025; and~~

10536           ~~3. Nonresidential uses regulated by 21A.12.230.~~

10537           ~~B. Impervious surface coverage shall not exceed:~~

10538           ~~1. Forty percent of the site in the RA zone.~~

10539           ~~2. Seventy percent of the site in the UR and the R-1 through R-8 zones.~~

10540           ~~3. Eighty percent of the site in the R-12 through R-48 zones.~~

10541           ~~C. Buildings and structures, except fences and wire or mesh backstops, shall not~~  
 10542 ~~be closer than 30 feet to any property line, except as provided in subsection D.~~

10543           ~~D. Single detached dwellings allowed as accessory to a church or school shall~~  
 10544 ~~conform to the setback requirements of the zone.~~

10545           ~~E. Parking areas are permitted within the required setback area from property~~  
 10546 ~~lines, provided such parking areas are located outside of the required landscape area.~~

10547           ~~F.)) 1. Sites shall abut or be accessible from at least one public street functioning~~  
 10548 ~~at a level consistent with King County Road Design Standards((. New high school sites~~  
 10549 ~~shall abut or be accessible from a public street functioning as an arterial per the King~~  
 10550 ~~County Design Standards.~~

10551           ~~G. The base height shall conform to the zone in which the use is located.)); and~~

10552           ~~((H.)) 2. Building illumination and lighted signs shall be designed so that no~~  
 10553 ~~direct rays of light are projected into neighboring residences or onto any street right-of-~~  
 10554 ~~way.~~

Ordinance 19881

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- 10555            B. The following nonresidential uses shall not be subject to the requirements of  
10556 this section:
- 10557            1. Sports clubs;  
10558            2. Beauty and barber shops;  
10559            3. Shoe repair shops;  
10560            4. Laundry, cleaning, and garment services;  
10561            5. Drycleaners and garment pressing;  
10562            6. Carpet and upholstery cleaning;  
10563            7. Retail uses in K.C.C. 21A.08.070;  
10564            8. Regional land uses in K.C.C. 21A.08.100, except that the standards in this  
10565 section shall apply to battery energy storage systems not defined as accessory uses under  
10566 K.C.C. 21A.06.015, 21A.06.020, or 21A.06.025; and
- 10567            9. Utility facilities.

10568            SECTION 237. Ordinance 16267, Section 29, and K.C.C. 21A.12.240 are hereby  
10569 amended to read as follows:

10570            A. The minimum width for a joint use driveway and easement on private  
10571 property shall be sixteen feet, except as otherwise provided in the King County Road  
10572 Design and Construction Standards.

10573            B. Vehicle access points from garages, carports, or fenced parking areas shall be  
10574 set back from the property line on which a joint use driveway is located to provide a  
10575 straight line length of at least twenty-six feet as measured from the center line of the  
10576 garage, carport, or fenced parking area, from the access point to the opposite side of the  
10577 joint use driveway.

Ordinance 19881

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10578            SECTION 238. Ordinance 10870, Section 360, as amended, and K.C.C.  
10579 21A.12.230 are hereby amended as follows:

10580            ~~((The general))~~ In the R-4 through R-48 zones outside the urban area, personal  
10581 service uses ~~((€))~~ in SIC ((#)) Major Group 72 ~~((except 7216, 7218 and 7261))~~ listed in  
10582 K.C.C. 21A.08.050 and ~~((the))~~ retail uses, except agricultural ~~((crop))~~ product sales,  
10583 listed in K.C.C. 21A.08.070 ~~((which are located in the R-4 through R-48 zones))~~ shall be  
10584 subject to the following requirements:

10585            A. Each individual establishment shall not exceed ~~((5,000))~~ five thousand square  
10586 feet of gross floor area and the combined total of all contiguous commercial  
10587 establishments shall not exceed ~~((15,000))~~ fifteen thousand square feet of gross floor  
10588 area;

10589            B. Establishments shall not be located less than one mile from another  
10590 commercial establishment, unless located with other establishments meeting the criteria  
10591 in ~~((paragraph A))~~ subsection A. of this section;

10592            C. Establishment sites shall abut an intersection of two public streets, each of  
10593 which is designated as a neighborhood collector or arterial and which has improved  
10594 pedestrian facilities for at least ~~((1/4th))~~ one-quarter mile from the site;

10595            D. The maximum on-site parking ratios for establishments and sites shall be ~~((2~~  
10596 ~~per 1000))~~ two per one thousand square feet and required parking shall not be located  
10597 between the building(s) and the street; and

10598            E. Buildings shall comply with the building facade modulation and roofline  
10599 variation requirements in K.C.C. ~~((21A.14.080 and .090))~~ 21A.14.070 and at least one  
10600 facade of the building shall be located within five feet of the sidewalk.

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Ordinance 19881

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10601 F. If the personal service or retail use is located in a building with ~~((multifamily))~~  
 10602 residential uses, then the commercial use shall be on the ground floor and shall not  
 10603 exceed ~~((25))~~ twenty-five percent of the total floor area of the building.

10604 G. Sign and landscaping standards for the use apply."

10605 SECTION 239. Ordinance 16267, Section 30, as amended, and K.C.C.

10606 21A.12.250 are hereby amended to read as follows:

10607 ~~((The general))~~ In the R-4 through R-48 zones outside the urban area, personal  
 10608 service uses ~~((€))~~ in SIC ~~((#))~~ Major Group 72 ~~((except 7216, 7218 and 7261))~~ and the  
 10609 doctor's office/outpatient clinic use ~~((SIC # 801-04))~~ listed in ~~((K.C.C. 21A.08.050 are~~  
 10610 ~~allowed as a conditional use,))~~ section 162 of this ordinance shall be subject to the  
 10611 following requirements:

10612 A. ~~((The site shall be zoned R-4 through R-48;~~

10613 ~~B-))~~ The establishment shall be located within one-quarter mile of a rural town,  
 10614 unincorporated activity center, community business center, or neighborhood business  
 10615 center, and less than one mile from another commercial establishment;

10616 ~~((C-))~~ B. The establishment shall be located in either:

10617 1. A legally established single ~~((family dwelling))~~ detached residence in  
 10618 existence on or before January 1, 2008. The structure may not be expanded by more than  
 10619 ten percent as provided in K.C.C. 21A.32.065 for the expansion of legally established  
 10620 nonconforming uses; or

10621 2. A mixed-use development with one hundred percent of the dwelling units  
 10622 affordable to households with incomes at or below sixty percent of area median income

Ordinance 19881

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10623 and on-site supportive services consistent with the King County Consortium

10624 Consolidated Housing and Community Development Plan or successor plan;

10625 ~~((D-))~~ C. The maximum on-site parking ratio for establishments and sites shall be

10626 two per one thousand square feet and required parking shall not be located between the

10627 building and the street; and

10628 ~~((E-))~~ D. Sign and landscaping standards for the use apply.

10629 NEW SECTION. SECTION 240. There is hereby added to K.C.C. chapter

10630 21A.12 a new section to read as follows:

10631 A. A development in the urban area shall be eligible to receive additional density

10632 or commercial floor area for the provision of improved child daycare facilities. A child

10633 daycare facility shall be considered improved when the building core and shell and rough-

10634 in utilities are completed.

10635 B. For every six child daycare slots provided, the development shall receive one of

10636 the following:

10637 1. One additional bonus dwelling unit, up to an additional twenty-five percent of

10638 base density; or

10639 2. One-thousand square feet of nonresidential floor area added to the floor area

10640 ratio maximum.

10641 C. At least twenty percent of child daycare slots shall be reserved for households

10642 at or below eighty percent AMI. Daycare slots for individuals receiving a childcare

10643 assistance or subsidy from a public agency shall be considered to meet this requirement.

10644 D. The child daycare facility shall obtain an operating license from the

10645 Washington state Department of Children, Youth, and Families, receive all necessary

Ordinance 19881

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10646 permits or approvals, and comply with all applicable state and local regulations governing  
10647 the operation of licensed child daycare providers.

10648 E. Child daycare facilities under this section shall operate for at least eight hours  
10649 per day, five days per week, and forty-eight weeks per year, except that facilities serving  
10650 school-aged children may operate for four hours per day.

10651 F. Child daycare facilities under this section shall be dedicated to child daycare use  
10652 for at least twenty years. Property owners shall include provisions for lease renewal of  
10653 child daycare providers.

10654 G. Before issuance of the certificate of occupancy for the development, the  
10655 applicant shall:

10656 1. Record a covenant or deed restriction on the property, in a form and  
10657 substance acceptable to the prosecuting attorney's office and department of community  
10658 and human services, reflecting the following:

10659 a. a statement that the length of the term of the child daycare facility shall be at  
10660 least twenty years;

10661 b. the total number of child daycare slots; and

10662 c. the number of affordable child daycare slots based on the standards of this  
10663 chapter; and

10664 2. Provide a signed agreement between the property owner and the licensed  
10665 child daycare provider who will operate the daycare facility, including provisions for  
10666 lease renewal.

10667 SECTION 241. Ordinance 15032, Section 18, as amended, and K.C.C.

10668 21A.14.025 are hereby amended to read as follows:



Ordinance 19881

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10669            (~~For cottage housing developments in the R4 R8 zones:~~)

10670            A. The total area of the common open space (~~(must)~~) in a cottage housing  
10671 development shall be at least two hundred and fifty square feet per unit and at least fifty  
10672 percent of the units (~~(must)~~) shall be (~~(clustered)~~) sited around the common space.

10673            B. The total floor area of each cottage housing unit, except for two hundred and  
10674 fifty square feet (~~(of any)~~) for enclosed parking, is limited to one thousand two hundred  
10675 square feet. The footprint of each unit, including any enclosed parking, is limited to nine  
10676 hundred square feet. A front or wraparound porch of up to one hundred square feet is  
10677 (~~(permitted)~~) allowed and (~~(is not to be included)~~) shall not be counted in the floor area or  
10678 footprint calculation.

10679            C. Fences within (~~(the)~~) a cottage housing (~~(unit)~~) development are limited to  
10680 three feet in height. Fences along the perimeter of the cottage housing development are  
10681 limited to six feet.

10682            D. Individual cottage housing units (~~(must)~~) shall be at least ten feet apart.

10683            E. Each (~~(dwelling)~~) cottage housing unit that abuts common open space shall  
10684 have either a primary entry or a covered porch, or both, oriented to the common open  
10685 space.

10686            F. Each (~~(dwelling)~~) cottage housing unit within forty feet of a public right-of-  
10687 way, not including alleys, shall have a facade oriented to the public right-of-way that  
10688 includes a porch, an entrance, or a bay window that projects a minimum of six inches and  
10689 is a minimum of four feet in width. If a (~~(dwelling)~~) cottage housing unit is within forty  
10690 feet of two or more (~~(than one)~~) public rights-of-way, the department shall determine

Ordinance 19881

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10691 which right-of-way (~~towards which~~) the facade elements shall be oriented. Materials  
10692 used on this facade shall wrap the corners of the unit.

10693 SECTION 242. Ordinance 10870, Section 364, as amended, and K.C.C.  
10694 21A.14.040 are hereby amended to read as follows:

10695 A. Residential lot clustering is allowed in the R, UR, and RA zones. (~~If~~  
10696 ~~residential lot clustering is proposed, the following requirements shall be met:~~

10697 ~~A. In the R zones, any designated open space tract resulting from lot clustering~~  
10698 ~~shall not be altered or disturbed except as specified on recorded documents creating the~~  
10699 ~~open space. Open spaces may be retained under ownership by the subdivider, conveyed~~  
10700 ~~to residents of the development or conveyed to a third party. If access to the open space~~  
10701 ~~is provided, the access shall be located in a separate tract;))~~

10702 B. Tracts created through lot clustering shall be designated as permanent natural  
10703 area as follows:

10704 1. Tracts shall not be altered or disturbed except as specified on recorded  
10705 documents creating the natural area;

10706 2. Active recreational facilities are prohibited. Acceptable uses within natural  
10707 area tracts are passive recreation, natural-surface pedestrian and equestrian foot trails, and  
10708 passive recreational facilities;

10709 3. Tracts may be retained under ownership by the subdivider or retained in  
10710 undivided interest by the residents of the development and maintained by a homeowners  
10711 association. The department may require tracts to be dedicated to an appropriate  
10712 managing public agency or qualifying private entity such as a nature conservancy; and

Ordinance 19881

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10713            4. If access to the natural area is provided, the access shall be located in a  
10714 separate tract;

10715            C. In the RA zone:

10716            1. No more than eight lots of less than two and one-half acres shall be allowed  
10717 in a cluster;

10718            2. No more than eight lots of less than two and one-half acres shall be served by  
10719 a single cul-de-sac street;

10720            3. Clusters containing two or more lots of less than two and one-half acres,  
10721 whether in the same or adjacent developments, shall be separated from similar clusters by  
10722 at least one hundred twenty feet;

10723            4. ~~((The overall amount, and the individual degree of clustering shall be limited~~  
10724 ~~to a level that can be adequately served by rural facilities and services, including, but not~~  
10725 ~~limited to, on site sewage disposal systems and rural roadways;~~

10726            5.)) A fifty-foot Type II landscaping screen, as defined in K.C.C. 21A.16.040,  
10727 shall be provided along the frontage of all public roads when adjoining differing types of  
10728 development such as commercial and industrial uses, between differing types of  
10729 residential development and to screen industrial uses from the street. The planting  
10730 materials shall consist of species that are native to the Puget Sound region. Preservation  
10731 of existing healthy vegetation is encouraged and may be used to augment new plantings  
10732 to meet the requirements of this section;

10733            ~~((6. Except as provided in subsection B.7. of this section, open space tracts~~  
10734 ~~created by clustering in the RA zone shall be designated as permanent open space.~~  
10735 ~~Acceptable uses within open space tracts are passive recreation, with no development of~~

Ordinance 19881

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10736 ~~active recreational facilities, natural surface pedestrian and equestrian foot trails and~~  
10737 ~~passive recreational facilities. A resource tract created under K.C.C. 16.82.152.E. may be~~  
10738 ~~considered an open space tract for purposes of this subsection B.6;~~

10739           ~~7.a.))~~ 5.a. In the RA zone, a resource tract may be created through ~~((a cluster~~  
10740 ~~development))~~ clustering in lieu of a ~~((n open space))~~ natural area tract. ~~((A resource tract~~  
10741 ~~created under K.C.C. 16.82.152.E. may be considered a resource tract for purposes of this~~  
10742 ~~subsection B.7.))~~ The resource tract may be used as a working forest or farm if:

10743           (1) the department determines the resource tract is suitable for forestry or  
10744 agriculture; and

10745           (2) the applicant submits a forest management plan prepared by a professional  
10746 forester that has been approved by the King County department of natural resources and  
10747 parks, or a farm management plan developed by the King Conservation District. The  
10748 management plan ~~((must))~~ shall:

10749           (a) ensure that forestry or farming will remain as a sustainable use of the  
10750 resource tract;

10751           (b) set impervious surface and clearing limitations and identify the type of  
10752 buildings or structures that will be allowed within the resource tract; and

10753           (c) if critical areas are included in the resource tract, clearly distinguish  
10754 between the primary purpose of the resource portion of the tract and the primary purpose  
10755 of the critical area portion of the tract as required under K.C.C. 21A.24.180.

10756           b. The recorded plat or short plat shall designate the resource tract as a  
10757 working forest or farm.

Ordinance 19881

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10758 c. ~~((If the applicant conveys the resource tract to residents of the development,~~  
10759 ~~the resource tract shall be retained in undivided interest by the residents of the~~  
10760 ~~subdivision or short subdivision.~~

10761 ~~d.))~~ A homeowners association shall be established to ensure implementation  
10762 of the forest management plan or farm management plan if the resource tract is retained  
10763 in undivided interest by the residents of the subdivision or short subdivision.

10764 ~~((e.))~~ d. The applicant shall file a notice with the King County department of  
10765 executive services, records and licensing services division. The required contents and  
10766 form of the notice shall be ~~((set forth))~~ established in a public rule. The notice shall  
10767 inform the property owner or owners that the resource tract is designated as a working  
10768 forest or farm~~((;))~~ that ~~((must))~~ shall be managed in accordance with the ~~((provisions~~  
10769 ~~established in the))~~ approved forest management plan or farm management plan.

10770 ~~((f.))~~ e. The applicant shall provide to the department proof of the approval of  
10771 the forest management plan or farm management plan and the filing of the notice  
10772 required in subsection ~~((B.7.g.))~~ C.5.f. of this section before recording of the final plat or  
10773 short plat.

10774 ~~((g.))~~ f. The notice shall run with the land.

10775 ~~((h.))~~ g. Natural-surface pedestrian and equestrian foot trails, passive  
10776 recreation, and passive recreational facilities, with no development of active recreational  
10777 facilities, are allowed uses in resource tracts; and

10778 ~~((i.))~~ 6. The requirements of subsection ~~((B.))~~ C.1., 2., or 3. of this subsection  
10779 may be modified or waived by the director if the property is encumbered by critical areas  
10780 containing habitat for, or there is the presence of, species listed as threatened or

Ordinance 19881

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10781 endangered under the Endangered Species Act when it is necessary to protect the habitat;  
 10782 and

10783 ~~((C.))~~ D. In the R-1 zone, ~~((open space))~~ natural area tracts ~~((created by~~  
 10784 ~~clustering required by K.C.C. 21A.12.030))~~ shall be located and configured to create  
 10785 urban separators and greenbelts, as required by the Comprehensive Plan, ~~((or))~~ subarea  
 10786 plans, or open space functional plans, to connect and increase protective buffers for  
 10787 critical areas, to connect and protect wildlife habitat corridors designated by the  
 10788 Comprehensive Plan and to connect existing or planned public parks or trails. ~~((The~~  
 10789 ~~department may require open space tracts created under this subsection to be dedicated to~~  
 10790 ~~an appropriate managing public agency or qualifying private entity such as a nature~~  
 10791 ~~conservancy. In the absence of such a requirement, open space tracts shall be retained in~~  
 10792 ~~undivided interest by the residents of the subdivision or short subdivision. A~~  
 10793 ~~homeowners association shall be established for maintenance of the open space tract.))~~

10794 SECTION 243. Ordinance 10870, Section 365, as amended, and K.C.C.  
 10795 21A.14.050 are hereby amended to read as follows:

10796 Subdivision or short subdivision of UR zoned property of ten or more acres shall  
 10797 ~~((be required to be clustered and))~~ provide a reserve tract ~~((shall be created))~~ for future  
 10798 development ~~((in accordance with the following))~~ as follows:

10799 A. The reserve tract shall be no less than seventy-five percent of the net  
 10800 developable area of the property to be subdivided~~((:))~~;

10801 B. The reserve tract shall be configured to contain lands with topography and  
 10802 natural features that allow future conversion of the reserve tract to residential  
 10803 development at urban densities~~((:))~~;

Ordinance 19881

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10804 C. The reserve tract may contain a single dwelling unit, only if:

10805 1. The unit was included in the overall density calculations for the original

10806 subdivision or short subdivision creating the reserve tract; and

10807 2. The unit was noted on the face of the original ~~((subdivision(-)))~~ plat or short

10808 plat~~(((-)))~~;

10809 D. The reserve tract shall not be altered or disturbed except as specified on the

10810 face of the original ~~((subdivision(-)))~~ plat or short plat~~(((-)))~~;

10811 E. The reserve tract may be retained under the ownership of the subdivider,

10812 conveyed to residents of the ~~((subdivisions))~~ development, or conveyed to a third party.

10813 Regardless of ownership of the reserve tract, all restrictions relative to the reserve tract

10814 shall apply~~(((-)))~~;

10815 F. The reserve tract shall not be used to satisfy the recreation space requirement

10816 of the original subdivision~~(((-)))~~ or short subdivision;

10817 G. The layout of the lots and roadways created in the original subdivision or short

10818 subdivision shall facilitate future development of the reserve tract~~(((-)))~~;

10819 H. The reserve tract shall not be eligible for further ~~((sub))~~division until ~~((such~~

10820 ~~time that))~~ reclassification of the reserve tract occurs in accordance with the ~~((community~~

10821 ~~plan))~~ area zoning process ~~((outlined))~~ in K.C.C. 20.08.030~~(((-)))~~; and

10822 I. Any proposed subsequent development on the reserve tract shall be governed

10823 by the development standards in effect at the time of such development.

10824 SECTION 244. Ordinance 10870, Section 367, as amended, and K.C.C.

10825 21A.14.070 are hereby amended to read as follows:

Ordinance 19881

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10826           A. The standards of ~~((K.C.C. 21A.14.080 through 21A.14.090))~~ this section shall  
10827 apply to ~~((all))~~ new ~~((apartment))~~ developments with more than nine ~~((exceeding four))~~  
10828 dwelling or sleeping units ~~((new townhouse development and new group residences~~  
10829 ~~except Class I Community Residential Facilities ("CRF-I")))~~. Expansions of existing  
10830 development that involve ~~((four or))~~ more than nine dwelling or sleeping units shall be  
10831 subject to compliance with ~~((K.C.C. 21A.14.080 to 21A.14.090))~~ this section.

10832           B.1. On sites abutting an alley constructed to a width of at least twenty feet,  
10833 parking areas shall be placed to the rear of buildings with primary vehicular access via  
10834 the alley, except when waived by the director due to physical site limitations.

10835           2. When alley access is provided, no additional driveway access from the public  
10836 street shall be allowed except as necessary to access parking under the structure or for  
10837 fire protection.

10838           3. When the number of uncovered common parking spaces for attached  
10839 dwelling and group residences exceed thirty spaces and when there is alley access, no  
10840 more than fifty percent of these uncovered parking spaces shall be allowed between the  
10841 street property line and any building, except when authorized by the director due to  
10842 physical site limitations.

10843           C. Developments shall provide building facade modulation on facades exceeding  
10844 sixty feet and adjoining streets or properties zoned R-1 or R-4. The following standards  
10845 shall apply:

10846           1. The maximum wall length without modulation shall be thirty feet;



Ordinance 19881

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10847            2. The sum of the modulation depth and the modulation width shall be no less  
10848 than eight feet. Neither the modulation depth nor the modulation width shall be less than  
10849 two feet; and

10850            3. Any other technique approved by the director that achieves the intent of this  
10851 section.

10852            NEW SECTION. SECTION 245. There is hereby added to K.C.C. chapter  
10853 21A.14 a new section to read as follows:

10854            A. A congregate residence shall include at least one common kitchen facility. In a  
10855 congregate residence with more than two floors, at least one common kitchen facility is  
10856 required on each floor with sleeping units. In a congregate residence consisting of more  
10857 than one building, at least one common kitchen facility is required in each building.

10858            2. A sleeping unit that does not include sanitation facilities in the sleeping unit  
10859 shall have access to shared sanitation facilities on the same floor as the sleeping unit.

10860            3. Communal areas, such as common kitchen facilities, lounges, recreation  
10861 rooms, dining rooms, living rooms, laundry rooms, foyers, and lobbies, shall be open to  
10862 all residents of the congregate residence and shall meet the following standards:

10863            a. The total floor area of communal areas shall be at least twelve percent of the  
10864 total floor area of all sleeping and dwelling units; and

10865            b. Service areas, including, but not limited to hallways and corridors, supply or  
10866 janitorial storage areas, operations and maintenance areas, staff areas, and offices may  
10867 not be counted toward the communal area total floor area requirement.

10868            SECTION 246. Ordinance 10870, Section 376, as amended, and K.C.C.  
10869 21A.14.160 are hereby amended to read as follows:

Ordinance 19881

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10870 New ~~((mobile))~~ manufactured home ~~((parks))~~ communities shall be developed

10871 subject to the following standards:

10872 A. ~~((A mobile home park))~~ The site shall be at least three acres in area;

10873 B. ~~((Residential densities in a mobile home park shall be as follows:~~

10874 1. ~~Six dwellings per acre in R-4 zone;~~

10875 2. ~~The base density of the zone in which the park is located in all R-6 through~~

10876 ~~R-48 zones; and~~

10877 3. ~~Mobile home parks shall be eligible to achieve the maximum density~~

10878 ~~permitted in the zone by providing the affordable housing benefit for mobile home parks~~

10879 ~~set forth in K.C.C. 21A.34;~~

10880 ~~(C.))~~ Both insignia and non-insignia ~~((mobile))~~ manufactured homes may be

10881 installed ~~((in mobile home parks, provided that n)).~~ Non-insignia ~~((mobile))~~

10882 manufactured homes shall meet the minimum livability and safety requirements ~~((set~~

10883 ~~forth))~~ in K.C.C. Title 16, Building Code;

10884 ~~((D. A mobile home park shall be exempt from))~~ C. The impervious surface

10885 limits ~~((set forth))~~ in ~~((K.C.C. 21A.12))~~ this title shall not apply;

10886 ~~((E.))~~ D. At least one of the off-street parking spaces required for each ~~((mobile))~~

10887 manufactured home shall be located on or adjacent to each ~~((mobile))~~ manufactured

10888 home pad;

10889 ~~((F.))~~ E. Internal roads and sidewalks shall provide access to each ~~((mobile))~~

10890 manufactured home space and shall be constructed in accordance with the adopted King

10891 County ~~((s))~~ Road Design and Construction ~~((s))~~ Standards for residential minor access

10892 streets;

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Ordinance 19881

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10893            ~~((G.))~~ F. There shall be a minimum of ten feet of separation maintained between  
 10894 all ~~((mobile))~~ manufactured homes on the site, unless the flexible setback option ~~((set~~  
 10895 ~~forth))~~ in K.C.C. 21A.14.170 is used. Accessory structures shall be located no closer  
 10896 than:

10897            1. Ten feet to ~~((mobile))~~ manufactured homes on adjacent spaces, unless  
 10898 constructed of noncombustible materials, in which case the minimum setback shall be  
 10899 five feet;

10900            2. Five feet to accessory structures of ~~((mobile))~~ manufactured homes on  
 10901 adjacent spaces; and

10902            3. Five feet to the ~~((mobile))~~ manufactured home or other accessory structures  
 10903 on the same space, except a carport or garage may be attached to the ~~((mobile))~~  
 10904 manufactured home, and the separation may be waived when such structures are  
 10905 constructed of noncombustible materials;

10906            ~~((H.))~~ G. All ~~((mobile))~~ manufactured homes and ~~((RVs))~~ recreational vehicles  
 10907 supported by piers shall be fully skirted; and

10908            ~~((I. A mobile home park may include a storage))~~ H. Storage areas for ~~((RVs))~~  
 10909 recreational vehicles owned by residents of the park are allowed, ~~((provided))~~ but only if  
 10910 the storage area contains no utility hook-ups and ~~((no RV))~~ recreational vehicle within  
 10911 the storage area ~~((shall be))~~ are not used as living quarters.

10912            SECTION 247. Ordinance 10870, Section 377, as amended, and K.C.C.  
 10913 21A.14.170 are hereby amended to read as follows:

10914            As an alternative to the building separation and internal street standards of K.C.C.  
 10915 21A.14.160:

Ordinance 19881

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10916 A. Building separation requirements or setbacks between ~~((mobile))~~  
10917 manufactured homes and accessory structures on adjacent spaces may be modified,  
10918 ~~((provided))~~ but only if:

10919 1. The common walls meet the fire protection standards set forth in the  
10920 International Building Code and the standards set forth in the International Fire Code for  
10921 duplexes, ~~((multifamily))~~ multiunit and condominium developments, as applicable; and

10922 2. Rental agreement clauses, by-laws, or other legal mechanisms stipulate  
10923 maintenance responsibilities for structures, fences, and yards;

10924 B. Private streets may be used with a minimum driving surface of ~~((22))~~ twenty-  
10925 two feet in width, ((provided)) but only if:

10926 1. The streets comply in all other respects with the King County ((#))Road  
10927 Design and Construction ((s))Standards;

10928 2. All required parking is located off-street and as specified in K.C.C.  
10929 21A.14.160.E.; and

10930 3. Such streets shall not:

- 10931 a. directly connect two or more points of vehicular access to the park; or
- 10932 b. serve over 100 dwelling units within the park.

10933 SECTION 248. Ordinance 10870, Section 378, as amended, and K.C.C.  
10934 21A.14.180 are hereby amended to read as follows:

10935 A. ~~((Residential))~~ The standards of this section shall apply to new  
10936 developments~~((, other than cottage housing developments, of))~~ with nine or more ~~((than~~  
10937 ~~four))~~ dwelling units, except subdivisions in the RA zone. ~~((in the UR and R-4 through~~  
10938 ~~R-48 zones, stand alone townhouse developments in the NB zone on property designated~~

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Ordinance 19881

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10939 ~~commercial outside of center in the urban area of more than four units, and mixed use~~  
10940 ~~developments of more than four units, shall provide r~~)Recreation space for leisure, play,  
10941 and sport activities shall be provided as follows:

10942 1. Residential (~~(subdivision, townhouses and apartments)~~) developments  
10943 developed at a density of eight units or less per acre: three hundred ninety square feet per  
10944 unit;

10945 2. (~~(Mobile)~~) Manufactured home (~~(park)~~) community: two hundred sixty  
10946 square feet per unit;

10947 3. Residential subdivisions developed at a density of greater than eight units per  
10948 acre: one hundred seventy square feet per unit; and

10949 4. Houseplexes, (~~(A)~~)apartments, and townhouses developed at a density of  
10950 greater than eight units per acre and mixed-use:

- 10951 a. Studio and one bedroom: ninety square feet per unit;  
10952 b. Two bedrooms: one hundred seventy square feet per unit; and  
10953 c. Three or more bedrooms: one hundred seventy square feet per unit.

10954 B. Recreation space shall be placed in a designated recreation space tract if part  
10955 of a subdivision. The tract shall be dedicated to a (~~(homeowner's)~~) homeowners  
10956 association or other workable organization acceptable to the director, to provide  
10957 continued maintenance of the recreation space tract consistent with K.C.C. 21A.14.200.

10958 C. Any recreation space located outdoors that is not part of a (~~(storm water)~~)  
10959 stormwater tract developed in accordance with subsection F. of this section shall:

- 10960 1. Be of a grade and surface suitable for recreation improvements and have a  
10961 maximum grade of five percent;
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Ordinance 19881

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- 10962            2. Be on the site of the proposed development;
- 10963            3. Be located in an area where the topography, soils, hydrology, and other
- 10964 physical characteristics are of such quality as to create a flat, dry, obstacle-free space in a
- 10965 configuration that allows for passive and active recreation;
- 10966            4. Be centrally located with good visibility of the site from roads and sidewalks;
- 10967            5. Have no dimensions less than thirty feet, except trail segments;
- 10968            6. Be located in one designated area, unless the director determines that
- 10969 residents of large subdivisions, townhouses, and apartment developments would be better
- 10970 served by multiple areas developed with recreation or play facilities;
- 10971            7. Have a street roadway or parking area frontage along ten percent or more of
- 10972 the recreation space perimeter, except trail segments, if the required outdoor recreation
- 10973 space exceeds five thousand square feet and is located in a single detached or townhouse
- 10974 subdivision;
- 10975            8. Be accessible and convenient to all residents within the development; and
- 10976            9. Be located adjacent to, and be accessible by, trail or walkway to any existing
- 10977 or planned municipal, county, or regional park, public open space, or trail system((,
- 10978 ~~which may~~)) that may be located on adjoining property.
- 10979            D. Indoor recreation areas may be credited towards the total recreation space
- 10980 requirement, if the director determines that the areas are located, designed, and improved
- 10981 in a manner that provides recreational opportunities functionally equivalent to those
- 10982 recreational opportunities available outdoors. For senior (~~citizen~~) assisted housing,
- 10983 indoor recreation areas need not be functionally equivalent (~~but~~) and may include social
- 10984 areas, game and craft rooms, and other multipurpose entertainment and education areas.

Ordinance 19881

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10985 E. Play equipment or age-appropriate facilities shall be provided within dedicated  
10986 recreation space areas according to the following requirements:

10987 1. (~~For developments of five dwelling units or more, a~~) A tot lot or children's  
10988 play area within the recreation space on-site, that includes age-appropriate play  
10989 equipment and benches, shall be provided (~~(consistent with K.C.C. 21A.14.190)~~), except  
10990 if the use is either senior assisted housing or located within one quarter mile walking  
10991 distance of a public park that is accessible without crossing an arterial street. The tot lot  
10992 or children's play area shall:

10993 a. provide at least forty-five square feet per dwelling unit, with a minimum size  
10994 of four hundred square feet;

10995 b. be adjacent to main pedestrian paths or near building entrances;

10996 c. meet the requirements of this section; and

10997 d. provide play equipment that meets, at a minimum, the Consumer Product  
10998 Safety Standards for equipment, soft surfacing, and spacing;

10999 2. For developments of (~~five~~) nine to twenty-five dwelling units, one of the  
11000 following recreation facilities shall be provided in addition to the tot lot or children's play  
11001 area:

11002 a. playground equipment;

11003 b. sport court;

11004 c. sport field;

11005 d. tennis court; or

11006 e. any other recreation facility proposed by the applicant and approved by the  
11007 director;

Ordinance 19881

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11008           3. For developments of twenty-six to fifty dwelling units, at least two or more of  
11009 the recreation facilities listed in subsection E.2. of this section shall be provided in  
11010 addition to the tot lot or children's play area; and

11011           4. For developments of more than fifty dwelling units, one or more of the  
11012 recreation facilities listed in subsection E.2. of this section shall also be provided for  
11013 every twenty-five dwelling units in addition to the tot lot or children's play area. If  
11014 calculations result in a fraction, the fraction shall be rounded to the nearest whole number  
11015 as follows:

11016           a. Fractions of 0.50 or above shall be rounded up; and

11017           b. Fractions below 0.50 shall be rounded down.

11018           F. In subdivisions, recreation areas that are contained within the on-site  
11019 stormwater tracts, but are located outside of the one hundred year design water surface,  
11020 may be credited for up to fifty percent of the required square footage of the on-site  
11021 recreation space requirement on a foot-per-foot basis, subject to the following criteria:

11022           1. The stormwater tract and any on-site recreation tract shall be contiguously  
11023 located. At final plat recording, contiguous stormwater and recreation tracts shall be  
11024 recorded as one tract and dedicated to the (~~homeowner's~~) homeowners association or  
11025 other organization as approved by the director;

11026           2. The drainage facility shall be constructed to meet the following conditions:

11027           a. The side slope of the drainage facility shall not exceed thirty-three percent  
11028 unless slopes are existing, natural, and covered with vegetation;



Ordinance 19881

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11029           b. A bypass system or an emergency overflow pathway shall be designed to  
11030 handle flow exceeding the facility design and located so that it does not pass through  
11031 active recreation areas or present a safety hazard;

11032           c. The drainage facility shall be landscaped and developed for passive  
11033 recreation opportunities such as trails, picnic areas, and aesthetic viewing; and

11034           d. The drainage facility shall be designed so they do not require fencing under  
11035 the King County Surface Water Design Manual.

11036           G. When the tract is a joint use tract for a drainage facility and recreation space,  
11037 King County is responsible for maintenance of the drainage facility only and requires a  
11038 drainage easement for that purpose.

11039           H.1. A recreation space plan shall be submitted to the department and reviewed  
11040 and approved with engineering plans.

11041           ~~((1.))~~ 2. The recreation space plans shall address all portions of the site that will  
11042 be used to meet recreation space requirements of this section, including drainage facility.  
11043 The plans shall show dimensions, finished grade, equipment, landscaping, and  
11044 improvements, as required by the director, to demonstrate that the requirements of the on-  
11045 site recreation space and play areas in K.C.C. 21A.14.180 ~~((and play areas in K.C.C.~~  
11046 ~~21A.14.190))~~ have been met.

11047           ~~((2.))~~ 3. If engineering plans indicate that the on-site drainage facility or  
11048 stormwater tract ~~((must))~~ is required to be increased in size from that shown in  
11049 preliminary approvals, the recreation plans ~~((must))~~ shall show how the required  
11050 minimum recreation space under K.C.C. 21A.14.180.A. will be met.

Ordinance 19881

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11051            SECTION 249. Ordinance 14045, Section 35, and K.C.C. 21A.14.195 are hereby  
11052 amended to read as follows:

11053            Financial guarantees for construction of recreation facilities required under  
11054 K.C.C. 21A.14.180 (~~and 21A.14.190~~) shall be provided consistent with K.C.C. Title  
11055 27A.

11056            SECTION 250. Ordinance 10870, Section 381, and K.C.C. 21A.14.210 are  
11057 hereby amended to read as follows:

11058            Developments shall provide storage space for the collection of recyclables as  
11059 follows:

11060            A. The storage space shall be provided at the following rates, calculated based on  
11061 any new dwelling unit in (~~multiple dwelling~~) multiunit developments and any new  
11062 square feet of building gross floor area in any other developments:

11063            1. One and one-half square feet per dwelling unit in (~~multiple dwelling~~)  
11064 multiunit developments except where the development is participating in a county-  
11065 sponsored or approved direct collection program in which individual recycling bins are  
11066 used for curbside collection;

11067            2. Two square feet per every 1,000 square feet of building gross floor area in  
11068 office, educational, and institutional developments;

11069            3. Three square feet per every 1,000 square feet of building gross floor area in  
11070 manufacturing and other nonresidential developments; and

11071            4. Five square feet per every 1,000 square feet of building gross floor area in  
11072 retail developments.

Ordinance 19881

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11073           B. The storage space for residential developments shall be apportioned and  
11074 located in collection points as follows:

11075           1. The required storage area shall be dispersed in collection points throughout  
11076 the site when a residential development comprises more than one building.

11077           2. There shall be one collection point for every ~~((30))~~ thirty dwelling units.

11078           3. Collection points may be located within residential buildings, in separate  
11079 buildings/structures without dwelling units, or outdoors.

11080           4. Collection points located in separate buildings/structures or outdoors shall be  
11081 no more than ~~((200))~~ two hundred feet from a common entrance of a residential building.

11082           5. Collection points shall be located in a manner so that the swing of any  
11083 collection point gate does not obstruct pedestrian or vehicle traffic or access to parking or  
11084 that the gate swing or any hauling truck does not project into any public right-of-way.

11085           C. The storage space for nonresidential developments shall be apportioned and  
11086 located in collection points as follows:

11087           1. Storage space may be allocated to a centralized collection point.

11088           2. Outdoor collection points shall not be located in any required setback areas.

11089           3. Collection points shall be located in a manner so that the swing of any  
11090 collection point gate does not obstruct pedestrian or vehicle traffic or access to parking or  
11091 that the gate swing or any hauling truck does not project into any public right-of-way.

11092           4. Access to collection points may be limited, except during regular business  
11093 hours and/or specified collection hours.

11094           D. The collection points shall be designed as follows:

Ordinance 19881

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- 11095           1. Dimensions of the collection points shall be of sufficient width and depth to  
11096 enclose containers for recyclables.
- 11097           2. Architectural design of any structure enclosing an outdoor collection point or  
11098 any building primarily used to contain a collection point shall be consistent with the  
11099 design of the primary structure(s) on the site.
- 11100           3. Collection points shall be identified by signs not exceeding two square feet.
- 11101           4. A six-foot wall or fence shall enclose any outdoor collection point, excluding  
11102 collection points located in industrial developments that are greater than ~~((100))~~ one  
11103 hundred feet from ~~((residentially))~~ R or UR zoned property.
- 11104           5. Enclosures for outdoor collection points and buildings used primarily to  
11105 contain a collection point shall have gate openings at least ~~((12))~~ twelve feet wide for  
11106 haulers. In addition, the gate opening for any building or other roofed structure used  
11107 primarily as a collection point shall have a vertical clearance of at least ~~((12))~~ twelve feet.
- 11108           6. Weather protection of recyclables shall be ensured by using weather-proof  
11109 containers or by providing a roof over the storage area.
- 11110           E. Only recyclable materials generated on-site shall be collected and stored at  
11111 such collection points. Except for initial sorting of recyclables by users, all other  
11112 processing of such materials shall be conducted off-site.
- 11113           F. The director may waive or modify specific storage space and collection point  
11114 requirements set forth in this section if the director finds, in writing, that an alternate  
11115 recycling program design proposed by the applicant meets the needs of the development  
11116 and provides an equivalent or better level of storage and collection for recyclables.

Ordinance 19881

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11117            SECTION 251. Ordinance 14045, Section 30, and K.C.C. 21A.14.225 are hereby  
11118 amended to read as follows:

11119            A. Tracts and easements containing hazardous liquid and gas transmission  
11120 pipelines and required setbacks from such pipelines may include the following uses,  
11121 subject to other regulations applicable to each use and approval of the holder of the  
11122 easement: utility structures that are not normally occupied and that are necessary for the  
11123 operation of the pipeline, landscaping, trails, open space, keeping of animals, agriculture,  
11124 forestry, commercial signage, minor communication facilities and ~~((the))~~ utility structures  
11125 that are not normally occupied and that are necessary for the operation of the minor  
11126 communication facility, and other compatible uses as specified on the face of the  
11127 recorded plat or short plat; ~~((provided that))~~ however, structures designed for human  
11128 occupancy shall never be allowed within pipeline tracts, easements, or setbacks.

11129            B. Hazardous liquid and gas transmission pipelines shall not be located in aquifer  
11130 recharge areas, landslide hazard areas, or erosion hazard areas. When it is impractical to  
11131 avoid such areas, special engineering precautions should be taken to protect public health,  
11132 safety, and welfare.

11133            C. As part of an application for the new, modified, or expanded gas or hazardous  
11134 liquid transmission pipelines, the applicant shall submit an equity impact review of the  
11135 proposal using tools developed by the office of equity and racial and social justice. Until  
11136 the tools have been developed and made publicly available by the office, the equity  
11137 impact review is not required. The results from the equity impact review shall be used to  
11138 assess equity impacts and opportunities during county permit review and may be used to  
11139 inform determinations of project approval.

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Ordinance 19881

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11140            SECTION 252. Ordinance 13694, Section 88, and K.C.C. 21A.14.310 are hereby  
11141 amended to read as follows:

11142            Where railroads abut a proposed ~~((formal))~~ subdivision~~((s))~~, short  
11143 subdivision~~((s))~~, or binding site plan~~((s))~~, measures to provide a physical separation  
11144 between the two uses shall be required. These measures may include the use of: grade  
11145 separations, setbacks, or barriers such as walls and fences.

11146            SECTION 253. Ordinance 14045, Section 43, and K.C.C. 21A.14.330 are hereby  
11147 amended to read as follows:

11148            In the RA zone, all subdivisions and short subdivisions shall be recorded with a  
11149 condition prohibiting any covenant that would ~~((preclude the keeping of horses or other  
11150 large livestock))~~ restrict farming or forestry.

11151            SECTION 254. Ordinance 10870, Section 387, as amended, and K.C.C.  
11152 21A.16.020 are hereby amended to read as follows:

11153            ~~((Except for communication facilities regulated pursuant to K.C.C. 21A.26,))~~ A.  
11154 ~~((a))~~All new development listed in K.C.C. 21A.16.030 shall be subject to the landscaping  
11155 provisions of this chapter, ~~((provided that specific))~~ except that:

11156            1. Communication facilities regulated under K.C.C. chapter 21A.26 are not  
11157 subject to these provisions; and

11158            2. ((4))Landscaping and tree retention provisions for uses ~~((established through))~~  
11159 requiring a conditional use permit~~((;))~~ or a special use permit~~((, or an urban planned  
11160 development application))~~ shall be determined ~~((during))~~ through the applicable review  
11161 process.

Ordinance 19881

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11162 B. Where landscaping standards for a specific use or geography are found  
11163 elsewhere in this title or in property-specific development conditions, those standards  
11164 shall apply.

11165 SECTION 255. Ordinance 10870, Section 388, as amended, and K.C.C.  
11166 21A.16.030 are hereby amended to read as follows:

11167 To facilitate the application of this chapter, the land uses of K.C.C. chapter  
11168 21A.08 have been grouped in the following manner:

11169 ~~((A. Residential development refers to those uses listed in K.C.C. 21A.08.030,~~  
11170 ~~except those uses listed under Accessory uses, and:~~

11171 ~~1. Attached/group residences refers to:~~

11172 ~~a. townhouses, except as provided in subsection A.2.a. of this section;~~

11173 ~~b. apartments and detached dwelling units developed on common property at a~~  
11174 ~~density of twelve or more units per acre;~~

11175 ~~c. senior citizen assisted housing;~~

11176 ~~d. temporary lodging;~~

11177 ~~e. group residences other than Type I community residential facilities;~~

11178 ~~f. mobile home parks; and~~

11179 ~~2. Single family development refers to:~~

11180 ~~a. residential subdivisions and short subdivisions, including attached and~~  
11181 ~~detached dwelling units on individually platted or short platted lots;~~

11182 ~~b. any detached dwelling units located on a lot including cottage housing units;~~

11183 ~~and~~

11184 ~~c. Type I community residential facilities;~~

Ordinance 19881

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- 11185            ~~B. Commercial development refers to those uses in:~~
- 11186            ~~1. K.C.C. 21A.08.040 as amusement/entertainment uses, except golf facilities;~~
- 11187            ~~2. K.C.C. 21A.08.050 except recycling centers, health and educational services,~~
- 11188 ~~daycare I, churches, synagogues and temples, and miscellaneous repair as allowed in the~~
- 11189 ~~A and RA zones; and~~
- 11190            ~~3. K.C.C. 21A.08.070, except forest product sales and agricultural product sales~~
- 11191 ~~as allowed in the A, F, and RA zones and building, hardware and garden materials as~~
- 11192 ~~allowed in the A zones;~~
- 11193            ~~C. Industrial development refers to those uses listed in:~~
- 11194            ~~1. K.C.C. 21A.08.050 as recycling center;~~
- 11195            ~~2. K.C.C. 21A.08.060, except government services and farm product~~
- 11196 ~~warehousing, refrigeration, and storage as allowed in the A zones;~~
- 11197            ~~3. K.C.C. 21A.08.080, except food and kindred products as allowed in the A~~
- 11198 ~~and F zones; and~~
- 11199            ~~4. K.C.C. 21A.08.090 as mineral extraction and processing;~~
- 11200            ~~D. Institutional development refers to those uses listed in:~~
- 11201            ~~1. K.C.C. 21A.08.040 as cultural uses, except arboretums;~~
- 11202            ~~2. K.C.C. 21A.08.050 as churches, synagogues and temples, health services and~~
- 11203 ~~education services except specialized instruction schools permitted as an accessory use;~~
- 11204            ~~3. K.C.C. 21A.08.060 as government services; and~~
- 11205            ~~4. Search and rescue facilities;~~
- 11206            ~~E. Utility development refers to those uses listed in:~~
- 11207            ~~1. K.C.C. 21A.08.060 as utility facilities; and~~
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Ordinance 19881

11208           ~~2. K.C.C. 21A.08.100 as battery energy storage systems, except those defined as~~  
 11209 ~~accessory uses under K.C.C. 21A.06.015, 21A.06.020, or 21A.06.025; and~~  
 11210           ~~F. Uses in K.C.C. chapter 21A.08 that are not listed in subsections A. through E.~~  
 11211 ~~of this section shall not be subject to landscaping and tree retention requirements except~~  
 11212 ~~as specified in any applicable review of a conditional use or special use permits, or~~  
 11213 ~~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,</u> <u>except adult family homes, community residential facilities I,</u> <u>microshelter villages, and safe parking uses</u>
<u>Residential –</u>  <u>Detached</u>  <u>Housing</u>	<u>1. Single detached residences, including residential subdivisions and</u> <u>short 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>

Ordinance 19881

<p><u>Commercial</u></p>	<p><u>1. Amusement/entertainment uses in K.C.C. 21A.08.040</u></p> <p><u>2. Health care services in section 162 of this ordinance, except hospitals</u></p> <p><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></p> <p><u>4. Professional office</u></p> <p><u>5. General business service</u></p> <p><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></p>
<p><u>Industrial</u></p>	<p><u>1. Manufacturing uses in K.C.C. 21A.08.080, except food and kindred products as allowed in the A and F zones</u></p> <p><u>2. Business services land uses in K.C.C. 21A.060, except farm product warehousing, refrigeration, and storage as allowed in the A zones;</u></p> <p><u>2. Recycling centers</u></p> <p><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></p> <p><u>4. K.C.C. 21A.08.090 as mineral extraction and processing</u></p>
<p><u>Institutional</u></p>	<p><u>1. Cultural uses in K.C.C. 21A.08.040, except arboretums</u></p> <p><u>2. Government and educational uses in section 164 of this ordinance,</u></p>

Ordinance 19881

	<p><u>except utility facility</u></p> <p><u>3. Religious facilities</u></p> <p><u>4. Search and rescue facilities</u></p> <p><u>5. Hospitals</u></p>
<u>Utility</u>	<p><u>1. Utility facilities</u></p> <p><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></p>
<u>Other Uses</u>	<p><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></p>

11214 SECTION 256. Ordinance 10870, Section 390, as amended, and K.C.C.

11215 21A.16.050 are hereby amended to read as follows:

11216 The average width of perimeter landscaping along street frontages shall be  
 11217 provided as follows:

11218 A. Twenty feet of Type II landscaping shall be provided for an institutional  
 11219 ~~((use))~~ site, excluding playgrounds and playfields;

11220 B. Ten feet of Type II landscaping shall be provided for an industrial  
 11221 ~~((development))~~ site;

Ordinance 19881

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11222 C. Ten feet of Type II landscaping shall be provided for an (~~above-ground~~)  
11223 aboveground utility (~~(development)~~) site, excluding distribution and transmission  
11224 corridors, located outside a public right-of-way;

11225 D. Ten feet of Type III landscaping shall be provided for a commercial or  
11226 attached(~~(group-residence)~~) housing (~~(development)~~) site; and

11227 E. For single(~~(family)~~) detached residential subdivisions and short subdivisions  
11228 in the urban (~~(growth)~~) area:

11229 1. Trees shall be planted at the rate of one tree for every forty feet of frontage  
11230 along all public streets;

11231 2. The trees shall be:

11232 a. Located within the street right-of-way if (~~(permitted)~~) allowed by the  
11233 custodial state or local agency;

11234 b. No more than twenty feet from the street right-of-way line if located within  
11235 a lot;

11236 c. Maintained by the adjacent landowner unless part of a county maintenance  
11237 program; and

11238 d. A species approved by the county if located within the street right-of way  
11239 and compatible with overhead utility lines.

11240 3. The trees may be spaced at irregular intervals to accommodate sight distance  
11241 requirements for driveways and intersections.

11242 SECTION 257. Ordinance 10870, Section 391, as amended, and K.C.C.

11243 21A.16.060 are hereby amended to read as follows:

Ordinance 19881

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11244           The average width of perimeter landscaping along interior lot lines shall be  
11245 provided as follows:

11246           A. Twenty feet of Type I landscaping shall be ~~((included in))~~ provided for a  
11247 commercial or industrial ~~((development))~~ site along any portion adjacent to a residential  
11248 ~~((development))~~ site;

11249           B. Five feet of Type II landscaping shall be ~~((included in))~~ provided for an  
11250 attached~~((group residence development))~~ housing site, except that along portions of the  
11251 ~~((development))~~ site adjacent to property developed with single detached residences or  
11252 vacant property that is zoned RA, UR, R-1, R-4, R-6, or ~~((R-1-8))~~ R-8, the requirement  
11253 shall be ten feet of Type II landscaping;

11254           C. Ten feet of Type II landscaping shall be ~~((included in))~~ provided for an  
11255 industrial ~~((development))~~ site along any portion adjacent to a commercial or institutional  
11256 ~~((development))~~ site; and

11257           D. Ten feet of Type II landscaping shall be included in:

- 11258           1. An institutional ~~((use))~~ site, excluding playgrounds and playfields; or  
11259           2. An above-ground utility ~~((development))~~ site, excluding distribution or  
11260 transmission corridors, when located outside a public right-of-way.

11261           SECTION 258. Ordinance 11210, Section 9, as amended, and K.C.C.  
11262 21A.16.085 are hereby amended to read as follows:

11263           All new landscape areas ~~((proposed for a development))~~ shall be subject to the  
11264 following provisions:

11265           A. Berms shall not exceed a slope of two horizontal feet to one vertical foot (2:1).

11266           B. All new turf areas, except all-weather, sand-based athletic fields shall:

Ordinance 19881

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- 11267           1. Be augmented with a two-inch layer of organic material cultivated a  
11268 minimum of six inches deep; or
- 11269           2. Have an organic content of five percent or more to a depth of six inches as  
11270 shown in a soil sample analysis. The soil analysis shall include:
- 11271           a. determination of soil texture, indicating percentage of organic matter,  
11272           b. an approximated soil infiltration rate either measured or derived from  
11273 soil/texture/infiltration rate tables. A range of infiltration rates shall be noted where  
11274 appropriate; and
- 11275           c. measure pH value.
- 11276           C. Except as specifically outlined for turf areas in subsection B. of this section,  
11277 the organic content of soils in any landscape area shall be as necessary to provide  
11278 adequate nutrient and moisture-retention levels for the establishment of plantings.
- 11279           D. Landscape areas, except turf or areas of established groundcover, shall be  
11280 covered with at least two inches of mulch to minimize evaporation.
- 11281           E. Plants having similar water use characteristics shall be grouped together in  
11282 distinct hydrozones.
- 11283           F. Plants selected shall be natives, or other plants adapted to the climatic,  
11284 geologic, and topographical conditions of the site. Preservation of existing noninvasive  
11285 vegetation is encouraged.
- 11286           G. Landscape areas ~~((are authorized to be used for bioretention, as long as the  
11287 landscape areas meet the))~~ shall incorporate low-impact development best management  
11288 practices to the maximum extent practical, consistent with the bioretention design  
11289 standards of the Surface Water Design Manual, including soil mix and plant selection,
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Ordinance 19881

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11290 and shall also meet the standards of this chapter for types of plants used and their spacing  
11291 and density.

11292 SECTION 259. Ordinance 10870, Section 395, as amended, and K.C.C.  
11293 21A.16.100 are hereby amended to read as follows:

11294 The following alternative landscape options may be allowed, subject to county  
11295 approval, only if they accomplish equal or better levels of screening, or when existing  
11296 conditions on or adjacent to the site, such as significant topographic differences,  
11297 vegetation, structures, or utilities would render application of this chapter ineffective or  
11298 result in scenic view obstruction:

11299 A. The amount of required landscape area may be reduced to ensure that the total  
11300 area for required landscaping, and/or the area remaining undisturbed for the purpose of  
11301 wildlife habitat or corridors does not exceed ~~((15))~~ fifteen percent of the net developable  
11302 area of the site. For the purpose of this subsection A., the net developable area of the site  
11303 shall not include areas deemed unbuildable due to their location within sensitive areas  
11304 and any associated buffers~~((:))~~;

11305 B. The average width of the perimeter landscape strip may be reduced up to  
11306 ~~((25))~~ twenty-five percent along any portion where:

11307 1. Berms at least three feet in height or architectural barriers at least six feet in  
11308 height are incorporated into the landscape design; or

11309 2. The landscape materials are incorporated elsewhere on-site;

11310 C. ~~((In pedestrian district overlays, street perimeter landscaping may be waived  
11311 provided a site plan, consistent with the applicable adopted area zoning document, is  
11312 approved that provides street trees and other pedestrian related amenities;~~

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Ordinance 19881

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11313 ~~D.~~) Landscaping standards for uses located in a rural town or rural neighborhood  
11314 ~~((business))~~ commercial centers designated by the ~~((e))~~Comprehensive ~~((p))~~Plan may be  
11315 waived or modified by the director if deemed necessary to maintain the historic character  
11316 of the area. Where a ~~((local or))~~ subarea plan with design guidelines has been adopted,  
11317 the director shall base the landscaping modifications on the policies and guidelines of  
11318 such plan~~((:))~~;

11319 ~~((E.))~~ D. When an existing structure precludes installation of the total amount of  
11320 required site perimeter landscaping, such landscaping material shall be incorporated on  
11321 another portion of the site~~((:))~~;

11322 ~~((F.))~~ E. Single-stemmed deciduous tree species that cannot generally be planted  
11323 and established in larger sizes may have a caliper of less than 1.5 inches; ~~((and))~~

11324 ~~((G.))~~ F. The number of trees and shrubs to be provided in required perimeter and  
11325 parking area landscaping may be reduced up to ~~((25))~~ twenty-five percent when a  
11326 development uses landscaping materials consisting of species typically associated with  
11327 the Puget Sound Basin in the following proportions:

- 11328 1. Seventy-five percent of groundcover and shrubs~~((:))~~; and  
11329 2. Fifty percent of trees~~((:))~~;

11330 ~~((H.))~~ G. The department shall, ~~((pursuant to))~~ in accordance with K.C.C. chapter  
11331 2.98, develop and maintain an advisory listing of trees recommended for new plantings.  
11332 Such list shall describe their general characteristics and suitability, and provide guidelines  
11333 for their inclusion within required landscape areas; and

11334 H. Crops may be planted in place of up to twenty-five percent of required Type II  
11335 or Type III landscaping in a commercial, residential, or institutional site.



Ordinance 19881

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11336            SECTION 260. Ordinance 10870, Section 406, as amended, and K.C.C.

11337            21A.18.020 are hereby amended to read as follows:

11338            A. Before an occupancy permit may be granted for any new or enlarged building  
11339            or for a change of use in any existing building, the use shall be required to meet the  
11340            requirements of this chapter. In addition, K.C.C. 21A.18.110~~((-))~~I. and J. establish  
11341            residential parking limitations applicable to existing~~((, as well as))~~ and new~~((;))~~  
11342            residential uses.

11343            B. If this chapter does not specify a parking requirement for a land use, the  
11344            director shall establish the minimum requirement based on a study of anticipated parking  
11345            demand. Transportation demand management actions taken at the site shall be considered  
11346            in determining anticipated demand. If the site is located in an unincorporated activity  
11347            center or community business center, the minimum requirement shall be set at a level less  
11348            than the anticipated demand, but at no less than seventy-five percent of the anticipated  
11349            demand. In the study, the applicant shall provide sufficient information to demonstrate  
11350            that the parking demand for a specific land use will be satisfied. Parking studies shall be  
11351            prepared by a professional engineer with expertise in traffic and parking analyses, or an  
11352            equally qualified individual as authorized by the director.

11353            C. If the required amount of off-street parking has been proposed to be provided  
11354            off-site, the applicant shall provide written contracts with affected landowners showing  
11355            that required off-street parking shall be provided in a manner consistent with this chapter.  
11356            The contracts shall be reviewed by the director for compliance with this chapter, and if  
11357            approved, the contracts shall be recorded with the records and licensing services division

Ordinance 19881

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11358 as a deed restriction on the title to all applicable properties. These deed restrictions may  
11359 not be revoked or modified without authorization by the director.

11360 D. Upon request from the ~~((proponent of any use subject to the this chapter))~~  
11361 applicant, the director may waive or modify the requirements of this chapter for uses  
11362 located in a rural town, rural neighborhood commercial center, any commercial zone  
11363 located in ~~((a))~~ the rural area geography or natural resource ~~((production district~~  
11364 ~~designated by the Comprehensive Plan))~~ lands, or any agricultural product production,  
11365 processing or sales use allowed in the A or F zones ~~((the director may waive or modify~~  
11366 ~~this chapter))~~, in order to protect or enhance the historic character of the area, to reduce  
11367 the need for pavement or other impervious surfaces, to recognize the seasonal nature of  
11368 any such activity, or to minimize the conversion of agriculturally productive soils.  
11369 Where a ~~((neighborhood or))~~ subarea plan with design guidelines that includes the subject  
11370 property has been adopted, the director shall base allowable waivers or modifications on  
11371 the policies and guidelines in such a plan.

11372 SECTION 261. Ordinance 10870, Section 407, as amended, and K.C.C.

11373 21A.18.030 are hereby amended to read as follows:

11374 A.1. ~~((Except as modified in K.C.C. 21A.18.070.B. through D.,))~~ The required  
11375 number of off-street parking ~~((areas))~~ spaces shall ~~((contain at a minimum the number of~~  
11376 ~~parking spaces as stipulated in the following))~~ be provided in accordance with this title. If  
11377 a parking ratio is not specified in K.C.C. chapters 21A.xx, 21A.xx, 21A.xx, 21A.xx,  
11378 21A.xx, or 21A.xx (the chapters created by sections 170, 195, 203, 209, 217, and 224 of  
11379 this ordinance), special district overlay, or property-specific development conditions,  
11380 parking shall be provided using the table in subsection A.4. of this section.

Ordinance 19881

11381            2. Off-street parking ratios ((expressed as number of spaces per square feet  
 11382 means)) shall be based on the usable or net ((square footage of)) floor area, exclusive of  
 11383 ((non-public)) nonoccupied areas. ((Non-public)) For the purposes of this section,  
 11384 "nonoccupied areas" include, but are not limited to, building maintenance areas, storage  
 11385 areas, closets, or restrooms.

11386            3. If the ((formula)) calculation for determining the number of off-street parking  
 11387 spaces results in a fraction, the number of off-street parking spaces shall be rounded to  
 11388 the nearest whole number with fractions of 0.50 or greater ((rounding)) rounded up and  
 11389 fractions below 0.50 ((rounding)) rounded down.

11390            4. Minimum Required Parking Spaces.

LAND USE	MINIMUM PARKING SPACES REQUIRED
<b>RESIDENTIAL (K.C.C. 21A.08.030.A):</b>	
<u>Any residential use within a 1/2 mile walkshed of a high-capacity or frequent transit stop 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>
<u>Single detached residence/Townhouse</u>	<u>2.0 per dwelling unit</u>
<u>Duplex or Houseplex</u>	<u>1.5 per dwelling unit</u>
<u>Apartment:</u>	

Ordinance 19881

Studio units	1.2 per dwelling unit
One bedroom units	1.5 per dwelling unit
Two bedroom units	1.7 per dwelling unit
Three bedroom units or larger	2.0 per dwelling unit
<del>((Mobile))</del> <u>Manufactured home</u> <del>((park))</del> <u>community</u>	2.0 per dwelling unit
Senior <del>((citizen))</del> <u>assisted housing</u>	1 per 2 dwelling or sleeping units
<del>((Community residential facilities</del>	<del>1 per two bedrooms))</del>
<del>((Dormitory, including religious))</del> <u>Congregate residence</u>	1 per <del>((two bedrooms))</del> <u>2 dwelling or sleeping units</u>
<del>((Hotel/Motel including</del> <del>organizational hotel/lodging</del>	<del>1 per bedroom</del>
Bed and breakfast guesthouse	<del>1 per guest room, plus 2 per facility))</del>
Cottage housing	1 per dwelling unit
<b><u>HEALTH CARE SERVICES AND RESIDENTIAL CARE SERVICES</u></b>	
<b><u>(subsection A. of section 162 of this ordinance):</u></b>	
<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>

Ordinance 19881

<u>Community residential facilities</u>	<u>1 per 2 bedrooms</u>
<u>Permanent supportive housing</u>	<u>1 per 2 employees plus 1 per 20 dwelling units</u>
<u>Recuperative housing</u>	<u>1 per 2 employees plus 1 per 10 sleeping unit</u>
<u>Emergency supportive housing</u>	<u>1 per 2 employees plus 1 per 20 sleeping unit</u>
<u>Microshelter villages</u>	<u>1 per 2 employees plus 1 per 20 microshelters</u>
<b><del>((RECREATION/))</del> <u>RECREATIONAL AND CULTURAL (K.C.C.</u> <b>21A.08.040.A.):</b></b>	
<del>((Recreation/))</del> <u>Recreational and cultur((e))al uses((:)), if not otherwise specified</u>	1 per 300 square feet
<del>((Exceptions:))</del>	
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((;)) plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1 per ((bed)) <u>hotel room((;</u></u>

Ordinance 19881

	whichever results in the greater number of spaces)).
<del>((LAND USE</del>	<b>MINIMUM PARKING SPACES REQUIRED))</b>
<del>((GENERAL SERVICES))</del> <b><u>PERSONAL SERVICES AND TEMPORARY LODGING (K.C.C. 21A.08.050.A.):</u></b>	
<del>((General services uses:))</del> <u>Personal services and temporary lodging, if not otherwise specified</u>	1 per 300 square feet
<del>((Exceptions:))</del>	
<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
<del>((Churches, synagogue, temple))</del> <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
<del>((Outpatient and))</del> <u>Veterinary clinic</u> <del>((offices))</del>	1 per 300 square feet of office, labs, and examination rooms
<del>((Nursing and personal care Facilities</del>	<del>1 per 4 beds</del>
<del>Hospital</del>	<del>1 per bed))</del>

Ordinance 19881

<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>
<b><u>GOVERNMENT AND EDUCATION (subsection A. of section 164 of this ordinance):</u></b>	
<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
<del>((Secondary schools))</del>	
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>	<del>((g))</del> <u>Greater of 1 per classroom plus 1 per 10 students, or 1 per 3 fixed seats in stadium</u>
Vocational schools	1 per classroom, plus 1 per <del>((five))</del> <u>5</u> students

Ordinance 19881

<del>((Specialized instruction Schools</del>	<del>1 per classroom, plus 1 per two students))</del>
Artist Studios	0.9 per 1,000 square feet of area used for studios
<b><del>((GOVERNMENT/))BUSINESS SERVICES (K.C.C. 21A.08.060.A.):</del></b>	
<del>((Government/b))Business services uses((:)), if not otherwise specified</del>	1 per 300 square feet
<del>((Exceptions:</del>	
<del>Public agency yard</del>	<del>1 per 300 square feet of offices, plus 0.9 per 1,000 square feet of indoor storage or repair areas</del>
<del>Public agency archives</del>	<del>0.9 per 1,000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas</del>
<del>Courts</del>	<del>3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas</del>
<del>Police facility</del>	<del>(director)</del>
<del>Fire facility</del>	<del>(director))</del>
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



Ordinance 19881

	square feet of storage area
Heavy equipment repair	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of indoor repair areas
Office	1 per 300 square feet
<b>((LAND USE</b>	<b>MINIMUM PARKING SPACES</b>
<b>REQUIRED))</b>	
<b>RETAIL((<del>WHOLESALE</del>)) (K.C.C. 21A.08.070.A.):</b>	
Retail <del>((trade))</del> uses <del>((:))</del> , if not otherwise specified	1 per 300 square feet
<del>((Exceptions:))</del>	
Food stores, less than 15,000 square feet	3 plus 1 per 350 square feet
Gasoline service stations <del>((w/o))</del> without grocery	3 per facility, plus 1 per service bay
Gasoline service stations <del>((w/))</del> with 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
<del>((Retail and wholesale trade mixed use</del>	<del>1 per 300 square feet))</del>
<b>MANUFACTURING (K.C.C. 21A.08.080.A.):</b>	

Ordinance 19881

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Manufacturing uses	0.9 per 1,000 square feet
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
<b>RESOURCES (K.C.C. 21A.08.090.A.):</b>	
Resource uses	(director)
<b>REGIONAL (K.C.C. 21A.08.100.A.):</b>	
Regional uses	(director)

11391           B. An applicant may request a modification of the minimum required number of  
 11392 parking spaces by (~~providing~~) demonstrating that parking demand can be met with a  
 11393 reduced parking requirement. In such cases, the director may approve a reduction of up  
 11394 to fifty percent of the minimum required number of spaces.

11395           C. When the county has received a shell building permit application, off-street  
 11396 parking requirements shall be based on the possible tenant improvements or uses  
 11397 authorized by the zoning classification and compatible with the limitations of the shell  
 11398 permit. When the range of possible uses result in different parking requirements, the  
 11399 director will establish the amount of parking based on a likely range of uses.

11400           D. Where other provisions of this code stipulate maximum parking allowed or  
 11401 reduced minimum parking requirements, those provisions shall apply.

11402           E.1. In any development required to provide six or more parking spaces, bicycle  
 11403 parking shall be provided. Bicycle parking shall be bike racks or locker-type parking  
 11404 facilities unless otherwise specified.

Ordinance 19881

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11405            ~~((1.))~~ 2. ~~((Off-street parking areas shall contain a))~~ At least one bicycle parking  
11406 space for every twelve required parking spaces ~~((required for motor vehicles))~~ except as  
11407 follows:

11408            a. The director may reduce ~~((bike rack))~~ bicycle parking facilities for patrons  
11409 when it is demonstrated that bicycle activity will not occur at that location.

11410            b. The director may require additional spaces when it is determined that the  
11411 use or its location will generate a high volume of bicycle activity. Such a determination  
11412 will include, but not be limited to, the following uses:

11413            (1) Park/playfield~~((;))~~;

11414            (2) Marina~~((;))~~;

11415            (3) Library/museum/arboretum~~((;))~~;

11416            (4) Elementary/secondary school~~((;))~~;

11417            (5) Sports club~~((;))~~; or

11418            (6) Retail business (when located along a developed bicycle trail or  
11419 designated bicycle route).

11420            ~~((2.))~~ 3. Bicycle ~~((facilities))~~ parking for patrons shall be located within 100 feet  
11421 of the building entrance and shall be designed to allow either a bicycle frame or wheels to  
11422 be locked to a structure attached to the pavement.

11423            ~~((3.))~~ 4. All bicycle parking and storage shall be located in safe, visible, and  
11424 well-lit areas that do not impede pedestrian or vehicle traffic flow~~((, and shall be well lit~~  
11425 ~~for nighttime use))~~.

11426            ~~((4.))~~ 5. When more than ten people are employed on-site, enclosed locker-type  
11427 parking facilities for employees shall be provided. The director shall allocate the

Ordinance 19881

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11428 required number of parking spaces between bike rack parking and enclosed locker-type  
11429 parking facilities.

11430 ~~((5-))~~ 6. One indoor bicycle storage space shall be provided for every two  
11431 dwelling units in townhouses and apartments ~~((residential uses))~~, unless individual  
11432 garages are provided for every unit. The director may reduce the number of ~~((bike rack))~~  
11433 bicycle parking spaces if indoor storage facilities are available to all residents.

11434 SECTION 262. Ordinance 10870, Section 410, as amended, and K.C.C.  
11435 21A.18.050 are hereby amended to read as follows:

11436 A. For community residential facilities and senior assisted housing, ~~((F))~~the  
11437 minimum parking requirement ~~((of one off street parking space per two bedrooms for  
11438 CRF's and one off street parking space per two senior citizen assisted housing units))~~  
11439 may be reduced by up to ~~((50))~~ fifty percent, as determined by the director based on the  
11440 following considerations:

- 11441 1. Availability of private, convenient transportation services to meet the needs  
11442 of ~~((the CRF))~~ residents;
- 11443 2. Accessibility to and frequency of public transportation; and
- 11444 3. Pedestrian access to health, medical, and shopping facilities;

11445 B. If a ~~((CRF))~~ community residential facility or senior ~~((citizen))~~ assisted  
11446 housing is no longer used for such purposes, additional off-street parking spaces shall be  
11447 required in compliance with this chapter ~~((prior to))~~ before the issuance of a new  
11448 certificate of occupancy.

11449 SECTION 263. Ordinance 10870, Section 413, as amended, and K.C.C.  
11450 21A.18.090 are hereby amended to read as follows:

Ordinance 19881

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11451 A. All land uses listed in K.C.C. 21A.08.060(~~(A. (Government/Business~~  
 11452 ~~Services))), ((and in)) K.C.C. 21A.08.080(~~(A. (Manufacturing))), hospitals, government~~  
 11453 services in section 164 of this ordinance, secondary or high schools, vocational schools,  
 11454 college/universities, and specialized instruction schools shall be required to reserve one  
 11455 parking space of every twenty required spaces for rideshare parking as follows:~~

11456 1. The parking spaces shall be located closer to the primary employee entrance  
 11457 than any other employee parking except (~~(disabled))~~ accessible parking spaces;

11458 2. Reserved areas shall have markings and signs indicating that the space is  
 11459 reserved; and

11460 3. Parking in reserved areas shall be limited to vanpools and carpools  
 11461 established through ride((-)share programs by public agencies and to vehicles meeting  
 11462 minimum rideshare qualifications set by the employer.

11463 B. The director may reduce the number of required off-street parking spaces  
 11464 when one or more scheduled transit routes provide service within six hundred sixty feet  
 11465 of the site. The amount of reduction shall be based on the number of scheduled transit  
 11466 runs between 7:00 - 9:00 a.m. and 4:00 - 6:00 p.m. each business day up to a maximum  
 11467 reduction as follows:

11468 1. Four percent for each run serving business services land uses in K.C.C.  
 11469 21A.08.060(~~(A. (Government/Business Services))), government services land uses in~~  
 11470 section 164 of this ordinance, and manufacturing land uses in K.C.C. 21A.08.080(~~(A.~~  
 11471 ~~(Manufacturing))~~) up to a maximum of forty percent;

11472 2. Two percent for each run serving recreational and cultural land uses in  
 11473 K.C.C. 21A.08.040(~~(A. (Recreation/Culture))), personal and temporary lodging land~~

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Ordinance 19881

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11474 uses in K.C.C. 21A.08.050~~((A. (General Services)))~~, and retail land uses in K.C.C.

11475 21A.08.060.A. ~~((Retail/Wholesale)))~~ up to a maximum of twenty percent; and

11476 3. When served by transit runs scheduled every fifteen minutes or less, cottage  
 11477 housing sites shall have no required parking minimum.

11478 C. All uses which are located on an existing transit route and are required under  
 11479 the computation for required off-street parking spaces in K.C.C. 21A.18.030.A. to  
 11480 provide more than two hundred parking spaces may be required to provide transit  
 11481 shelters, bus turnout lanes or other transit improvements as a condition of permit  
 11482 approval. Uses that reduce required parking under subsection B. of this section shall  
 11483 provide transit shelters if transit routes adjoin the site.

11484 SECTION 264. Ordinance 10870, Section 414, as amended, and K.C.C.  
 11485 21A.18.100 are hereby amended to read as follows:

11486 A. ~~((Non residential))~~ Nonresidential uses. All ~~((permitted))~~ nonresidential uses  
 11487 shall provide pedestrian and bicycle ~~((access))~~ facilities within and onto the site~~((:))~~ as  
 11488 follows:

11489 1. Access points onto the site shall be provided;

11490 ~~((a))~~ a. approximately every ~~((800))~~ eight hundred to ~~((1,000))~~ one thousand  
 11491 feet along existing and proposed perimeter sidewalks and walkways~~((:))~~; and

11492 ~~((b))~~ b. at all arrival points to the site, including abutting street intersections,  
 11493 crosswalks, and transit stops~~((:))~~;

11494 2. ~~((In addition, a))~~ Access points to and from adjacent lots shall be coordinated  
 11495 to provide pedestrian and bicycle circulation patterns between developments; and

Ordinance 19881

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11496 3. In the urban area, sidewalks, walkways, and bicycle facilities in commercial  
 11497 developments shall be of a sufficient width and surface material to support anticipated  
 11498 bicyclist volumes and pedestrian access for all ages and abilities.

11499 B. Residential uses~~((:))~~ with ten or more dwelling units shall provide  
 11500 ~~((1. All permitted residential uses of five or more dwelling units shall provide))~~  
 11501 pedestrian and bicycle ~~((access))~~ facilities within and onto the site~~((:))~~ as follows:

11502 1. Access points onto the site; ~~((shall be provided))~~  
 11503 ~~((a))~~ a. approximately every ~~((800))~~ eight hundred to ~~((1,000))~~ one thousand  
 11504 feet along existing and proposed perimeter sidewalks and walkways~~((:))~~; and

11505 ~~((b))~~ b. at all arrival points to the site, including abutting street intersections,  
 11506 crosswalks, and transit and school bus stops~~((:))~~;

11507 2. ~~((In addition, a))~~ Access points ~~((to and from adjacent lots shall be))~~ between  
 11508 sites coordinated with adjacent lots to provide pedestrian and bicycle circulation  
 11509 ~~((patterns))~~ between sites~~((:))~~;

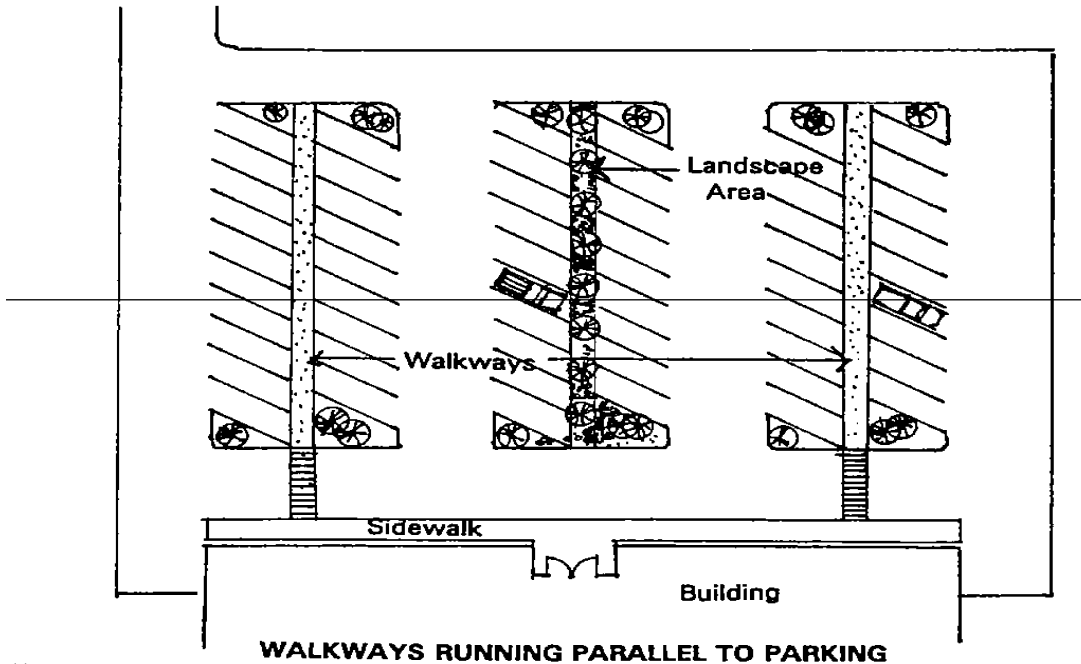
11510 ~~((2. Residential uses of five or more dwelling units shall provide for non-~~  
 11511 ~~motorized))~~ 3. Pedestrian and bicycle circulation between cul-de-sacs or groups of  
 11512 buildings to allow ~~((pedestrian and bicycle))~~ access within and through the development  
 11513 to adjacent activity centers, parks, common tracts, dedicated open space intended for  
 11514 active recreation, schools or other public facilities, transit and school bus stops, and  
 11515 public streets~~((:))~~; and

11516 ~~((3-))~~ 4. Access ~~((shall only be required))~~ to school bus stops that are within or  
 11517 adjacent to ~~((a proposed residential use of five or more dwelling units))~~ the development  
 11518 and that are identified by the affected school district in response to a Notice of

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Ordinance 19881

11519 Application. In order to allow school districts to identify school bus stops, the  
 11520 department shall send a Notice of Application to affected school districts on all  
 11521 applications for residential uses ~~((of five or more dwelling units))~~ subject to this section.



11522 (( ))

11523 C. Walkways shall form an on-site circulation system that minimizes the conflict  
 11524 between pedestrians and traffic at all points of pedestrian access to ~~((on-site))~~ parking  
 11525 areas and building entrances. Walkways shall be provided ~~((when the))~~ in the following  
 11526 circumstances:

- 11527 1. Between pedestrian access points onto the site~~((, or))~~ and the building  
 11528 entrance or principal destination;
- 11529 2. On properties where any parking space~~((,))~~ is more than ~~((75))~~ seventy-five  
 11530 feet from the building entrance or principal ~~((on-site))~~ destination; ~~((and as follows:))~~



Ordinance 19881

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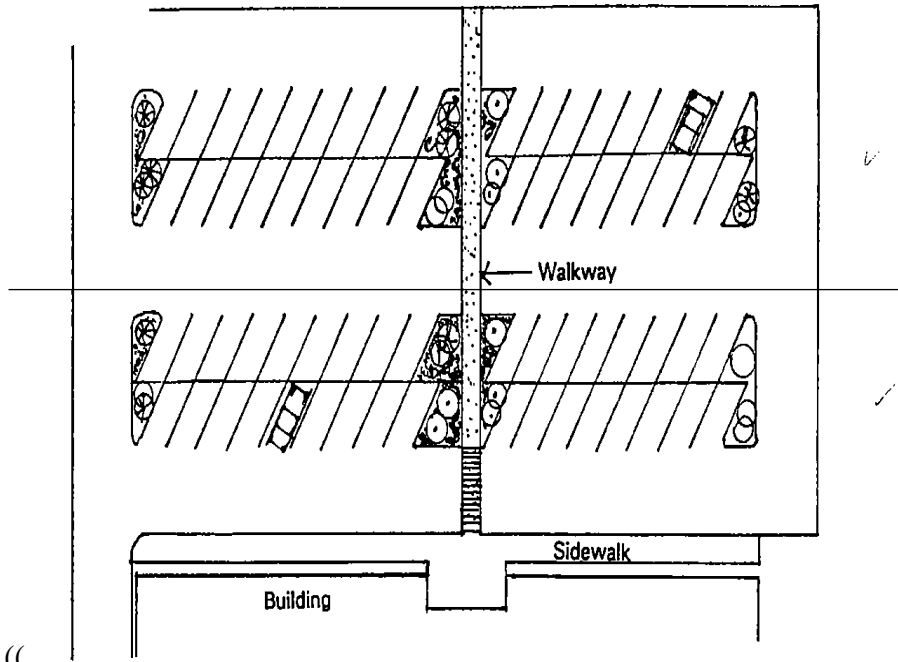
11531            3. ~~((1. All developments which contain more than one building shall provide~~  
11532 ~~walkways b))~~ Between the principal building entrances ((of the buildings)) on sites with  
11533 multiple buildings; and

11534            ~~((2. All non-residential))~~ 4. For nonresidential buildings set back more than  
11535 ~~((100))~~ one hundred feet from the public right-of-way, ~~((shall provide for direct~~  
11536 ~~pedestrian access from))~~ between the building entrances to buildings on adjacent lots((;  
11537 and)).

11538            ~~((3.))~~ D. Walkways across parking areas shall be located as follows:

11539            ~~((a.))~~ 1. Walkways running parallel to the parking rows shall be provided for  
11540 every six rows. Rows without walkways shall be landscaped or contain barriers or other  
11541 means to encourage pedestrians to use the walkways; and

11542            ~~((b.))~~ 2. Walkways running perpendicular to the parking rows shall be no further  
11543 than twenty parking spaces. Landscaping, barriers, or other means shall be provided  
11544 between the parking rows to encourage pedestrians to use the walkways((;)).



11545 ((

11546 **WALKWAYS RUNNING PERPENDICULAR TO PARKING))**

11547 ((~~D~~)) E. Pedestrian and bicycle access and walkways shall meet the following  
11548 minimum design standards:

11549 1. Access and walkways shall be well lit and physically separated from  
11550 driveways and parking spaces by landscaping, berms, barriers, grade separation, or other  
11551 means to protect pedestrians from vehicular traffic;

11552 2. Access and walkways shall be a minimum of ((48)) forty-eight inches of  
11553 unobstructed width and meet the surfacing standards of the King County Road Design  
11554 and Construction Standards for walkways or sidewalks;

11555 3. The minimum standard for walkways required to be accessible for persons  
11556 with disabilities shall be designed and constructed to comply with the current State  
11557 Building Code regulations for barrier-free accessibility; and

Ordinance 19881

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11558 4. A crosswalk shall be required when a walkway crosses a driveway or a paved  
 11559 area accessible to vehicles(~~(; and)~~).

11560 E. Blocks in excess of (~~(660)~~) six hundred sixty feet shall be provided with a  
 11561 crosswalk at the approximate midpoint of the block.

11562 F.1. The director may waive or modify the requirements of this section when:

11563 (~~(1-)~~) a. (~~(E)~~)existing or proposed improvements would create an unsafe  
 11564 condition or security concern;

11565 (~~(2-)~~) b. (~~(F)~~)there are topographical constraints, or existing or required  
 11566 structures effectively block access;

11567 (~~(3-)~~) c. (~~(F)~~)the site is in (~~(a)~~) the rural area or natural resource lands outside  
 11568 of or not contiguous to an activity center, park, common tract, dedicated open space,  
 11569 school, transit stop, or other public facility;

11570 (~~(4-)~~) d. (~~(F)~~)the land use would not generate the need for pedestrian or bicycle  
 11571 access; or

11572 (~~(5-)~~) e. the public is not allowed access to the subject land use(~~(-)~~); and

11573 2. The director's waiver may not be used to modify or waive the requirements of  
 11574 K.C.C. 21A.18.100 relating to sidewalks and safe walking conditions for students.

11575 G. (~~(The provisions of)~~)This section shall not apply on school district property.

11576 SECTION 265. Ordinance 10870, Section 415, as amended, and K.C.C.

11577 21A.18.110 are hereby amended to read as follows:

11578 A. (~~(Off-street parking areas shall not be located more than six hundred feet from~~  
 11579 ~~the building they are required to serve for all uses except those specified as follows;~~

11580 ~~w))~~Where an off-street parking area does not abut the building it serves, the required

Ordinance 19881

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11581 maximum distance shall be ~~((measured from the nearest building entrance that the~~  
11582 ~~parking area serves))~~ as follows:

11583 1. For ~~((all))~~ single detached ~~((dwellings the parking spaces shall be located))~~  
11584 residences, duplex, or houseplexes, on the same lot they are required to serve;

11585 2. For all other residential ~~((dwellings))~~ developments, at least a portion ~~((of~~  
11586 ~~parking areas shall be located))~~ within one hundred fifty feet ~~((from the building or~~  
11587 ~~buildings they are required to serve))~~;

11588 3. For all nonresidential uses ~~((permitted))~~ allowed in ~~((rural area and~~  
11589 ~~residential))~~ RA, UR, and R zones, ~~((the parking spaces shall be located))~~ on the same  
11590 site they are required to serve and at least a portion of ~~((parking areas))~~ shall be  
11591 ~~((located))~~ within one hundred fifty feet from the nearest building entrance they are  
11592 required to serve; and

11593 4. For all other uses, within six hundred feet.

11594 ~~((4.))~~ B. In ~~((designated))~~ unincorporated activity centers, community business  
11595 centers, and neighborhood business centers, parking lots shall be located to the rear or  
11596 sides of buildings. Relief from this ~~((subsection A.4))~~ standard may be granted by the  
11597 director only if the applicant can demonstrate that there is no practical site design to meet  
11598 this requirement. The director may allow only the number of parking spaces that cannot  
11599 be accommodated to the rear or sides of buildings to be located to the front of  
11600 buildings~~((;))~~.

11601 ~~((5.))~~ C. Parking lots shall be so arranged as to permit the internal circulation of  
11602 vehicles between parking aisles without ~~((re-entering))~~ reentering adjoining public  
11603 streets; and

Ordinance 19881

11604 ~~((6-))~~ D. Accessible ~~((P))~~ parking ~~((for the disabled))~~ spaces and access shall be  
 11605 provided in accordance with ~~((K.C.C. 21A.18.060))~~ chapter 19.27 RCW and chapter  
 11606 70.92 RCW.

11607 ~~((B-))~~ E. The minimum parking space and aisle dimensions for the most common  
 11608 parking angles are shown on the table in this subsection. For parking angles other than  
 11609 those shown on the chart, the minimum parking space and aisle dimensions shall be  
 11610 determined by the director. ~~((Regardless of the parking angle, one-way aisles shall be at~~  
 11611 ~~least ten feet wide, and two-way aisles shall be at least twenty feet wide.))~~ If dead-end  
 11612 aisles are used in the parking layout, they shall be constructed as two-way aisles.

11613 ~~((Parking plans for angle parking shall use space widths no less than eight feet six inches~~  
 11614 ~~for a standard parking space design and eight feet for a compact car parking space design.~~

11615 ~~MINIMUM PARKING STALL AND AISLE DIMENSIONS~~

<del>A</del>	<del>B</del>	<del>C</del>	<del>D</del>	<del>E</del>	<del>F</del>
<del>PARKING</del>	<del>STALL</del>	<del>CURB</del>	<del>STALL</del>	<del>AISLE</del>	<del>UNIT DEPTH</del>
<del>G</del>	<del>WIDTH</del>	<del>LENGT</del>	<del>DEPT</del>	<del>WIDTH</del>	<del>1-WAY 2-</del>
<del>ANGLE</del>		<del>H</del>	<del>H</del>	<del>1-WAY 2-</del>	<del>WAY</del>
	<del>8.0*</del>	<del>20.0*</del>	<del>8.0</del>	<del>12.0 20.0</del>	<del>** **</del>
<del>0—0</del>	<del>Min—8.5</del>	<del>22.5</del>	<del>8.5</del>	<del>12.0 20.0</del>	<del>29.0 37.0</del>
	<del>Desired 9.0</del>	<del>22.5</del>	<del>9.0</del>	<del>12.0 20.0</del>	<del>30.0 38.0</del>
	<del>8.0*</del>	<del>16.0*</del>	<del>15.0</del>	<del>10.0 20.0</del>	<del>** **</del>
<del>30—30</del>	<del>Min—8.5</del>	<del>17.0</del>	<del>16.5</del>	<del>10.0 20.0</del>	<del>42.0 53.0</del>

Ordinance 19881

	<del>Desired 9.0</del>	<del>18.0</del>	<del>17.0</del>	<del>10.0 20.0</del>	<del>44.0 54.0</del>
45 — 45	<del>8.0*</del>	<del>11.5*</del>	<del>17.0*</del>	<del>12.0 20.0</del>	<del>** **</del>
	<del>Min 8.5</del>	<del>12.0</del>		<del>12.0 20.0</del>	<del>50.0 58.0</del>
	<del>Desired 9.0</del>	<del>12.5</del>		<del>12.0 20.0</del>	<del>51.0 59.0</del>
60 — 60	<del>8.0*</del>	<del>9.6*</del>	<del>18.0</del>	<del>18.0 20.0</del>	<del>** **</del>
	<del>Min 8.5</del>	<del>10.0</del>	<del>20.0</del>	<del>18.0 20.0</del>	<del>58.0 60.0</del>
	<del>Desired 9.0</del>	<del>10.5</del>	<del>21.0</del>	<del>18.0 20.0</del>	<del>60.0 62.0</del>
90	<del>8.0*</del>	<del>8.0*</del>	<del>16.0*</del>	<del>24.0 24.0</del>	<del>** **</del>
	<del>Min 8.5</del>	<del>8.5</del>	<del>18.0</del>	<del>24.0 24.0</del>	<del>60.0 60.0</del>
	<del>Desired 9.0</del>	<del>9.0</del>	<del>18.0</del>	<del>23.0 24.0</del>	<del>60.0 60.0))</del>

11616

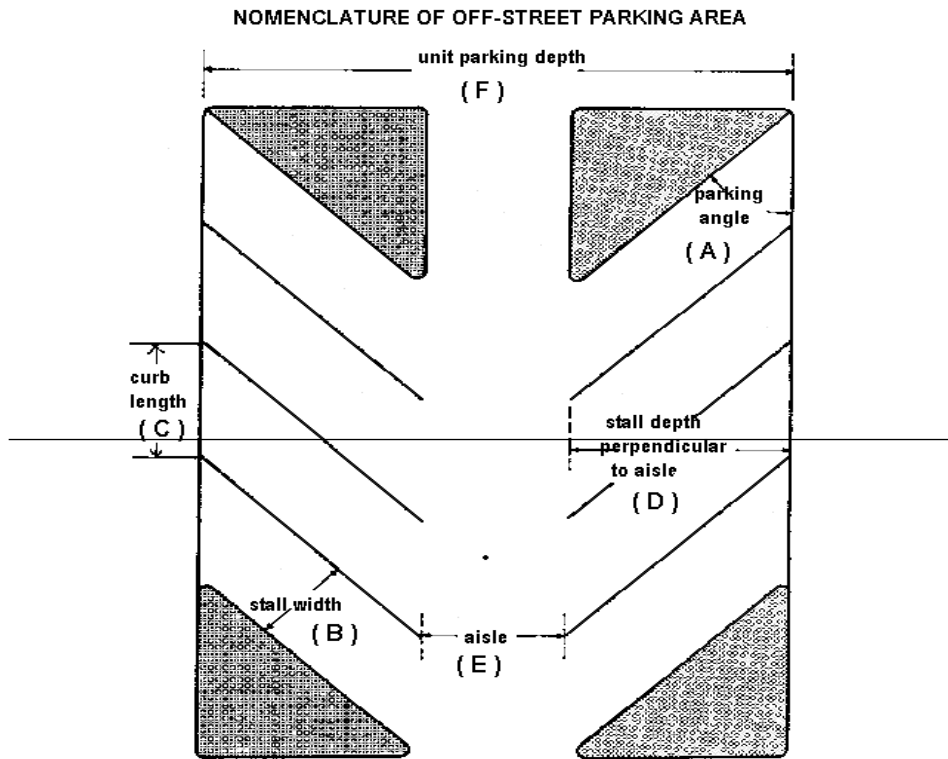
<u>Minimum Parking Stall and Aisle Dimensions</u>					
<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	
<u>PARKING</u> <u>ANGLE</u>	<u>STALL</u> <u>WIDTH</u>	<u>CURB</u> <u>LENGTH</u>	<u>STALL</u> <u>DEPTH</u>	<u> AISLE WIDTH</u>	
				<u>1-WAY</u>	<u>2-WAY</u>
0	<u>Minimum 8.0 feet</u>	<u>20.0 feet</u>	<u>8.0 feet</u>	<u>12.0 feet</u>	<u>20.0 feet</u>
	<u>Standard 8.5 feet</u>	<u>22.5 feet</u>	<u>8.5 feet</u>	<u>12.0 feet</u>	<u>20.0 feet</u>
	<u>Desired 9.0 feet</u>	<u>22.5 feet</u>	<u>9.0 feet</u>	<u>12.0 feet</u>	<u>20.0 feet</u>
30	<u>Minimum 8.0 feet</u>	<u>16.0 feet</u>	<u>15.0 feet</u>	<u>10.0 feet</u>	<u>20.0 feet</u>
	<u>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>
45	<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>

Ordinance 19881

	<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>

11617 ((*\* for compact stalls only*

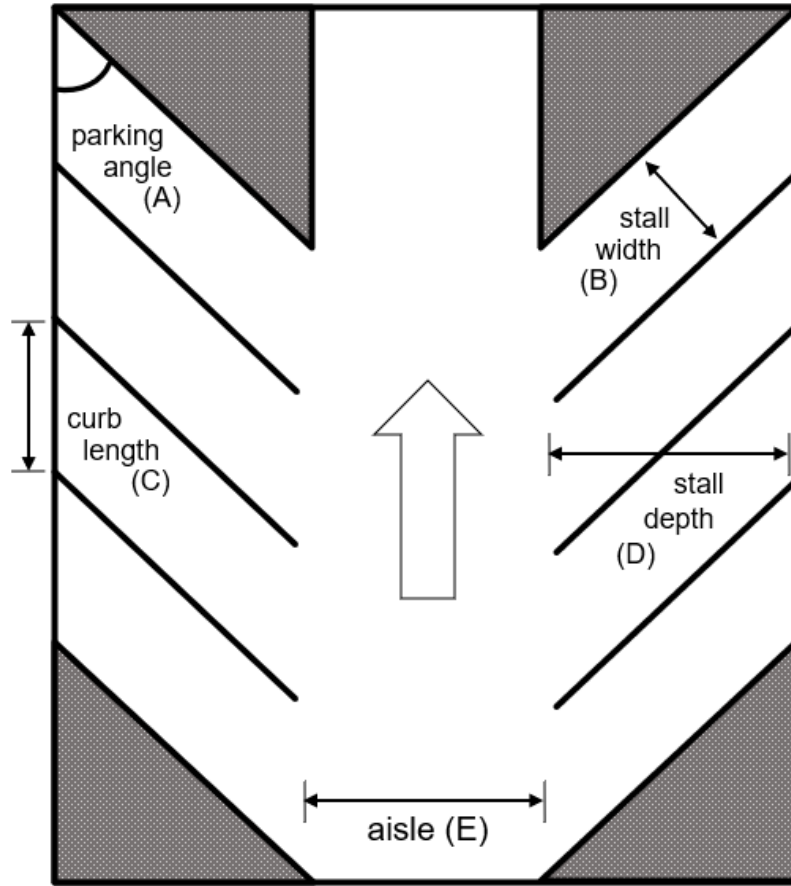
11618 *\*\* variable with compact and standard combinations*



11619 ))

Ordinance 19881

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11620

11621 ((C-)) F. The minimum dimensions of a parking space shall be:

11622 1. For residential developments, eight feet wide by eighteen feet in length.

11623 Tandem or end-to-end parking is allowed at a rate of one space per every twenty linear

11624 feet. Developments shall not combine parking for separate dwelling units in tandem

11625 parking areas; and

11626 2. For all other developments, eight feet six inches wide by eighteen feet.

11627 G. Compact parking measuring eight feet wide by sixteen feet in length shall be

11628 allowed as follows:



Ordinance 19881

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11629           1. Developments containing more than twenty parking spaces may designate up  
11630 to fifty percent of the total number of parking spaces for compact cars; and

11631           2. Residential developments with less than twenty parking spaces may designate  
11632 up to forty percent of the total number of parking spaces for compact cars.

11633           H. Any parking spaces abutting a required landscaped area on the driver or  
11634 passenger side of the vehicle shall provide an additional eighteen inches above the  
11635 minimum space width requirement to provide a place to step other than in the landscaped  
11636 area. The additional width shall be separated from the adjacent parking space by a  
11637 parking space division stripe.

11638           ~~((D:))~~ I. The parking stall depth may be reduced if vehicles overhang a walkway,  
11639 ~~((ØF))~~ landscaping, or bioretention planter under the following conditions:

11640           1. Wheelstops, ~~((ØF))~~ curbs, or other structural barriers are installed to protect  
11641 plantings and pedestrians;

11642           2. The remaining walkway provides a minimum of forty-eight inches of  
11643 unimpeded passageway for pedestrians; and

11644           3. The amount of space depth reduction is limited to a maximum of eighteen  
11645 inches~~((; and~~

11646           ~~4. Landscaping is designed in accordance with K.C.C. 21A.16.070.E.~~

11647           ~~E. Driveways providing ingress and egress between off-street parking areas and~~  
11648 ~~abutting streets shall be designed, located and constructed in accordance with K.C.C.~~  
11649 ~~chapter 14.42, Road Standards)).~~

11650           J. Driveways may cross required setbacks or landscaped areas to provide access  
11651 to the street as follows:

Ordinance 19881

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11652           1. ~~((f))~~ For single detached ~~((dwellings, no more than twenty feet in width,))~~  
11653 residences, ~~((may cross required setbacks or landscaped areas to provide access between~~  
11654 ~~the off street parking areas and the street, provided))~~ if the driveway is no more than  
11655 twenty feet in width and eliminates no more than fifteen percent of the required  
11656 landscaping or setback area ~~((is eliminated by the driveway))~~. Joint use driveways may  
11657 be located within required landscaping or setback areas.

11658           2. ~~((Driveways f))~~ For all other developments, ~~((may cross or be located within~~  
11659 ~~required setbacks or landscaped areas to provide access between the off street parking~~  
11660 ~~areas and the street,))~~ if no more than ten percent of the required landscaping is displaced  
11661 by the driveway and the driveway is located no closer than five feet from any property  
11662 line except where intersecting the street.

11663           ~~((F.))~~ K. Parking spaces ~~((required under this title))~~ shall be located as follows:

11664           1. For single detached ~~((dwelling units))~~ residences, duplex, or houseplexes, the  
11665 required parking spaces shall be outside of any required setbacks or landscaping, but  
11666 driveways crossing setbacks and required landscaping may be used for parking.  
11667 However, if the driveway is a joint use driveway, ~~((no))~~ a vehicle parked on the driveway  
11668 shall not obstruct any joint user's access to the driveway or parking spaces;

11669           2. For all other developments, parking spaces may be ~~((permitted))~~ allowed by  
11670 the director in setback areas in accordance with an approved landscape plan; and

11671           3. For nonresidential uses in ~~((rural area and residential))~~ RA, UR, and R zones,  
11672 parking is ~~((permitted))~~ allowed in setback areas ~~((in accordance with K.C.C.~~  
11673 21A.12.220)) if such parking areas are located outside of the required landscape area.

Ordinance 19881

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11674           ~~((G. Lighting shall be provided for safety of traffic and pedestrian circulation on~~  
11675 ~~the site. It shall be designed to minimize direct illumination of abutting properties and~~  
11676 ~~adjacent streets. The director shall have the authority to waive the requirement to provide~~  
11677 ~~lighting.~~

11678           ~~H. Tandem or end to end parking is allowed in residential developments.~~  
11679 ~~Apartment or townhouse developments may have tandem parking areas for each dwelling~~  
11680 ~~unit but shall not combine parking for separate dwelling units in tandem parking areas.~~

11681           ~~I. All vehicle parking and storage for single detached dwellings must be in a~~  
11682 ~~garage, carport or on an approved impervious surface. Any impervious surface used for~~  
11683 ~~vehicle parking or storage must have direct and unobstructed driveway access.~~

11684           ~~J.))~~ L. The total number of vehicles parked or stored outside of a building on a  
11685 single ~~((family))~~ detached lot in the R-1 through R-8 zones, excluding recreational  
11686 vehicles and trailers, shall not exceed six vehicles on lots that are twelve thousand five  
11687 hundred square feet or less and eight vehicles on lots that are greater than twelve  
11688 thousand five hundred square feet.

11689           ~~((K.))~~ M. Vanpool and carpool parking areas shall meet the following minimum  
11690 design standards:

11691           1. A minimum vertical clearance of seven feet three inches shall be provided to  
11692 accommodate van vehicles if designated vanpool and carpool parking spaces are located  
11693 in a parking structure; and

11694           2. A minimum turning radius of twenty-six feet four inches with a minimum  
11695 turning diameter, curb to curb, of fifty-two feet five inches shall be provided from  
11696 parking aisles to adjacent vanpool and carpool parking spaces.

## Ordinance 19881

11697 ((L. Direct access from the street right of way to off street parking areas shall be  
 11698 subject to K.C.C. 21A.28.120.

11699 M. No dead end alley may provide access to more than eight off street parking  
 11700 spaces.))

11701 N. Any parking stalls located in enclosed buildings ((must)) shall be totally  
 11702 within the enclosed building.

11703 SECTION 266. Ordinance 10870, Section 416, and K.C.C. 21A.18.120 are  
 11704 hereby amended to read as follows:

11705 A. Off-street parking areas shall have dust-free, all-weather surfacing. Typical  
 11706 approved sections are illustrated below.

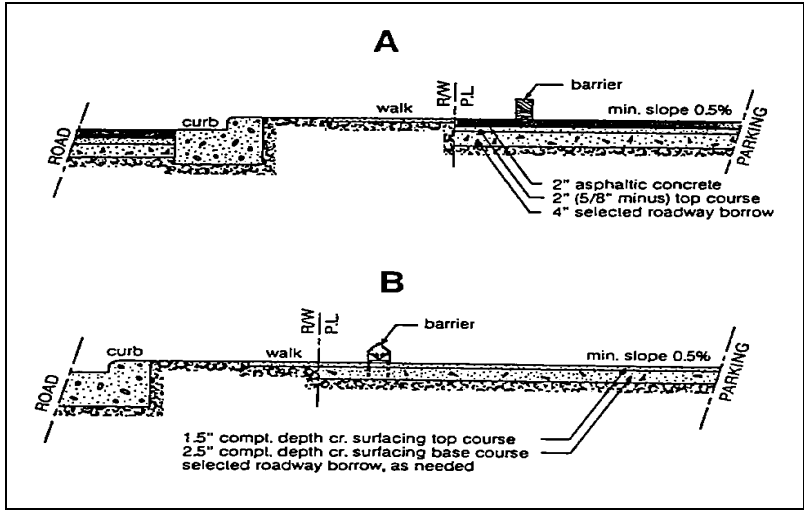
11707 1. Frequently used (at least five days a week) off-street parking areas shall  
 11708 conform to the surfacing standards shown in A below or an approved equivalent.

11709 2. If the parking area is to be used more than ((30)) thirty days per year but less  
 11710 than five days a week, then the standards to be used shall conform to the standards shown  
 11711 in subsection B. ((below)) of this section or an approved equivalent. An exception to  
 11712 these surfacing requirements may be made for certain uses that require intermittent use of  
 11713 their parking facilities less than ((30)) thirty days per year.

11714 3. Any surface treatment other than those graphically illustrated below must be  
 11715 approved by the director.

11716 **MINIMUM SURFACING REQUIREMENTS**

Ordinance 19881



11717

11718 B. ~~((Grading work for p))~~ Parking areas shall meet the ~~((requirements of))~~ grading  
 11719 standards in K.C.C. chapter 16.82((-)) and ((D)) drainage and erosion ~~((sedimentation~~  
 11720 control facilities shall be provided in accordance with)) control standards in K.C.C.  
 11721 chapter 9.04.

11722 C. Internal access roads and driveways shall be designed and constructed in  
 11723 accordance with the road standards in K.C.C. chapter 14.42.

11724 D. Landscaping shall be provided in accordance with K.C.C. 21A.16.070. Any  
 11725 parking spaces abutting a required landscaped area on the driver or passenger side of the  
 11726 vehicle shall provide an additional eighteen inches above the minimum space width  
 11727 requirement to provide a place to step other than in the landscaped area. The additional  
 11728 width shall be separated from the adjacent parking space by a parking space division  
 11729 stripe.

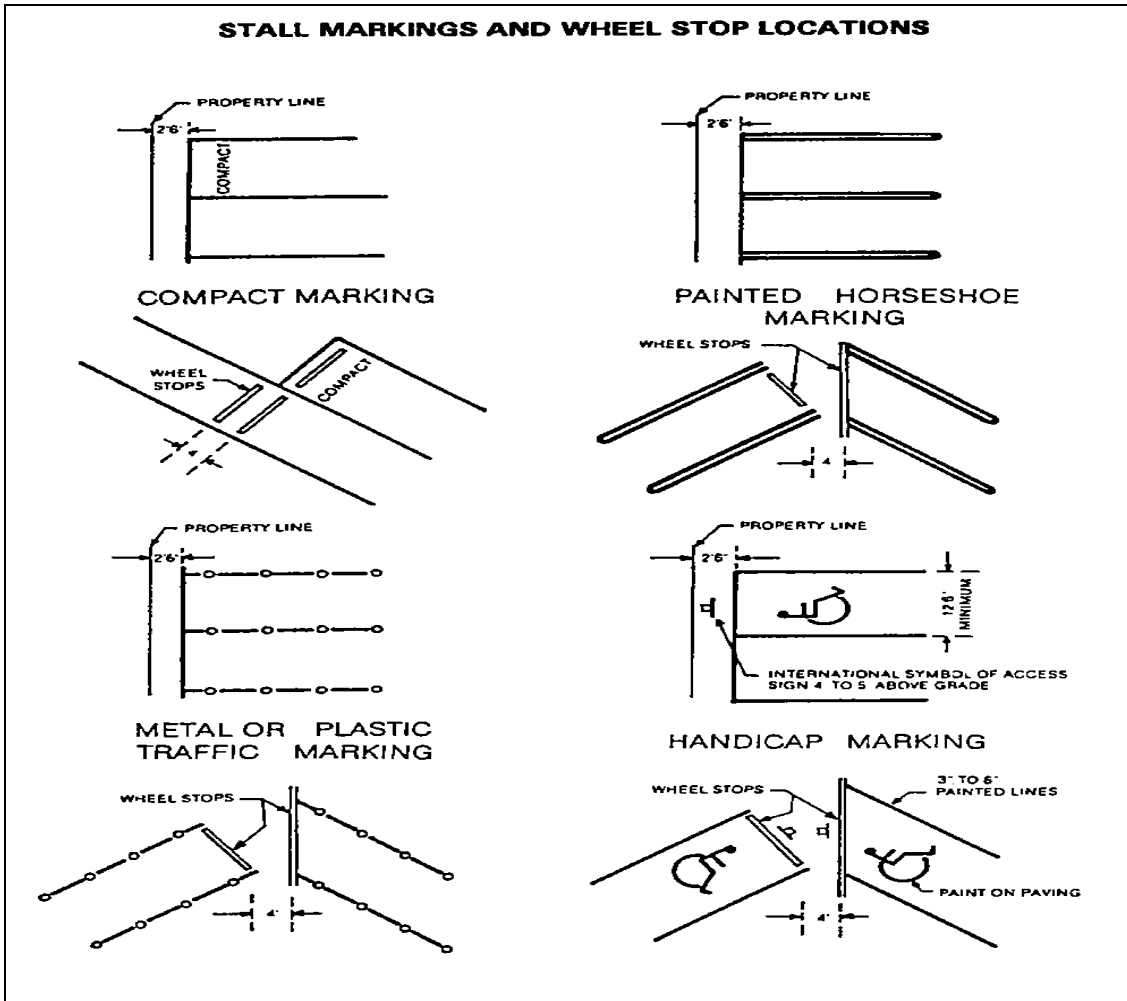
11730 E.1. Asphalt or concrete surfaced parking areas shall have parking spaces marked  
 11731 by surface paint lines or suitable substitute traffic marking material in accordance with  
 11732 the Washington State Department of Transportation Standards.

Ordinance 19881

11733           2. Wheel stops or curbs are required where a parked vehicle would encroach on  
 11734 adjacent property, pedestrian access or circulation areas, right-of-way, or landscaped  
 11735 areas.

11736           3. Compact car parking space shall be delineated with the word "COMPACT"  
 11737 in capital letters, a minimum of eight inches high, on the pavement at the base of the  
 11738 parking space and centered between the striping.

11739           4. Typically approved markings and wheel stop locations are illustrated below.



11740

11741           F. Lighting shall be provided for safety of traffic and pedestrian circulation on  
 11742 the site. Lighting shall be designed to minimize direct illumination of abutting properties

Ordinance 19881

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11743 and adjacent streets. The director may waive the requirements to provide lighting if the  
11744 director determines it is not necessary for the safety of traffic and pedestrian circulation.

11745 G. A dead-end alley shall not provide access to more than eight off-street parking  
11746 spaces.

11747 SECTION 267. Ordinance 10870, Section 421, as amended, and K.C.C.

11748 21A.20.030 are hereby amended to read as follows:

11749 The following signs or displays are exempted from the regulations under this  
11750 chapter:

11751 A. Historic site markers or plaques, gravestones, and address numbers;

11752 B. Signs required by law, including but not limited to:

11753 1. Official or legal notices issued and posted by any public agency or court; or

11754 2. Traffic directional or warning signs;

11755 C. Plaques, tablets, or inscriptions indicating the name of a building, date of  
11756 erection, or other commemorative information, which are an integral part of the building  
11757 structure or are attached flat to the face of the building, which are nonilluminated, and  
11758 which do not exceed four square feet in surface area;

11759 D. Incidental signs, which shall not exceed two square feet in surface area,  
11760 though the size limitation shall not apply to signs providing directions, warnings, or  
11761 information when established and maintained by a public agency;

11762 E. State or federal flags;

11763 F. Religious symbols;

Ordinance 19881

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11764 G. The flag of a commercial institution, provided no more than one flag is  
 11765 permitted per business premises, and further provided the flag does not exceed twenty  
 11766 square feet in surface area; ~~((and))~~

11767 H. Gateway signs, as adopted by ordinance; and

11768 I. Heritage trail signs located on Vashon-Maury Island.

11769 SECTION 268. Ordinance 13022, Section 26, as amended, and K.C.C.

11770 21A.20.190 are hereby amended to read as follows:

11771 Community identification signs are ~~((permitted))~~ allowed subject to the following  
 11772 ~~((provisions))~~:

11773 A. ~~((Only Unincorporated Activity Center, urban planned development, Rural  
 11774 Town, or designated and delineated by the Comprehensive Plan,)) Unincorporated  
 11775 activity centers and rural towns are eligible to be identified with community identification  
 11776 signs~~((Identification signs for Unincorporated Activity Centers, urban planned  
 11777 developments or Rural Towns shall be))~~ placed along the boundaries identified by the  
 11778 Comprehensive Plan;~~

11779 B. Two types of community identification signs are ~~((permitted))~~ allowed.  
 11780 Primary signs are intended to mark the main arterial street entrances to a ~~((designated  
 11781 community, Unincorporated Activity Center, urban planned development, Rural Town))  
 11782 unincorporated activity center or rural town. Auxiliary signs are intended to mark  
 11783 entrances to a ~~((designated community, Unincorporated Activity Center, urban planned  
 11784 development, Rural Town,)) unincorporated activity center or rural town along local  
 11785 access streets;~~~~

11786 C. Primary signs are subject to the following ~~((provisions))~~:



Ordinance 19881

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11787           1. No more than four primary signs shall be allowed per (~~Unincorporated~~  
11788 ~~Activity Center, urban planned development, Rural Town or designated community~~)  
11789 unincorporated activity center or rural town;

11790           2. Each primary sign shall be no more than thirty-two square feet in area and no  
11791 more than six feet in height; and

11792           3. Primary signs shall only be located along arterial streets, outside of the right-  
11793 of-way;

11794           D. Auxiliary community identification signs are subject to the following  
11795 (~~provisions~~):

11796           1. There shall be no limits on the number of auxiliary community identification  
11797 signs allowed per (~~Unincorporated Activity Center, urban planned development, Rural~~  
11798 ~~Town or designated community,~~) unincorporated activity center or rural town; and

11799           2. Each auxiliary sign shall be no more than two square feet, and shall be  
11800 located only outside of the right-of-way; (~~and~~)

11801           E. No commercial advertisement shall be (~~permitted~~) allowed on either primary  
11802 or auxiliary signs except as follows:

11803           1. When located on property within the RA, UR, and R-1(~~-8 and R-12~~) through  
11804 R-48 zones, signs may have a logo or other symbol of a community service or business  
11805 group, such as Kiwanis, Chamber of Commerce, or a similar group, sponsoring  
11806 construction of the sign or signs. Any (~~permitted~~) allowed logo or symbol shall be  
11807 limited to an area of no more than two square feet on primary signs and no more than  
11808 seventy-two square inches on auxiliary signs; or

Ordinance 19881

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11809           2. When located on properties within the NB, CB, RB, O<sub>2</sub> and I zones, signs  
11810 may have a logo or other symbol of the company, community service, or business group  
11811 sponsoring construction of the sign or signs. Any (~~permitted~~) allowed logo or symbol  
11812 shall be limited to an area of no more than four square feet on primary signs and no more  
11813 than seventy-two square inches on auxiliary signs; and

11814           F. Community identification signs shall be exempt from the provisions of K.C.C.  
11815 21A.20.060.A. that require signs to be (~~on-premise~~) on the premises.

11816           SECTION 269. Ordinance 10870, Section 444, as amended, and K.C.C.  
11817 21A.22.060 are hereby amended to read as follows:

11818           Except as otherwise provided in K.C.C. 21A.22.040, in addition to requirements  
11819 in this title, all uses regulated under this chapter shall comply with the following  
11820 standards:

11821           A. The minimum site area shall be ten acres;

11822           B. On sites larger than twenty acres, activities shall occur in phases to minimize  
11823 environmental impacts. The size of each phase shall be determined during the review  
11824 process in accordance with the following:

11825           1. On sites one hundred acres or less, each phase shall not be more than twenty-  
11826 five acres;

11827           2. On sites more than one hundred acres, each phase shall not be more than fifty  
11828 acres. Phases that include areas of greater than twenty-five acres shall have setbacks  
11829 double those specified in subsections E. and F. of this section;

11830           3. A third phase shall not be initiated until reclamation of the first phase is  
11831 substantially complete. More than two phases shall not be allowed to operate at a time

Ordinance 19881

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11832 without previous phases having been reclaimed. The status of reclamation shall be  
11833 determined by:

11834 a. the Washington state Department of Natural Resources, unless authority has  
11835 been ceded to the county under RCW 78.44.390; or

11836 b. the county for sites that are exempt from chapter 78.44 RCW and that are  
11837 subject to K.C.C. 21A.22.081; and

11838 4. Minor variation from the standards in subsections B.1. through 3. of this  
11839 section may be requested and approved as part of the permit review process where it is  
11840 demonstrated to be needed or beneficial for compliant operation of the mineral extraction  
11841 based on regulations for protection of water quality, environmental conditions, or safety;

11842 C. If the department determines they are necessary to eliminate a safety hazard,  
11843 fences or alternatives to fences shall be:

11844 1. Provided in a manner that discourages access to areas of the site where:

11845 a. active extracting, processing, stockpiling, and loading of materials is  
11846 occurring;

11847 b. boundaries are in common with residential or commercial zone property or  
11848 public lands; or

11849 c. any unstable slope or any slope exceeding a grade of forty percent is present;

11850 2. At least six feet in height above the grade measured at a point five feet  
11851 outside the fence and the fence material shall have no opening larger than two inches;

11852 3. Installed with lockable gates at all openings or entrances;

11853 4. No more than four inches from the ground to fence bottom; and

11854 5. Maintained in good repair;

Ordinance 19881

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11855 D. Warning and trespass signs advising of the use shall be placed on the  
11856 perimeter of the site adjacent to RA, UR<sub>2</sub> or R zones at intervals no greater than two  
11857 hundred feet along any unfenced portion of the site where the items noted in subsection  
11858 C.1. of this section are present;

11859 E. Structural setbacks from property lines shall be as follows:

11860 1. Buildings, structures, and stockpiles used in the processing of materials shall  
11861 be no closer than:

11862 a. one hundred feet from any ~~((residential))~~ R or UR zoned properties except  
11863 that the setback may be reduced to fifty feet when the grade where such building or  
11864 structures are proposed is fifty feet or greater below the grade of the ~~((residential))~~ R or  
11865 UR zoned property;

11866 b. fifty feet from any other zoned property, except when adjacent to another  
11867 use regulated under this chapter; and

11868 c. the greater of fifty feet from the edge of any public street or the setback from  
11869 ~~((residential))~~ R or UR zoned property on the far side of the street; and

11870 2. Offices, scale facilities, equipment storage buildings, and stockpiles,  
11871 including those for reclamation, shall not be closer than fifty feet from any property line  
11872 except when adjacent to another use regulated under this chapter or M or F zoned  
11873 property. Facilities necessary to control access to the site, when demonstrated to have no  
11874 practical alternative, may be located closer to the property line;

11875 F. On-site clearing, grading, or excavation, excluding that necessary for required  
11876 access, roadway, or storm drainage facility construction, or activities in accordance with  
11877 an approved reclamation plan, shall not be ~~((permitted))~~ allowed within fifty feet of any

Ordinance 19881

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11878 property line except along any portion of the perimeter adjacent to another use regulated  
11879 under this chapter or M or F zoned property. If native vegetation is restored, temporary  
11880 disturbance resulting from construction of noise attenuation features located closer than  
11881 fifty feet shall be ~~((permitted))~~ allowed;

11882 G. Landscaping consistent with type 1 screening under K.C.C. chapter 21A.16,  
11883 except using only plantings native to the surrounding area, shall be provided along any  
11884 portion of the site perimeter where site disturbances associated with a use regulated under  
11885 this chapter are performed, except where adjacent to another use regulated under this  
11886 chapter, forestry operation, or M or F-zoned property;

11887 H. Relevant clearing and grading operating standards from K.C.C. chapter 16.82  
11888 shall be applied; ~~((and))~~

11889 I. Lighting shall:

11890 1. Be limited to that required for security, lighting of structures and equipment,  
11891 and vehicle operations; and

11892 2. Not directly glare onto surrounding properties; and

11893 J. Uses, buildings, structures, storage of equipment, and stockpile of materials not  
11894 directly related to an approved mineral extraction use, reclamation plan, materials  
11895 processing use, or fossil fuel facility, are prohibited.

11896 SECTION 270. Ordinance 11621, Section 53, as amended, and K.C.C.

11897 21A.24.386 are hereby amended to read as follows:

11898 The following standards apply to development proposals and alterations on sites  
11899 containing wildlife habitat network:

Ordinance 19881

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11900           A. Unless allowed as an alteration exception under K.C.C. 21A.24.070, only the  
11901 alterations identified in K.C.C. 21A.24.045 are allowed in the wildlife habitat network;

11902           B. The wildlife habitat network is sited to meet the following conditions:

11903                 1. The network forms one contiguous tract or setback area that enters and exits  
11904 the property where the network crosses the property boundary;

11905                 2. To the maximum extent practical, the network maintains a width of three-  
11906 hundred feet. The network width shall not be less than one-hundred-fifty feet at any  
11907 point; and

11908                 3. The network is contiguous with and includes critical areas and their buffers;

11909                 4. To the maximum extent practical, the network connects isolated critical areas  
11910 or habitat; and

11911                 5. To the maximum extent practical, the network connects with wildlife habitat  
11912 network segments, open space tracts or wooded areas on adjacent properties, if present;

11913           C. The wildlife habitat network tract must be permanently marked in accordance  
11914 with this chapter;

11915           D. An applicant proposing recreation, forestry or any other use compatible with  
11916 preserving and enhancing the habitat value of the wildlife habitat network located within  
11917 the site must have an approved management plan. The applicant shall include and record  
11918 the approved management plan for a binding site plan or subdivision with the covenants,  
11919 conditions, and restrictions (CCRs), if any. Clearing within the wildlife habitat network  
11920 in a tract or tracts is limited to that allowed by an approved management plan;

11921           E. If the wildlife habitat network is contained in a setback area, a management  
11922 plan is not required. Clearing is not allowed within a wildlife habitat network within a

Ordinance 19881

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11923 setback area on individual lots, unless the property owner has an approved management  
11924 plan;

11925 F. In urban planned developments, fully contained communities, binding site  
11926 plans, subdivisions and short subdivisions a homeowners association or other entity  
11927 capable of long term maintenance and operation shall monitor and assure compliance  
11928 with any approved management plan;

11929 G. ~~((Segments of the wildlife habitat network set aside in tracts, conservation  
11930 easements or setback area must comply with K.C.C. 16.82.150;~~

11931 H.)) The department may credit a permanent open space tract containing the  
11932 wildlife habitat network toward the other applicable requirements such as surface water  
11933 management and the recreation space requirement of K.C.C. 21A.14.180, if the proposed  
11934 uses within the tract are compatible with preserving and enhancing the wildlife habitat  
11935 value. Restrictions on other uses within the wildlife habitat network tract shall be clearly  
11936 identified in the management plan; and

11937 ~~((F.))~~ H. The director may waive or reduce these standards for public facilities  
11938 such as schools, fire stations, parks and road projects.

11939 SECTION 271. Ordinance 15051, Section 231, as amended, and K.C.C.  
11940 21A.24.520 are hereby amended to read as follows:

11941 If a property owner is unable to subdivide an RA((-))-zoned parcel twenty acres or  
11942 smaller at the density allowed under ~~((K.C.C. 21A.12.030))~~ this title after application of  
11943 the requirements of this chapter, the director may approve modifications to requirements  
11944 for critical area buffers if:

Ordinance 19881

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11945           A. The applicant demonstrates that after the use of all provisions of this title,  
 11946 including but not limited to, clustering and buffer averaging, reduction in critical area  
 11947 buffers required by this chapter is necessary to achieve the density allowed under  
 11948 ~~((K.C.C. 21A.12.030))~~ this title;

11949           B. To the maximum extent practical, the subdivision or short subdivision design  
 11950 has the least adverse impact on the critical area and critical area buffer;

11951           C. The modification does not pose an unreasonable threat to the public health,  
 11952 safety, or welfare on or off the development proposal site and is consistent with the  
 11953 general purposes of this chapter and the public interest; and

11954           D. The applicant provides mitigation to compensate for the adverse impacts to  
 11955 critical areas and buffers resulting from any modification to critical area buffers approved  
 11956 under this section.

11957           SECTION 272. Ordinance 3688, Section 303 and K.C.C. 21A.25.050 are hereby  
 11958 amended to read as follows:

11959           A. The requirements of the shoreline master program apply to all uses and  
 11960 development occurring within the shoreline jurisdiction. The King County shoreline  
 11961 jurisdiction consists of shorelines, shorelines of statewide significance, and shorelands as  
 11962 defined in RCW 90.58.030 and K.C.C. chapter 21A.06, and the one-hundred-year  
 11963 floodplain.

11964           B. The shoreline jurisdiction does not include Indian tribal reservation lands and  
 11965 lands held in trust by the federal government for tribes. Nothing in the King County  
 11966 shoreline master program or action taken under that program shall affect any treaty right  
 11967 to which the United States is a party.



Ordinance 19881

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11968 C. The lakes and segments of rivers and streams constituting the King County  
11969 shoreline jurisdiction are set forth in Attachment H to Ordinance 19146. The King  
11970 County shoreline jurisdiction is shown on a map adopted in chapter 6 of the King County  
11971 Comprehensive Plan. If there is a discrepancy between the map and the criteria  
11972 established in subsection A. of this section, the criteria shall constitute the official King  
11973 County shoreline jurisdiction. The county shall update the shoreline master program to  
11974 reflect the new designation within three years of the discovery of the discrepancy.

11975 NEW SECTION. SECTION 273. There is hereby added to K.C.C. chapter  
11976 21A.25 a new section to read as follows:

11977 When a critical area report is required by this chapter, the applicant shall submit a  
11978 report documenting the presence, type, and function of critical areas. If the development  
11979 proposal will affect only a part of the development proposal site, the department may  
11980 limit the scope of the critical area report to include only that part of the site that is  
11981 affected by the development proposal. The report shall document how the proposal  
11982 avoids and minimizes impacts to the greatest extent feasible and document measures  
11983 taken to mitigate unavoidable impacts to ensure the proposal causes no net loss of  
11984 ecological function. The applicant may combine a critical area report with any studies  
11985 required by other laws and regulations.

11986 SECTION 274. Ordinance 16958, Section 31, as amended, and K.C.C.  
11987 21A.25.100 are hereby amended to read as follows:

11988 A. The shoreline use table in this section determines whether a specific use is  
11989 allowed within each of the shoreline environments. The shoreline environment is located  
11990 on the vertical column and the specific use is located on the horizontal row of the table.

Ordinance 19881

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11991 The specific uses are grouped by the shoreline use categories in WAC 173-26-241. The  
11992 specific uses are defined by those uses in K.C.C. chapter 21A.08. The table should be  
11993 interpreted as follows:

11994 1. If the cell is blank in the box at the intersection of the column and the row,  
11995 the use is prohibited in that shoreline environment;

11996 2. If the letter "P" appears in the box at the intersection of the column and the  
11997 row, the use may be allowed within the shoreline environment;

11998 3. If the letter "C" appears in the box at the intersection of the column and the  
11999 row, the use may be allowed within the shoreline environment subject to the shoreline  
12000 conditional use review procedures specified in K.C.C. 21A.44.100((-));

12001 4. If a number appears in the box at the intersection of the column and the row,  
12002 the use may be allowed subject to the appropriate review process in this section, the  
12003 general requirements of this chapter and the specific development conditions indicated  
12004 with the corresponding number in subsection C. of this section. If more than one number  
12005 appears after a letter, all numbers apply((-));

12006 5. If more than one letter-number combination appears in the box at the  
12007 intersection of the column and the row, the use is allowed in accordance with each letter-  
12008 number combination((-));

12009 6. A shoreline use may be allowed in the aquatic environment only if that  
12010 shoreline use is allowed in the adjacent shoreland environment((-); and

12011 7. This section does not authorize a land use that is not allowed by the  
12012 underlying zoning, but may add additional restrictions or conditions or prohibit specific  
12013 land uses within the shoreline jurisdiction. When there is a conflict between the

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Ordinance 19881

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12014 ((permitted)) allowed land uses in K.C.C. chapter 21A.08 and shoreline uses in this  
 12015 section, preference for shoreline uses shall first be given to water-dependent uses, then to  
 12016 water related uses, and finally to water enjoyment uses. All uses in the shoreline  
 12017 jurisdiction ((must)) shall comply with all relevant county code provisions and with the  
 12018 King County Shoreline Master Program.

12019 B. Shoreline uses,

<del>((P- Permitted Use</del>	High	Resident	Rur	Conserva	Resour	Fores	Natur	Aqua
<del>C- Shoreline</del>	Intensi	ial	al	ncy	ce	try	al	tic
<del>Conditional Use</del>	ty							
<del>Blank- Prohibited</del>								
<del>Shoreline uses are</del>								
<del>allowed only if the</del>								
<del>underlying zoning</del>								
<del>allows the use.</del>								
<del>Shoreline uses are</del>								
<del>allowed in the</del>								
<del>aquatic</del>								
<del>environment only if</del>								
<del>the adjacent upland</del>								
<del>environment allows</del>								
<del>the use.))</del>								
<b>Agriculture</b>								

Ordinance 19881

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Agriculture (K.C.C. 21A.08.090)		P	P	P	P	P	P1	
<b>Aquaculture (fish and wildlife management K.C.C. 21A.08.090)</b>								
Nonnative marine finfish aquaculture								
Commercial salmon net pens								
Noncommercial native salmon net 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

Ordinance 19881

<b>Boating Facilities</b>								
Marinas (K.C.C. 21A.08.040)	C3	C3	C3					C3
<b>Commercial Development</b>								
<del>((General))</del> <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 <u>162 of this ordinance</u> )	<u>P4</u>	<u>P5</u>	<u>P5</u>					
Business services, except <del>((SIC Industry No. 1611,))</del> automotive parking, and off-street required	P6							

Ordinance 19881

parking lot (K.C.C. 21A.08.060)								
Retail (K.C.C. 21A.08.070)	P7	P8						
<b>Government Services</b>								
Government services except commuter parking lot, utility facility, and private stormwater management facility (( <del>K.C.C. 21A.08.060</del> )) (section 164 of this ordinance)	P9	P9	P9	P9	P9	P9	P9	C10
<b>Forest Practices</b>								
Forestry (K.C.C. 21A.08.090)		P11	P11	P11	P11	P11	C11	
<b>Industry</b>								
Manufacturing	P12							

Ordinance 19881

(K.C.C. 21A.08.080)								
<b>In-stream structural uses</b>								
Hydroelectric generation facility, wastewater treatment facility, and municipal water production (K.C.C. 21A.08.100)	C13	C13	C13			C13		C13
In-stream utility facilities (( <del>K.C.C.</del> 21A.08.060)) <u>Section 164 of this ordinance</u>	P14	P14	P14	P14	P14	P14	P14	C14
In-stream transportation ( <del>portion of SIC 1611 highway and street construction</del> )								C15

Ordinance 19881

<del>(K.C.C. 21A.08.060))</del> <u>facilities</u>								
In-stream fish and wildlife management, except aquaculture (K.C.C. 21A.08.090)								C16
<b>Mining</b>								
Mineral uses (K.C.C. 21A.08.090)					C17	C17		C17
<b>Recreational Development</b>								
Recreational <del>(/)</del> and cultural except for marinas and docks and piers (K.C.C. 21A.08.040)	P18	P19	P19	P20		P19	P21	C
<b>Residential</b>								



Ordinance 19881

<b>Development</b>								
<p>Single detached  <del>((dwelling units))</del>  <u>residences</u> (K.C.C.                      21A.08.030), <u>adult</u>  <u>family homes</u>, and  <u>community</u>  <u>residential facility I</u>                      (<u>section 162 of this</u>  <u>ordinance</u>)</p>		P	P	P	P	C22	C22	
<p><u>Houseplex</u>,  <del>((F))</del> <u>townhouse</u>,                      apartment,  <del>((mobile))</del>  <u>manufactured home</u>  <del>((park))</del>  <u>community</u>, cottage                      housing (K.C.C.                      21A.08.030)</p>	P23	P			P			
<p><del>((Group</del>  <del>residences))</del>  <u>Congregate</u></p>	P23	P						

Ordinance 19881

<u>residence and senior assisted housing (K.C.C. 21A.08.030), community residential facility II and permanent supportive housing (section 162 of this ordinance)</u>								
Accessory uses (K.C.C. 21A.08.030)	P24	P24	P24	P24	P24	C22 and 24	C22 and 24	
<del>((Temporary lodging (K.C.C. 21A.08.030)</del>	<del>P23</del>	<del>P27</del>	<del>P27</del>	<del>C27</del>	<del>C27</del>			
Live-aboards	P28	P28	P28					P28
<b>Transportation and parking</b>								
Transportation facilities	P29	P29	P29	C29	P29	P29	C29	C29
Commuter parking								

Ordinance 19881

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lot ( <del>((K.C.C. 21A.08.060)))</del> <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)								
<b>Utilities</b>								
Utility facility <del>((K.C.C. 21A.08.060)))</del> <u>(section 164 of this ordinance)</u>	P26	P26	P26	P26	P26	P26	P26	C26
<b>Regional land uses</b>								
Regional uses except hydroelectric generation facility, wastewater	P30							

Ordinance 19881

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treatment facility, and municipal water production (K.C.C. 21A.08.100)								
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12020 C. Development conditions:

12021 1. In the Natural environment, limited to low intensity agriculture, such as  
 12022 livestock use with an animal unit density of no more than one per two acres in the  
 12023 shoreline jurisdiction, seasonal hay mowing and related activities, and horticulture not to  
 12024 exceed twenty percent of the site area located within the shoreline jurisdiction.

12025 2.a. The supporting infrastructure for aquaculture may be located landward of  
 12026 the aquaculture operation, subject to the limitations of K.C.C. Title 21A.

12027 b. The aquaculture operation (~~must~~) shall meet the standards in K.C.C.  
 12028 21A.25.110.

12029 c. In aquatic areas adjacent to the residential shoreline environment, net pen  
 12030 facilities shall be located no closer than one thousand five hundred feet from the ordinary  
 12031 high water mark of this environment, unless the department allows a specific lesser  
 12032 distance that it determines is appropriate based upon a visual impact analysis. Other  
 12033 types of floating culture facilities may be located within one thousand five hundred feet  
 12034 of the ordinary high water mark if supported by a visual impact analysis.

12035 d. In aquatic areas adjacent to the rural shoreline environment, net pen  
 12036 facilities shall be located no closer than one thousand five hundred feet from the ordinary

Ordinance 19881

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12037 high water mark of this environment, unless the department allows a specific lesser  
12038 distance that it determines is appropriate based upon a visual impact analysis.

12039 e. In the natural shoreline environment and aquatic areas adjacent to the natural  
12040 shoreline environment, commercial net pens are prohibited and other aquaculture  
12041 activities are limited to activities that do not require structures, facilities, or mechanized  
12042 harvest practices and that will not alter the natural systems, features, or character of the  
12043 site.

12044 f. Farm-raised geoduck aquaculture requires a shoreline substantial  
12045 development permit if a specific project or practice causes substantial interference with  
12046 normal public use of the surface waters.

12047 g. A conditional use permit is required for new commercial geoduck  
12048 aquaculture only, consistent with WAC 173-26-241(3)(b). All subsequent cycles of  
12049 planting and harvest shall not require a new conditional permit.

12050 3.a. New marinas are not allowed along the east shore of Maury Island, from  
12051 Piner Point to Point Robinson.

12052 b. Marinas ~~((must))~~ shall meet the standards in K.C.C. 21A.25.120.

12053 4. Water-dependent ~~((general))~~ personal services land uses in K.C.C.  
12054 21A.08.050 are allowed. ~~((Non-water))~~ Nonwater-dependent ~~((general))~~ personal  
12055 services land uses in K.C.C. 21A.08.050 are only allowed on sites that are not contiguous  
12056 with the ordinary high water mark or on sites that do not have an easement that provides  
12057 direct access to the water.

12058 5.a. Water-dependent ~~((general))~~ personal services land uses in K.C.C.  
12059 21A.08.050 are allowed.

Ordinance 19881

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12060           b. (~~Non-water~~) Nonwater-dependent (~~(general)~~) personal services land uses  
12061 in K.C.C. 21A.08.050 are only allowed as part of a shoreline mixed-use development that  
12062 includes water-dependent uses.

12063           c. (~~Non-water~~) Nonwater-oriented (~~(general)~~) personal services land uses  
12064 (~~(must)~~) shall provide a significant public benefit by helping to achieve one or more of  
12065 the following shoreline master program goals:

12066           (1) economic development for water-dependent uses;

12067           (2) public access;

12068           (3) water-oriented recreation;

12069           (4) conservation of critical areas, scenic vistas, aesthetics, or fish and wildlife  
12070 habitat; and

12071           (5) protection and restoration of historic properties.

12072           6. Water-dependent business services uses in K.C.C. 21A.08.050 are allowed.

12073 Water-related business services uses are only allowed as part of a shoreline mixed-use  
12074 development and only if they support a water-dependent use. The water-related business  
12075 services uses (~~(must)~~) shall comprise less than one-half of the square footage of the  
12076 structures or the portion of the site within the shoreline jurisdiction.

12077           7.a Water-dependent retail uses in K.C.C. 21A.08.050 are allowed.

12078           b. (~~Non-water~~) Nonwater-dependent retail uses in K.C.C. 21A.08.050 are  
12079 only allowed as part of a shoreline mixed-use development if the (~~(non-water)~~) nonwater-  
12080 dependent retail use supports a water-dependent use. (~~(Non-water)~~) Nonwater-dependent  
12081 uses (~~(must)~~) shall comprise less than one-half of the square footage of the structures or  
12082 the portion of the site within the shoreline jurisdiction.

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Ordinance 19881

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12083 c. (~~Non-water~~) Nonwater-oriented retail uses (~~(must)~~) shall provide a  
12084 significant public benefit by helping to achieve one or more of the following shoreline  
12085 master program goals:

12086 (1) economic development for water-dependent uses;  
12087 (2) public access;  
12088 (3) water-oriented recreation;  
12089 (4) conservation of critical areas, scenic vistas, aesthetics, or fish and wildlife  
12090 habitat; and  
12091 (5) protection and restoration of historic properties.

12092 8. Water-dependent retail uses in K.C.C. 21A.08.050 are allowed. (~~Non-~~  
12093 ~~water~~) Nonwater-dependent retail uses in K.C.C. 21A.08.050 are only allowed if the  
12094 retail use provides a significant public benefit by helping to achieve one or more of the  
12095 following shoreline master program goals:

12096 a. economic development for water-dependent uses;  
12097 b. public access;  
12098 c. water-oriented recreation;  
12099 d. conservation of critical areas, scenic vistas, aesthetics, or fish and wildlife  
12100 habitat; and  
12101 e. protection and restoration of historic properties.

12102 9.a. Water-dependent government services in (~~K.C.C. 21A.08.060~~) section  
12103 164 of this ordinance are allowed.

12104 b. (~~Non-water~~) Nonwater-dependent government services in (~~K.C.C.~~  
12105 ~~21A.08.060~~) section 164 of this ordinance are only allowed as part of a shoreline mixed-

Ordinance 19881

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12106 use development if the (~~non-water~~) nonwater-dependent government use supports a  
12107 water-dependent use. (~~Non-water~~) Nonwater-dependent uses (~~must~~) shall comprise  
12108 less than one-half of the square footage of the structures or the portion of the site within  
12109 the shoreline jurisdiction. Only low-intensity water-dependent government services are  
12110 allowed in the Natural environment.

12111 10. The following standards apply to government services uses within the  
12112 Aquatic environment:

12113 a. Stormwater and sewage outfalls are allowed if upland treatment and  
12114 infiltration to groundwater, streams, or wetlands is not feasible and there is no impact on  
12115 critical saltwater habitats, salmon migratory habitat, and the nearshore zone. However,  
12116 stormwater and sewage outfalls are not allowed in the Maury Island Aquatic Reserve,  
12117 except from Piner Point to Point Robinson;

12118 b. Water intakes shall not be located near fish spawning, migratory, or rearing  
12119 areas. Water intakes (~~must~~) shall adhere to Washington state Department of Fish and  
12120 Wildlife fish screening criteria. To the maximum extent practical, intakes should be  
12121 placed at least thirty feet below the ordinary high water mark;

12122 c. Desalination facilities shall not be located near fish spawning, migratory,  
12123 or rearing areas. Intakes should generally be placed deeper than thirty feet below the  
12124 ordinary high water mark and (~~must~~) shall adhere to Washington state Department Fish  
12125 and Wildlife fish screening criteria. Discharge of desalination wastewater or  
12126 concentrated mineral is not allowed in the Maury Island Aquatic Reserve, except that  
12127 outside the Inner and Outer Harbormaster Harbor, discharge may be considered if there is  
12128 no impact on critical saltwater habitats, salmon migratory habitat, and the nearshore zone;



Ordinance 19881

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- 12129 d. Cable crossings for telecommunications and power lines shall:
- 12130 (1) be routed around or drilled below aquatic critical habitat or species;
- 12131 (2) be installed in sites free of vegetation, as determined by physical or video
- 12132 seabed survey;
- 12133 (3) be buried, preferably using directional drilling, from the uplands to
- 12134 waterward of the deepest documented occurrence of native aquatic vegetation; and
- 12135 (4) use the best available technology;
- 12136 e. Oil, gas, water, and other pipelines shall meet the same standards as cable
- 12137 crossings and in addition:
- 12138 (1) pipelines (~~must~~) shall be directionally drilled to depths of seventy feet or
- 12139 one half mile from the ordinary high water mark; and
- 12140 (2) use the best available technology for operation and maintenance;
- 12141 f. Breakwaters are not allowed within the Maury Island Aquatic Reserve or
- 12142 within the Aquatic environment adjacent to the Conservancy and Natural shorelines.
- 12143 11. In the Natural environment, limited to low intensity forest practices that
- 12144 conserve or enhance the health and diversity of the forest ecosystem or ecological and
- 12145 hydrologic functions conducted for the purpose of accomplishing specific ecological
- 12146 enhancement objectives. In all shoreline environments, forest practices (~~must~~) shall
- 12147 meet the standards in K.C.C. 21A.25.130.
- 12148 12. Manufacturing uses in the shoreline environment (~~must~~) shall give
- 12149 preference first to water-dependent manufacturing uses and second to water-related
- 12150 manufacturing uses:
- 12151 a. (~~Non-water~~) Nonwater-oriented manufacturing uses are allowed only:

Ordinance 19881

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- 12152 (1) as part of a shoreline mixed-use development that includes a water-  
12153 dependent use, but only if the water-dependent use comprises over fifty percent of the  
12154 floor area or portion of the site within the shoreline jurisdiction;
- 12155 (2) on sites where navigability is severely limited; or
- 12156 (3) on sites that are not contiguous with the ordinary high water mark or on  
12157 sites that do not have an easement that provides direct access to the water; and
- 12158 (4) all ~~((non-water))~~ nonwater-oriented manufacturing uses ~~((must))~~ shall also  
12159 provide a significant public benefit, such as ecological restoration, environmental clean-  
12160 up, historic preservation, or water-dependent public education;
- 12161 b. public access is required for all manufacturing uses unless it would result in  
12162 a public safety risk or is incompatible with the use;
- 12163 c. shall be located, designed, and constructed in a manner that ensures that  
12164 there are no significant adverse impacts to other shoreline resources and values~~((-))~~;
- 12165 d. restoration is required for all new manufacturing uses; and
- 12166 e. boat repair facilities are not ~~((permitted))~~ allowed within the Maury Island  
12167 Aquatic Reserve, except as follows:
- 12168 (1) engine repair or maintenance conducted within the engine space without  
12169 vessel haul-out;
- 12170 (2) topside cleaning, detailing, and bright work;
- 12171 (3) electronics servicing and maintenance;
- 12172 (4) marine sanitation device servicing and maintenance that does not require  
12173 haul-out;
- 12174 (5) vessel rigging; and

Ordinance 19881

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12175 (6) minor repairs or modifications to the vessel's superstructure and hull  
12176 above the waterline that do not exceed twenty-five percent of the vessel's surface area  
12177 above the waterline.

12178 13. The water-dependent in-stream portion of a hydroelectric generation facility,  
12179 wastewater treatment facility, and municipal water production are allowed, including the  
12180 upland supporting infrastructure, and shall provide for the protection and preservation, of  
12181 ecosystem-wide processes, ecological functions, and cultural resources, including, but not  
12182 limited to, fish and fish passage, wildlife and water resources, shoreline critical areas,  
12183 hydrogeological processes, and natural scenic vistas.

12184 14. New in-stream portions of utility facilities may be located within the  
12185 shoreline jurisdiction if:

12186 a. there is no feasible alternate location;

12187 b. provision is made to protect and preserve ecosystem-wide processes,  
12188 ecological functions, and cultural resources, including, but not limited to, fish and fish  
12189 passage, wildlife and water resources, shoreline critical areas, hydrogeological processes,  
12190 and natural scenic vistas; and

12191 c. the use complies with the standards in K.C.C. 21A.25.260.

12192 15. Limited to in-stream infrastructure, such as bridges, and ~~((must))~~ shall  
12193 consider the priorities of the King County Shoreline Protection and Restoration Plan  
12194 when designing in-stream transportation facilities. In-stream structures shall provide for  
12195 the protection and preservation((;)) of ecosystem-wide processes, ecological functions,  
12196 and cultural resources, including, but not limited to, fish and fish passage, wildlife and

Ordinance 19881

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12197 water resources, shoreline critical areas, hydrogeological processes, and natural scenic  
 12198 vistas.

12199 16. Limited to hatchery and fish preserves.

12200 17. Mineral uses:

12201 a. ~~((must))~~ shall meet the standards in K.C.C. chapter 21A.22;

12202 b. ~~((must))~~ shall be dependent upon a shoreline location;

12203 c. ~~((must))~~ shall avoid and mitigate adverse impacts to the shoreline

12204 environment during the course of mining and reclamation to achieve no net loss of

12205 shoreline ecological function. In determining whether there will be no net loss of

12206 shoreline ecological function, the evaluation may be based on the final reclamation

12207 required for the site. Preference shall be given to mining proposals that result in the

12208 creation, restoration, or enhancement of habitat for priority species;

12209 d. ~~((must))~~ shall provide for reclamation of disturbed shoreline areas to achieve

12210 appropriate ecological functions consistent with the setting;

12211 e. may be allowed within the active channel of a river only as follows:

12212 (1) removal of specified quantities of sand and gravel or other materials at

12213 specific locations will not adversely affect the natural processes of gravel transportation

12214 for the river system as a whole;

12215 (2) the mining and any associated permitted activities will not have

12216 significant adverse impacts to habitat for priority species nor cause a net loss of

12217 ecological functions of the shoreline; and

12218 (3) if no review has been previously conducted under this subsection C.17.e.,

12219 ~~((prior to))~~ before renewing, extending, or reauthorizing gravel bar and other in-channel

Ordinance 19881

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12220 mining operations in locations where they have previously been conducted, the  
 12221 department shall require compliance with this subsection C.17.e. If there has been prior  
 12222 review, the department shall review previous determinations comparable to the  
 12223 requirements of this section C.17.e. to ensure compliance with this subsection under  
 12224 current site conditions; and

12225 f. ~~((Must))~~ shall comply with K.C.C. 21A.25.190.

12226 18. Only water-dependent recreational uses are allowed, except for public parks  
 12227 and trails, in the High Intensity environment and ~~((must))~~ shall meet the standards in  
 12228 K.C.C. 21A.25.140 for public access and K.C.C. 21A.25.150 for recreation.

12229 19. Water-dependent and water-enjoyment recreational uses are allowed in the  
 12230 Residential, Rural, and Forestry environments and ~~((must))~~ shall meet the standards in  
 12231 K.C.C. 21A.25.140 for public access and K.C.C. 21A.25.150 for recreation.

12232 20. In the Conservancy environment, only the following recreation uses are  
 12233 allowed and ~~((must))~~ shall meet the standards in K.C.C. 21A.25.140 for public access and  
 12234 K.C.C. 21A.25.150 for recreation:

12235 a. parks; and

12236 b. trails.

12237 21. In the Natural environment, only passive and low-impact recreational uses  
 12238 are allowed.

12239 22. Single detached ~~((dwelling units must))~~ residences shall be located outside  
 12240 of the aquatic area buffer and set back from the ordinary high water mark to the  
 12241 maximum extent practical.

Ordinance 19881

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12242 23. Only allowed as part of a water-dependent shoreline mixed-use development  
12243 where water-dependent uses comprise more than half of the square footage of the  
12244 structures on the portion of the site within the shoreline jurisdiction.

12245 24. Residential accessory uses (~~((must))~~) shall meet the following standards:

12246 a. docks, piers, moorage, buoys, floats, or launching facilities (~~((must meet))~~)

12247 shall comply with the standards in K.C.C. 21A.25.180;

12248 b. residential accessory structures located within the aquatic area buffer shall  
12249 be limited to a total footprint of one-hundred fifty square feet; and

12250 c. accessory structures shall be sited to preserve visual access to the shoreline  
12251 to the maximum extent practical.

12252 25. New highway and street construction is allowed only if there is no feasible  
12253 alternate location. Only low-intensity transportation infrastructure is allowed in the  
12254 Natural environment.

12255 26. Utility facilities are subject to the standards in K.C.C. 21A.25.260.

12256 27. Only bed and breakfast guesthouses.

12257 28. Only in a marina.

12258 29. Transportation facilities are subject to the standards in K.C.C. 21A.25.280.

12259 30. Only solid waste transfer stations and subject to K.C.C. 21A.25.260.

12260 SECTION 275. Ordinance 16985, Section 32, as amended, and K.C.C.

12261 21A.25.110 are hereby amended to read as follows:

12262 An applicant for an aquaculture facility (~~((must))~~) shall use the sequential measures  
12263 in K.C.C. 21A.25.080. The following standards apply to aquaculture:

12264 A. Unless the applicant demonstrates that the substrate modification will result in

Ordinance 19881

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12265 an increase in native habitat diversity, aquaculture that involves little or no substrate  
12266 modification shall be given preference over aquaculture that involves substantial  
12267 substrate modification and the degree of proposed substrate modification shall be limited  
12268 to the maximum extent practical.

12269 B. The installation of submerged structures, intertidal structures and floating  
12270 structures shall be limited to the maximum extent practical.

12271 C. Aquaculture proposals that involve substantial substrate modification or  
12272 sedimentation through dredging, trenching, digging, mechanical clam harvesting or other  
12273 similar mechanisms, shall not be (~~permitted~~) allowed in areas where the proposal would  
12274 adversely impact critical saltwater habitats.

12275 D. Aquaculture activities that after implementation of mitigation measures would  
12276 have a significant adverse impact on natural, dynamic shoreline processes or that would  
12277 result in a net loss of shoreline ecological functions shall be prohibited.

12278 E. Aquaculture should not be located in areas that will result in significant  
12279 conflicts with navigation or other water-dependent uses.

12280 F. Aquaculture facilities shall be designed, located and managed to prevent the  
12281 spread of diseases to native aquatic life or the spread of new nonnative species.

12282 G. Aquaculture practices shall be designed to minimize use of artificial chemical  
12283 substances and shall use chemical compounds that are least persistent and have the least  
12284 impact on plants and animals. Herbicides and pesticides shall be used only in  
12285 conformance with state and federal standard and to the minimum extent needed for the  
12286 health of the aquaculture activity.

12287 H. Noncommercial native salmon net pen facilities that involve minimal

Ordinance 19881

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12288 supplemental feeding and limited use of chemicals or antibiotics as provided in  
12289 subsection G. of this section may be located in King County marine waters if they are  
12290 consistent with subsections S. and Y. of this section and are:

- 12291 1. Native salmon net pens operated by tribes with treaty fishing rights;
- 12292 2. For the limited penned cultivation of wild salmon stocks during a limited  
12293 portion of their lifecycle to enhance restoration of native stocks; or
- 12294 3. For rearing to adulthood in order to harvest eggs as part of a captive brood  
12295 stock recovery program for endangered species.

12296 I. If uncertainty exists regarding potential impacts of a proposed aquaculture  
12297 activity and for all experimental aquaculture activities, unless otherwise provided for, the  
12298 department may require baseline and periodic operational monitoring by a county-  
12299 approved consultant, at the applicant's expense, and shall continue until adequate  
12300 information is available to determine the success of the project and the magnitude of any  
12301 probable significant adverse environmental impacts. Permits for such activities shall  
12302 include specific performance measures and provisions for adjustment or termination of  
12303 the project at any time if monitoring indicates significant, adverse environmental impacts  
12304 that cannot be adequately mitigated.

12305 J. Aquaculture developments approved on an experimental basis shall not exceed  
12306 five acres in area, except land-based projects and anchorage for floating systems, and  
12307 three years in duration. The department may issue a new permit to continue an  
12308 experimental project as many times as it determines is necessary and appropriate.

12309 K. The department may require aquaculture operations to carry liability insurance  
12310 in an amount commensurate with the risk of injury or damage to any person or property



Ordinance 19881

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12311 as a result of the project. Insurance requirements shall not be required to duplicate  
12312 requirements of other agencies.

12313 L. If aquaculture activities are authorized to use public facilities, such as boat  
12314 launches or docks, King County may require the applicant to pay a portion of the cost of  
12315 maintenance and any required improvements commensurate with the use of those  
12316 facilities.

12317 M. New aquatic species that are not previously cultivated in Washington state  
12318 shall not be introduced into King County saltwaters or freshwaters without prior written  
12319 approval of the Director of the Washington state Department of Fish and Wildlife and the  
12320 Director of the Washington Department of Health. This prohibition does not apply to:  
12321 Pacific, Olympia, Kumomoto, Belon or Virginica oysters; Manila, Butter, or Littleneck  
12322 clams; or Geoduck clams.

12323 N. Unless otherwise provided in the shoreline permit issued by the department,  
12324 repeated introduction of an approved organism after harvest in the same location shall  
12325 require approval by the county only at the time the initial aquaculture use permit is  
12326 issued. Introduction, for purposes of this section, shall mean the placing of any aquatic  
12327 organism in any area within the waters of King County regardless of whether it is a native  
12328 or resident organism within the county and regardless of whether it is being transferred  
12329 from within or without the waters of King County.

12330 O. For aquaculture projects, (~~over-water~~) overwater structures shall be allowed  
12331 only if necessary for the immediate and regular operation of the facility. (~~Over-water~~)  
12332 Overwater structures shall be limited to the(;) storage of necessary tools and apparatus  
12333 in containers of not more than three feet in height, as measured from the surface of the

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Ordinance 19881

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12334 raft or dock.

12335 P. Except for the sorting or culling of the cultured organism after harvest and the  
12336 washing or removal of surface materials or organisms before or after harvest, no  
12337 processing of any aquaculture product shall occur in or over the water unless specifically  
12338 approved by permit. All other processing and processing facilities shall be located  
12339 landward of the ordinary high water mark.

12340 Q. Aquaculture wastes shall be disposed of in a manner that will ensure strict  
12341 compliance with all applicable governmental waste disposal standards, including, but not  
12342 limited to, the Federal Clean Water Act, Section 401, and chapter 90.48 RCW, Water  
12343 Pollution Control. No garbage, wastes or debris shall be allowed to accumulate at the site  
12344 of any aquaculture operation.

12345 R. Unless approved in writing by the National Marine Fisheries Service or the  
12346 U.S. Fish and Wildlife Service, predator control shall not involve the killing or  
12347 harassment of birds or mammals. Approved controls include, but are not limited to,  
12348 double netting for seals, overhead netting for birds and three-foot high fencing or netting  
12349 for otters. The use of other nonlethal, nonabusive predator control measures shall be  
12350 contingent upon receipt of written approval from the National Marine Fisheries Service  
12351 or the U.S. Fish and Wildlife Service, as required.

12352 S. Finfish net pens and rafts shall meet the following criteria in addition to the  
12353 other applicable regulations of this section:

12354 1. Finfish net pens shall not be located in Quartermaster Harbor. For the  
12355 purposes of this subsection, "Quartermaster Harbor" means the area of Puget Sound north  
12356 of a straight line drawn from the southwest tip of Vashon-Maury Island, which is Piner

Ordinance 19881

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12357 Point, to the southeast tip of Vashon-Maury Island, which is Neill Point;

12358           2. Finfish net pens shall meet, at a minimum, state approved administrative  
12359 guidelines for the management of net pen cultures. In the event there is a conflict in  
12360 requirements, the more restrictive requirement shall prevail;

12361           3. Finfish net pens shall not occupy more than two surface acres of water area,  
12362 excluding booming and anchoring requirements. Anchors that minimize disturbance to  
12363 substrate, such as helical anchors, shall be employed. Such operations shall not use  
12364 chemicals or antibiotics;

12365           4. Aquaculture proposals that include new or added net pens or rafts shall not be  
12366 located closer than one nautical mile to any other aquaculture facility that includes net  
12367 pens or rafts. The department may authorize a lesser distance if the applicant  
12368 demonstrates to the satisfaction of the department that the proposal will be consistent  
12369 with the environmental and aesthetic policies and objectives of this chapter and the  
12370 shoreline master program. The applicant shall demonstrate to the satisfaction of the  
12371 department that the cumulative impacts of existing and proposed operations would not be  
12372 contrary to the policies and regulations of the program;

12373           5. Net cleaning activities shall be conducted on a frequent enough basis so as  
12374 not to violate state water quality standards. When feasible, the cleaning of nets and other  
12375 apparatus shall be accomplished by air drying, spray washing or hand washing; and

12376           6. In the event of a significant fish kill at the site of a net pen facility, the finfish  
12377 aquaculture operator shall submit a timely report to public health – Seattle & King  
12378 County, environmental health division, and the department stating the cause of death and  
12379 shall detail remedial actions to be implemented to prevent reoccurrence.

Ordinance 19881

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12380 T. All floating and submerged aquaculture structures and facilities in navigable  
12381 waters shall be marked in accordance with United States Coast Guard requirements.

12382 U. The rights of treaty tribes to aquatic resources within their usual and  
12383 accustomed areas shall be addressed through direct coordination between the applicant  
12384 and the affected tribes through the permit review process.

12385 V. Aquaculture structures and equipment shall be of sound construction and shall  
12386 be so maintained. Abandoned or unsafe structures and equipment shall be removed or  
12387 repaired promptly by the owner. Where any structure might constitute a potential hazard  
12388 to the public in the future, the department shall require the posting of a bond  
12389 commensurate with the cost of removal or repair. The department may abate an  
12390 abandoned or unsafe structure in accordance with K.C.C. Title 23.

12391 W. Aquaculture shall not be approved where it will adversely impact eelgrass and  
12392 macroalgae.

12393 X. Commercial salmon net pens and nonnative marine finfish aquaculture are  
12394 prohibited.

12395 Y. Finfish net pens shall be consistent with the applicable aquaculture regulations  
12396 in this section and shall meet the following criteria and requirements:

12397 1. Each finfish net pen application shall provide a current, peer-reviewed  
12398 science review of environmental issues related to finfish net pen aquaculture;

12399 2. The department shall only approve a finfish net pen application if the  
12400 department determines the scientific review demonstrates:

12401 a. that the project construction and activities will achieve no net loss of  
12402 ecological function in a manner that has no significant adverse short-term impact and no

Ordinance 19881

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12403 documented adverse long-term impact to applicable elements of the environment,  
12404 including, but not limited to, habitat for native salmonids, water quality, eel grass beds,  
12405 other aquaculture, other native species, the benthic community below the net pen or other  
12406 environmental attributes; and

12407           b. that the finfish net pen does not involve significant risk of cumulative  
12408 adverse effects, including, but not limited to, risk of interbreeding with wild salmon or  
12409 reduction of genetic fitness of wild stocks, parasite or disease transmission or other  
12410 adverse effects on native species or threatened or endangered species and their habitats;

12411           3. The department's review shall:

12412           a. include an assessment of the risk to endangered species, non-endangered  
12413 species, and other biota that could be affected by the finfish net pen; and

12414           b. evaluate and model water quality impacts utilizing current information,  
12415 technology, and assessment models. The project proponent shall be financially  
12416 responsible for this water quality assessment;

12417           4. Finfish net pens shall be designed, constructed and maintained to prevent  
12418 escapement of fish in all foreseeable circumstances, including, but not limited to, tide,  
12419 wind and wave events of record, floating and submerged debris, and tidal action;

12420           5. Finfish net pens shall not be located:

12421           a. within three hundred feet of an area containing eelgrass or a kelp bed;

12422           b. within one thousand five hundred feet of an ordinary high water mark; or

12423           c. in a designated Washington state Department of Natural Resources aquatic  
12424 reserve;

12425           6. A finfish net pen may not be used to mitigate the impact of a development

Ordinance 19881

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12426 proposal; and

12427           7. For finfish net pens that are not noncommercial native salmon net pens, the  
12428 conditional use permit for the net pen (~~(must)~~) shall be renewed every five years. An  
12429 updated scientific review shall be conducted as part of the renewal and shall include a  
12430 new risk assessment and evaluation of the impact of the operation of the finfish net pen  
12431 during the previous five years.

12432           Z. Geoduck aquaculture shall be consistent with WAC 173-26-241(3)(b).

12433           SECTION 276. Ordinance 16985, Section 36, and K.C.C. 21A.25.140 are hereby  
12434 amended to read as follows:

12435           A. Except as otherwise provided in subsection B. of this section, public access  
12436 shall be required for:

12437           1. Attached residential developments;

12438           2. New (~~(subdivisions)~~) land divisions of more than four lots;

12439           3. Developments for water enjoyment, water related and (~~(non-water)~~)  
12440 nonwater-dependent uses;

12441           4. Publicly owned land, including, but not limited to, land owned by public  
12442 agencies and public utilities;

12443           5. Marinas; and

12444           6. Publicly financed shoreline stabilization projects.

12445           B. Public access shall:

12446           1. Connect to other public and private public access and recreation facilities on  
12447 adjacent parcels to the maximum extent practical;

12448           2. Be sited to ensure public safety is considered; and

Ordinance 19881

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12449           3. Be open to the general public;

12450           C. Public access is not required if the applicant demonstrates to the satisfaction of  
12451 the department that public access would be incompatible with the proposed use because  
12452 of safety or security issues, would result in adverse impacts to the shoreline environment  
12453 that cannot be mitigated or there are constitutional or other legal limitations that preclude  
12454 requiring public access;

12455           D. Public pedestrian and bicycle pathways and recreation areas constructed as  
12456 part of a private development proposal should enhance access and enjoyment of the  
12457 shoreline and provide features in scale with the development, such as:

12458           1. View points;

12459           2. Places to congregate in proportion to the scale of the development;

12460           3. Benches and picnic tables;

12461           4. Pathways; and

12462           5. Connections to other public and private public access and recreation  
12463 facilities; and

12464           E. Private access from single detached residences to the shoreline shall:

12465           1. Not exceed three feet in width;

12466           2. Avoid removal of significant trees and other woody vegetation to the  
12467 maximum extent practical; and

12468           3. Avoid a location that is parallel to the shoreline to the maximum extent  
12469 practical.

12470           SECTION 277. Ordinance 16985, Section 39, as amended, and K.C.C.

12471 21A.25.160 are hereby amended to read as follows:

Ordinance 19881

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12472           A. The shoreline modification table in this section determines whether a specific  
12473 shoreline modification is allowed within each of the shoreline environments. The  
12474 shoreline environment is located on the vertical column and the specific use is located on  
12475 the horizontal row of the table. The specific modifications are grouped by the shoreline  
12476 modification categories in WAC 173-26-231. The table should be interpreted as follows:

12477           1. If the cell is blank in the box at the intersection of the column and the row,  
12478 the modification is prohibited in that shoreline environment;

12479           2. If the letter "P" appears in the box at the intersection of the column and the  
12480 row, the modification may be allowed within the shoreline environment;

12481           3. If the letter "C" appears in the box at the intersection of the column and the  
12482 row, the modification may be allowed within the shoreline environment subject to the  
12483 shoreline conditional use review procedures specified in K.C.C. 21A.44.100;

12484           4. If a number appears in the box at the intersection of the column and the row,  
12485 the modification may be allowed subject to the appropriate review process indicated in  
12486 this section and the specific development conditions indicated with the corresponding  
12487 number immediately following the table, and only if the underlying zoning allows the  
12488 modification. If more than one number appears at the intersection of the column and  
12489 row, both numbers apply;

12490           5. If more than one letter-number combination appears in the box at the  
12491 intersection of the column and the row, the modification is allowed within that shoreline  
12492 environment subject to different sets of limitations or conditions depending on the review  
12493 process indicated by the letter, the specific development conditions indicated in the  
12494 development condition with the corresponding number immediately following the table;

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Ordinance 19881

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12495           6. A shoreline modification may be allowed in the aquatic environment only if  
 12496 that shoreline modification is allowed in the adjacent shoreland environment; and

12497           7. This section does not authorize a shoreline modification that is not allowed  
 12498 by the underlying zoning, but may add additional restrictions or conditions or prohibit  
 12499 specific modifications within the shoreline jurisdiction. All shoreline modifications in  
 12500 the shoreline jurisdiction (~~(must)~~) shall comply with all relevant county code provisions  
 12501 and with the King County shoreline master program.

12502           B. Shoreline modifications.

	High Intensi ty	Residenti al	Rur al	Conservan cy	Resourc e	Forest ry	Natur al	Aquat ic
<b>Shoreline stabilization</b>								
Shoreline stabilization, not including flood protection facilities	P1	P1	P1	C1	P1	C1		P1 C1
Flood protection facilities	P2	P2	P2	P2	P2		P2	P2
<b>Piers and docks</b>								
Docks, piers, moorage, buoys, floats, or launching facilities	P3	P3	P3	C3	C3	C3		P3 C3

Ordinance 19881

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<b>Fill</b>								
Filling	P4	P4	P4	P4	P4	C4	C4	P4
	C4	C4	C4	C4	C4			C4
<b>Breakwaters, jetties, groins, and weirs</b>								
Breakwaters, jetties, groins, and weirs	P5	P5	P5	P5	P5	P5	P5	P5
	C5	C5	C5	C5	C5	C5	C5	C5
<b>Dredging and dredge material disposal</b>								
Excavation, dredging, dredge material disposal	P6	P6	P6	P6	P6	C6	C6	P6
	C6	C6	C6	C6	C6			C6
<b>Shoreline habitat and natural systems enhancement projects</b>								
Habitat and natural systems enhancement projects	P7	P7	P7	P7	P7	P7	P7	P7
<b>Vegetation management</b>								
Removal of existing	P8	P8	P8	P9	P8	P8	P9	P9

Ordinance 19881

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intact native vegetation								
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12503 C. Development conditions.

12504 1. New and replacement shoreline stabilization, including bulkheads, ~~((must))~~  
 12505 shall meet the standards in K.C.C. 21A.25.170;

12506 2.a. Flood protection facilities ~~((must))~~ shall be consistent with the standards in  
 12507 K.C.C. chapter 21A.24~~((;))~~; the goals, objectives, guiding principles, and policies of the  
 12508 2024 King County Flood Management Plan~~((;))~~; and the Integrated Stream Protection  
 12509 Guidelines (Washington state departments of Fish and Wildlife, Ecology, and  
 12510 Transportation, 2003). New structural flood hazard protection measures are allowed in  
 12511 the shoreline jurisdiction only when the applicant demonstrates by a scientific and  
 12512 engineering analysis that the structural measures are necessary to protect existing  
 12513 development, that nonstructural measures are not feasible and that the impact on  
 12514 ecological functions and priority species and habitats can be successfully mitigated so as  
 12515 to assure no net loss of shoreline ecological functions. New flood protection facilities  
 12516 designed as shoreline stabilization ~~((must meet))~~ shall comply with the standards in  
 12517 K.C.C. 21A.25.170.

12518 b. Relocation, replacement, or expansion of existing flood control facilities  
 12519 within the Natural environment are ~~((permitted))~~ allowed, subject to the requirements of  
 12520 the King County Flood Management Plan and consistent with the Washington State  
 12521 Aquatic Guidelines Program's Integrated Streambank Protection Guidelines and  
 12522 bioengineering techniques used to the maximum extent practical. New facilities would

Ordinance 19881

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12523 only be (~~permitted~~) allowed consistent with an approved watershed resources inventory  
12524 area (WRIA) salmon recovery plan under chapter 77.85 RCW.

12525 3. Docks, piers, moorage, buoys, floats, or launching facilities (~~must meet~~)  
12526 shall comply with the standards in K.C.C. 21A.25.180;

12527 4.a. Filling (~~must meet~~) shall comply with the standards in K.C.C.  
12528 21A.25.190.

12529 b. A shoreline conditional use permit is required to:

12530 (1) Place fill waterward of the ordinary high water mark for any use except  
12531 ecological restoration or for the maintenance and repair of flood protection facilities; and

12532 (2) Dispose of dredged material within shorelands or wetlands within a  
12533 channel migration zone;

12534 c. Fill shall not be placed in critical saltwater habitats except when all of the  
12535 following conditions are met:

12536 (1) the public's need for the proposal is clearly demonstrated and the proposal  
12537 is consistent with protection of the public trust, as embodied in RCW 90.58.020;

12538 (2) avoidance of impacts to critical saltwater habitats by an alternative  
12539 alignment or location is not feasible or would result in unreasonable and disproportionate  
12540 cost to accomplish the same general purpose;

12541 (3) the project including any required mitigation, will result in no net loss of  
12542 ecological functions associated with critical saltwater habitat; and

12543 (4) the project is consistent with the state's interest in resource protection and  
12544 species recovery(~~(-)~~); and

Ordinance 19881

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12545 d. In a channel migration zone, any filling shall protect shoreline ecological  
12546 functions, including channel migration.

12547 5.a. Breakwaters, jetties, groins, and weirs:

12548 (1) are only allowed where necessary to support water-dependent uses, public  
12549 access, approved shoreline stabilization, or other public uses, as determined by the  
12550 director;

12551 (2) are not allowed in the Maury Island Aquatic Reserve except as part of a  
12552 habitat restoration project or as an alternative to construction of a shoreline stabilization  
12553 structure;

12554 (3) shall not intrude into or over critical saltwater habitats except when all of  
12555 the following conditions are met:

12556 (a) the public's need for the structure is clearly demonstrated and the  
12557 proposal is consistent with protection of the public trust, as embodied in RCW 90.58.020;

12558 (b) avoidance of impacts to critical saltwater habitats by an alternative  
12559 alignment or location is not feasible or would result in unreasonable and disproportionate  
12560 cost to accomplish the same general purpose;

12561 (c) the project including any required mitigation, will result in no net loss of  
12562 ecological functions associated with critical saltwater habitat; and

12563 (d) the project is consistent with the state's interest in resource protection  
12564 and species recovery.

12565 b. Groins are only allowed as part of a restoration project sponsored or  
12566 cosponsored by a public agency that has natural resource management as a primary  
12567 function.

Ordinance 19881

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12568 c. A conditional shoreline use permit is required, except for structures installed  
12569 to protect or restore shoreline ecological functions.

12570 6. Excavation, dredging, and filling (~~(must meet)~~) shall comply with the  
12571 standards in K.C.C. 21A.25.190. A shoreline conditional use permit is required to  
12572 dispose of dredged material within shorelands, ~~((or))~~ wetlands, or side channels within a  
12573 channel migration zone.

12574 7.a. If the department determines the primary purpose is restoration of the  
12575 natural character and ecological functions of the shoreline, a shoreline habitat and natural  
12576 systems enhancement project may include shoreline modification of vegetation, removal  
12577 of nonnative or invasive plants, and shoreline stabilization, including the installation of  
12578 large woody debris, dredging, and filling. Mitigation actions identified through  
12579 biological assessments required by the National Marine Fisheries Services and applied to  
12580 flood hazard mitigation projects may include shoreline modifications of vegetation,  
12581 removal of nonnative or invasive plants, and shoreline stabilization, including the  
12582 installation of large woody debris, dredging, and filling.

12583 b. Within the ~~((U))~~urban ~~((G))~~growth ~~((A))~~area, the county may grant relief  
12584 from shoreline master program development standards and use regulations resulting from  
12585 shoreline restoration projects consistent with criteria and procedures in WAC 173-27-  
12586 215.

12587 8. Within the critical area and critical area buffer, vegetation removal is subject  
12588 to K.C.C. chapter 21A.24.

12589 9. Except for forest practices conducted under K.C.C. 21A.25.130, existing  
12590 native vegetation located outside of the critical area and critical area buffer shall be

Ordinance 19881

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12591 retained to the maximum extent practical. Within the critical area and critical area buffer,  
12592 vegetation removal is subject to K.C.C. chapter 21A.24.

12593 SECTION 278. Ordinance 3688, Section 413, as amended, and K.C.C.  
12594 21A.25.170 are hereby amended to read as follows:

12595 A. New structural ~~((S))~~ shoreline stabilization, including additions that increase or  
12596 expand existing structural shoreline stabilization, shall not be ~~((considered an outright use~~  
12597 ~~and shall be permitted only))~~ allowed except when determined necessary by the  
12598 department ~~((determines that shoreline protection is necessary))~~ for the protection of  
12599 ~~((existing legally established primary))~~ structures ~~((, new or existing non-water-~~  
12600 ~~dependent development, new or existing water-dependent development or projects~~  
12601 ~~restoring ecological functions or remediating hazardous substance discharges.~~  
12602 ~~Vegetation, berms, bioengineering techniques and other nonstructural alternatives that~~  
12603 ~~preserve the natural character of the shore shall be preferred over riprap, concrete~~  
12604 ~~revetments, bulkheads, breakwaters and other structural stabilization. Riprap using rock~~  
12605 ~~or other natural materials shall be preferred over concrete revetments, bulkheads,~~  
12606 ~~breakwaters and other structural stabilization. Lesser impacting measures should be used~~  
12607 ~~before more impacting measures. Structural))~~ and projects consistent with this section.

12608 B. New development shall be located and designed to avoid the need for future  
12609 shoreline stabilization measures.

12610 1. Subdivisions and short subdivisions shall not create lots that require shoreline  
12611 stabilization for reasonable development to occur.

12612 2. New development on steep slopes shall be set back a sufficient distance to  
12613 ensure that shoreline stabilization is not needed for the life of the development.

Ordinance 19881

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- 12614            C. New or enlarged shoreline stabilization for existing primary structures,  
12615 including single detached residences, may be ~~((permitted subject to the standards in this~~  
12616 ~~chapter and as follows))~~ allowed when:
- 12617            1. ~~((The applicant provides a))~~A geotechnical analysis ~~((that))~~ demonstrates that  
12618 the structure is in danger from shoreline erosion ~~((from))~~ caused by tidal action, currents,  
12619 or waves ~~((or currents is imminently threatening or that, unless the structural shoreline~~  
12620 ~~stabilization is constructed, damage is expected to occur within three years))~~, and not  
12621 upland drainage, erosion, landslide hazard areas, or unauthorized clearing or grading;
- 12622            2. ~~((The erosion is not caused by upland conditions))~~ On-site drainage is  
12623 directed away from the shoreline edge;
- 12624            3. The ~~((proposed structural shoreline protection will provide greater protection~~  
12625 ~~than feasible, nonstructural alternatives such as slope drainage systems, vegetative~~  
12626 ~~growth stabilization, gravel berms and beach nourishment;))~~ shoreline stabilization will  
12627 not result in a net loss of shoreline ecological functions; and
- 12628            4. ~~((The proposal is the minimum necessary to protect existing legally~~  
12629 ~~established primary structures, new or existing non-water dependent development, new~~  
12630 ~~or existing water-dependent development or projects restoring ecological functions or~~  
12631 ~~remediating hazardous substance discharges; and~~
- 12632            5. ~~Adequate mitigation measures will be provided to maintain existing shoreline~~  
12633 ~~processes and critical fish and wildlife habitat and ensure no net loss or function of~~  
12634 ~~intertidal or riparian habitat.))~~ The at-risk structure or use cannot be relocated in order to  
12635 remove the need for shoreline stabilization.
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Ordinance 19881

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12636 D. New shoreline stabilization for new nonwater-dependent uses, including  
12637 single detached residences, may be allowed when:

12638 1. A geotechnical analysis documents a need to protect primary structures from  
12639 shoreline erosion caused by tidal action, currents, or waves, and not upland drainage,  
12640 erosion, or landslide hazard areas or unauthorized clearing or grading;

12641 2. Nonstructural measures, such as placing the development further from the  
12642 shoreline, planting vegetation, or installing on-site drainage improvements, are not  
12643 feasible or not sufficient; and

12644 3. The shoreline stabilization will not result in a net loss of shoreline ecological  
12645 functions.

12646 E. New shoreline stabilization for water-dependent uses, including single  
12647 detached residences, may be allowed when:

12648 1. A geotechnical analysis documents a need to protect primary structures from  
12649 imminent risk of damage of shoreline erosion;

12650 2. Nonstructural measures, such as planting vegetation, or installing on-site  
12651 drainage improvements, are not feasible or not sufficient; and

12652 3. The shoreline stabilization will not result in a net loss of shoreline ecological  
12653 functions.

12654 F. New shoreline stabilization for ecological function restoration projects or  
12655 hazardous substance remediation projects may be allowed when:

12656 1. Nonstructural measures, such as placing the development further from the  
12657 shoreline, planting vegetation, or installing on-site drainage improvements, are not  
12658 feasible or not sufficient; and

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Ordinance 19881

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12659            2. The shoreline stabilization will not result in a net loss of shoreline ecological  
12660 functions.

12661            G. Existing structural shoreline stabilization may be replaced with a similar  
12662 structure if the following is met:

12663            1. The existing shoreline stabilization can no longer adequately serve its  
12664 purpose:

12665            ~~((C:))~~ 2. The ((S))shoreline stabilization ((to replace existing shoreline  
12666 stabilization)) shall be placed landward of the existing shoreline stabilization ((, but may  
12667 be placed waterward directly abutting the old structure only in cases where removal of  
12668 the old structure would result in greater impact on ecological functions. In critical  
12669 saltwater habitats,)) and moved as far landward of the ordinary high water mark as  
12670 possible;

12671            3. The existing shoreline stabilization shall ((not)) be ((allowed to remain in  
12672 place if the existing shoreline stabilization is resulting in the loss of ecological functions.  
12673 Adequate mitigation measures that maintain existing shoreline processes and critical fish  
12674 and wildlife habitat must be provided that ensures no net loss or function of intertidal or  
12675 riparian habitat.)) removed;

12676            4. The replacement structure shall be the minimum size necessary to protect  
12677 upland development and uses;

12678            5. The replacement structure shall not enlarge or increase the size of the existing  
12679 shoreline stabilization; and

12680            6. The shoreline stabilization shall not result in a net loss of ecological function.

12681            H. Shoreline stabilization shall:

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Ordinance 19881

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- 12682            1. Minimize the adverse impact on the property of others to the maximum  
 12683 extent practical;
- 12684            2. Use the least impactful shoreline stabilization measure, such as softer or  
 12685 nonstructural measures, unless demonstrated to not be sufficient to protect primary  
 12686 structures. Measures are provided as follows in order from the most preferred to least  
 12687 preferred:
- 12688            a. nonstructural actions;  
 12689            b. soft shoreline stabilization; and  
 12690            c. hard shoreline stabilization;
- 12691            ~~((D. The))~~ 3. Have a maximum height of ~~((the proposed shoreline stabilization~~  
 12692 ~~shall be))~~ no more than one foot above the elevation of ~~((extreme high water))~~ the highest  
 12693 observed tide on tidal waters, as determined by ~~((the National Ocean Survey published~~  
 12694 ~~by))~~ the nearest National Oceanic and Atmospheric Administration long-term tidal gauge,  
 12695 or four feet in height on lakes((-));
- 12696            4. Be the minimum width necessary to provide protection against erosion from  
 12697 waves, currents, and tidal action;
- 12698            ~~((E. Shoreline stabilization is))~~ 5. Be prohibited along feeder bluffs and critical  
 12699 saltwater habitat, unless a geotechnical report demonstrates an imminent danger to a  
 12700 legally established structure or public improvement. If allowed, shoreline stabilization  
 12701 along feeder bluffs and critical saltwater habitat ~~((must))~~ shall be designed to have the  
 12702 least impact on these resources and on sediment conveyance systems((-));
- 12703            ~~((F. Shoreline stabilization shall minimize the adverse impact on the property of~~  
 12704 ~~others to the maximum extent practical.~~
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Ordinance 19881

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12705 ~~G. Shoreline stabilization shall n~~) 6. Not be used to create new lands((-);

12706 ~~((H. Shoreline stabilization shall n))~~ 7. Not interfere with surface or subsurface

12707 drainage into the water body((-);

12708 ~~((F.))~~ 8. Not use creosote timbers, treated wood, ~~((A))~~ automobile bodies or other

12709 ~~((junk or waste))~~ materials that may release ~~((undesirable))~~ toxic substances ~~((material~~

12710 ~~shall not be used for shoreline stabilization.))~~;

12711 ~~((J. Shoreline stabilization shall be))~~ 9. Be designed so as not to constitute a

12712 hazard to navigation and to not substantially interfere with visual access to the water((-);

12713 ~~((K. Shoreline stabilization shall be designed so as not to))~~ 10. Not create a

12714 need for shoreline stabilization ~~((elsewhere.))~~ on adjacent or down-current properties; and

12715 ~~((L. Shoreline stabilization shall comply))~~ 11. Comply with the Marine

12716 Shoreline Design Guidelines in marine waters (Washington state Department of Fish and

12717 Wildlife 2014) or the Integrated Stream Protection Guidelines (Washington state

12718 departments of Fish and Wildlife, Ecology, and Transportation, 2003) ~~((and shall be~~

12719 ~~designed to allow for appropriate public access to the shoreline))~~ in fresh water.

12720 ~~((M.))~~ H. The department shall provide a notice to an applicant for new

12721 development or redevelopment located within the shoreline jurisdiction on ~~((Vashon and~~

12722 ~~Maury))~~ Vashon-Maury Island that the development may be impacted by sea level rise

12723 and recommend that the applicant voluntarily consider setting the development back

12724 further than required by this title to allow for future sea level rise.

12725 SECTION 279. Ordinance 3688, Section 409, as amended, and K.C.C.

12726 21A.25.180 are hereby amended to read as follows:

Ordinance 19881

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12727 Any dock, pier, moorage pile or buoy, float<sub>2</sub> or launching facility authorized by  
12728 this chapter shall be subject to the following conditions:

12729 A. Docks, piers, moorage piles or buoys, floats<sub>2</sub> or launching facilities are  
12730 allowed only for water-dependent uses or for public access and shall be limited to the  
12731 minimize size necessary to support the use. New private boat launch ramps are not  
12732 allowed;

12733 B. Any dock, pier, moorage pile or buoy, float<sub>2</sub> or launching facility proposal on  
12734 marine waters:

12735 1. Must include an evaluation of the nearshore environment and the potential  
12736 impact of the facility on that environment; and

12737 2. Avoid impacts to critical saltwater habitats unless an alternative alignment or  
12738 location is not feasible;

12739 C. In the High Intensity, Residential, Rural<sub>2</sub> and Conservancy environments, the  
12740 following standards apply:

12741 1. Only one dock, pier, moorage pile or buoy, float<sub>2</sub> or launching facility may be  
12742 allowed for a single detached residential lot and only if the applicant demonstrates there  
12743 is no feasible practical alternative;

12744 2. For subdivisions or short subdivisions or for multiunit (~~(dwelling-unit)~~)  
12745 development proposals:

12746 a. Only one joint use dock, pier, float<sub>2</sub> or launching facility is allowed; and

12747 b. One moorage pile or buoy if a dock, pier, float<sub>2</sub> or launching facility is  
12748 allowed or two moorage piles or buoys if a dock, pier, float<sub>2</sub> or launching facility is not  
12749 allowed;

Ordinance 19881

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12750           3. Only one dock, pier, moorage pile or buoy, float, or launching facility is  
 12751 allowed for each commercial or industrial use; and

12752           4. Multiuser recreational boating facilities serving more than four single  
 12753 detached residences shall comply with K.C.C. 21A.25.120;

12754           D. In the Conservancy environment, a dock, pier, moorage pile or buoy, float, or  
 12755 launching facility for a commercial or manufacturing use must be located at least two  
 12756 hundred fifty feet from another dock or pier;

12757           E. In the Resource and Forestry Shoreline environments, only one dock, pier,  
 12758 moorage pile or buoy, float, or launching facility is permitted and only as an accessory  
 12759 use to a residential use or to support a resource or forestry use;

12760           F. In the Natural environment, a dock, pier, moorage pile or buoy, float, or  
 12761 launching facility is prohibited;

12762           G. In freshwater lakes:

12763           1. A new pier, dock, or moorage pile for residential uses shall meet the  
 12764 following requirements:

New Pier, Dock, or Moorage Piles			Dimensional and Design Standards
a.	Maximum Area: surface coverage, including all attached float decking, ramps, ells, and fingers	(1)	480 square feet for single dwelling unit;

Ordinance 19881

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		(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;	

Ordinance 19881

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		(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



Ordinance 19881

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.	

12765                    2. On Lake Washington and Lake Sammamish, the department may approve the  
 12766 following modifications to a new pier proposal that deviates from the dimensional  
 12767 standards of subsection G.1. of this section if both the U.S. Army Corps of Engineers and  
 12768 Washington state Department of Fish and Wildlife have approved an alternate project  
 12769 design. In addition, the following requirements and all other applicable provisions in this  
 12770 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

Ordinance 19881

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	

12771 3.a. A replacement of an existing pier or dock shall meet the following  
 12772 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

Ordinance 19881

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			shoreline stabilization measures, shall be removed.
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12773                   b. On Lake Washington and Lake Sammamish, the department may approve the  
 12774 following modifications to a pier replacement proposal that deviates from the  
 12775 dimensional standards of subsection G.1. of this section, if both the U.S. Army Corps of  
 12776 Engineers and Washington state Department of Fish and Wildlife have approved an  
 12777 alternate project design. With submittal of a building permit, the applicant shall provide  
 12778 documentation that the U.S. Army Corps of Engineers, and the Washington state  
 12779 Department of Fish and Wildlife have approved the alternative proposal design. In  
 12780 addition, the following requirements and all other applicable provisions in this chapter  
 12781 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

Ordinance 19881

		(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

12782 4. Proposals involving the addition to or enlargement of existing piers or docks  
 12783 must comply with the requirements in the following table. These provisions shall not be  
 12784 used in combination with the provisions for new or replacement piers in subsection G.1.  
 12785 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	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	

Ordinance 19881

	fingers	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

12786 5.a. Repair proposals that replace only decking or decking substructure and less  
 12787 than fifty percent of the existing pier-support piles must comply with the following  
 12788 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

12789 b. Other repairs to existing legally established moorage facilities where the  
 12790 nature of the repair is not described in this subsection shall be considered minor repairs

Ordinance 19881

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12791 and are permitted, consistent with all other applicable codes and regulations. If  
 12792 cumulative repairs of an existing pier or dock would make a proposed repair exceed the  
 12793 threshold for a replacement pier established in subsection G.3. of this section, the repair  
 12794 proposal shall be reviewed under subsection G.1. of this section for a new pier or dock,  
 12795 except as described in subsection G.3.b. of this section for administrative approval of  
 12796 alternative design;

12797 H. Boatlifts, personal watercraft lifts, boatlift canopies, and moorage piles may  
 12798 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 a 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

Ordinance 19881

		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

- 12799 I. Moorage buoys shall meet the following conditions:
- 12800 1. Buoys shall not impede navigation;
- 12801 2. The use of buoys for moorage of recreational and commercial vessels is
- 12802 preferred over pilings or float structures;
- 12803 3. Buoys shall be located and managed in a manner that minimizes impacts to
- 12804 eelgrass and other aquatic vegetation;
- 12805 4. Preference should be given mid-line float or all-rope line systems that have
- 12806 the least impact on marine vegetation;
- 12807 5. New buoys that would result in a closure of local shellfish beds for future
- 12808 harvest shall be prohibited; and
- 12809 6. No more than four buoys per acre are allowed;

Ordinance 19881

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12810 J.1. A boat lift, dock, pier, moorage pile or buoy, float, launching facility, or  
 12811 other overwater structure or device shall meet the following setback requirements:

12812 a. All piers, docks, boatlifts, and moorage piles for detached dwelling unit use  
 12813 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

12814 b. Joint-use structures may abut property lines when the property owners  
 12815 sharing the moorage facility have mutually agreed to the structure location in a contract  
 12816 recorded with the King County division of records and elections to run with the  
 12817 properties. A copy of the contract must accompany an application for a building permit  
 12818 or a shoreline permit.

12819 2. An overwater structure may abut property lines for the common use of  
 12820 adjacent property owners



Ordinance 19881

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12821 K. On marine shorelines, a new, repaired, or replaced pier, dock, or float for  
 12822 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

Ordinance 19881

			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

Ordinance 19881

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			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,	a.	Grating must not be covered, on the surface or underneath, with any

Ordinance 19881

	docks walkways, platform lifts, ells, and fingers		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

Ordinance 19881

			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;

12823 L. New, expanded, replacement, or repaired piers, docks, floats, boatlifts, boat

12824 canopies, and moorage piles or buoys shall comply with the following:

12825 1. Existing habitat features, such as large and small woody debris and substrate

12826 material, shall be retained and new or expanded moorage facilities placed to avoid

12827 disturbance of such features;

12828 2. Invasive weeds, such as milfoil, may be removed as provided in K.C.C.

12829 chapter 21A.24; and

Ordinance 19881

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12830           3. In order to mitigate the impacts of new or expanded moorage facilities, the  
12831 applicant shall plant site-appropriate emergent vegetation and a buffer of vegetation a  
12832 minimum of ten feet wide along the entire length of the lot immediately landward of  
12833 ordinary high water mark. Planting shall consist of native shrubs and trees and, when  
12834 possible, emergent vegetation. At least five native trees will be included in a planting  
12835 plan containing one or more evergreen trees and two or more trees that like wet roots,  
12836 such as willow species. Such planting shall be monitored for a period of five years  
12837 consistent with a monitoring plan approved in accordance with K.C.C. chapter 21A.24.  
12838 This subsection is not intended to prevent reasonable access through the shoreline critical  
12839 area buffer to the shoreline, or to prevent beach use of the shoreline critical area;

12840           M. Except as otherwise provided for covered boat lifts under subsection H. of  
12841 this section, covered docks or piers, covered moorages, and covered floats are not  
12842 permitted waterward of the ordinary high water mark; and

12843           N. No dwelling unit may be constructed on a dock or pier. A water related or  
12844 water enjoyment use may be allowed on a dock, pier, or other over-water structure only  
12845 as part of a mixed-use development and only if accessory to and in support of a water-  
12846 dependent use.

12847           SECTION 280. Ordinance 16985, Section 47, as amended, and K.C.C.  
12848 21A.25.220 are hereby amended to read as follows:

12849           A. The shoreline dimensions table in subsections B. and C. of this section  
12850 establishes the shoreline standards within each of the shoreline environments. The  
12851 shoreline environment is located on the vertical column and the density and dimensions

Ordinance 19881

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12852 standard is located on the horizontal row of the table. The table should be interpreted as  
 12853 follows:

12854 1. If the cell is blank in the box at the intersection of the column and the row,  
 12855 the standards are the same as for the underlying zoning.

12856 2. If the cell has a number in the box at the intersection of the column and the  
 12857 row, that number is the density or dimension standard for that shoreline environment.

12858 3. If the cell has a parenthetical number in the box at the intersection of the  
 12859 column and the row, that parenthetical number identifies specific conditions  
 12860 ~~((immediately following the table))~~ in subsection C. of this section that ~~((are related))~~  
 12861 apply to the density and dimension standard for that environment.

12862 B. The dimensions enumerated in this section apply within the shoreline  
 12863 jurisdiction. If there is a conflict between the dimension standards in this section and  
 12864 ~~((K.C.C. chapter 21A.12))~~ dimensional standards elsewhere in this title, the more  
 12865 restrictive shall apply.

12866 **Shoreline dimensions.**

	<b>HIGH INTEN SITY</b>	<b>RESIDE NTIAL</b>	<b>RUR AL</b>	<b>CONSERV ANCY</b>	<b>RESOU RCE</b>	<b>FORES TRY</b>	<b>NATU RAL</b>	<b>AQUA TIC</b>
<b>Stand ards</b>								
Base height	35 feet (1)	35 feet (1)	35 feet (1)	35 feet (1)	35 feet (1)	35 feet (1)	30 feet (1)	35 feet (1)

Ordinance 19881

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Maximum density (dwelling 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)				

12867 C. Development conditions.

- 12868 1. This height can be exceeded consistent with the base height for the zone only
- 12869 if the structure will not obstruct the view of a substantial number of residences on areas
- 12870 adjoining the shoreline or if overriding considerations of the public interest will be
- 12871 served, and only for:
- 12872 a. agricultural buildings;
  - 12873 b. water-dependent uses and water related uses; and



Ordinance 19881

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12874 c. regional light rail transit support structures, but no more than is reasonably  
 12875 necessary to address the engineering, operational, environmental issues at the location of  
 12876 the structure;

12877 2. The minimum lot areas may be reduced as follows:

12878 a. to no less than ~~((10,000))~~ ten thousand square feet or the minimum lot  
 12879 area~~((s))~~ for the zone, whichever is greater, through lot averaging; and

12880 b. when public access is provided and clustering is used, to no less than  
 12881 ~~((8,000))~~ eight thousand square feet~~((s))~~ or the minimum lot area for the zone, whichever  
 12882 is greater~~((, through cluster development, as provided in K.C.C. chapter 21A.14))~~.

12883 3. For lots created before the December 10, 2010, if achieving the ten percent  
 12884 maximum impervious surface limit is not feasible, the amount of impervious surface shall  
 12885 be limited to the maximum extent practical but not to exceed the amount of impervious  
 12886 surface allowed for the applicable zone under ~~((K.C.C. 21A.12.030 and 21A.12.040))~~ this  
 12887 title.

12888 4. Except for a mixed-use development, the density of the underlying zoning or  
 12889 ~~((6))~~ six dwelling units per acre, whichever is lower. A mixed-use development may  
 12890 have the density of the underlying zone.

12891 SECTION 281. Ordinance 13129, Section 2, as amended, and K.C.C.  
 12892 21A.27.010 are hereby amended to read as follows:

12893 A. When a new transmission support structure is proposed, a community meeting  
 12894 shall be convened by the applicant ~~((prior to))~~ before submittal of an application.

12895 ~~((A-))~~ B. At least two weeks in advance, notice of the meeting shall be provided  
 12896 as follows:

Ordinance 19881

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12897           1. Published in the local paper and mailed to the department, and  
12898           2. Mailed notice shall be provided to all property owners within five hundred  
12899 feet or at least twenty of the nearest property owners, whichever is greater, as required by  
12900 K.C.C. 21A.26.170 of any potential sites, identified by the applicant for possible  
12901 development, to be discussed at the community meeting. When the proposed  
12902 transmission support structure exceeds a height of one hundred twenty feet, the mailed  
12903 notice shall be provided to all property owners within one thousand feet. The mailed  
12904 notice shall at a minimum contain a brief description and purpose of the project, the  
12905 estimated height, approximate location noted on an assessor map with address and parcel  
12906 number, a photo or sketch of the proposed facility, a statement that alternative sites  
12907 proposed by ~~((citizens))~~ the public can be presented at the meeting that will be considered  
12908 by the applicant, a contact name and telephone number to obtain additional information,  
12909 and other information deemed necessary by King County. Because the purpose of the  
12910 community meeting is to promote early discussion, applicants are encouraged to note any  
12911 changes to the conceptual information presented in the mailed notice when they submit  
12912 an application.

12913           ~~((B-))~~ C. At the community meeting at which at least one employee of the  
12914 department of local services, permitting division, assigned by the permitting division  
12915 manager or designee, shall be in attendance, the applicant shall provide information  
12916 relative to existing transmission support structures and other nonresidential structures,  
12917 such as water towers and electrical transmission lines, within one-quarter mile of  
12918 potential sites, and shall discuss reasons why those existing structures are unfeasible.  
12919 Furthermore, any alternative sites within one-quarter mile, identified by community

Ordinance 19881

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12920 members and provided to the applicant in writing at least five days in advance of the  
12921 meeting, shall be evaluated by the applicant to the extent possible given the timeframe,  
12922 and discussed at the meeting. A listing of the sites, identified in writing and provided to  
12923 the applicant at or before the community meetings, shall be submitted to the department  
12924 with the proposed application. Applicants shall also provide a list of meeting attendees  
12925 and those receiving mailed notice and a record of the published meeting notice at the time  
12926 of application submittal.

12927           SECTION 282. Ordinance 13129, Section 11, as amended, and K.C.C.  
12928 21A.27.110 are hereby amended to read as follows:

12929           A. The mounting of antenna upon existing structures, such as light and power  
12930 poles, located within publicly or privately maintained street, utility, and railroad rights-  
12931 of-way((s)) is permitted outright. If an existing structure within a street, utility, or  
12932 railroad rights-of-ways cannot accommodate an antenna due to structural deficiency or  
12933 does not have the height required to provide adequate signal coverage, the structure may  
12934 be replaced with a new structure that will serve the original purpose and will not exceed  
12935 the original height by forty feet. However, minor communication facilities within street,  
12936 utility, and railroad right-of-way that propose the construction of a separate structure used  
12937 solely for antenna shall be subject to the zoning provisions applicable to the property  
12938 abutting the portion of right-of-way where the structure is proposed except that the  
12939 setbacks specified in the zoning code shall not apply. Setbacks shall be those specified in  
12940 the road design standards. In cases where the abutting property on either side of the  
12941 right-of-way has different zoning, the more restrictive zoning provisions shall apply.

Ordinance 19881

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12942 B. The placement of antenna on existing or replacement structures within street,  
 12943 utility, or railroad rights-of-way is the preferred alternative in residential neighborhoods  
 12944 and in the ((Rural Areas)) rural area and natural resource lands and the feasibility of such  
 12945 placement shall be considered by the county whenever evaluating a proposal for a new  
 12946 transmission support structure, except for a new structure that is proposed to collocate  
 12947 antenna for two or more separate service providers.

12948 SECTION 283. Ordinance 10870, Section 512, as amended, and K.C.C.  
 12949 21A.28.020 are hereby amended to read as follows:

12950 A. All new development proposals including any use, activity, or structure  
 12951 allowed by K.C.C. chapter 21A.08 that requires King County approval shall be  
 12952 adequately served by the following facilities and services ~~((prior to the time of))~~ before  
 12953 occupancy, recording, or other land use approval, as further specified in this chapter:

- 12954 1. ~~((s))~~Sewage disposal;
- 12955 2. ~~((w))~~Water supply;
- 12956 3. ~~((s))~~Surface water management;
- 12957 4. ~~((r))~~Roads and access;
- 12958 5. ~~((f))~~Fire protection service; and
- 12959 6. ~~((s))~~Schools.

12960 B. All new development proposals for building permits, plats, short plats, ~~((urban~~  
 12961 ~~planned developments, fully contained communities))~~ and binding site plans, that will be  
 12962 served by a sewer or water district, shall include a certificate of water availability and a  
 12963 certificate of sewer availability to demonstrate compliance with this chapter and other

Ordinance 19881

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12964 provisions of the King County Code, the King County Comprehensive Plan, and the  
12965 Growth Management Act.

12966 C. Regardless of the number of sequential permits required, ~~((the provisions of))~~  
12967 this chapter shall be applied only once to any single development proposal. If changes  
12968 and modifications result in impacts not considered when the proposal was first approved,  
12969 the county shall consider the revised proposal as a new development proposal.

12970 SECTION 284. Ordinance 10870, Section 513, as amended, and K.C.C.  
12971 21A.28.030 are hereby amended to read as follows:

12972 All new development shall be served by an adequate public or private sewage  
12973 disposal system, including both collection and treatment facilities as follows:

12974 A. A public sewage disposal system is adequate for a development proposal  
12975 ~~((provided that))~~ only if:

12976 1. For the issuance of a building permit, preliminary ~~((plat))~~ subdivision or short  
12977 ~~((plat))~~ subdivision approval, the applicant demonstrates that  
12978 the site of the proposed development is or can be served by an existing disposal system  
12979 consistent with K.C.C. Title 13, and the disposal system has been approved by the  
12980 department as being consistent with applicable state and local design and operating  
12981 guidelines;

12982 2. For the issuance of a certificate of occupancy for a building or change of use  
12983 permit, the approved public sewage disposal system as ~~((set forth))~~ required in subsection  
12984 A.1. of this section is installed to serve each building or lot;

12985 3. For recording a final plat, final short plat, or binding site plan, the approved  
12986 public sewage disposal system ~~((set forth))~~ required in subsection A.1. of this section

Ordinance 19881

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12987 shall be installed to serve each lot respectively(~~(;)~~) or a bond or similar security shall be  
 12988 deposited with King County for the future installation of an adequate sewage disposal  
 12989 system. The bond may be assigned to a utility to assure the construction of the facilities  
 12990 within two years of recording; and

12991 4. For a zone reclassification (~~(or urban planned development permit)~~), the  
 12992 timing of installation of required sewerage improvements shall be contained in the  
 12993 approving ordinance as specified in K.C.C. 20.22.250; and

12994 B. A private individual sewage system is adequate, if an on-site sewage disposal  
 12995 system for each individual building or lot is installed to meet the requirements and  
 12996 standards of (~~(the department of)~~) public health - Seattle & King County as to lot size,  
 12997 soils, and system design (~~(prior to)~~) before issuance of a certificate of occupancy for a  
 12998 building or change of use permit.

12999 NEW SECTION. SECTION 285. There is hereby added to K.C.C. chapter  
 13000 21A.28 a new section to read as follows:

13001 Developments using a community on-site sewage system or large on-site sewage  
 13002 system may be allowed only in the following circumstances in the rural area and natural  
 13003 resource lands:

13004 A. Existing on-site systems are failing within an area and public health - Seattle  
 13005 & King County concurs that long-term individual on-site sewage system repairs are not  
 13006 feasible or water quality is threatened by the presence of or potential health hazards  
 13007 resulting from inadequate on-site wastewater disposal methods;

13008 B. An authorized public agency will manage the system;

Ordinance 19881

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13009 C. The system is designed only to serve existing structures and lots.

13010 Modifications to existing structures and lots shall not be allowed if the modification

13011 triggers an expansion of sewage capacity above the original approval of the system.

13012 D. The system shall not be used to exceed base density for the zone, special

13013 district overlays, or P-suffix conditions. Substandard vacant lots shall be combined to the

13014 extent feasible to meet rural density policies and regulations;

13015 E. A system serving residentially developed lots cannot be used to:

13016 1. Expand existing nonresidential uses in size or scale;

13017 2. Establish new nonresidential uses; or

13018 3. Serve commercially zoned properties; and

13019 F. For a system serving commercially developed lots:

13020 1. The system is used only to serve commercially zoned properties;

13021 2. Zoning, special district overlays, or development conditions are imposed that

13022 establish a range of allowed uses that can be adequately served by the system at the time

13023 of its construction; and

13024 3. The allowed uses are not more expansive than those allowed in the

13025 underlying zone.

13026 SECTION 286. Ordinance 10870, Section 514, as amended, and K.C.C.

13027 21A.28.040 are hereby amended to read as follows:

13028 All new development shall be served by an adequate public or private water

13029 supply system as follows:

13030 A. A public water system is adequate for a development proposal only if:

Ordinance 19881

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13031           1. For the issuance of a building permit, preliminary (~~plat~~) subdivision or short  
13032 subdivision approval, or other land use approval, the applicant demonstrates that the site  
13033 of the proposed development is or can be served by an existing water supply system  
13034 ~~((available to serve the site))~~ that:

13035           a. complies with the applicable planning, operating, and design requirements  
13036 of:

13037           (1) chapters (~~WAC~~) 246-290 and 246-291 WAC;

13038           (2) K.C.C. chapters 14.42 and 14.44 and K.C.C. Title 17;

13039           (3) coordinated water system plans;

13040           (4) K.C.C. Titles 12 and 13 and other applicable rules of the King County  
13041 board of health;

13042           (5) applicable rules of the Washington state Board of Health, Department of  
13043 Health, Utilities and Transportation Commission, and Department of Ecology;

13044           (6) applicable provisions of King County groundwater management plans and  
13045 watershed plans;

13046           (7) applicable provisions of the King County Comprehensive Plan and  
13047 development regulations; and

13048           (8) any limitation or condition imposed by the county-approved  
13049 comprehensive plan of the water purveyor;

13050           b. ~~((F))~~the proposed improvements to an existing water system have been  
13051 reviewed by the department and determined to comply with the design standards and  
13052 conditions specified in subsection A.1.a. of this section; and



Ordinance 19881

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13053 c. ~~((A))~~ a proposed new water supply system has been reviewed by the  
 13054 department and determined to comply with the design standards and conditions specified  
 13055 in subsection A.1.a. of this section;

13056 2. Before issuance of a certificate of occupancy for a building or change of use  
 13057 permit, the approved public water system, and any system improvements required in  
 13058 subsection A.1. of this section are installed to serve each building or lot respectively;

13059 3. For recording a final plat, final short plat, or binding site plan, either the  
 13060 approved public water supply system or system improvements in required subsection  
 13061 A.1. of this section ~~((are))~~ shall be installed to serve each lot or a bond or similar security  
 13062 shall be deposited with King County and may be assigned to a purveyor to assure the  
 13063 construction of required water facilities in Group A systems as defined by board of health  
 13064 regulations, within two years of recording; and

13065 4. For a zone reclassification ~~((or urban planned development permit))~~, the  
 13066 timing of installation of required water system improvements ~~((is included))~~ shall be  
 13067 contained in the approving ordinance as specified in K.C.C. 20.22.250.

13068 B. An on-site individual water system is adequate and the plat or short plat may  
 13069 receive preliminary and final approval, and a building or change of use permit may be  
 13070 issued as provided in K.C.C. 13.24.138 and 13.24.140.

13071 SECTION 287. Ordinance 10870, Section 515, as amended, and K.C.C.

13072 21A.28.050 are hereby amended to read as follows:

13073 All new development shall be served by an adequate surface water management  
 13074 system as follows:

Ordinance 19881

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13075           A. The proposed system is adequate if the development proposal site is served by  
 13076 a surface water management system approved by the department as being consistent with  
 13077 the design, operating, and procedural requirements of the ((King County)) Surface Water  
 13078 Design Manual and K.C.C. Title 9;

13079           B. For a subdivision((,)) or zone reclassification ((~~or urban planned~~  
 13080 ~~development~~)), the phased installation of required surface water management  
 13081 improvements shall be stated in the approving ordinance as specified in K.C.C.  
 13082 20.22.250. Such phasing may require that a bond or similar security be deposited with  
 13083 King County; and

13084           C. A request for an adjustment of the requirements of the Surface Water Design  
 13085 Manual and K.C.C. Title 9 shall be reviewed in accordance with K.C.C. 9.04.050 and  
 13086 does not require a variance from this title unless relief is requested from a ((building  
 13087 height, setback, landscaping or other)) development standard in K.C.C. Title 21A  
 13088 ((~~chapters 21A.12, 21A.14, 21A.16, 21A.18, 21A.20, 21A.22, 21A.24, 21A.26, 21A.28~~  
 13089 ~~and 21A.30~~)).

13090           SECTION 288. Ordinance 10870, Section 523, as amended, and K.C.C.  
 13091 21A.28.130 are hereby amended to read as follows:

13092           All new development shall be served by adequate fire protection as follows:

13093           A. The site of the development proposed is served by a water supply system that  
 13094 provides at least minimum fire flow and a road system or fire lane system that provides  
 13095 life safety and rescue access, and other fire protection requirements for buildings as  
 13096 required by K.C.C. Titles 16 and 17;

Ordinance 19881

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13097           B. For a zone reclassification (~~((or urban planned development))~~), the timing of  
 13098 installation of required fire protection improvements shall be stated in the approving  
 13099 ordinance as specified in K.C.C. 20.22.250, secured with a bond or similar security, and  
 13100 deposited with King County; and

13101           C. A variance request from the requirements established by K.C.C. Title 17, Fire  
 13102 Code, shall be reviewed in accordance with K.C.C. 17.08.090 or chapter 1 of the  
 13103 currently adopted edition of the International Fire Code and does not require a variance  
 13104 from this title unless relief is requested from a building height, setback, landscaping, or  
 13105 other development standard in K.C.C. (~~((chapters 21A.12 through 21A.30))~~) Title 21A.

13106           SECTION 289. Ordinance 10870, Section 524, as amended, and K.C.C.  
 13107 21A.28.140 are hereby amended to read as follows:

13108           A. The school concurrency standard set out in (~~((Section))~~) K.C.C. 21A.28.160  
 13109 shall apply to applications for preliminary (~~((plat))~~) subdivisions (~~((or Urban Planned~~  
 13110 ~~Development (UPD) approval))~~), (~~((mobile))~~) manufactured home (~~((parks))~~) communities,  
 13111 (~~((requests for multifamily zoning,))~~) and building permits for (~~((multifamily housing~~  
 13112 ~~projects which))~~) multiunit developments that have not been previously evaluated for  
 13113 compliance with the concurrency standard.

13114           B. The county's finding of concurrency shall be made at the time of preliminary  
 13115 (~~((plat or UPD))~~) subdivision or binding site plan approval(~~((, at the time that a request to~~  
 13116 ~~actualize potential multifamily zoning is approved, at the time a mobile home park site~~  
 13117 ~~plan is approved,))~~) or (~~((prior to))~~) before building permit issuance for (~~((multifamily~~  
 13118 ~~housing projects which))~~) multiunit developments that have not been previously  
 13119 established for compliance with the concurrency standard. (~~((Once such a finding has~~

Ordinance 19881

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13120 ~~been made, the development shall be considered as vested for purposes of the~~  
13121 ~~concurrency determination.))~~

13122 C. Excluded from the application of the concurrency standard are:

13123 1. ~~((b))~~Building permits for individual single ((family dwellings)) detached  
13124 residences;

13125 2. ~~((any form of housing exclusively for senior citizens, including nursing~~  
13126 ~~homes and retirement centers))~~ Senior assisted housing;

13127 3. ~~((shelters for temporary placement, relocation facilities and transitional~~  
13128 ~~housing facilities.))~~ Uses identified in section 162 of this ordinance;

13129 4. Replacement, reconstruction, or remodeling of existing dwelling units;

13130 5. Short subdivisions; and

13131 6. ~~((Building permits for residential units in preliminary planned unit~~  
13132 ~~developments which were under consideration by King County on January 22, 1991;~~

13133 7. ~~Building permits for residential units in recorded planned unit developments~~  
13134 ~~approved pursuant to K.C.C. Title 21 that have not yet expired per K.C.C. 21.56.060;~~

13135 8. ~~Building permits applied for by December 31, 1993, related to rezone~~  
13136 ~~applications to actualize potential zoning which were under consideration by King~~

13137 ~~County on January 22, 1991;~~

13138 9. ~~Building permits applied for by December 31, 1993, related to residential~~  
13139 ~~development proposals for site plan review to fulfill P-Suffix requirements of multifamily~~

13140 ~~zoning which were under consideration by King County on January 22, 1991; and~~

Ordinance 19881

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13141           ~~10.)~~) Any residential building permit for any development proposal for which a  
13142 concurrency determination has already been made (~~(pursuant to the terms of)~~) in  
13143 accordance with K.C.C. Title 21A.

13144           D. All of the development activities (~~(which)~~) that are excluded from the  
13145 application of the concurrency standard are subject to school impact fees imposed  
13146 (~~(pursuant to)~~) under K.C.C. Title 27.

13147           E. The assessment and payment of impact fees are governed by and shall be  
13148 subject to the provisions in K.C.C. Title 27 addressing school impact fees.

13149           F. A (~~(certification)~~) finding of concurrency for a school district shall not  
13150 preclude the county from collecting impact fees for the district. Impact fees may be  
13151 assessed and collected as long as the fees are used to fund capital and system  
13152 improvements needed to serve the new development, and as long as the use of such fees  
13153 is consistent with (~~(the requirements of)~~) chapter 82.02 RCW and this chapter.  
13154 (~~(Pursuant to)~~) In accordance with (~~(~~)chapter 82.02 RCW, impact fees may also be  
13155 used to recoup capital and system improvement costs previously incurred by a school  
13156 district to the extent that new growth and development will be served by the previously  
13157 constructed improvements or incurred costs.

13158           SECTION 290. K.C.C. 21A.28.160, as amended by this ordinance, is hereby  
13159 recodified as a new section in K.C.C. chapter 21A.28 to follow K.C.C. 21A.28.140.

13160           SECTION 291. Ordinance 10870, Section 526, as amended, and K.C.C.  
13161 21A.28.160 are hereby amended to read as follows:

13162           A. Schools shall be considered to have been provided concurrently with the  
13163 development (~~(which)~~) that will impact the schools if:

Ordinance 19881

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13164           1. The permanent and interim improvements necessary to serve the development  
 13165 are planned to be in place at the time the impacts of development are expected to occur;

13166 or

13167           2. The necessary financial commitments are in place to assure the completion of  
 13168 the needed improvements to meet the school district's standard of service within ~~((3))~~

13169 three years of the time that the impacts of development are expected to occur. Necessary  
 13170 improvements are those facilities identified by the school district in its capital facilities  
 13171 plan as reviewed and adopted by King County.

13172           B. Any combination of the following shall constitute the "necessary financial  
 13173 commitments" for the purposes of subsection A. of this section:

13174           1. The school district either has received voter approval of ~~((and/))~~ a bond or has  
 13175 bonding authority, or both;

13176           2. The school district has received approval for federal, state, or other ~~((funds))~~  
 13177 moneys;

13178           3. The school district has received a secured commitment from an ~~((developer))~~  
 13179 applicant that the ~~((developer))~~ applicant will construct the needed permanent school  
 13180 facility, and the school district has found such a facility to be acceptable and consistent  
 13181 with its capital facilities plan; ~~((and/))~~ or

13182           4. The school district has other assured funding, including, but not limited to  
 13183 school impact fees ~~((which))~~ that have been paid.

13184           C. Compliance with ~~((this))~~ the concurrency requirement of this section shall be  
 13185 sufficient to satisfy ~~((the provisions of))~~ RCW 58.17.060 and ~~((RCW))~~ 58.17.110.

Ordinance 19881

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13186            SECTION 292. K.C.C. 21A.28.150, as amended by this ordinance, is hereby  
13187 recodified as a new section in K.C.C. chapter 21A.28 to follow K.C.C. 21A.28.160, as  
13188 recodified by this ordinance.

13189            SECTION 293. Ordinance 10870, Section 525, as amended, and K.C.C.  
13190 21A.28.150 are hereby amended to read as follows:

13191            A. In making a SEPA threshold determination (~~((pursuant to SEPA, the director~~  
13192 ~~and/or the hearing examiner, in the course of reviewing proposals))~~ for residential  
13193 development, ~~((including applications for plats or UPD's, mobile home parks, or multi-~~  
13194 ~~family zoning, and multifamily building permits;))~~ the county shall consider the school  
13195 district's capital facilities plan as adopted by the council.

13196            B. Documentation (~~(which)~~) that the school district is required to submit  
13197 (~~((pursuant to section))~~) under K.C.C. 21A.28.152 or K.C.C. Title 20((-)) shall be  
13198 incorporated into the record in every case without requiring the school district to offer  
13199 such plans and data into the record. The school district is also authorized to present  
13200 testimony and documents demonstrating a lack of concurrency in the school district and  
13201 the inability of the school district to accommodate the students to be generated by a  
13202 specific development.

13203            C. Based upon a finding that the impacts generated by the (~~(plat, the UPD,~~  
13204 ~~mobile home park, or the multi-family))~~ development were generally not anticipated at  
13205 the time of the last council review and approval of a school district capital plan and were  
13206 not included in the school district's long-range forecast, the director may require or  
13207 recommend phasing or provision of the needed facilities and(~~(/or))~~) sites as appropriate to

Ordinance 19881

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13208 address the deficiency or deny or condition approval, consistent with ~~((the provisions of))~~  
 13209 this chapter, the State Subdivision Act, and ~~((the State Environmental Policy Act))~~ SEPA.

13210 D. Determinations of the examiner or director regarding concurrency can be  
 13211 appealed only ~~((pursuant to))~~ in accordance with the provisions for appeal of the  
 13212 development permit process for which the determination has been made. Where no other  
 13213 administrative appeal process is available, an appeal may be taken to the hearing  
 13214 examiner using the appeal procedures for variances. Any errors in the formula identified  
 13215 as a result of an appeal should be referred to the council for possible modifications.

13216 E. Where the council has not adopted an impact fee ordinance for a particular  
 13217 school district, ~~((the language of))~~ this section shall not affect the authority or duties of  
 13218 the examiner or the director ~~((pursuant to the State Environmental Policy Act))~~ under  
 13219 SEPA or the State Subdivision Act.

13220 SECTION 294. Ordinance 11621, Section 89, and K.C.C. 21A.28.152 are hereby  
 13221 amended to read as follows:

13222 A. On an annual basis, each school district shall electronically submit the  
 13223 following materials to the chair of the ~~((S))~~school ~~((T))~~technical ~~((R))~~review  
 13224 ~~((C))~~committee created ~~((pursuant to section))~~ in accordance with K.C.C. 21A.28.154:

- 13225 1. The school district's capital facilities plan adopted by the school board  
 13226 ~~((which))~~ that is consistent with the Growth Management Act~~((-))~~;
- 13227 2. The school district's enrollment projections over the next six ~~((6))~~ years, its  
 13228 current enrollment<sub>2</sub> and ~~((the district's enrollment projections and))~~ actual enrollment  
 13229 from the previous year~~((-))~~;



Ordinance 19881

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13230 3. The school district's standard of service(~~(-)~~), which may include criteria such  
13231 as class size, student-teacher ratios, sports field sizes, building requirements, or other  
13232 criteria established by state statute or school district policy;

13233 4. An inventory and evaluation of school district facilities (~~(which)~~) that address  
13234 the school district's standard of service(~~(-)~~); and

13235 5. The school district's overall capacity over the next six (~~((6))~~) years, which  
13236 shall be a function of the school district's standard of service as measured by the number  
13237 of students (~~(which)~~) that can be housed in school district facilities.

13238 B. To the extent that the school district's standard of service reveals a deficiency  
13239 in its current facilities, the school district's capital facilities plan (~~((must))~~) shall  
13240 demonstrate a plan for achieving the standard of service, and (~~((must))~~) shall identify the  
13241 sources of funding for building or acquiring the necessary facilities to meet the standard  
13242 of service.

13243 C. Facilities to meet future demand shall be designed to meet the adopted  
13244 standards of service. If sufficient funding is not projected to be available to fully fund a  
13245 school district capital facilities plan (~~(which)~~) that meets the standard of service, the  
13246 school district's capital plan should document the reason for the funding gap.

13247 D. In accordance with RCW 82.02.070, (~~(f))~~if an impact fee ordinance has been  
13248 adopted on behalf of a school district, the King County finance and business operations  
13249 division or successor agency, shall send the chair of the committee a report showing the  
13250 source and amount of all fees collected, interest earned on behalf of each school district,  
13251 the amount of moneys distributed to each school district, and the system improvements  
13252 that were financed in whole or in part by impact fees and the amount of moneys

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Ordinance 19881

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13253 expended as reported by the school district. The chair of the committee shall provide a  
13254 copy of each report to the respective school district.

13255 E. Each school district shall ((also submit an annual)) annually report on their use  
13256 of moneys to the ((School Technical Review)) chair of the ((€))committee showing the  
13257 capital improvements ((which)) that were financed in whole or in part by the impact fees.  
13258 The chair of the committee shall use the information to confirm expenditures with the  
13259 department of executive services, finance and business operations division, and to verify  
13260 compliance with RCW 82.02.070.

13261 SECTION 295. Ordinance 11621, Section 90, as amended, and K.C.C.  
13262 21A.28.154 are hereby amended to read as follows:

13263 A. There is hereby created ((a)) the school technical review committee ((within  
13264 King County. The committee shall consist of three county staff persons,)) consisting of  
13265 the following representatives:

- 13266 1. ((ø))One ((each)) from the department of local services((;));  
13267 2. One from the regional planning unit of the office of performance, strategy,  
13268 and budget; and  
13269 3. One from the county council staff, as an ex officio member.

13270 B. The representative from the department of local services shall serve as the  
13271 chair of the committee.

13272 C. The committee shall be charged with reviewing each school district's: capital  
13273 facilities plan((;)); enrollment projections((;)); standard of service((, the district's));  
13274 overall capacity for the next six years to ensure consistency with the Growth

Ordinance 19881

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13275 Management Act, King County Comprehensive Plan, and adopted ~~((community))~~ subarea  
 13276 plans; and ~~((the district's))~~ calculation and rationale for proposed impact fees.

13277 ~~((C. Notice of the time and place of the committee meeting where the district's~~  
 13278 ~~documents will be considered shall be provided to the district.))~~

13279 D. Committee meetings shall be open to the public. The chair of the committee  
 13280 shall post on the county's website a public notice of the time and place of a committee  
 13281 meeting least two weeks in advance of the meeting. Materials submitted under K.C.C.  
 13282 21A.28.152.A. shall be posted on the county's website at the same time as the meeting  
 13283 notice.

13284 E. At the meeting where the committee will review or act upon the school  
 13285 district's documents, ((the)) school district representatives ((shall have the right to)) may  
 13286 attend ((or to be represented, and shall be permitted to)) and present testimony to the  
 13287 committee. ((Meetings shall also be open to the public.

13288 ~~E.))~~ E. In its review, the committee shall consider the following factors:

13289 1. Whether the school district's forecasting system for enrollment projections  
 13290 has been demonstrated to be reliable and reasonable~~((;))~~;

13291 2. The historic levels of funding and voter support for bond issues in the school  
 13292 district;

13293 3. The inability of the school district to obtain the anticipated state funding or to  
 13294 receive voter approval for school district bond issues;

13295 4. An emergency or emergencies in the school district ~~((which))~~ that required  
 13296 the closing of a school facility or facilities resulting in a sudden and unanticipated decline  
 13297 in districtwide capacity; ~~((and))~~

Ordinance 19881

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13298           5. The standards of service set by school districts in similar types of  
13299 communities. While community differences will be ~~((permitted))~~ allowed, the standard  
13300 established by the school district should be reasonably consistent with the standards set  
13301 by other school districts in communities of similar socioeconomic profile; and

13302           6. The standards identified by the state concerning the ratios of certificated  
13303 instructional staff to students.

13304           ~~((F.))~~ G. In the event that the school district's standard of service reveals a  
13305 deficiency in its current facilities, the committee shall review the school district's capital  
13306 facilities plan to determine whether the school district has identified all sources of  
13307 funding necessary to achieve the standard of service.

13308           ~~((G.))~~ H. The school district in developing the financing plan component of the  
13309 capital facilities plan shall plan on a six-year horizon and shall ~~((demonstrate its best  
13310 efforts by taking))~~ document that it took the following steps:

13311           1. Establish a six-year financing plan, and propose the necessary bond issues  
13312 and levies required by and consistent with that plan and as approved by the school board  
13313 and consistent with RCW 28A.53.020, 84.52.052 and 84.52.056, as amended; and

13314           2. Apply to the state for funding, and comply with the state requirement for  
13315 eligibility to the best of the school district's ability.

13316           ~~((H.))~~ I. The committee ~~((is authorized to))~~ may request ~~((the))~~ that a school  
13317 district ~~((to))~~ review and ~~((to))~~ resubmit its capital facilities plan, ~~((or to))~~ establish a  
13318 different standard of service, or ~~((to))~~ review its capacity for accommodating new  
13319 students, or any combination thereof, under any of the following circumstances:

Ordinance 19881

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13320           1. The standard of service established by the school district is not reasonable in  
13321 light of the factors ~~((set forth))~~ in subsection ~~((E.))~~ F. of this section~~((:))~~;

13322           2. The committee finds that the school district's standard of service cannot  
13323 reasonably be achieved in light of the secured financial commitments and the historic  
13324 levels of support in the school district; or

13325           3. Any other basis that is consistent with this section.

13326           ~~((F.))~~ J. If a school district fails to submit its capital facilities plan for review by  
13327 the committee, King County shall assume the school district has adequate capacity to  
13328 accommodate growth for the following six years.

13329           ~~((F.))~~ K. The chair of the committee shall document the outcome of the  
13330 committee meeting each school district's capital facility plan and associated proposed  
13331 impact fees in a report. The report shall include analysis consistent with subsections F.  
13332 through J. of this section. The chair of ~~((F.))~~the committee shall submit copies of its  
13333 ~~((recommendation of concurrency for each school district)) report to the director, ~~((to~~  
13334 ~~the))~~ hearing examiner, and ~~((to the))~~ school districts and shall post the report on the  
13335 county's website.~~

13336           ~~((K.))~~ L. In accordance with K.C.C. 20.18.060 and 20.18.070 and based on  
13337 committee input, ~~((F.))~~the chair of the committee shall recommend to the executive, and  
13338 the executive shall transmit to the council, a proposed Comprehensive Plan amendment  
13339 adopting the school district's capital facilities plan as part of the Comprehensive Plan, for  
13340 any plan ~~((which))~~ that the committee concludes accurately reflects the school district's  
13341 facilities status. The transmittal shall include the report required by subsection K. of this  
13342 section.

Ordinance 19881

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13343            ~~((L-))~~ M. In the event that after reviewing ~~((the))~~ a school district's capital  
 13344 facilities plan and other documents, the committee is unable to recommend ~~((certifying~~  
 13345 ~~concurrency in a))~~ adoption of the school district's capital facilities plan, the chair of the  
 13346 committee shall submit a statement to the council, ~~((the))~~ director, ~~((and the))~~ hearing  
 13347 examiner, and school district stating ~~((that))~~ the committee's ~~((is unable to recommend~~  
 13348 ~~certifying concurrency in a specific school district))~~ findings. The committee shall then  
 13349 recommend to the executive ~~((that)),~~ and the executive ~~((propose))~~ shall transmit to the  
 13350 council, consistent with the school capital facility plan timelines established in K.C.C.  
 13351 20.18.060 and 20.18.070, either proposed amendments to the land use element of the  
 13352 King County Comprehensive Plan or proposed amendments to the development  
 13353 regulations implementing the plan, or both, to more closely conform county land use  
 13354 plans and school district capital facilities plans, including, but not limited to, requiring  
 13355 mandatory phasing of plats~~((, UPDs))~~ or ~~((multifamily))~~ multiunit development located  
 13356 within the school district's boundary. ~~((The necessary draft amendments shall~~  
 13357 ~~accompany such recommendations.))~~

13358            SECTION 296. Ordinance 11621, Section 91, as amended, and K.C.C.  
 13359 21A.28.156 are hereby amended to read as follows:

13360            A. On at least an annual basis in accordance with K.C.C. 20.18.060 and  
 13361 20.18.070, the King County council shall ~~((certify))~~ adopt the school district's capital  
 13362 facility plans. ~~((The review may occur in conjunction with any update of the Facilities~~  
 13363 ~~and Services chapter of the King County Comprehensive Plan proposed by the school~~  
 13364 ~~technical review committee.))~~

Ordinance 19881

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13365           B. The council shall review and consider any proposal or proposals submitted by  
 13366 the school technical review committee for amending the land use policies of the King  
 13367 County Comprehensive Plan, or the development regulations implementing the plan,  
 13368 including but not limited to requiring mandatory phasing of ~~((plats, UPDs))~~ subdivisions  
 13369 or ~~((multifamily))~~ multiunit development when the committee is unable to recommend  
 13370 ~~((a certification of concurrency in))~~ adoption for a specific school district in accordance  
 13371 with K.C.C. 21A.28.154. Any proposed amendments to the ~~((e))~~ Comprehensive  
 13372 ~~((p))~~ Plan or development regulations shall be subject to the public hearing and other  
 13373 procedural requirements set out in K.C.C. Title 20 ~~((or 21A, as applicable))~~.

13374           C. The council may ~~((require the committee to submit proposed amendments or~~  
 13375 ~~may itself))~~ initiate amendments to the land use policies of the King County  
 13376 Comprehensive Plan, or amendments to the development regulations implementing the  
 13377 plan, to more closely conform county land use plans and school district capital facilities  
 13378 plans.

13379           SECTION 297. Ordinance 10870, Section 530, as amended, and K.C.C.  
 13380 21A.30.020 are hereby amended to read as follows:

13381           The raising, keeping, breeding, or boarding of small animals are subject to K.C.C.  
 13382 chapter 11.04, King County Board of Health Code chapter 8.03 and the following  
 13383 requirements:

13384           A.1. Small animals that are kept as household pets in a dwelling unit in  
 13385 aquariums, terrariums, cages, or similar containers shall not be limited in number, except  
 13386 as otherwise provided in King County Board of Health Code chapter 8.03 or K.C.C. Title  
 13387 11.

Ordinance 19881

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13388           2. Except as otherwise allowed for a facility licensed under King County Board  
 13389 of Health Code chapter 8.03 or permitted under K.C.C. chapter 11.04, other small  
 13390 animals, excluding altered cats, kept as household pets in a dwelling unit shall be limited  
 13391 to five.

13392           3. Altered cats kept as household pets in a dwelling unit shall not be limited in  
 13393 numbers.

13394           B.1. Except as otherwise provided in subsection E. of this section, the number  
 13395 of small animals kept outside a dwelling unit shall be limited as follows:

13396           a. for poultry, chicken, and squab, ten animals per lot on sites less than thirty-  
 13397 five thousand square feet, with one additional animal allowed per additional half acre, up  
 13398 to a maximum of twenty animals. Roosters are not allowed in the urban area; and

13399           b. for all other small animals:

13400           (1) on sites of less than twenty thousand square feet, three per dwelling unit;

13401           ~~((b-))~~ (2) on sites of between twenty thousand and thirty-five thousand square  
 13402 feet, five per dwelling unit; and

13403           ~~((e-))~~ (3) on sites greater than thirty-five thousand square feet, one additional  
 13404 small animal per dwelling unit for each one-half acre of site area over thirty-five  
 13405 thousand square feet up to a maximum of twenty.

13406           2. Unaltered animals kept outdoors ~~((must))~~ shall be kept on a leash or in a  
 13407 confined area, except as otherwise allowed under K.C.C. chapter 11.04 for a hobby  
 13408 kennel, hobby cattery, or under King County Board of Health Code chapter 8.03 for a  
 13409 commercial kennel or commercial cattery.



Ordinance 19881

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13410 C. Unless otherwise allowed for a facility licensed under King County Board of  
13411 Health Code chapter 8.03 or K.C.C. chapter 11.04, the total number of unaltered adult  
13412 cats and dogs per dwelling unit shall not exceed three.

13413 D. Small animals considered to be household pets shall be treated as other small  
13414 animals under subsection E. of this section when they are kept for breeding, boarding or  
13415 training.

13416 E. Small animals kept outside the dwelling unit for breeding, boarding or training  
13417 as an accessory use of a resident the dwelling unit are allowed, subject to the following  
13418 limitations:

13419 1. Birds shall be kept in an aviary or loft that meets the following standards:

13420 a. The aviary or loft shall provide one-half square foot for each parakeet,  
13421 canary or similarly sized birds, one square foot for each pigeon, small parrot or similarly  
13422 sized bird and two square feet for each large parrot, macaw, or similarly sized bird;

13423 b. Aviaries or lofts shall not exceed two thousand square feet, ~~((provided))~~  
13424 except that this limit shall not apply in rural, forestry, or agricultural zones; and

13425 c. The aviary is set back at least ten feet from any property line, and twenty  
13426 feet from any dwelling unit.

13427 2. Small animals other than birds shall be kept according to the following  
13428 standards:

13429 a. The minimum site area shall be one-half acre if more than three small  
13430 animals are being kept;

13431 b. All animals shall be confined within a building, pen, aviary, or similar  
13432 structure;

Ordinance 19881

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13433 c. Any covered structure used to house or contain such animals shall maintain  
13434 a distance of not less than ten feet to any property line, except structures used to house  
13435 mink and fox shall be a distance of not less than one hundred fifty feet.

13436 d. Poultry, chicken, squab, and rabbits are limited to a maximum of one animal  
13437 per one square foot of structure used to house such animals, up to a maximum of two  
13438 thousand square feet. This maximum structure size limit shall not apply in (~~rural area,~~  
13439 ~~forestry, or agricultural~~) RA, F, or A zones;

13440 e. Hamsters, nutria, and chinchilla are limited to a maximum of one animal per  
13441 square foot of structure used to house such animals, up to a maximum of two thousand  
13442 square feet(~~(:)~~). This maximum structure size limit shall not apply in (~~rural, forestry or~~  
13443 ~~agricultural~~) the RA, F, and A zones.

13444 f. Mink and fox are (~~permitted~~) allowed only on sites having a minimum area  
13445 of five acres.

13446 g. Beekeeping is limited as follows:

13447 (1) Beehives are limited to fifty on sites less than five acres;

13448 (2) The number of beehives shall not be limited on sites of five acres or  
13449 greater;

13450 (3) Colonies shall be maintained in movable-frame hives at all times;

13451 (4) Adequate space shall be provided in each hive to prevent overcrowding  
13452 and swarming;

13453 (5) Colonies shall be requeened following any swarming or aggressive  
13454 behavior;

Ordinance 19881

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13455 (6) All colonies shall be registered with the county extension agent before  
13456 April 1 of each year, on a state registration form acceptable to the county; and

13457 (7) Abandoned colonies, diseased bees, or bees living in trees, buildings, or  
13458 any other space except in movable-frame hives shall constitute a public nuisance, and  
13459 shall be abated as set forth in K.C.C. chapter 21A.50;

13460 3. Hobby kennels and hobby catteries are subject to the following requirements:

13461 a. For hobby kennels located on (~~resource rural area or residential~~) A, F, M,  
13462 RA, UR, or R zoned sites:

13463 (1) The minimum site area shall be five acres; and

13464 (2) Structures housing animals and outdoor animal runs shall be a minimum  
13465 distance of one hundred feet from property lines abutting (~~the resource, rural area or~~  
13466 ~~residential~~) A, F, M, RA, UR, or R zones;

13467 b. For hobby kennels located on nonresidential zoned sites, run areas shall be  
13468 completely surrounded by an eight foot solid wall or fence, and be subject to the  
13469 requirements in K.C.C. 11.04.060; and

13470 c. Hobby catteries shall be on sites of thirty-five thousand square feet or more,  
13471 and buildings used to house cats shall be a minimum distance of fifty feet from property  
13472 lines abutting the (~~rural area zone or residential~~) RA, UR, or R zones.

13473 F. Commercial kennels and commercial catteries are subject to the following  
13474 requirements:

13475 1. For commercial kennels located on (~~resource, rural area or residential~~) A, F,  
13476 M, RA, UR, or R zoned sites:

13477 a. The minimum site area shall be five acres; and

Ordinance 19881

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13478           b. Structures housing animals and outdoor animal runs shall be a minimum  
13479 distance of one hundred feet from property lines abutting ~~((the resource, rural area or~~  
13480 ~~residential))~~ A, F, M, RA, UR, or R zones;

13481           2. For commercial kennels located on nonresidential zoned sites, run areas shall  
13482 be completely surrounded by an eight foot solid wall or fence, and be subject to the  
13483 requirements in King County Board of Health Code chapter 8.03; and

13484           3. Commercial catteries shall be on sites of thirty-five thousand square feet or  
13485 more, and buildings used to house cats shall be a minimum distance of fifty feet from  
13486 property lines abutting ~~((the rural area or residential))~~ RA, UR, or R zones.

13487           G. Home-based animal shelters are subject to the following requirements:

13488           1. Only on properties of four acres or more;

13489           2. All animals must be primarily housed and cared for indoors;

13490           3. Portions of buildings or outdoor areas used to care for animals shall be no  
13491 less than twenty feet from property lines;

13492           4. Outdoor areas shall be fenced in a manner sufficient to contain the animals;

13493 and

13494           5. There is no limit to the number of cats that may be kept in a home-based  
13495 animal shelter. The number of dogs allowed shall be limited to the number allowed for  
13496 hobby kennels as provided in K.C.C. 11.04.060.B.

13497           SECTION 298. Ordinance 11168, Section 14, as amended, and K.C.C.

13498 21A.30.075 are hereby amended to read as follows:

13499           In order to ensure that livestock standards and management plans are customized  
13500 as much as possible to the stream conditions in each of the various streams, the King

Ordinance 19881

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13501 County agriculture commission will, in cooperation with ~~((the Washington State~~  
13502 ~~Department of Fisheries and))~~ the Muckleshoot Indian Tribe, the Snoqualmie Indian  
13503 Tribe, ~~((and))~~ other affected Indian tribes, and the Washington state Department of  
13504 Fisheries, establish a livestock interdisciplinary team consisting of three members, with  
13505 expertise in fisheries, water quality, and animal husbandry, to make specific  
13506 recommendations to the Conservation District and livestock owners adjacent to the  
13507 streams with regard to buffer needs throughout the parts of each stream which have  
13508 livestock operations adjoining such streams. The team shall take into account ~~((the~~  
13509 ~~recommendations of the adopted Basin Plans and))~~ WRIA recommendations~~((;))~~ and  
13510 shall work with the department of natural resources and parks to develop the  
13511 recommendations. The findings of the interdisciplinary team shall be reported to the  
13512 King County agriculture commission, which shall assist in the dissemination of the  
13513 recommendations to owners in the basin. The team shall work initially on those stream  
13514 systems in which specific problems have been identified and are believed to be livestock  
13515 related.

13516 SECTION 299. Ordinance 10870, Section 536, as amended, and K.C.C.

13517 21A.30.080 are hereby amended to read as follows:

13518 In the R, UR, NB, CB<sub>2</sub> and RB zones, residents of a dwelling unit may conduct  
13519 one or more home occupations as accessory activities, ~~((only if))~~ as follows:

13520 A. The total floor area of the dwelling unit devoted to all home occupations shall  
13521 not exceed twenty percent of the floor area of the dwelling unit~~((;))~~;

13522 B. Areas within garages and storage buildings shall not be considered part of the  
13523 dwelling unit and may be used for activities associated with the home occupation;

Ordinance 19881

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13524 C. All the activities of the home occupation or occupations shall be conducted  
 13525 indoors, except for those related to growing or storing of plants used by the home  
 13526 occupation or occupations;

13527 D. The dwelling unit shall be the primary residence of the owner of the home  
 13528 occupation business. A home occupation or occupations is not limited in the number of  
 13529 employees that remain off-site. No more than one nonresident employee shall be  
 13530 ~~((permitted))~~ allowed to work on-site for the home occupation or occupations;

13531 E. The following uses, by the nature of their operation or investment, tend to  
 13532 increase beyond the limits ~~((permitted))~~ allowed for home occupations. Therefore, the  
 13533 following shall not be ~~((permitted))~~ allowed as home occupations:

- 13534 1. Automobile, truck, and heavy equipment repair;
- 13535 2. Auto body work or painting;
- 13536 3. Parking and storage of heavy equipment;
- 13537 4. Storage of building materials for use on other properties;
- 13538 5. Hotels, motels, or organizational lodging;
- 13539 6. Dry cleaning;
- 13540 7. Towing services;
- 13541 8. Trucking, storage, or self service, except for parking or storage of one  
 13542 commercial vehicle used in home occupation;
- 13543 9. Veterinary clinic;
- 13544 10. Recreational ~~((marijuana))~~ cannabis processor, recreational ~~((marijuana))~~  
 13545 cannabis producer, or recreational ~~((marijuana))~~ cannabis retailer; and

Ordinance 19881

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13546            11. Winery, brewery, distillery facility I, II and III, and remote tasting room,  
13547 except that home occupation adult beverage businesses operating under an active  
13548 Washington state Liquor and Cannabis Board production license issued for their current  
13549 location before December 31, 2019, and where King County did not object to the location  
13550 during the Washington state Liquor and Cannabis Board license application process, shall  
13551 be considered legally nonconforming and allowed to remain in their current location  
13552 subject to K.C.C. 21A.32.020 through 21A.32.075 if the use is in compliance with this  
13553 section as of December 31, 2019. Such nonconforming businesses shall remain subject  
13554 to all other requirements of this section and other applicable state and local regulations.

13555 The resident operator of a nonconforming winery, brewery or distillery home occupation  
13556 shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.74;

13557            F. In addition to required parking for the dwelling unit, on-site parking is  
13558 provided as follows:

- 13559            1. One stall for each nonresident employed by the home occupations; and  
13560            2. One stall for patrons when services are rendered on-site;

13561            G. Sales are limited to:

- 13562            1. Mail order sales;  
13563            2. Telephone, Internet, or other electronic commerce sales with off-site delivery;

13564 and

- 13565            3. Items accessory to a service provided to patrons who receive services on the  
13566 premises;

13567            H. On-site services to patrons are arranged by appointment;

Ordinance 19881

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13568 I. The home occupation or occupations use or store a vehicle for pickup of  
13569 materials used by the home occupation or occupations or the distribution of products  
13570 from the site, only if:

- 13571 1. No more than one such a vehicle is allowed; and
- 13572 2. The vehicle is not stored within any required setback areas of the lot or on  
13573 adjacent streets; and
- 13574 3. The vehicle does not exceed an equivalent licensed gross vehicle weight of  
13575 one ton;

13576 J. The home occupation or occupations do not:

- 13577 1. Use electrical or mechanical equipment that results in a change to the  
13578 occupancy type of the structure or structures used for the home occupation or  
13579 occupations; or
- 13580 2. Cause visual or audible interference in radio ~~(( $\oplus$ ))~~ receivers, television  
13581 receivers, or electronic equipment located off-premises or cause fluctuations in line  
13582 voltage off-premises;

13583 K. There shall be no exterior evidence of a home occupation, other than growing  
13584 or storing of plants under subsection C. of this section or an ~~((permitted))~~ allowed sign,  
13585 that would cause the premises to differ from its residential character. Exterior evidence  
13586 includes, but is not limited to, lighting~~((;))~~ and the generation or emission of noise,  
13587 fumes, or vibrations as determined by using normal senses from any lot line or on  
13588 average increase vehicular traffic by more than four additional vehicles at any given time;

13589 L. Customer visits and deliveries shall be limited to ~~((the hours of))~~ 8:00 a.m. to  
13590 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends; and



Ordinance 19881

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13591 M. Uses not allowed as home occupations may be allowed as a home industry  
13592 under K.C.C. 21A.30.090.

13593 SECTION 300. Ordinance 15606, Section 20, as amended, and K.C.C.  
13594 21A.30.085 are hereby amended to read as follows:

13595 In the A, F<sub>2</sub> and RA zones, residents of a dwelling unit may conduct one or more  
13596 home occupations as accessory activities, ~~((under the following provisions))~~ as follows:

13597 A. The total floor area of the dwelling unit devoted to all home occupations shall  
13598 not exceed twenty percent of the dwelling unit~~((-))~~;

13599 B. Areas within garages and storage buildings shall not be considered part of the  
13600 dwelling unit and may be used for activities associated with the home occupation;

13601 C. Total outdoor area of all home occupations shall be ~~((permitted))~~ as follows:

13602 1. For any lot less than one acre: Four hundred forty square feet; and

13603 2. For lots one acre or greater: One percent of the area of the lot, up to a  
13604 maximum of five thousand square feet~~((-))~~;

13605 D. Outdoor storage areas and parking areas related to home occupations shall be:

13606 1. No less than twenty-five feet from any property line; and

13607 2. Screened along the portions of such areas that can be seen from an adjacent  
13608 parcel or roadway by the:

13609 a. planting of Type II landscape buffering; or

13610 b. use of existing vegetation that meets or can be augmented with additional  
13611 plantings to meet the intent of Type II landscaping;

13612 E. The dwelling unit shall be the primary residence of the owner of the home  
13613 occupation business. A home occupation or occupations is not limited in the number of

Ordinance 19881

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13614 employees that remain off-site. Regardless of the number of home occupations, the  
13615 number of nonresident employees is limited to no more than three who work on-site at  
13616 the same time (~~((and no more than three who report to the site but primarily provide  
13617 services off-site)));~~

13618 F. In addition to required parking for the dwelling unit, on-site parking is  
13619 provided as follows:

- 13620 1. One ~~((stall))~~ space for each nonresident employed on-site; and
- 13621 2. One ~~((stall))~~ space for patrons when services are rendered on-site;

13622 G. Sales are limited to:

- 13623 1. Mail order sales;
- 13624 2. Telephone, Internet, or other electronic commerce sales with off-site delivery;
- 13625 3. Items accessory to a service provided to patrons who receive services on the  
13626 premises;
- 13627 4. Items grown, produced, or fabricated on-site; and
- 13628 5. On sites five acres or larger, items that support agriculture, equestrian, or  
13629 forestry uses except for the following:

13630 a. motor vehicles and parts (~~(((North American Industrial Classification System  
13631 ("NAICS" Code 441)))~~ SIC Major Group 55);

13632 b. electronics and appliances (~~(((NAICS Code 443)))~~ SIC Industry Groups and  
13633 Industries 504, 506, 5731, 5734, 5722, and 5946); and

13634 c. building material and garden equipment(~~(s)~~) and supplies (~~(((NAICS Code  
13635 444)))~~ SIC Major Group 52);

13636 H. The home occupation or occupations do not:

Ordinance 19881

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- 13637           1. Use electrical or mechanical equipment that results in a change to the  
13638 occupancy type of the structure or structures used for the home occupation or  
13639 occupations;
- 13640           2. Cause visual or audible interference in radio or television receivers, or  
13641 electronic equipment located off-premises or fluctuations in line voltage off-premises; or
- 13642           3. Increase average vehicular traffic by more than four additional vehicles at any  
13643 given time;
- 13644           I. Customer visits and deliveries shall be limited to ~~((the hours of))~~ 8:00 a.m. to  
13645 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;
- 13646           J. The following uses, by the nature of their operation or investment, tend to  
13647 increase beyond the limits ~~((permitted))~~ allowed for home occupations. Therefore, the  
13648 following shall not be ~~((permitted))~~ allowed as home occupations:
- 13649           1. Hotels, motels, or organizational lodging;
- 13650           2. Dry cleaning;
- 13651           3. Automotive towing services, automotive wrecking services, and tow-in  
13652 parking lots;
- 13653           4. Recreational ~~((marijuana))~~ cannabis processor, recreational ~~((marijuana))~~  
13654 cannabis producer, or recreational ~~((marijuana))~~ cannabis retailer; and
- 13655           5. Winery, brewery, distillery facility I, II and III, and remote tasting rooms,  
13656 except that home occupation adult beverage businesses operating under an active  
13657 Washington state Liquor and Cannabis Board production license issued for their current  
13658 location before December 31, 2019, and where King County did not object to the location  
13659 during the Washington state Liquor and Cannabis Board license application process, shall

Ordinance 19881

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13660 be considered legally nonconforming and allowed to remain in their current location  
13661 subject to K.C.C. 21A.32.020 through 21A.32.075 if the use is in compliance with this  
13662 section as of December 31, 2019. Such nonconforming businesses shall remain subject  
13663 to all other requirements of this section and all applicable state and local regulations. The  
13664 resident operator of a nonconforming home occupation winery, brewery or distillery shall  
13665 obtain an adult beverage business license in accordance with K.C.C. chapter 6.74;

13666 K. Uses not allowed as home occupation may be allowed as a home industry  
13667 under K.C.C. chapter 21A.30; and

13668 L. The home occupation or occupations may use or store vehicles, as follows:

13669 1. The total number of vehicles for all home occupations shall be:

13670 a. for any lot five acres or less: two;

13671 b. for lots greater than five acres: three; and

13672 c. for lots greater than ten acres: four;

13673 2. The vehicles are not stored within any required setback areas of the lot or on  
13674 adjacent streets; and

13675 3. The parking area for the vehicles shall not be considered part of the outdoor  
13676 storage area provided for in subsection C. of this section.

13677 SECTION 301. Ordinance 10870, Section 537, as amended, and K.C.C.  
13678 21A.30.090 are hereby amended to read as follows:

13679 A resident of a dwelling unit may establish a home industry as an accessory  
13680 activity, as follows:

13681 A. The site area is one acre or greater;

Ordinance 19881

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13682 B. The area of the dwelling unit used for the home industry does not exceed fifty  
13683 percent of the floor area of the dwelling unit((:));

13684 C. Areas within attached garages and storage buildings shall not be considered  
13685 part of the dwelling unit for purposes of calculating allowable home industry area but  
13686 may be used for storage of goods associated with the home industry;

13687 D. The dwelling unit shall be the primary residence of the owner of the home  
13688 occupation business. No more than six nonresidents who work on-site at the time;

13689 E. In addition to required parking for the dwelling unit, on-site parking is  
13690 provided as follows:

- 13691 1. One ((stall)) space for each nonresident employee of the home industry; and  
13692 2. One ((stall)) space for customer parking;

13693 F. Additional customer parking shall be calculated for areas devoted to the home  
13694 industry at the rate of one stall per:

- 13695 1. One thousand square feet of building floor area; and  
13696 2. Two thousand square feet of outdoor work or storage area;

13697 G. Sales are limited to items produced on-site, except for items collected, traded,  
13698 and occasionally sold by hobbyists, such as coins, stamps, and antiques;

13699 H. Ten feet of Type I landscaping are provided around portions of parking and  
13700 outside storage areas that are otherwise visible from adjacent properties or public rights-  
13701 of-way;

13702 I. The department ensures compatibility of the home industry by:

- 13703 1. Limiting the type and size of equipment used by the home industry to those  
13704 that are compatible with the surrounding neighborhood;

Ordinance 19881

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13705           2. Providing for setbacks or screening as needed to protect adjacent residential  
13706 properties;

13707           3. Specifying hours of operation;

13708           4. Determining acceptable levels of outdoor lighting; and

13709           5. Requiring sound level tests for activities determined to produce sound levels  
13710 that may be in excess of those in K.C.C. chapter 12.88;

13711           J. Recreational (~~((marijuana))~~) cannabis processors, recreational (~~((marijuana))~~)  
13712 cannabis producers, and recreational (~~((marijuana))~~) cannabis retailers shall not be allowed  
13713 as home industry; and

13714           K. Winery, brewery, distillery facility I, II and III, and remote tasting room shall  
13715 not be allowed as home industry, except that home industry adult beverage businesses  
13716 that have, in accordance with K.C.C. 20.20.070, a vested conditional use permit  
13717 application before December 31, 2019, shall be considered legally nonconforming and  
13718 allowed to remain in their current location subject to K.C.C. 21A.32.020 through  
13719 21A.32.075. Such nonconforming businesses remain subject to all other requirements of  
13720 this section and all applicable state and local regulations. The resident operator of a  
13721 nonconforming winery, brewery or distillery home industry shall obtain an adult  
13722 beverage business license in accordance with K.C.C. chapter 6.74.

13723           SECTION 302. Ordinance 13130, Section 5, as amended, and K.C.C.

13724 21A.32.065 are hereby amended to read as follows:

13725           A nonconforming use, structure, or site improvement may be expanded as  
13726 follows:

Ordinance 19881

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13727 A. The department may review and approve, pursuant to the code compliance  
13728 process of K.C.C. 21A.42.030, an expansion of a nonconformance only if:

13729 1. The expansion conforms to all other provisions of this title, except that the  
13730 extent of the project-wide nonconformance in each of the following may be increased up  
13731 to ten percent:

13732 a. building square footage,

13733 b. impervious surface,

13734 c. parking, or

13735 d. building height; and

13736 2. No subsequent expansion of the same nonconformance shall be approved  
13737 under this subsection if the cumulative amount of such expansion exceeds the percentage  
13738 prescribed in subsection A.1;

13739 B. A special use permit shall be required for expansions of a nonconformance  
13740 within a development authorized by an existing special use or unclassified use permit if  
13741 the expansions are not consistent with subsection A. of this section;

13742 C. A conditional use permit shall be required for expansions of a  
13743 nonconformance((:

13744 ~~1. Within a development authorized by an existing planned unit development~~  
13745 ~~approval; or~~

13746 ~~2. N))not consistent with the provisions of subsections A. and B. of this section;~~  
13747 and

13748 D. No expansion shall be approved that would allow for urban growth outside the  
13749 ~~((#))Urban ((g))Growth ((#))Area boundary~~, in conflict with King County

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Ordinance 19881

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13750 Comprehensive Plan rural area and natural resource land policies and constitute  
13751 impermissible urban growth outside an ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area.

13752 SECTION 303. Ordinance 10870, Section 555, as amended, and K.C.C.  
13753 21A.32.180 are hereby amended to read as follows:

13754 One temporary real estate office may be located on any new residential  
13755 development~~((, provided that a))~~Activities at the office are limited to the initial sale or  
13756 rental of property or units within the development. The office use shall be discontinued  
13757 within one year of recording of a ~~((short subdivision))~~ final short plat or issuance of a  
13758 final certificate of occupancy for a~~((n))~~ duplex, houseplex, apartment, or townhouse  
13759 development, and within two years of the recording of a ~~((formal subdivision))~~ final plat.

13760 SECTION 304. Ordinance 10870, Section 559, and K.C.C. 21A.32.220 are  
13761 hereby amended to read as follows:

13762 In order to ~~((insure))~~ ensure that significant features of the property are protected  
13763 ~~((pursuant to))~~ under K.C.C. chapter 20.62, the following standards shall apply to  
13764 conversion of historic buildings:

13765 A. Gross floor area of building additions or new buildings required for the  
13766 conversion shall not exceed ~~((20))~~ twenty percent of the gross floor area of the historic  
13767 building, unless otherwise allowed by ~~((the zone))~~ this title;

13768 B. Conversions to duplexes, houseplex, apartments, or townhouses shall not  
13769 exceed one dwelling unit for each ~~((3,600))~~ three thousand six hundred square feet of lot  
13770 area, unless allowed by the zone; and

13771 C. Any construction required for the conversion shall require certification of  
13772 appropriateness from the King County Landmark Commission.



Ordinance 19881

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13773            SECTION 305. Ordinance 17710, Section 14, as amended, and K.C.C.

13774            21A.32.250 are hereby amended to read as follows:

13775            For those recreational (~~((marijuana))~~) cannabis production and processing facilities  
13776            requiring a conditional use permit under this title, as part of the permit review process,  
13777            the department may require the applicant to submit an odor management plan for any  
13778            areas of indoor processing or ventilation of any structure used to produce or process  
13779            (~~((marijuana))~~) cannabis. The purpose of such a plan is to minimize odors and fumes from  
13780            chemicals or products used in or resulting from either production or processing, or both,  
13781            of (~~((marijuana))~~) cannabis.

13782            SECTION 306. Ordinance 13274, Section 1, as amended, and K.C.C.

13783            21A.37.010 are hereby amended to read as follows:

13784            A. The purpose of the transfer of development rights ("TDR") program is to  
13785            transfer residential density from eligible sending sites to eligible receiving sites through a  
13786            voluntary process that permanently preserves urban, rural, and resource lands that  
13787            provide a public benefit. The TDR provisions are intended to supplement land use  
13788            regulations, resource protection efforts, and open space acquisition programs and to  
13789            encourage increased residential development density or increased commercial square  
13790            footage, especially inside cities, where it can best be accommodated with the least  
13791            impacts on the natural environment and public services by:

13792            1. Providing an effective and predictable incentive process for property owners  
13793            of rural area, natural resource (~~((and))~~), urban separator, and other eligible urban land to  
13794            preserve lands with a public benefit as described in K.C.C. 21A.37.020; and

Ordinance 19881

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13795           2. Providing an efficient and streamlined administrative review system to ensure  
13796 that transfers of development rights to receiving sites are evaluated in a timely way and  
13797 balanced with other county goals and policies, and are adjusted to the specific conditions  
13798 of each receiving site.

13799           B. The TDR provisions in this chapter shall only apply to TDR receiving site  
13800 development proposals(~~(~~  
13801           ~~4. S))~~submitted on or after September 17, 2001, and applications for approval of  
13802 TDR sending sites submitted on or after September 17, 2001; ~~and~~

13803           ~~2. For properties within the Skyway West Hill or North Highline community~~  
13804 ~~service area subarea geographies, only as provided in K.C.C. chapter 21A.48)).~~

13805           C. For the purposes of this chapter, "conservation easement" includes other  
13806 similar encumbrances.

13807           SECTION 307. Ordinance 13274, Section 3, as amended, and K.C.C.  
13808 21A.37.020 are hereby amended to read as follows:

13809           A. For the purpose of this chapter, sending site means the entire tax lot or lots  
13810 qualified under this subsection. Sending sites shall:

13811           1. Contain a public benefit such that preservation of that benefit by transferring  
13812 residential development rights to another site is in the public interest;

13813           2. Meet at least one of the following criteria:

13814           a. designation in the King County Comprehensive Plan or a functional plan as an  
13815 agricultural production district or zoned A;

13816           b. designation in the King County Comprehensive Plan or a functional plan as  
13817 forest production district or zoned F;

Ordinance 19881

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13818 c. designation in the King County Comprehensive Plan as ~~((R))~~rural ~~((A))~~area,  
 13819 zoned RA-2.5, RA-5, or RA-10, and meeting the definition in RCW 84.34.020 of open  
 13820 space or farm and agricultural land;

13821 d. designation in the King County Comprehensive Plan or a functional plan as a  
 13822 proposed ~~((R))~~rural ~~((A))~~area or ~~((N))~~natural ~~((R))~~resource ~~((L))~~land regional trail or  
 13823 ~~((R))~~rural ~~((A))~~area or ~~((N))~~natural ~~((R))~~resource ~~((L))~~land open space site, through  
 13824 either:

13825 (1) designation of a specific site; or

13826 (2) identification of proposed ~~((R))~~rural ~~((A))~~area or ~~((N))~~natural ~~((R))~~resource  
 13827 ~~((L))~~land regional trail or ~~((Rural Area or Natural Resource Land))~~ open space sites  
 13828 which meet adopted standards and criteria, and for ~~((R))~~rural ~~((A))~~area or ~~((N))~~natural  
 13829 ~~((R))~~resource ~~((L))~~land open space sites, meet the definition of open space land, as  
 13830 defined in RCW 84.34.020;

13831 e. identification as habitat for federally listed endangered or threatened species in  
 13832 a written determination by the King County department of natural resources and parks,  
 13833 Washington state Department of Fish and Wildlife, United States Fish and Wildlife  
 13834 Services or a federally recognized tribe that the sending site is appropriate for  
 13835 preservation or acquisition;

13836 f. designation in the King County Comprehensive Plan as urban separator ~~((and))~~  
 13837 or zoned R-1; or

13838 g.(1) designation in the King County Comprehensive Plan as urban residential  
 13839 medium or urban residential high;

13840 (2) zoned R-4, R-6, R-8, R-12, R-18, R-24, or R-48; and

Ordinance 19881

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13841 (3) approved for conservation futures tax funding by the King County council;

13842 3. Consist of one or more contiguous lots that have a combined area that meets or  
 13843 exceeds the minimum lot area for construction requirements in K.C.C. 21A.12.100 for  
 13844 the zone in which the sending site is located. For purposes of this subsection, lots divided  
 13845 by a street are considered contiguous if the lots would share a common lot line if the  
 13846 street was removed. This provision may be waived by the interagency committee if the  
 13847 total acreage of a rural area or natural resource land sending site application exceeds one  
 13848 hundred acres; and

13849 4. Not be in public ownership, except:

13850 a. as provided in K.C.C. 21A.37.110.C.;

13851 b. for lands zoned RA that are managed by the Washington state Department  
 13852 of Natural Resources as state grant or state forest lands; ~~((or))~~

13853 c. for lands that are managed by King County for purposes of residential or  
 13854 commercial development; or

13855 d. for lands participating in the county's forest carbon program established by  
 13856 K.C.C. chapter 18.35.

13857 B. For the purposes of the TDR program, acquisition means obtaining fee simple  
 13858 rights in real property or a property right in a form that preserves in perpetuity the public  
 13859 benefit supporting the designation or qualification of the property as a sending site. A  
 13860 sending site shall be maintained in a condition that is consistent with the criteria in this  
 13861 section under which the sending was qualified.

13862 C. If a sending site has any outstanding code violations, the person responsible  
 13863 for code compliance should resolve these violations, including any required abatement,

Ordinance 19881

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13864 restoration, or payment of civil penalties, before a TDR sending site may be qualified by  
 13865 the interagency review committee created under K.C.C. 21A.37.070. However, the  
 13866 interagency may qualify and certify a TDR sending site with outstanding code violations  
 13867 if the person responsible for code compliance has made a good faith effort to resolve the  
 13868 violations and the proposal is in the public interest.

13869 D. For lots on which the entire lot or a portion of the lot has been cleared or  
 13870 graded in accordance with a Class II, III, or IV special forest practice as defined in  
 13871 chapter 76.09 RCW within the six years before application as a TDR sending site, the  
 13872 applicant (~~(must)~~) shall provide an affidavit of compliance with the reforestation  
 13873 requirements of the Forest Practices Act, and any additional reforestation conditions of  
 13874 their forest practice permit. Lots on which the entire lot or a portion of the lot has been  
 13875 cleared or graded without any required forest practices or county authorization, shall be  
 13876 not qualified or certified as a TDR sending site for six years unless the six-year  
 13877 moratorium on development applications has been lifted or waived or the landowner has  
 13878 a reforestation plan approved by the Washington state Department of Natural Resources  
 13879 and King County.

13880 SECTION 308. Ordinance 13274, Section 5, as amended, and K.C.C.  
 13881 21A.37.030 are hereby amended to read as follows:

13882 A. Receiving sites shall be:

13883 1. King County unincorporated urban sites, except as limited in subsection D. of  
 13884 this section, zoned R-4 through R-48, NB, CB, RB<sub>2</sub> or O(~~(, or any combination thereof)~~).

13885 The sites may also be within potential annexation areas established under the  
 13886 ~~((e))~~Countywide ~~((p))~~Planning ~~((p))~~Policies; ~~((e))~~

Ordinance 19881

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13887           2. Sites in rural towns, when in accordance with the inclusionary housing  
 13888 program in K.C.C. chapter 21A.48, the TDR maximum density standards for the  
 13889 applicable zone as established by this title, or the duplex allowances in K.C.C.  
 13890 21A.08.030, and except as limited in subsection E. of this section;

13891           3. Cities where new growth is or will be encouraged under the Growth  
 13892 Management Act and the countywide planning policies and where facilities and services  
 13893 exist or where public investments in facilities and services will be made, or

13894           ~~((3-))~~ 4. RA-2.5 zoned parcels, except as limited in subsection E. of this section,  
 13895 that meet the criteria listed in this subsection A.~~((3-))~~4. may receive development rights  
 13896 transferred from rural forest focus areas, and accordingly may be subdivided and  
 13897 developed at a maximum density of one dwelling per two and one-half acres. Increased  
 13898 density allowed through the designation of rural area receiving areas shall:

13899           a. ~~((must))~~ be eligible to be served by domestic Group A public water service;  
 13900           b. ~~((must))~~ be located within one-quarter mile of an existing predominant  
 13901 pattern of rural lots smaller than five acres in size;

13902           c. ~~((must))~~ not adversely impact ~~((regionally or locally significant resource~~  
 13903 ~~areas or))~~ critical areas;

13904           d. ~~((must))~~ not require public services and facilities to be extended to create or  
 13905 encourage a new pattern of smaller lots;

13906           e. ~~((must))~~ not be located within rural forest focus areas; and  
 13907           f. ~~((must))~~ not be located on Vashon~~((Island or))~~-Maury Island.

13908           B. Except as provided in this chapter, development of an unincorporated King  
 13909 County receiving site shall remain subject to all zoning code provisions for the base zone,

Ordinance 19881

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13910 except TDR receiving site developments shall comply with dimensional standards of the  
13911 zone with a base density most closely comparable to the total approved density of the  
13912 TDR receiving site development.

13913 C. Except as otherwise provided in this title, ((A))an unincorporated King County  
13914 receiving site may accept development rights from one or more sending sites, as follows:

13915 1. ~~((For short subdivisions, u))~~Up to the maximum density ~~((permitted))~~ allowed  
13916 under ~~((K.C.C. 21A.12.030 and 21A.12.040))~~ this title; and

13917 2. For ~~((formal))~~ subdivisions, only ~~((as authorized in a subarea study that~~  
13918 ~~includes a comprehensive analysis of the impacts of receiving development rights))~~ if the  
13919 hearing examiner finds that the additional density from use of TDRs at the proposed  
13920 subdivision does not create unmitigated impacts beyond those created by development at  
13921 base density.

13922 D. Property located within the outer boundaries of the Noise Remedy Areas as  
13923 identified by the Seattle-Tacoma International Airport may not accept development  
13924 rights.

13925 E. Property located within the shoreline jurisdiction or located on Vashon-Maury  
13926 Island ~~((or Maury Island may))~~ shall not accept development rights.

13927 SECTION 309. Ordinance 13274, Section 6, as amended, and K.C.C.  
13928 21A.37.040 are hereby amended to read as follows:

13929 A. The number of residential development rights that an unincorporated sending  
13930 site is eligible to send to a receiving site shall be determined by applying the TDR  
13931 sending site base density established in subsection D. of this section to the area of the  
13932 sending site, after deducting the area associated with any existing development allowed

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Ordinance 19881

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13933 to remain under the terms of the conservation easement conserving the site, any retained  
13934 development rights, and any portion of the sending site already in a conservation  
13935 easement (~~((or other similar encumbrance))~~). For each existing dwelling unit or retained  
13936 development right, the sending site area shall be reduced by an area equivalent to the base  
13937 density for that zone (~~((under K.C.C. 21A.12.030))~~).

13938 B. Any fractions of development rights that result from the calculations in  
13939 subsection A. of this section shall (~~((not be included in the final determination of total~~  
13940 ~~development rights available for transfer))~~ be rounded up to the next largest whole  
13941 number if the calculation results in a fraction of 0.5 or greater, or shall be rounded down  
13942 to the next smallest whole number if the calculation results in a fraction less than 0.5.

13943 C. For purposes of calculating the amount of development rights a sending site  
13944 can transfer, the amount of land contained within a sending site shall be determined as  
13945 follows:

13946 1. If the sending site is an entire tax lot, the square footage or acreage shall be  
13947 determined by:

13948 a. (~~((by))~~) the King County department of assessments records; (~~((or))~~)  
13949 b. (~~((by))~~) geographic information system mapping confirmed by King County;  
13950 or

13951 c. a survey funded by the applicant that has been prepared and stamped by a  
13952 surveyor licensed in the state of Washington; and

13953 2. If the sending site consists of a lot that is divided by a zoning boundary, the  
13954 square footage or acreage shall be calculated separately for each zoning classification.  
13955 The square footage or acreage within each zoning classification shall be determined by

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Ordinance 19881

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13956 the King County record of the action that established the zoning and property lines, such  
 13957 as an approved lot line adjustment. When such records are not available or are not  
 13958 adequate to determine the square footage or acreage within each zoning classification,  
 13959 TDR program staff shall calculate, and the department of local services, permitting  
 13960 division, shall ~~((calculate))~~ confirm, the square footage or acreage through the geographic  
 13961 information system ~~((GIS))~~ mapping system.

13962 D. For the purposes of the ~~((transfer of development rights (TDR)))~~ TDR ~~((TDR))~~ program  
 13963 only, the following TDR sending site base densities apply:

13964 1. Sending sites designated in the King County Comprehensive Plan as urban  
 13965 separator ~~((and))~~ or zoned R-1 shall have a base density of four dwelling units per acre;

13966 2. Sending sites zoned RA-2.5 shall have a base density of one unit for each two  
 13967 and one-half acres. Sending sites zoned RA-2.5 that are vacant and are smaller than 1.25  
 13968 acres shall be allocated one additional TDR for each vacant lot that is smaller than 1.25  
 13969 acres;

13970 3. Sending sites zoned RA-5 or RA-10 shall have a base density of one dwelling  
 13971 unit per five acres. Vacant sending sites that are zone RA-5 and are smaller than two and  
 13972 one-half acres or that are zoned RA-10 and are smaller than five acres shall be allocated  
 13973 one additional TDR for each vacant lot that is smaller than two and one-half acres or five  
 13974 acres, respectively;

13975 4. Sending sites zoned RA and that have a designation under the ~~((King~~  
 13976 ~~County))~~ Shoreline Master Program of conservancy or natural shoreline environment  
 13977 shall be allocated one additional TDR per legal lot;

Ordinance 19881

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13978           5. Sending sites zoned A-10 and A-35 shall have a base density of one dwelling  
 13979 unit per five acres for transfer purposes only;

13980           6. Sending sites zoned F within the forest production district shall have a base  
 13981 density of one dwelling unit per eighty-acres or one dwelling unit per each lot that is  
 13982 between fifteen and eighty acres in size. A TDR sending site zoned F that is awarded  
 13983 certified TDRs under K.C.C. 21A.37.070 may be qualified for one additional TDR for  
 13984 each legal lot that is eligible to create a verified carbon credits under K.C.C. chapter  
 13985 18.35. Certification of any additional TDRs qualified under this subsection D.6. is  
 13986 contingent upon applicant enrolling in a verified carbon program under K.C.C. chapter  
 13987 18.35, which shall occur within five years of initial sending site certification, subject to  
 13988 interagency committee review and approval; ((or.))

13989           7. Vacant marine shoreline sending sites without any hard shoreline stabilization  
 13990 shall be allocated one additional TDR per legal lot; and

13991           8. Sending sites in the urban unincorporated area that meet the criteria in K.C.C.  
 13992 21A.37.020.A.2.g. shall be allocated TDRs that are equivalent to the ((zoning)) base  
 13993 density established for the zone in ((K.C.C. 21A.12.030)) this title for every one acre of  
 13994 gross land area.

13995           E. A sending site zoned RA, A<sub>2</sub> or F may send one development right for every  
 13996 legal lot larger than five thousand square feet that was created on or before September 17,  
 13997 2001, with no retained development rights, if that number is greater than the number of  
 13998 development rights determined under subsection A. of this section. A sending site zoned  
 13999 R-1 may send one development right for every legal lot larger than two thousand five  
 14000 hundred square feet that was created on or before September 17, 2001, with no retained

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Ordinance 19881

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14001 development rights, if that number is greater than the number of development rights  
 14002 determined under subsection A. of this section.

14003 F. The number of development rights that a (~~King County unincorporated~~) rural  
 14004 area or natural resource(~~s~~) land sending site is eligible to send to a (~~King County~~)  
 14005 incorporated urban area receiving site shall be determined through the application of a  
 14006 conversion ratio established by King County and the (~~incorporated municipal~~  
 14007 ~~jurisdiction~~) city or town. The conversion ratio will be applied to the number of  
 14008 available sending site development rights determined under subsection A. or E. of this  
 14009 section.

14010 G. Development rights from one sending site may be allocated to more than one  
 14011 receiving site and one receiving site may accept development rights from more than one  
 14012 sending site.

14013 H. The determination of the number of residential development rights a sending  
 14014 site has available for transfer to a receiving site shall be valid for transfer purposes only,  
 14015 shall be documented in a TDR qualification report prepared by the department of natural  
 14016 resources and parks and sent to the applicant. The qualification report (~~and~~) shall be  
 14017 considered a final determination, not to be revised due to changes to the sending site's  
 14018 zoning, and shall be valid unless conditions on the sending site property that would affect  
 14019 the number of development rights the sending site has available for transfer have  
 14020 changed.

14021 I. Each residential (~~transferable development right~~) TDR that originates from a  
 14022 sending site zoned RA, A<sub>2</sub> or F shall be designated "Rural" and is equivalent to two  
 14023 additional units above base density in eligible receiving sites located in unincorporated

Ordinance 19881

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14024 urban King County. Each residential (~~((transferable development right))~~) TDR that  
14025 originates from a sending site zoned R-1 or designated as urban separator shall be  
14026 designated "Urban" and is equivalent to one additional unit above base density. Each  
14027 residential (~~((transferable development right))~~) TDR that originates from a sending site in  
14028 urban unincorporated area lands meeting the criteria in K.C.C. 21A.37.020.A.2.g. shall be  
14029 designated "Urban" and is equivalent to one additional unit above the base density.

14030 SECTION 310. Ordinance 14190, Section 7, as amended, and K.C.C.  
14031 21A.37.050 are hereby amended to read as follows:

14032 A. Following the transfer of residential development rights, a sending site may  
14033 subsequently accommodate remaining residential dwelling units, if any, on the buildable  
14034 portion of the parcel or parcels or be subdivided, consistent with the (~~((zoned))~~) base  
14035 density (~~((provisions of the density and dimensions tables in K.C.C. 21A.12.030 and~~  
14036 ~~21A.12.040))~~ for the applicable zone as established by this title, the allowable dwelling  
14037 unit calculations in K.C.C. 21A.12.070, and other King County development regulations.  
14038 Any remaining residential dwelling units and associated accessory units shall be located  
14039 in a single and contiguous reserved residential area that shall be adjacent to any existing  
14040 development or roadways on the property. The reserved residential area shall (~~((be equal~~  
14041 ~~to))~~ not exceed the acreage associated with the minimum lot size of the zone for each  
14042 remaining residential dwelling unit. For sending sites zoned RA, the subdivision  
14043 potential remaining after a density transfer may only be actualized through (~~((a clustered~~  
14044 ~~subdivision, short subdivision or binding site plan))~~ clustering that creates a permanent  
14045 preservation tract as large or larger than the portion of the subdivision set aside as lots.

Ordinance 19881

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14046 Within rural forest focus areas, resource use tracts shall be at least fifteen acres of  
14047 contiguous forest land.

14048 B. Only those nonresidential uses directly related to, and supportive of the  
14049 criteria under which the site qualified are allowed on a sending site.

14050 C. The applicable limitations in this section shall be included in the sending site  
14051 conservation easement.

14052 SECTION 311. Ordinance 14190, Section 8, as amended, and K.C.C.  
14053 21A.37.060 are hereby amended to read as follows:

14054 A. ~~((Prior to))~~ Before issuing a certificate for ~~((transferable development rights~~  
14055 ~~to))~~ TDRs for a sending site, the department of natural resources and parks~~((;))~~ or its  
14056 successor, shall record deed restrictions in the form of a conservation easement  
14057 documenting the development rights that have been removed from the property ~~((and~~  
14058 ~~shall place a notice on the title of the sending site))~~. The department of local services,  
14059 permitting division~~((;))~~ or its successor, shall establish and maintain an internal tracking  
14060 system that identifies all certified ~~((transfer of developments rights))~~ TDR sending sites.

14061 B. A conservation easement granted to the county or other appropriate land  
14062 management agency and that meets the requirements of K.C.C. 21A.37.050 shall be  
14063 required for land contained in the sending site. The conservation easement shall be  
14064 documented by a map. The conservation easement shall be placed on the entire lot or  
14065 lots. The conservation easement shall identify limitations in perpetuity on future  
14066 residential and nonresidential development consistent with this chapter, as follows:

Ordinance 19881

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14067           1. A conservation easement(~~(, which)~~) that contains the easement map(~~(,)~~) shall  
14068 be recorded on the entire sending site to indicate development limitations on the sending  
14069 site;

14070           2. For a sending site zoned A-10 or A-35, the conservation easement shall be  
14071 consistent in form and substance with the purchase agreements used in the agricultural  
14072 land development rights purchase program. The conservation easement shall preclude  
14073 subdivision of the subject property but may permit not more than one dwelling per  
14074 sending site, and shall permit agricultural uses as provided in the A-10 or A-35 zone;

14075           3. For a rural area sending site, the conservation easement shall allow for  
14076 restoration, maintenance, or enhancement of native vegetation. A present conditions  
14077 report shall be required to document the location of existing structures and existing native  
14078 vegetation and the baseline conservation values of protected property at the time the  
14079 conservation easement is put in place. If residential development will be allowed on the  
14080 site under the conservation easement, the present conditions report shall be used to guide  
14081 the location of residential development;

14082           4. For a sending site qualifying as habitat for federal listed endangered or  
14083 threatened species, the conservation easement shall protect habitat and allow for  
14084 restoration, maintenance, or enhancement of native vegetation. A present conditions  
14085 report shall be required to document the location of existing structures. If existing or  
14086 future residential development will be allowed on the site under the conservation  
14087 easement, the present conditions report shall be used by the owner to guide the location  
14088 of residential development; and

Ordinance 19881

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14089           5.a. For a sending site zoned F, the conservation easement shall encumber the  
 14090 entire sending site. ~~((Lots between fifteen acres and eighty acres in size are not eligible  
 14091 to participate in the TDR program if they include any existing dwelling units intended to  
 14092 be retained, or if a new dwelling unit is proposed.))~~ For eligible lots between fifteen  
 14093 acres and eighty acres in size, the sending site ~~((must))~~ shall include the entire lot. For  
 14094 lots greater than eighty acres in size, the sending site shall be a minimum of eighty acres.

14095           b. The conservation easement shall permit forestry uses subject to a forest  
 14096 stewardship plan prepared by the applicant and approved by the county for ongoing forest  
 14097 management practices. The ~~((F))~~forest ~~((S))~~stewardship ~~((P))~~plan shall serve as a present  
 14098 conditions report documenting the baseline conditions of the property and shall include a  
 14099 description of the site's forest resources and the long term forest management objectives  
 14100 of the property owner~~((, and shall not impose standards that exceed Title 222 WAC))~~.

14101           c. Lots between fifteen acres and eighty acres in size are not eligible to  
 14102 participate in the TDR program if they include any existing dwelling units intended to be  
 14103 retained, or if a new dwelling unit is proposed.

14104           SECTION 312. Ordinance 13274, Section 7, as amended, and K.C.C.  
 14105 21A.37.070 are hereby amended to read as follows:

14106           ~~((A. An interagency review committee, chaired by the department of local  
 14107 services permitting division manager and the director of the department of natural  
 14108 resources and parks, or designees, shall be responsible for qualification of sending sites.  
 14109 Determinations on sending site certifications made by the committee are appealable to the  
 14110 examiner under K.C.C. 20.22.040. The department of natural resources and parks shall  
 14111 be responsible for preparing a TDR qualification report, which shall be signed by the~~

Ordinance 19881

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14112 ~~director of the department of natural resources and parks or designee, documenting the~~  
14113 ~~review and decision of the committee. The qualification report shall:~~

14114 ~~1. Specify all deficiencies of an application, if the decision of the committee is~~  
14115 ~~to disqualify the application;~~

14116 ~~2. For all qualifying applications, provide a determination as to whether or not~~  
14117 ~~additional residential dwelling units and associated accessory units may be~~  
14118 ~~accommodated in accordance with K.C.C. 21A.37.050.A.; and~~

14119 ~~3. Be issued a TDR certification letter within sixty days of the date of submittal~~  
14120 ~~of a completed sending site certification application.~~

14121 ~~B.))~~ Responsibility for preparing a completed application rests exclusively with  
14122 the applicant. Application for sending site certification shall include:

14123 ~~((1.))~~ A. A legal description of the site;

14124 ~~((2.))~~ B. A title report;

14125 ~~((3.))~~ C. A brief description of the site resources and public benefit to be  
14126 preserved;

14127 ~~((4.))~~ D. A site plan showing the existing and proposed dwelling units,  
14128 nonresidential structures, driveways, submerged lands, and any area already subject to a  
14129 conservation easement ~~((or other similar encumbrance))~~;

14130 ~~((5.))~~ E. Assessors map or maps of the lot or lots;

14131 ~~((6.))~~ F. A statement of intent indicating whether the property ownership, after  
14132 TDR certification, will be retained in private ownership or dedicated to King County or  
14133 another public or private nonprofit agency;



Ordinance 19881

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14134            ~~((7.))~~ G. Any or all of the following written in conformance with criteria  
14135 established through a public rule consistent with K.C.C. chapter 2.98, if the site is  
14136 qualifying as habitat for a threatened or endangered species:

14137            ~~((a.-a))~~ 1. A wildlife habitat conservation plan;

14138            ~~((b.-a))~~ 2. A wildlife habitat restoration plan; or

14139            ~~((c.-a))~~ 3. A wildlife present conditions report;

14140            ~~((8.))~~ H. If the site qualifies as an urban unincorporated area sending site  
14141 meeting the criteria in K.C.C. 21A.37.020.A.2.g.;

14142            ~~((9.))~~ I. A forest stewardship plan, written in conformance with criteria  
14143 established through a public rule consistent with K.C.C. chapter 2.98, if required under  
14144 K.C.C. 21A.37.060.B.3. and 6.;

14145            ~~((10.))~~ J. An affidavit of compliance with the reforestation requirements of the  
14146 Forest Practices Act and any additional reforestation conditions of the forest practices  
14147 permit for the site, if required under K.C.C. 21A.37.020.D.;

14148            ~~((11.))~~ K. A completed density calculation worksheet for estimating the number  
14149 of available development rights; and

14150            ~~((12.))~~ L. The application fee consistent with K.C.C. 27.10.170.

14151            NEW SECTION. SECTION 313. There is hereby added to K.C.C. chapter  
14152 21A.37 a new section to read as follows:

14153            A. An interagency review committee, chaired by the department of local services  
14154 permitting division manager and the director of the department of natural resources and  
14155 parks, or designees, shall be responsible for qualification of sending sites.

14156 Determinations on sending site certifications made by the committee are appealable to the

Ordinance 19881

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14157 examiner under K.C.C. 20.22.040. The department of natural resources and parks shall  
 14158 be responsible for preparing a TDR qualification report, which shall be signed by the  
 14159 director of the department of natural resources and parks or designee, documenting the  
 14160 review and decision of the committee. The qualification report shall:

14161           1. Specify all deficiencies of an application, if the decision of the committee is  
 14162 to disqualify the application;

14163           2. For all qualifying applications, provide a determination as to whether  
 14164 additional residential dwelling units and associated accessory units may be  
 14165 accommodated in accordance with K.C.C. 21A.37.050.A.; and

14166           3. Be issued a TDR certification letter within sixty days of the date of submittal  
 14167 of a completed sending site certification application.

14168           SECTION 314. Ordinance 13274, Section 8, as amended, and K.C.C.  
 14169 21A.37.080 are hereby amended to read as follows:

14170           A. ~~((TDR development rights w))~~Where both the proposed sending and receiving  
 14171 sites would be within unincorporated King County, development rights shall be  
 14172 transferred using the following process:

14173           1. Following interagency review committee review and approval of the sending  
 14174 site application as described in K.C.C. 21A.37.070, the interagency review committee  
 14175 shall issue a TDR qualification report((;)) agreeing to issue a TDR certificate in exchange  
 14176 for the proposed sending site conservation easement. After signing and notarizing the  
 14177 conservation easement and receiving the TDR certificate from the county, the sending  
 14178 site owner may market the TDRs ~~((sending site development rights))~~ to potential  
 14179 purchasers. The TDR certificate shall be in the name of the property owner and separate

Ordinance 19881

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14180 from the land title. If a TDR sending site that has been reviewed and approved by the  
14181 interagency review committee changes ownership, the TDR qualification report may be  
14182 transferred to the new owner if requested in writing to the department of natural resources  
14183 and parks by the person or persons that owned the property when the TDR qualification  
14184 report was issued, if documents evidencing the transfer of ownership are also provided to  
14185 the department of natural resources and parks;

14186           2. In applying for receiving site approval, the applicant shall provide the  
14187 department of local services, permitting division, with one of the following:

14188           a. a TDR qualification report issued in the name of the applicant~~((;))~~;

14189           b. a TDR qualification report issued in the name of another person or persons  
14190 and a copy of a signed option to purchase those TDR~~s~~ ~~((sending site development~~  
14191 ~~rights,))~~;

14192           c. a TDR certificate issued in the name of the applicant~~((;))~~; or

14193           d. a TDR certificate issued in the name of another person or persons and a  
14194 copy of a signed option to purchase those TDR~~s~~ ~~((sending site development rights,))~~;

14195           3. Following building permit approval, but before building permit issuance by  
14196 the department of local services, permitting division, or following preliminary ~~((plat))~~  
14197 subdivision approval or preliminary short ~~((plat))~~ subdivision approval, but before final  
14198 plat or short plat recording of a receiving site development proposal ~~((which))~~ that  
14199 includes the use of TDR~~s~~ ~~((development rights,))~~, the receiving site applicant shall deliver  
14200 the TDR certificate issued in the applicant's name for the number of TDR~~s~~ ~~((development~~  
14201 ~~rights,))~~ being used and the TDR extinguishment document to the county;

Ordinance 19881

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14202           4. When the receiving site development proposal requires a public hearing  
 14203 under this title or K.C.C. Title 19A (~~or its successor~~), that public hearing shall also  
 14204 serve as ~~(the)~~ a hearing on the TDR proposal. The reviewing authority shall make a  
 14205 consolidated decision on the proposed development and use of TDRs ~~((development~~  
 14206 ~~rights))~~ and consider any appeals of the TDR proposal under the same appeal procedures  
 14207 ~~((set forth))~~ for the development proposal; ~~(and)~~

14208           5. When the development proposal does not require a public hearing under this  
 14209 title or K.C.C. Title 19A, the TDR proposal shall be considered along with the  
 14210 development proposal, and any appeals of the TDR proposal shall be considered under  
 14211 the same appeal procedures ~~((set forth))~~ for the development proposal~~((:))~~; and

14212           6. Development rights from a sending site shall be considered transferred to a  
 14213 receiving site when a final decision is made on the TDR receiving area development  
 14214 proposal, the sending site is permanently protected by a completed and recorded ~~((land~~  
 14215 ~~dedication or))~~ conservation easement, notification has been provided to the King County  
 14216 assessor's office and a TDR extinguishment document has been provided to the  
 14217 department of natural resources and parks~~((:))~~ or its successor.

14218           B. ~~((TDR development rights w))~~Where the proposed receiving site would be  
 14219 within ~~((an incorporated King County municipal jurisdiction))~~ a city or town, the  
 14220 development proposal shall be reviewed and transferred using that jurisdiction's  
 14221 development application review process.

14222           SECTION 315. Ordinance 13274, Section 9, as amended, and K.C.C.  
 14223 21A.37.090 are hereby amended to read as follows:

Ordinance 19881

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14224 Public notice consistent with the provisions of K.C.C. 20.20.060 for Type ((~~Four~~))

14225 4 land use decisions shall be provided for parcels identified as TDR receiving sites.

14226 SECTION 316. Ordinance 13733, Section 8, as amended, and K.C.C.

14227 21A.37.100 are hereby amended to read as follows:

14228 The purpose of the TDR bank is to assist in the implementation of the ((~~transfer of~~

14229 ~~development rights~~ ~~(-))~~TDR((~~+~~)) program by bridging the time gap between willing sellers

14230 and buyers of development rights by purchasing and selling development rights,

14231 purchasing conservation easements, and facilitating interlocal TDR agreements with

14232 cities in King County through the provision of amenity funds. The TDR bank may

14233 acquire development rights and conservation easements only from sending sites ((~~located~~

14234 ~~in the rural area or in an agricultural or forest land use designation in the King County~~

14235 ~~Comprehensive Plan, or in the urban unincorporated area only from sites meeting the~~

14236 ~~criteria in K.C.C. 21A.37.020.A.2.g~~)) allowed in K.C.C. 21A.37.020. Except for

14237 development rights purchased for use in affordable housing developments in accordance

14238 with K.C.C. 21A.37.130, ((~~+~~))development rights purchased from the TDR bank may

14239 only be used for receiving sites in cities, in Snoqualmie Pass Rural Town as provided in

14240 this title, or in the urban unincorporated area as designated in the King County

14241 Comprehensive Plan.

14242 SECTION 317. Ordinance 13733, Section 10, as amended, and K.C.C.

14243 21A.37.110 are hereby amended to read as follows:

14244 A. The TDR bank may purchase development rights from qualified sending sites

14245 at prices not to exceed fair market value and ((~~+~~)) sell development rights at prices not

Ordinance 19881

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14246 less than fair market value, except as allowed in K.C.C. 21A.37.130. The TDR bank may  
14247 accept donations of development rights from qualified TDR sending sites.

14248 B. The TDR bank may purchase a conservation easement only if the property  
14249 subject to the conservation easement is qualified as a sending site as evidenced by a TDR  
14250 qualification report, the conservation easement restricts development of the sending site  
14251 in the manner required by K.C.C. 21A.37.060, and the development rights generated by  
14252 encumbering the sending site with the conservation easement are issued to the TDR bank  
14253 at no additional cost.

14254 C. Any development rights, generated by encumbering property with a  
14255 conservation easement, may be issued to the TDR bank if:

14256 1.a. The conservation easement is acquired through a county park, open space,  
14257 trail, agricultural, forestry, or other natural resource acquisition program for a property  
14258 that is qualified as a TDR sending site as evidenced by a TDR qualification report; or

14259 b. the property is acquired by the county with the intent of conveying the  
14260 property encumbered by a reserved conservation easement. The number of development  
14261 rights generated by this reserved conservation easement shall be determined by the TDR  
14262 qualification report; and

14263 2. Under either subsection C.1.a. or b. of this section, there will be no additional  
14264 cost to the county for acquiring the development rights.

14265 D. The TDR bank may use funds to facilitate development rights transfers.  
14266 These expenditures may include, but are not limited to, establishing and maintaining  
14267 ~~((internet web pages))~~ websites, marketing TDR receiving sites, procuring title reports  
14268 and appraisals, and reimbursing the costs incurred by the department of natural resources

Ordinance 19881

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14269 and parks, water and land resources division((;)) or its successor, for administering the  
14270 TDR bank fund and executing development rights purchases and sales.

14271 E. The TDR bank fund may be used to cover the cost of providing staff support  
14272 for identifying and qualifying sending and receiving sites, and the costs of providing staff  
14273 support for the TDR interagency review committee.

14274 F. Upon approval of the TDR executive board, proceeds from the sale of TDR  
14275 bank development rights shall be available for acquisition of additional development  
14276 rights and as amenity funds to facilitate interlocal TDR agreements with cities in King  
14277 County and for projects in receiving areas located in urban unincorporated King County.  
14278 Amenity funds provided to a city from the sale of TDR bank development rights to that  
14279 city are limited to one-third of the proceeds from the sale.

14280 SECTION 318. Ordinance 13733, Section 11, as amended, and K.C.C.

14281 21A.37.120 are hereby amended to read as follows:

14282 A. The department of natural resources and parks, water and land resources  
14283 division((;)) or its successor, shall administer the TDR bank fund and execute purchases  
14284 of development rights and conservation easements and sales of development rights in a  
14285 timely manner consistent with policy set by the TDR executive board. These  
14286 responsibilities include, but are not limited to:

- 14287 1. Managing the TDR bank fund;
- 14288 2. Authorizing and monitoring expenditures;
- 14289 3. Keeping records of the dates, amounts, and locations of development rights  
14290 purchases and sales, and conservation easement purchases;

Ordinance 19881

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14291 4. Executing development rights purchases, sales, and conservation easements;  
14292 and

14293 5. Providing periodic summary reports of TDR bank activity for TDR executive  
14294 board consideration.

14295 B. The department of natural resources and parks, water and land resources  
14296 division((,)) or its successor, in executing purchase and sale agreements for acquisition of  
14297 development rights and conservation easements shall ensure sufficient values are being  
14298 obtained and that all transactions((,)) or conservation easements ((~~or fee simple~~  
14299 ~~acquisitions~~)) are consistent with public land acquisition guidelines.

14300 SECTION 319. Ordinance 13733, Section 12, as amended, and K.C.C.  
14301 21A.37.130 are hereby amended to read as follows:

14302 A.1. The sale of ((~~development rights~~)) TDRs by the TDR bank shall be at a price  
14303 that equals or exceeds the fair market value of the ((~~development rights~~)) TDRs, except  
14304 as provided in subsection A.2. of this section. The fair market value of the ((~~development~~  
14305 ~~rights~~)) TDRs shall be established by the department of natural resources and parks and  
14306 shall be based on the amount the county paid for the development rights and the  
14307 prevailing market conditions.

14308 2.a. The department of natural resources and parks shall undertake a "TDR for  
14309 affordable housing" pilot program, in which ((~~transferable development rights necessary~~  
14310 ~~to construct up to one hundred total units~~)) TDRs sold to build up to one hundred total  
14311 units of affordable housing in accordance with K.C.C. 21A.48.020 and K.C.C  
14312 21A.08.030 shall be ((~~sold~~)) priced at the administrative cost incurred by the county or  
14313 fifteen percent of the fair market value of the development rights, whichever is less.



Ordinance 19881

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14314                    b. In order to qualify for this program, all units built using the development  
 14315 rights (~~must~~) shall be either:

14316                    (1) rental housing permanently priced to serve households with a total  
 14317 household income at or below sixty percent of AMI. A covenant on the property that  
 14318 specifies the income level being served, rent levels, and requirements for reporting to  
 14319 King County shall be recorded at final approval; or

14320                    (2) housing reserved for income- and asset-qualified home buyers with total  
 14321 household income at or below sixty percent of AMI. The units shall be limited to owner-  
 14322 occupied housing with prices restricted based on typical underwriting ratios and other  
 14323 lending standards, and with no restriction placed on resale. Final approval conditions  
 14324 shall specify requirements for reporting to King County on both buyer eligibility and  
 14325 housing prices.

14326                    c. ~~((1) In areas where the inclusionary housing regulations adopted in K.C.C.~~  
 14327 ~~chapter apply, development rights to build units through this pilot program shall only be~~  
 14328 ~~sold for units in accordance with K.C.C. 21A.48.020 or K.C.C. 21.48.030.~~

14329                    ~~(2) For all other areas in unincorporated King County, in the R-4 through R-~~  
 14330 ~~48 zones, development rights to build units through this pilot program shall only be sold~~  
 14331 ~~for units between one hundred fifty percent and two hundred percent of the receiving~~  
 14332 ~~site's base density as set forth in K.C.C. 21A.12.030.~~

14333                    ~~d.))~~(1) The department of natural resources and parks shall track the sale of  
 14334 development rights and completion of units constructed through this program. When the  
 14335 one hundred unit threshold is reached, the department shall, within six months of that  
 14336 date, transmit a report to the council that includes, but is not limited to:

Ordinance 19881

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14337 (a) the location of the receiving sites where development rights under this  
 14338 pilot program were used;

14339 (b) lessons learned from the pilot program, including feedback from  
 14340 ~~((developers))~~ applicants who purchased development rights through the program; and

14341 (c) a recommendation on whether to make the pilot program permanent,  
 14342 repeal the program, or modify the program.

14343 (2) the report shall be accompanied by a proposed ordinance effectuating the  
 14344 recommendation in subsection ~~((A.2.d.(1)(e)))~~ A.2.c.(1)(c) of this section.

14345 (3) the report and proposed ordinance shall be electronically filed ~~((in the  
 14346 form of a paper original and an electronic copy))~~ with the clerk of the council, who shall  
 14347 retain the original and provide an electronic copy to all councilmembers, the council chief  
 14348 of staff, and the lead staff to the ~~((mobility))~~ transportation, economy, and environment  
 14349 committee or its successor.

14350 B. When selling development rights, the TDR bank may select prospective  
 14351 purchasers based on the price offered for the development rights, the number of  
 14352 development rights offered to be purchased, and the potential for the sale to achieve the  
 14353 purposes of the TDR program.

14354 C. The TDR bank may sell development rights only in whole or half increments  
 14355 ~~((to incorporated receiving sites through an interlocal agreement or, after the county  
 14356 enacts legislation that complies with chapter 365-198 WAC, to incorporated receiving  
 14357 sites in a city that has enacted legislation that complies with chapter 365-198 WAC. The  
 14358 TDR bank may sell development rights only in whole increments to unincorporated King  
 14359 County receiving sites)).~~

Ordinance 19881

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14360 D. All offers to purchase (~~((development rights))~~) TDRs from the TDR bank shall  
 14361 be in writing, shall include a certification that the (~~((development rights))~~) TDRs, if used,  
 14362 shall be used only inside an identified city or within the urban unincorporated area,  
 14363 (~~((include a minimum ten percent down payment with purchase option,))~~) shall include the  
 14364 number of (~~((development rights))~~) TDRs to be purchased, location of the receiving site,  
 14365 proposed purchase price, and the required date or dates for completion of the sale, not  
 14366 later than three years after the date of receipt by King County of the purchase offer.

14367 E. Payment for purchase of (~~((development rights))~~) TDRs from the TDR bank  
 14368 shall be in full at the time the (~~((development rights))~~) TDRs are transferred unless  
 14369 otherwise authorized by the department of natural resources and parks.

14370 SECTION 320. Ordinance 13733, Section 13, as amended, and K.C.C.  
 14371 21A.37.140 are hereby amended to read as follows:

14372 A. For development rights sold by the TDR bank to be used in incorporated  
 14373 receiving site areas, the county and the affected city or cities (~~((must))~~) shall either have  
 14374 executed an interlocal agreement and the city or cities (~~((must))~~) shall have enacted  
 14375 appropriate legislation to implement the program for the receiving area or the county and  
 14376 the affected city or cities (~~((must))~~) shall each have enacted legislation that complies with  
 14377 chapter 365-198 WAC.

14378 B.1. At a minimum, each interlocal agreement shall:

14379 a. (~~((shall))~~) describe the legislation that the receiving jurisdiction adopted or  
 14380 will adopt to allow the use of (~~((development rights))~~) TDR;

14381 b. (~~((shall))~~) identify the receiving area;

Ordinance 19881

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14382 c. ~~((shall))~~ require the execution of a TDR extinguishment document in  
 14383 conformance with K.C.C. 21A.37.080; and  
 14384 d. ~~((shall))~~ address the conversion ratio to be used in the receiving site area.  
 14385 2. If the city is to receive any amenity funds, the interlocal agreement shall ~~((set~~  
 14386 ~~forth))~~ establish the amount of funding and the amenities to be provided in accordance  
 14387 with K.C.C. 21A.37.150.I. Such an interlocal agreement may also indicate that a priority  
 14388 should be given by the county to acquiring ~~((development rights))~~ TDRs from sending  
 14389 sites in specified geographic areas. If a city has a particular interest in the preservation of  
 14390 land in ~~((a))~~ the rural area or a natural resource ~~((area))~~ land, or in the specific conditions  
 14391 on which it will be preserved, then the interlocal agreement may provide for periodic  
 14392 inspection or special terms in the conservation easement to be recorded against the  
 14393 sending site as a pre~~((-))~~acquisition condition to purchases of ~~((development rights))~~  
 14394 TDRs within specified areas by the TDR bank.

14395 C. A TDR conversion ratio for development rights purchased from a sending site  
 14396 and transferred to an incorporated receiving site area may express the amount of  
 14397 additional ~~((development rights))~~ TDRs in terms of any combination of units, floor area,  
 14398 height, or other applicable development standards that may be modified by the city to  
 14399 provide incentives for the purchase of ~~((development rights))~~ TDRs.

14400 SECTION 321. Ordinance 13733, Section 14, as amended, and K.C.C.  
 14401 21A.37.150 are hereby amended to read as follows:

14402 A. Expenditures by the county for amenities to facilitate development rights sales  
 14403 in cities shall be authorized by the TDR executive board during review of proposed  
 14404 interlocal agreements, and should be roughly proportionate to the value and number of

Ordinance 19881

---

14405 development rights anticipated to be accepted in an incorporated receiving site pursuant  
14406 to the controlling interlocal agreement, in accordance with K.C.C. 21A.37.040.  
14407 Expenditures by the county to fund projects in receiving areas located in urban  
14408 unincorporated King County shall be authorized by the TDR executive board and should  
14409 be roughly proportionate to the value and number of development rights accepted in the  
14410 unincorporated urban area.

14411 B. The county shall not expend funds on TDR amenities in a city before  
14412 execution of an interlocal agreement, except that:

14413 1. The executive board may authorize up to twelve thousand dollars be spent by  
14414 the county on TDR amenities before a development rights transfer for use at a receiving  
14415 site or for the execution of an interlocal agreement if the TDR executive board  
14416 recommends that the funds be spent based on a finding that the expenditure will expedite  
14417 a proposed transfer of development rights or facilitate acceptance of a proposed transfer  
14418 of development rights by the community around a proposed or established receiving site  
14419 area;

14420 2. King County may distribute the funds directly to a city if a scope of work,  
14421 schedule, and budget governing the use of the funds is mutually agreed to in writing by  
14422 King County and the affected city. Such an agreement need not be in the form of an  
14423 interlocal agreement; and

14424 3. The funds may be used for project design renderings, engineering, or other  
14425 professional services performed by persons or entities selected from the King County  
14426 approved architecture and engineering roster maintained by the department of finance or

Ordinance 19881

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14427 an affected city's approved architecture and engineering roster, or selected by an affected  
14428 city through its procurements processes consistent with state law and city ordinances.

14429 C. TDR amenities may include the acquisition, design, or construction of:

14430 ~~((P))~~public art, cultural and community facilities, parks, open space,

14431 trails, roads, parking, landscaping, sidewalks, other streetscape

14432 improvements, transit-related improvements, affordable housing for households

14433 whose income is at or below area median income, which, for the purposes of this

14434 subsection C., is the median household income for the TDR receiving area as established

14435 by the United States Department of Housing and Urban Development, adjusted for

14436 household size, or other improvements or programs that facilitate increased densities on

14437 or near receiving sites.

14438 D. When King County funds amenities in whole or in part, the funding shall not

14439 commit the county to funding any additional amenities or improvements to existing or

14440 uncompleted amenities.

14441 E. King County funding of amenities shall not exceed appropriations adopted by

14442 the council or funding authorized in interlocal agreements, whichever is less.

14443 F. Public transportation amenities shall enhance the transportation system. These

14444 amenities may include capital improvements such as passenger and layover facilities, if

14445 the improvements are within a designated receiving area or within one thousand five

14446 hundred feet of a receiving site. These amenities may also include programs such as the

14447 provision of security at passenger and layover facilities and programs that reduce the use

14448 of single occupant vehicles, including car sharing and bus pass programs.

Ordinance 19881

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14449           G. Road fund amenities shall enhance the transportation system. These amenities  
14450 may include capital improvements, such as streets, traffic signals, sidewalks, street  
14451 landscaping, bicycle lanes, and pedestrian overpasses, if the improvements are within a  
14452 designated receiving site area or within one thousand five hundred feet of a receiving site.  
14453 These amenities may also include programs that enhance the transportation system.

14454           H. All amenity funding provided by King County to cities, or to urban  
14455 unincorporated receiving areas to facilitate the transfer of development rights shall be  
14456 consistent with federal, state, and local laws.

14457           I. The timing and amounts of funds for amenities paid by King County to each  
14458 participating city shall be determined in an adopted interlocal agreement. The interlocal  
14459 agreement shall set forth the amount of funding to be provided by the county, an  
14460 anticipated scope of work, work schedule, and budget governing the use of the amenity  
14461 funds. Except for the amount of funding to be provided by the county, these terms may  
14462 be modified by written agreement between King County and the city. Such an agreement  
14463 need not be in the form of an interlocal agreement. Such an agreement must be  
14464 authorized by the TDR executive board. If amenity funds are paid to a city to operate a  
14465 program, the interlocal agreement shall set the period during which the program is to be  
14466 funded by King County.

14467           J. A city that receives amenity funds from the county is responsible for using the  
14468 funds for the purposes and according to the terms of the governing interlocal agreement.

14469           K. To facilitate timely implementation of capital improvements or programs at  
14470 the lowest possible cost, King County may make amenity payments as authorized in an  
14471 interlocal agreement to a city before completion of the required improvements or

Ordinance 19881

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14472 implementation programs, as applicable. If all or part of the required improvements or  
14473 implementation programs in an interlocal agreement to be paid for from King County  
14474 funds are not completed by a city within five years from the date of the transfer of  
14475 amenity funds, then, unless the funds have been used for substitute amenities by  
14476 agreement of the city and King County, those funds, plus interest, shall be returned to  
14477 King County and deposited into the originating amenity fund for reallocation to other  
14478 TDR projects.

14479 L. King County is not responsible for maintenance, operating, and replacement  
14480 costs associated with amenity capital improvements inside cities, unless expressly agreed  
14481 to in an interlocal agreement.

14482 SECTION 322. Ordinance 13733, Section 15, as amended, and K.C.C.  
14483 21A.37.160 are hereby amended to read as follows:

14484 A. The TDR executive board is hereby established. The TDR executive board  
14485 shall be composed of the director of the budget office, the director of the department of  
14486 natural resources and parks, the director of the department of local services, and the  
14487 director of finance, or their designees. A representative from the King County council  
14488 staff, designated by the council chair, may participate as an ex officio, nonvoting member  
14489 of the TDR executive board. The TDR executive board shall be chaired by the director  
14490 of the department of natural resources and parks or designee.

14491 B. The issues that may be addressed by the executive board include, but are not  
14492 limited to, using site evaluation criteria established by administrative rules, ranking and  
14493 selecting sending sites to be purchased by the TDR bank, recommending interlocal  
14494 agreements and the provision of TDR amenities, if any, to be forwarded to the executive,



Ordinance 19881

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14495 identifying future funding for amenities in the annual budget process, enter into other  
14496 written agreements necessary to facilitate density transfers by the TDR bank, and  
14497 otherwise oversee the operation of the TDR bank to measure the effectiveness in  
14498 achieving the policy goals of the TDR program.

14499 C. The department of natural resources and parks shall provide lead staff support  
14500 to the TDR executive board. Staff duties include, but are not limited to:

14501 1. Making recommendations to the TDR executive board on TDR program and  
14502 TDR bank issues on which the TDR executive board must take action;

14503 2. Facilitating development rights transfers through marketing and outreach to  
14504 the public, community organizations, ~~((developers))~~ applicants, and cities;

14505 3. Identifying potential receiving sites;

14506 4. Developing proposed interlocal agreements with cities;

14507 5. Assisting in the implementation of TDR executive board policy in  
14508 cooperation with other departments;

14509 6. Ranking certified sending sites for consideration by the TDR executive  
14510 board;

14511 7. Negotiating with cities to establish city receiving areas with the provision of  
14512 amenities;

14513 8. Preparing agendas for TDR executive board meetings;

14514 9. Recording TDR executive board meeting summaries;

14515 10. Preparing administrative rules in accordance with K.C.C. chapter 2.98 to  
14516 implement this chapter; and

Ordinance 19881

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14517            11. Preparing periodic reports on the progress of the TDR program to the  
14518 council with assistance from other departments.

14519            NEW SECTION. SECTION 323. There is hereby added to K.C.C. chapter  
14520 21A.37 a new section to read as follows:

14521            A.1. The TDR bank may establish in-lieu fee TDRs by collecting a fee-in-lieu of  
14522 selling TDRs from the TDR bank when TDR inventory is unavailable.

14523            2. TDR executive board shall determine when in-lieu fee TDRs may be made  
14524 available by considering the following:

14525            a. inventory of TDR bank and privately owned TDRs;

14526            b. type of TDR needed by receiving site;

14527            c. price of available privately owned TDRs; and

14528            d. opportunities to obtain new TDRs from eligible sending sites.

14529            3. In-lieu fee TDRs may be designated as rural or urban.

14530            4. The TDR bank shall sell in-lieu fee TDRs in accordance with K.C.C.

14531 21A.37.130 and 21A.37.140.

14532            5. In-lieu fee TDRs shall not be used for rural area receiving sites.

14533            B. The county shall establish and maintain an internal tracking system that  
14534 identifies all funds collected through the sale of in-lieu fee TDRs, the quantity of in-lieu  
14535 fee TDRs purchased through the TDR bank, and all TDRs purchased using funds  
14536 collected from the sale of in-lieu fee TDRs.

14537            C. The TDR bank shall use funds collected from the sale of in-lieu fee TDRs to  
14538 purchase TDRs from qualified sending sites in a type and amount that is appropriate for  
14539 the development use and in accordance with K.C.C. 21A.37.110. Funds collected from

Ordinance 19881

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14540 the sale of in-lieu fee TDRs that were designated as rural shall be used to purchase TDRs  
14541 from the rural area or natural resource lands.

14542 NEW SECTION. SECTION 324. There is hereby added to K.C.C. chapter  
14543 21A.37 a new section to read as follows:

14544 By May 1, 2026, and every two years thereafter, the executive shall electronically  
14545 file a TDR program report with the clerk of the council, who shall retain the original and  
14546 provide an electronic copy to all councilmembers, the council chief of staff, and the lead  
14547 staff for the transportation, economy, and environment committee or its successor. The  
14548 TDR program report should address the following:

- 14549 A. Information on sending site enrollments;
- 14550 B. Information on uses of TDRs at receiving sites;
- 14551 C. An accounting of revenues received and expenditures made through the TDR  
14552 bank; and
- 14553 D. The status of amenity funding for receiving areas.

14554 SECTION 325. Ordinance 10870, Section 579, as amended, and K.C.C.  
14555 21A.38.030 are hereby amended to read as follows:

14556 A. Property-specific development standards, or P-suffix conditions, denoted by  
14557 the zoning map symbol -P after the zone's map symbol or a notation in the geographic  
14558 information system data layers, shall be established on individual properties through  
14559 either reclassifications or area zoning. All property-specific development standards are  
14560 contained in Appendix ~~((of))~~ A to Ordinance 12824 ~~((as currently in effect or hereinafter~~  
14561 ~~amended))~~, as amended, and shall be maintained by the department of local services,  
14562 permitting division, in the Property Specific Development Conditions notebook. Upon

Ordinance 19881

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14563 the effective date of reclassification of a property to a zone with a "-P" suffix, the  
14564 property-specific development standards adopted thereby shall apply to any development  
14565 proposal on the subject property subject to county review, including, but not limited to, a  
14566 building permit, grading permit, subdivision, short subdivision, subsequent  
14567 reclassification to a potential zone, (~~urban-planned development,~~) conditional use  
14568 permit, variance, and special use permit.

14569 B. Property-specific development standards shall address problems unique to  
14570 individual properties or a limited number of neighboring properties that are not addressed  
14571 or anticipated by general minimum requirements of this title or other regulations.

14572 C. Property-specific development standards shall cite the provisions of this title,  
14573 if any, that are to be augmented, limited, or increased, shall be supported by  
14574 documentation that addresses the need for such a condition or conditions, and shall  
14575 include street addresses, tax lot numbers, or other clear means of identifying the  
14576 properties subject to the additional standards. Property-specific development standards  
14577 are limited to:

- 14578 1. Limiting the range of (~~permitted~~) allowed land uses;
  - 14579 2. Requiring special development standards for property with physical  
14580 constraints (~~(e.g.)~~, such as environmental hazards(~~( $\tau$ )~~) or view corridors(~~( $\tau$ )~~);
  - 14581 3. Requiring specific site design features (~~(e.g.)~~, such as building orientation,  
14582 lot layout, clustering, trails, or access location(~~( $\tau$ )~~);
  - 14583 4. Specifying the phasing of the development of a site;
  - 14584 5. Requiring public facility site dedications or improvements (~~(e.g.)~~, such as  
14585 roads, utilities, parks, open space, trails, or school sites(~~( $\tau$ )~~); or
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Ordinance 19881

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14586           6. Designating sending and receiving sites for transferring density credits as  
14587 provided in K.C.C. chapter ~~((21A.36))~~ 21A.37.

14588           D. Property-specific development standards shall not be used to expand  
14589 ~~((permitted))~~ allowed uses or reduce minimum requirements of this title.

14590           SECTION 326. Ordinance 10870, Section 579, as amended, and K.C.C.  
14591 21A.38.060 are hereby amended to read as follows:

14592           A. The purpose of the office/research park special district overlay, which is SO-  
14593 060, is to establish an area for development to occur in a campus setting with integrated  
14594 building designs, flexible grouping of commercial and industrial uses, generous  
14595 landscaping and buffering treatment, and coordinated auto and pedestrian circulation plans.  
14596 Office/research park districts shall only be established in areas designated within a  
14597 community plan and zoned RB, O<sub>2</sub> or I zones. Permitted uses shall include all uses  
14598 permitted in the RB, O<sub>2</sub> and I zones, as set forth in K.C.C. chapter 21A.08, regardless of the  
14599 classification used as the underlying zone on a particular parcel of land.

14600           B. The following development standards shall apply to uses locating in  
14601 office/research park overlay districts:

- 14602           1. All uses shall be conducted inside an entirely enclosed building;
- 14603           2. An internal circulation plan shall be developed to facilitate pedestrian and  
14604 vehicular traffic flow between major project phases and individual developments;
- 14605           3. The standards in this section shall be applied to the development as a unified  
14606 site, notwithstanding any division of the development site under a binding site plan or  
14607 subdivision;

Ordinance 19881

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14608           4. All buildings shall maintain a fifty-foot setback from perimeter streets and from  
14609 ~~((rural area and residential))~~ RA, UR, and R zones;

14610           5. The total permitted impervious lot coverage shall be eighty-percent. The  
14611 remaining twenty-percent shall be devoted to open space. Open space may include all  
14612 required landscaping, and any unbuildable critical areas and their associated buffers;

14613           6. The landscaping standards in K.C.C. chapter 21A.16 are modified as follows:

14614           a. Twenty-foot wide Type II landscaping shall be provided along exterior streets,  
14615 and twenty-foot wide Type III landscaping shall be provided along interior streets;

14616           b. Twenty-foot wide Type I landscaping shall be provided along property lines  
14617 adjacent to ~~((rural area and residential))~~ RA, UR, and R zones;

14618           c. Fifteen-foot wide Type II landscaping shall be provided along lines adjacent  
14619 to nonresidential zoned areas; and

14620           d. Type IV landscaping shall be provided within all surface parking lots as  
14621 follows:

14622           (1) Fifteen percent of the parking area, excluding required perimeter  
14623 landscaping, shall be landscaped in parking lots with more than thirty-parking stalls;

14624           (2) At least one tree for every four parking stalls shall be provided, to be  
14625 reasonably distributed throughout the parking lot; and

14626           (3) No parking stall shall be more than forty-feet from some landscaping;

14627           e. An inventory of existing site vegetation shall be conducted pursuant to the  
14628 procedures in K.C.C. chapter 21A.16, and

Ordinance 19881

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14629           f. An overall landscaping plan that conforms to the requirements of this  
14630 subsection shall be submitted for the entire district or each major development phase before  
14631 the issuance of any site development, grading, or building permits;

14632           7. Lighting within an office/industrial park shall shield the light source from the  
14633 direct view of surrounding residential areas;

14634           8. Refuse collection/recycling areas and loading or delivery areas shall be located  
14635 at least one hundred feet from residential areas and screened with a solid view-obscuring  
14636 barrier;

14637           9. Off-street parking standards as in K.C.C. chapter 21A.18 are modified as  
14638 follows:

14639           a. one space for every three hundred square feet of floor area shall be provided  
14640 for all uses, except on-site daycare, exercise facilities, eating areas for employees, archive  
14641 space for tenants, and retail/service uses;

14642           b. parking for on-site daycare, exercise facilities, eating areas for employees,  
14643 archive space for tenants, and retail/service uses shall be no less than one space for every  
14644 one thousand square feet of floor area and no greater than one space for every five hundred  
14645 square feet of floor area; and

14646           c. at least twenty-five percent of required parking shall be located in a parking  
14647 structure; and

14648           10. Sign standards in K.C.C. chapter 21A.20 are modified as follows:

14649           a. Signs visible from the exterior of the park shall be limited to one monument  
14650 office/research park identification sign at each entrance. The signs shall not exceed an area  
14651 of sixty-four square feet per sign;

Ordinance 19881

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14652 b. no pole signs shall be permitted; and

14653 c. all other signs shall be visible only from within the park.

14654 SECTION 327. Ordinance 12809, Section 5, as amended, and K.C.C.

14655 21A.38.120 are hereby amended to read as follows:

14656 A. The purpose of the wetland management area special overlay district, which is  
14657 SO-180, is to provide a means to designate certain unique and outstanding wetlands when  
14658 necessary to protect their functions and values from the impacts created from geographic  
14659 and hydrologic isolation and impervious surface.

14660 B. the following development standards shall be applied in addition to all  
14661 applicable requirements of K.C.C. chapter 21A.24 to development proposals located  
14662 within a wetland management area district overlay:

14663 1. All subdivisions and short subdivisions on ~~((residentially zoned properties~~  
14664 ~~that are identified in an adopted basin plan for impervious surface limitations,))~~ UR or R  
14665 zoned lands located within the wetland management area shall have a maximum  
14666 impervious surface area of eight percent of the gross acreage of the ~~((plat))~~ subdivision.  
14667 ~~((For areas that are not covered by an adopted basin plan, this limit shall apply to all~~  
14668 ~~residentially zoned lands located within the wetland management area.))~~ Distribution of  
14669 the allowable impervious area among the ~~((platted))~~ subdivided lots shall be recorded on  
14670 the face of the plat. Impervious surface of existing roads ~~((need))~~ shall not be counted  
14671 towards the allowable impervious area. This condition may be modified by the director  
14672 for the minimum necessary to accommodate unusual site access conditions; and

14673 2. All ~~((subdivisions and short subdivisions on properties identified in an~~  
14674 ~~adopted basin plan for clustering and setback requirements))~~ development shall be



Ordinance 19881

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14675 ~~((required to cluster))~~ sited away from wetlands or the axis of corridors along stream  
 14676 tributaries and identified swales connecting wetlands in order to minimize land  
 14677 disturbance and maximize distance from ~~((these sensitive features))~~ critical areas. At  
 14678 least sixty-five percent of affected portions of RA-zoned properties and at least fifty  
 14679 percent of all other affected portions of the property shall be left in native vegetation,  
 14680 preferably forest, and placed in a permanent ~~((open space))~~ natural area tract. ~~((In the~~  
 14681 ~~absence of a basin plan, these requirements shall apply to all lands containing or adjacent~~  
 14682 ~~to a wetland, a stream tributary corridor or a swale connecting wetlands; and~~

14683 ~~3. Clearing and grading activity from October 1 through March 31 shall meet~~  
 14684 ~~the provisions of K.C.C. 16.82.150D wherever not already applicable.))~~

14685 SECTION 328. Ordinance 12823, Section 8, as amended, and K.C.C.  
 14686 21A.38.130 are hereby amended to read as follows:

14687 A. The purpose of the agricultural production buffer special district overlay, which  
 14688 is SO-120, is to provide a buffer between agricultural and upslope residential land uses. An  
 14689 agricultural production buffer special district overlay shall only be established in areas  
 14690 adjacent to an agricultural production district and zoned RA.

14691 B. The following development standard shall apply to residential subdivisions  
 14692 locating in an agricultural production buffer special district overlay: Lots shall be clustered  
 14693 in accordance with K.C.C. 21A.14.040 and at least seventy-five percent of a site shall  
 14694 remain as open space, unless greater lot area is required by ~~((the Seattle King County~~  
 14695 ~~department of public health))~~ public health - Seattle & King County.

14696 SECTION 329. Ordinance 12823, Section 10, and K.C.C. 21A.38.150 are hereby  
 14697 amended to read as follows:

Ordinance 19881

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14698           A. The purpose of the (~~(ground water)~~) groundwater protection special district  
14699 overlay, which is SO-140, is to limit land uses that have the potential to severely  
14700 contaminate groundwater supplies and to provide increased areas of permeable surface to  
14701 allow for infiltration of surface water into ground resources.

14702           B. For all commercial and industrial development proposals, at least (~~(40)~~) forty  
14703 percent of the site shall remain in natural vegetation or planted with landscaping, which  
14704 area shall be used to maintain predevelopment infiltration rates for the entire site. For  
14705 purposes of this special district overlay, the following shall be considered commercial  
14706 and industrial land uses:

14707           1. (~~(amusement/entertainment)~~) Recreational and cultural land uses as defined  
14708 by K.C.C. 21A.08.040, except parks, trails, golf facilities, and arboretums;

14709           2. (~~(general)~~) Personal services and temporary lodging land uses as defined by  
14710 K.C.C. 21A.08.050, except (~~(health and educational services,)~~) daycare (~~(4)~~) I,  
14711 (~~(churches, synagogues, and temples)~~) and religious facilities;

14712           3. (~~(government/b)~~)Business services land uses as defined by K.C.C.  
14713 21A.08.060 (~~(except government services)~~) land uses;

14714           4. (~~(r)~~)Retail(~~(/wholesale)~~) land uses as defined by K.C.C. 21A.08.070, except  
14715 forest product sales and agricultural product sales;

14716           5. (~~(m)~~)Manufacturing land uses as defined by K.C.C. 21A.08.080; and(~~(;)~~)

14717           6. (~~(mineral extraction and processing)~~) Resource land uses as defined by  
14718 K.C.C. 21A.08.090, except agriculture land uses, forestry and uses, fish and wildlife  
14719 management land uses, and accessory uses.

Ordinance 19881

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14720 C. ~~((Permitted))~~ Allowed uses within the area of the ~~((ground-water))~~  
 14721 groundwater protection special district overlay shall be those ~~((permitted))~~ allowed in the  
 14722 underlying zone, excluding the following ~~((as defined by Standard Industrial~~  
 14723 ~~Classification number and type))~~):

- 14724 1. ~~((SIC 4581, airports, flying fields, and airport terminal services;~~
- 14725 2. ~~SIC 4953, refuse systems, (including landfills and garbage transfer stations~~  
 14726 ~~operated by a public agency);~~
- 14727 3. ~~SIC 4952, sewerage systems (including wastewater treatment facilities); and~~
- 14728 4. ~~SIC 7996, amusement parks; SIC 7948, racing, including track operation; or~~  
 14729 ~~other commercial establishments or enterprises involving large assemblages of people or~~  
 14730 ~~automobiles except where excluded by section B above;~~
- 14731 5. ~~SIC 0752, animal boarding and kennel services;~~
- 14732 6. ~~SIC 1721, building painting services;~~
- 14733 7. ~~SIC 3260, pottery and related products manufacturing;~~
- 14734 8. ~~SIC 3599, machine shop services;~~
- 14735 9. ~~SIC 3732,))~~ Aircraft, ship, and boat building and repairing;
- 14736 ~~((10. SIC 3993, electric and neon sign manufacturing;~~
- 14737 11. ~~SIC 4226, automobile storage services;~~
- 14738 12. ~~SIC 7334, blueprinting and photocopying services;~~
- 14739 13.)) 2. Warehousing and wholesale trade;
- 14740 3. SIC Industry 7534~~((,-t))~~-Tire ~~((r))~~Retreading ~~((and repair services));~~
- 14741 ~~((14. SIC 7542, car washes;~~
- 14742 15. ~~SIC 8731, commercial, physical and biological research laboratory services;~~

Ordinance 19881

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- 14743            ~~16. SIC 02, interim agricultural crop production and livestock quarters or~~  
14744 ~~grazing on properties 5 acres or larger in size;~~
- 14745            ~~17. SIC 0752, public agency animal control facility;~~
- 14746            ~~18. SIC 2230, 2260, textile dyeing;~~
- 14747            ~~19. SIC 2269, 2299, textile and textile goods finishing;~~
- 14748            ~~20. SIC 2700, printing and publishing industries;~~
- 14749            ~~21. SIC 2834, pharmaceuticals manufacturing;~~
- 14750            ~~22. SIC 2844, cosmetics, perfumes and toiletries manufacturing;~~
- 14751            ~~23. SIC 2893, printing ink manufacturing;~~
- 14752            ~~24. SIC 3000, rubber products fabrication;~~
- 14753            ~~25. SIC 3111, leather tanning and finishing;~~
- 14754            ~~26. SIC 3400, metal products manufacturing and fabrication;~~
- 14755            ~~27. SIC 3471, metal electroplating;~~
- 14756            ~~28. SIC 3691, 3692, battery rebuilding and manufacturing;~~
- 14757            ~~29. SIC 3711, automobile manufacturing; and~~
- 14758            ~~30. SIC 4600, petroleum pipeline operations))~~ 4. SIC Industry Group 754-  
14759 Automotive Service; and
- 14760            5. SIC Major Group 36 - Electronic and Other Electric Equipment.
- 14761            SECTION 330. Ordinance 12823, Section 11, and K.C.C. 21A.38.160 are hereby  
14762 amended to read as follows:
- 14763            A. The purpose of the aviation facilities special district overlay, which is SO-150,  
14764 is to protect existing non-commercial airports from encroaching residential development.

Ordinance 19881

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14765 An aviation facilities special district overlay shall only be established in the area up to 1/4  
14766 mile around airports and shall be zoned UR or RA.

14767 B. The following development standards shall apply to uses locating in aviation  
14768 facilities special overlay districts:

14769 On the title of all properties within pending short subdivisions or subdivisions and  
14770 binding site plans, the following statement shall be recorded and be shown to all  
14771 prospective buyers of lots or homes:

14772 "This property is located near the (name of airport) which is recognized as a  
14773 legitimate land use by King County. Air traffic in this area, whether at current or increased  
14774 levels, is consistent with King County land use policies provided it conforms to all  
14775 applicable state and federal laws."

14776 SECTION 331. Ordinance 12823, Section 12, and K.C.C. 21A.38.170 are hereby  
14777 amended to read as follows:

14778 A. The purpose of the urban aquifer protection area special district overlay, which  
14779 is SO-160, is to provide additional protection for urban areas that are highly susceptible to  
14780 ~~((ground water))~~ groundwater contamination. An urban aquifer protection area  
14781 special district overlay shall only be established within areas designated in the  
14782 comprehensive plan as highly susceptible to ground water contamination, including the  
14783 surrounding area up to 1/2 mile, and zoned UR, R, NB, CB, O, and I.

14784 B. Permitted uses shall be those permitted in the underlying zone, excluding the  
14785 following as defined by Standard Industrial Classification (SIC) number and type:

14786 1. SIC Industry 4953~~((,-))~~-Refuse ~~((s))~~Systems ~~((including hazardous waste~~  
14787 ~~recycling or treatment and solid waste landfills))~~);

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Ordinance 19881

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14788 2. SIC Industry Group 461~~((,p))~~-Pipelines, ~~((e))~~Except ~~((n))~~Natural ~~((g))~~Gas  
14789 ~~(((including petroleum pipelines)))~~; and

14790 3. businesses maintaining open storage of toxic substances.

14791 C. New septic tank drainfield systems shall be prohibited.

14792 SECTION 332. Ordinance 12823, Section 15, as amended, and K.C.C.

14793 21A.38.200 are hereby amended to read as follows:

14794 A. The purpose of the erosion hazards near sensitive water bodies special district  
14795 overlay ~~((district))~~, which is SO-190, is to provide a means to designate sloped areas posing  
14796 erosion hazards which drain directly to lakes or streams of high resource value which are  
14797 particularly sensitive to the impacts of increased erosion and the resulting sediment loads  
14798 from development.

14799 B. The following development standards shall be applied in addition to all  
14800 applicable requirements of K.C.C. chapter 21A.24 to development proposals located within  
14801 erosion hazards near a sensitive water bodies special district overlay:

14802 1. A no-disturbance area shall be established on the sloped portion of the special  
14803 district overlay to prevent damage from erosion. Land clearing or development shall not  
14804 occur in the no-disturbance area, except for the clearing activities listed in subsection a.  
14805 Clearing activities listed in subsection a, shall only be permitted if they meet the  
14806 requirements of subsection b.

14807 a. Clearing activities may be permitted as follows:

14808 i. for the construction of single ~~((family))~~ detached residences on pre-existing  
14809 separate lots;

Ordinance 19881

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14810           ii. for the construction of utility corridors to service existing development along  
14811 existing rights-of-way including any vacated portions of otherwise contiguous rights-of-  
14812 way;

14813           iii. for the construction of roads providing sole access to buildable property and  
14814 associated utility facilities within those roadways; or

14815           iv. for the construction of development within an isolated no-disturbance area  
14816 of two acres or less in size. The isolated no-disturbance area is either geologically  
14817 separated from other no-disturbance areas or lies completely within a separate drainage  
14818 subbasin and is, therefore, hydrologically isolated from the rest of the no-disturbance area.

14819           b. The clearing activities listed in subsection a. may be permitted only if the  
14820 following requirements are met:

14821           i. a report which meets the requirements of K.C.C. 21A.24.120 shall show that  
14822 the clearing activities will not subject the area to risk of landslide or erosion and that the  
14823 purpose of the no-disturbance area is not compromised in any way;

14824           ii. the clearing activities shall be mitigated, monitored, and bonded consistent  
14825 with the mitigation requirements applicable to sensitive areas regulated in K.C.C. chapter  
14826 21A.24;

14827           iii. the clearing activities are limited to the minimal area and duration necessary  
14828 for construction; and

14829           iv. the clearing activities are consistent with K.C.C. chapter 21A.24.

14830           2. The upslope boundary of the no-disturbance area lies at the first obvious break  
14831 in slope from the upland plateau over onto the steep valley walls. The downslope boundary  
14832 of this zone includes those areas designated as erosion or landslide hazard areas pursuant to

Ordinance 19881

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14833 K.C.C. 21A.24.220 and K.C.C. 21A.24.280. The sensitive areas folio indicates the general  
14834 location of these hazard areas, but it cannot be used to specify the areas' precise boundaries.  
14835 Maps of the approximate boundaries of these no-disturbance zones shall be available at the  
14836 department. (~~(Single family or multi-family r)~~)Residential density from the no-disturbance  
14837 area may be reallocated onto any buildable portion of the site (~~(pursuant to)~~) consistent  
14838 with K.C.C. (~~(21A.12.080,)~~) 21A.12.070 or transferred to other sites pursuant to K.C.C.  
14839 chapter 21A.36;

14840 3. New development proposals for sites which drained predeveloped runoff to the  
14841 no-disturbance zone shall evaluate the suitability of onsite soils for infiltration. All runoff  
14842 from newly constructed impervious surfaces shall be retained on-site unless this  
14843 requirement precludes the ability to meet applicable minimum density requirements in  
14844 (~~(K.C.C. 21A.12)~~) this title. When minimum density cannot be met, runoff shall be  
14845 retained on-site as follows:

14846 a. Infiltration of all site runoff shall be required in granular soils as defined in the  
14847 (~~(King County)~~) Surface Water Design Manual.

14848 b. Infiltration of downspouts shall be required in granular soils and in soil  
14849 conditions defined as allowable in the Surface Water Design Manual when feasible to fit  
14850 the required trench lengths on-site;

14851 c. When infiltration of downspouts is not feasible, downspout dispersion  
14852 trenches shall be required when minimum flow paths defined in the Surface Water Design  
14853 Manual can be met onsite or into adjacent open space; and

14854 d. When dispersion of downspouts is not feasible, downspouts shall be  
14855 connected to the drainage system via perforated pipe.



Ordinance 19881

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14856           4. For the portions of proposed subdivisions, short subdivisions, and binding site  
14857 plans that cannot infiltrate runoff up to the 100-year peak flow, at least ~~((25))~~ twenty-five  
14858 percent shall remain undisturbed and set aside in an ~~((open space))~~ natural area tract  
14859 ~~((consistent with K.C.C. 21A.24.150-180))~~; and

14860           5. For the portions of all development proposals that cannot infiltrate runoff up to  
14861 the 100-year peak flow, no more than ~~((35))~~ thirty-five percent of the gross site area shall  
14862 be covered by impervious surfaces. For new subdivisions and short subdivisions,  
14863 maximum lot coverage should be specified for subsequent residential building permits on  
14864 individual lots.

14865           6. If the application of this section would deny all reasonable use of property, the  
14866 applicant may apply for a reasonable use exception pursuant to K.C.C. 21A.24.070.B.

14867           7. The director may modify the property-specific development standards required  
14868 by B.1 through B.5 of this section, when a development proposal complies with the  
14869 following:

14870           a. The proposed development is subject to public/private partnerships such as an  
14871 approved community block grant or other such water quality program designed to improve  
14872 water quality in the basin,

14873           b. The proposed development is designated by King County, in consultation  
14874 with the Lake Sammamish Management Committee, as a demonstration project designed  
14875 to implement best management practices and state of the art technology that assures the  
14876 greatest possible improvement to water quality, and

Ordinance 19881

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14877 c. A site-specific study is conducted by the applicant and approved by the  
14878 director, which demonstrates that the proposed development substantially increases water  
14879 quality by showing the following:

14880 (1) water quality on-site is improved;

14881 (2) the development project will not subject downstream channels to increased  
14882 risk of landslide or erosion;

14883 (3) the development project will not subject the nearest sensitive water body to  
14884 additional erosion hazards; and

14885 (4) the project is consistent with element a. and b. above, and provides  
14886 predictable improvements to the water quality of Lake Sammamish.

14887 SECTION 333. Ordinance 12823, Section 16, as amended, and K.C.C.

14888 21A.38.210 are hereby amended to read as follows:

14889 A. The purpose of the heron habitat protection area special district overlay, which  
14890 is SO-200, is to provide a means to designate areas that provide essential feeding, nesting,  
14891 and roosting habitat for identified great blue heron rookeries. A district overlay will usually  
14892 contain several isolated areas of known heron habitat in the general region surrounding the  
14893 heron rookery.

14894 B. The following development standards shall be applied in addition to all  
14895 applicable requirements of K.C.C. chapter 21A.24 and Title 25 to development proposals  
14896 located within a heron habitat protection area district overlay:

14897 1. The following conditions shall apply to the wetland or along the main channel  
14898 of the stream riparian zone containing the heron rookery (tributary streams are excluded):

Ordinance 19881

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14899           a. The one-hundred-year floodplain shall be left undisturbed. Development  
14900 proposals on individual lots shall require the one-hundred-year floodplain to retain the  
14901 native vegetation and be placed in a county-approved conservation easement or notice shall  
14902 be placed on the title of the lot. The notice shall be approved by King County and filed  
14903 with the records and licensing services division. The notice shall inform the public of the  
14904 presence and location of the floodplain and heron habitat on the property and that  
14905 limitations on actions in or affecting the area exist. Subdivisions, short subdivisions, and  
14906 binding site plans shall require the one-hundred-year floodplain to retain the native  
14907 vegetation and be placed in a critical areas tract, to be dedicated to the homeowner's  
14908 association or other legal entity that assumes maintenance and protection of the tract.  
14909 Determination of the floodplain shall be done for each permit application based on actual  
14910 field survey using county-approved floodplain elevations;

14911           b. There shall be a six-hundred-sixty-foot radius buffer maintained around the  
14912 periphery of the great blue heron rookery. If the critical areas and buffers are not adequate  
14913 to provide the radius, then the buffer shall be expanded to meet the requirement. A rookery  
14914 and its buffer shall be designated as critical area tract, easement, or noticed on title as  
14915 required in this subsection; and

14916           c. All access shall be restricted under nest trees from February 15 to July 31 and  
14917 noted on signage at the floodplain or buffer edge, whichever is further from the rookery.  
14918 Access may be further restricted with fencing or dense plantings with native plant material  
14919 approved by the county. All developments in R-12 or higher density zones shall restrict  
14920 access and provide an interpretive sign that provides information about the stream or  
14921 wetland and its wildlife, biological, and hydrological functions. All signs shall be

Ordinance 19881

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14922 consistent with critical area signage requirements and subject to review and approval of the  
14923 county;

14924           2. Subdivisions, short subdivisions, binding site plans, site development permits,  
14925 or other commercial or ((~~multifamily~~)) multiunit permits adjacent to stream reaches and  
14926 wetlands designated on the heron habitat protection area district overlay map, shall provide  
14927 buffers that are fifty feet greater than required pursuant to K.C.C. chapter 21A.24 along  
14928 those streams and wetlands to provide habitat for herons. This additional fifty-foot buffer  
14929 shall be planted with dense native plant material to discourage human intrusion into feeding  
14930 or nesting and roosting areas. Plantings shall be reviewed and approved by the department.  
14931 If conformance with the additional buffer requirement results in an unbuildable lot, then the  
14932 minimum variation necessary to accommodate the proposed development shall be  
14933 determined in consultation with county biologists and be reviewed and approved by the  
14934 department;

14935           3. Along the shoreline of lakes and river corridors included in the heron habitat  
14936 protection area, all subdivisions, short subdivisions, binding site plans, site development  
14937 permits, or other commercial or ((~~multifamily~~)) multiunit permits shall provide a fifty-foot  
14938 buffer in addition to required shoreline setbacks of K.C.C. Title 25 and chapter 21A.24.  
14939 Along the shoreline of the major rivers (Sammamish, Green, Cedar, Snoqualmie,  
14940 Snohomish, Skykomish, and White rivers), the setback requirement may be waived if a  
14941 special wildlife study shows no great blue heron nesting, roosting, and feeding areas on the  
14942 site. These studies shall be done by a wildlife biologist and approved by county biologists.  
14943 This additional fifty-foot buffer shall be planted with dense native plant material to

Ordinance 19881

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14944 discourage human intrusion into feeding or nesting and roosting areas. Plantings shall be  
 14945 reviewed and approved by the department; and

14946 4. New docks, piers, bulkheads, and boat ramps constructed within the heron  
 14947 habitat protection area shall mitigate for loss of heron feeding habitat by providing  
 14948 enhanced native vegetation approved by the county adjacent to the development or between  
 14949 the development and the shoreline. Bulkheads shall be buffered from the water's edge by  
 14950 enhanced plantings of native vegetation approved by the county.

14951 SECTION 334. Ordinance 19146, Section 85, as amended, and K.C.C.  
 14952 21A.38.255 are hereby amended to read as follows:

14953 A. The purpose of the Bear Creek office and retail special district overlay, which is  
 14954 SO-290, is to provide additional commercial opportunities to support area residents and the  
 14955 local economy and to provide retail options for employees of the office zones.

14956 B. Allowed uses within the special district overlay shall be those uses allowed in  
 14957 the office zone in K.C.C. chapter 21A.08 and the following permitted land uses:

- 14958 1. Building materials and hardware stores;
- 14959 2. Retail nursery, garden center, and farm supply stores;
- 14960 3. Department and variety stores;
- 14961 4. (~~(SIC Major Group 54)~~) Food stores;
- 14962 5. (~~(SIC Industry Group 553)~~) Auto supply stores;
- 14963 6. (~~(SIC Industry Group 554)~~) Gasoline service stations;
- 14964 7. (~~(SIC Major Group 56)~~) Apparel and accessory stores;
- 14965 8. Furniture and home furnishings stores;
- 14966 9. (~~(SIC Major Group 58) Eating and drinking places;~~

Ordinance 19881

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- 14967            ~~10.))~~ Drug store;
- 14968            ~~((11. SIC Industry Group 592--))~~ 10. Liquor stores;
- 14969            ~~((12. SIC Industry Group 593--))~~ 11. Used goods: antiques/secondhand shops;
- 14970            ~~((13.))~~ 12. Sporting goods and related stores;
- 14971            ~~((14.))~~ 13. Book, stationary, video, and art supply stores, except adult use
- 14972 facilities;
- 14973            ~~((15.))~~ 14. Jewelry stores;
- 14974            ~~((16.))~~ 15. Hobby, toy, and games shops;
- 14975            ~~((17.))~~ 16. Photographic and electronic shops;
- 14976            ~~((18.))~~ 17. Fabric shops;
- 14977            ~~((19. Florist shops;))~~
- 14978            ~~((20.))~~ 18. Personal medical supply stores; and
- 14979            ~~((21.))~~ 20. Pet shops(~~and~~
- 14980            ~~22. General services--Daycare II).~~

14981            SECTION 335. Ordinance 19146, Section 83, and K.C.C. 21A.38.265 are hereby  
14982 amended to read as follows:

14983            A. The purpose of the Martin Luther King Jr. Way South mixed-use special district  
14984 overlay, which is SO-280, is to facilitate linkages to the existing Martin Luther King Jr  
14985 Way South Neighborhood Business Center, incentivize commercial opportunities close to  
14986 existing high-density housing, incentivize commercial development by allowing more uses  
14987 than traditionally found in mixed-use developments, and provide flexibility in current  
14988 square footage limitations.

Ordinance 19881

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14989 B. The following development standards shall be applied to all development  
14990 proposals within the Martin Luther King Jr. Way South mixed-use special district overlay:

14991 1. New buildings shall be limited to mixed-use as defined in K.C.C. 21A.06.753;  
14992 and

14993 2. A professional office as defined in K.C.C. 21A.06.910 is an allowed use as part  
14994 of a mixed-use building in subsection B.1. of this section(~~and~~

14995 ~~3. Any nonresidential component of the building that is personal services allowed~~  
14996 ~~in the zone under K.C.C. 21A.08.050 or retail use allowed in the zone under K.C.C.~~  
14997 ~~21A.08.070 shall comply with K.C.C. 21A.12.230, except that K.C.C. 21A.12.230.A., B.~~  
14998 ~~and C. do not apply to the development)).~~

14999 NEW SECTION. SECTION 336. There is hereby added to K.C.C. chapter  
15000 21A.38 a new section to read as follows:

15001 A. The purpose of the Green Energy special district overlay, which is SO-340, is  
15002 to advance the county's climate action goals by reducing barriers to generating renewable  
15003 energy in King County, on properties whose location within one thousand feet of utility  
15004 corridors and existing and historical waste management and mineral extraction sites  
15005 makes them uniquely situated for maximizing green and renewable energy production  
15006 while reducing transportation costs.

15007 B. The standards of this title and other county codes shall be applicable to  
15008 development within the special district overlay, except that the permit requirements and  
15009 conditions for the uses listed below shall replace those found for these uses in K.C.C.  
15010 chapter 21A.08:

15011 1. The following uses are allowed as permitted uses:

Ordinance 19881

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15012 a. nonhydroelectric generation facility, anaerobic digester, and production of  
15013 biogas from waste management processes on-site, regardless of whether electricity is  
15014 generated on-site from the gas; and

15015 b. local distribution gas storage tank, only to support the biogas use in  
15016 subsection B.1.a. of this section.

15017 2. The following uses are allowed as conditional uses:

15018 a. production of renewable hydrogen through electrolyzing water; and

15019 b. only when the use supports the regional solid waste or recycling system, or  
15020 the county's diversion efforts:

15021 (1) energy resource recovery facility;

15022 (2) transfer station;

15023 (3) landfill; and

15024 (4) interim recycling facility.

15025 C. Uses and development within the mineral extraction portion of the overlay  
15026 shall comply with state and county reclamation requirements.

15027 SECTION 337. Ordinance 13130, Section 6, and K.C.C. 21A.42.075 are hereby  
15028 amended to read as follows:

15029 Modifications or expansions approved by the department shall be based on  
15030 written findings that the proposed((:

15031 ~~M))~~modification or expansion of a nonconformance located within a development  
15032 governed by an existing conditional use permit, special use permit, or unclassified use  
15033 permit(~~(, or planned unit development))~~ shall provide the same level of protection for and  
15034 compatibility with adjacent land uses as the original land use permit approval.



Ordinance 19881

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15035            SECTION 338. Ordinance 13130, Section 7, and K.C.C. 21A.42.150 are hereby  
15036 amended to read as follows:

15037            For the purposes of this chapter, a land use permit shall mean a conditional use  
15038 permit, special use permit, or unclassified use permit~~((, or planned unit development))~~.

15039            SECTION 339. Ordinance 11621, Section 112, as amended, and K.C.C.  
15040 21A.43.030 are hereby amended to read as follows:

15041            A. The fee for each district shall be calculated based on the formula set out in  
15042 Attachment A to Ordinance 11621.

15043            B. Separate fees shall be calculated for single ~~((family))~~ detached and ~~((multi-~~  
15044 ~~family))~~ multiunit residential units and separate student generation rates ~~((must))~~ shall be  
15045 determined by the district for each type of residential unit. For purposes of this chapter,  
15046 "single ~~((family))~~ detached units" ~~((shall))~~ means single detached ~~((dwelling units))~~  
15047 residences, and ~~((multi-family))~~ "multiunit units" ~~((shall))~~ means duplexes, houseplexes,  
15048 cottage housing, townhouses, and apartments.

15049            C. The fee shall be calculated on a district-by-district basis using the appropriate  
15050 factors and data to be supplied by the district, as indicated in Attachment A to Ordinance  
15051 11621. The fee calculations shall be made on a district-wide basis to assure maximum  
15052 utilization of all school facilities in the district used currently or within the last two years  
15053 for instructional purposes.

15054            D. The formula in Attachment A to Ordinance 11621 also provides a credit for  
15055 the anticipated tax contributions that would be made by the development based on  
15056 historical levels of voter support for bond issues in the school district.

Ordinance 19881

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15057 E. The formula in Attachment A to Ordinance 11621 also provides for a credit  
15058 for school facilities or sites actually provided by an ~~((developer which))~~ applicant that the  
15059 school district finds to be acceptable.

15060 SECTION 340. Ordinance 11621, Section 114, as amended, and K.C.C.  
15061 21A.43.050 are hereby amended to read as follows:

15062 A. In school districts where impact fees have been adopted by county ordinance  
15063 and except as provided in K.C.C. 21A.43.080, the county shall collect impact fees, based  
15064 on the schedules ~~((set forth))~~ in each ordinance establishing the fee to be collected for the  
15065 district, from any applicant seeking development approval from the county where such  
15066 development activity requires final plat~~((, PUD or UPD))~~ approval or the issuance of a  
15067 residential building permit or a ~~((mobile))~~ manufactured home permit and the fee for the  
15068 lot or unit has not been previously paid. ~~((No a))~~ Approval shall not be granted and ~~((no))~~  
15069 a permit shall not be issued until the required school impact fees ~~((set forth))~~ in the  
15070 district's impact fee schedule contained in K.C.C. Title 27 have been paid.

15071 B. For a ~~((plat, PUD or UPD))~~ subdivision applied for on or after the effective  
15072 date of the ordinance adopting the fee for the district in question receiving final approval,  
15073 fifty percent of the impact fees due on the ~~((plat, PUD or UPD))~~ subdivision shall be  
15074 assessed and collected from the applicant at the time of final plat approval, using the  
15075 impact fee schedules in effect when the plat~~((, PUD or UPD))~~ was approved. The  
15076 balance of the assessed fee shall be allocated to the dwelling units in the project, and shall  
15077 be collected when the building permits are issued. Residential developments proposed  
15078 for short ~~((plats))~~ subdivisions shall be governed by subsection D<sub>2</sub> of this section.

Ordinance 19881

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15079 C. If, on the effective date of an ordinance adopting an impact fee for a district, a  
15080 ~~((plat, PUD or UPD))~~ subdivision has already received preliminary approval, such ~~((plat,~~  
15081 ~~PUD or UPD))~~ subdivision shall not be required to pay fifty percent of the impact fees at  
15082 the time of final approval, but the impact fees shall be assessed and collected from the lot  
15083 owner at the time the building permits are issued, using the impact fee schedules in effect  
15084 at the time of building permit application. If, on the effective date of a district's  
15085 ordinance, an applicant has applied for preliminary ~~((plat, PUD or UPD))~~ subdivision  
15086 approval, but has not yet received such an approval, the applicant shall follow the  
15087 procedures ~~((set forth))~~ in subsection B<sub>2</sub> of this section.

15088 D. For existing lots or lots not covered by subsection B<sub>2</sub> of this section,  
15089 application for ~~((single family))~~ single detached and ~~((multifamily))~~ multiunit residential  
15090 building permits, ~~((mobile))~~ manufactured home permits, and site plan approval for  
15091 ~~((mobile))~~ manufactured home ~~((parks))~~ communities, the total amount of the impact fees  
15092 shall be assessed and collected from the applicant when the building permit is issued,  
15093 using the impact fee schedules in effect at the time of permit application.

15094 E. Any application for preliminary ~~((plat, PUD or UPD))~~ subdivision approval or  
15095 ~~((multifamily zoning which))~~ rezone that has been approved subject to conditions  
15096 requiring the payment of impact fees established ~~((pursuant to))~~ in accordance with this  
15097 chapter, shall be required to pay the fee in accordance with the condition of approval.

15098 F. In lieu of impact fee payment ~~((pursuant to))~~ under subsections A. through E.  
15099 of this section, each applicant for a ~~((single family))~~ single detached residential  
15100 construction permit may request deferral of impact fee collection for up to the first twenty  
15101 ~~((single family))~~ single detached residential construction building permits per year.

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Ordinance 19881

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15102 Applicants shall be identified by their contractor registration numbers. Deferred payment  
 15103 of impact fees shall occur either at the time of final permit inspection by the department  
 15104 of local services, permitting division, or eighteen months after the building permit is  
 15105 issued, whichever is earlier.

15106 SECTION 341. Ordinance 11621, Section 116, as amended, and K.C.C.  
 15107 21A.43.070 are hereby amended to read as follows:

15108 A. The following are excluded from the application of the impact fees:

15109 1. ~~((Any form of housing exclusively for the senior citizen, including nursing~~  
 15110 ~~homes and retirement centers, so long as these uses are maintained)) Senior assisted  
 15111 housing;~~

15112 2. Reconstruction, remodeling, or replacement of existing dwelling units  
 15113 ~~((which))~~ that does not result in additional new dwelling units. In the case of replacement  
 15114 of a dwelling, a complete application for a building permit ~~((must))~~ shall be submitted  
 15115 within three years after it has been removed or destroyed;

15116 3. ~~((Shelters for temporary placement, relocation facilities, transitional housing~~  
 15117 ~~facilities)) Uses identified in section 162 of this ordinance and ~~((C))~~ community  
 15118 ~~((R))~~ residential ~~((F))~~ facilities as defined in K.C.C. 21A.06.220;~~

15119 4. Any development activity that is exempt from the payment of an impact fee  
 15120 ~~((pursuant to))~~ under RCW 82.02.100, due to mitigation of the same system improvement  
 15121 under ~~((the State Environmental Policy Act))~~ SEPA;

15122 5. Any development activity for which school impacts have been mitigated  
 15123 ~~((pursuant to))~~ in accordance with a condition of ~~((plat, PUD or UPD))~~ subdivision  
 15124 approval to pay fees, dedicate land, or construct or improve school facilities, unless the

Ordinance 19881

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15125 condition of the (~~(plat, PUD or UPD)~~) subdivision approval provides otherwise;

15126 (~~(provided that)~~) but only if the condition of the (~~(plat, PUD or UPD)~~) subdivision

15127 approval predates the effective date of a school district's fee implementing ordinance;

15128           6. Any development activity for which school impacts have been mitigated

15129 (~~(pursuant to)~~) in accordance with a voluntary agreement entered into with a school

15130 district to pay fees, dedicate land, or construct or improve school facilities, unless the

15131 terms of the voluntary agreement provide otherwise; (~~(provided that)~~) but only if the

15132 agreement predates the effective date of a school district's fee implementing ordinance;

15133           7. Housing units (~~(which)~~) that fully qualify as housing for persons (~~(age 55)~~)

15134 aged fifty-five and over meeting the requirements of the Federal Housing Amendments

15135 Act of 1988, 42 U.S.C. 3607(b)(2)(c) and (b)(3), as subsequently amended, and (~~(which)~~)

15136 that have recorded covenants or other legal arrangements precluding school-aged children

15137 as residents in those units;

15138           8. (~~(Mobile)~~) Manufactured homes permitted as temporary dwellings (~~(pursuant~~

15139 ~~to)~~) in accordance with K.C.C. 21A.32.170; and

15140           9. Accessory dwelling units as defined in K.C.C. 21A.06.350 and K.C.C.

15141 21A.08.030.B.7.a.

15142           B. Arrangement may be made for later payment with the approval of the school

15143 district only if the district determines that (~~(#)~~) the school district will be unable to use or

15144 will not need the payment until a later time(~~(, provided that s)~~). Sufficient security, as

15145 defined by the district, (~~(is)~~) shall be provided to assure payment. Security shall be made

15146 to and held by the school district, which will be responsible for tracking and documenting

15147 the security interest.

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Ordinance 19881

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15148 C. The fee amount established in the schedule shall be reduced by the amount of  
15149 any payment previously made for the lot or development activity in question, either as a  
15150 condition of approval or ~~((pursuant to))~~ in accordance with a voluntary agreement with a  
15151 school district entered into after the effective date of a school district's fee implementing  
15152 ordinance.

15153 D. After the effective date of a school district's fee implementing ordinance,  
15154 whenever a development is granted approval subject to a condition that the ~~((developer))~~  
15155 applicant actually provide school sites, school facilities, or improvements to school  
15156 facilities acceptable to the district, or whenever the ~~((developer))~~ applicant has agreed,  
15157 ~~((pursuant to))~~ in accordance with the terms of a voluntary agreement with the school  
15158 district, to provide land, provide school facilities, or make improvements to existing  
15159 facilities, the ~~((developer))~~ applicant shall be entitled to a credit for the value of the land  
15160 or actual cost of construction against the fee that would be chargeable under the formula  
15161 provided by this chapter. The land value or cost of construction shall be estimated and  
15162 documented at the time of approval ~~((, but must be documented))~~. If construction costs  
15163 are estimated, the documentation shall be confirmed after the construction is completed  
15164 to assure that an accurate credit amount is provided. If the land value or construction  
15165 costs are less than the calculated fee amount, the difference remaining shall be chargeable  
15166 as a school impact fee.

15167 E. Impact fees may be adjusted by the county, at the county's discretion, if one of  
15168 the following circumstances exist, ~~((provided that))~~ but only if the discount ~~((set forth))~~ in  
15169 the fee formula fails to adjust for the error in the calculation or fails to ameliorate for the  
15170 unfairness of the fee:

Ordinance 19881

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15171 1. The ~~((developer))~~ applicant demonstrates that an impact fee assessment was  
15172 incorrectly calculated; or

15173 2. Unusual circumstances identified by the ~~((developer))~~ applicant demonstrate  
15174 that if the standard impact fee amount was applied to the development, it would be unfair  
15175 or unjust.

15176 F. An ~~((developer))~~ applicant may provide studies and data to demonstrate that  
15177 any particular factor used by the district may not be appropriately applied to the  
15178 development proposal, but the district's data shall be presumed valid unless clearly  
15179 demonstrated to be otherwise by the proponent.

15180 G. Any appeal of the decision of the director or the hearing examiner with regard  
15181 to imposition of an impact ~~((for))~~ fee or fee amounts shall follow the appeal process for  
15182 the underlying permit and not be subject to a separate appeal process. Where no other  
15183 administrative appeal process is available, an appeal may be taken to the hearing  
15184 examiner using the appeal procedures for variances. Any errors in the formula identified  
15185 as a result of an appeal should be referred to the council for possible modification.

15186 H. Impact fees may be paid under protest in order to obtain a building permit or  
15187 other approval of development activity, when an appeal is filed.

15188 SECTION 342. Ordinance 11621, Section 117, and K.C.C. 21A.43.080 are  
15189 hereby amended to read as follows:

15190 A. Low~~((or moderate))~~-income housing projects ~~((being developed by public  
15191 housing agencies or private nonprofit housing developers))~~, including permanent  
15192 supportive housing projects, shall be exempt from the payment of school impact fees.  
15193 The amount of the school impact fees not collected from low~~((or moderate))~~-income

Ordinance 19881

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15194 household development shall be paid from public funds other than impact fee accounts.  
15195 The impact fees for these units shall be considered paid for by the district through its  
15196 other funding sources, without the district actually transferring funds from its other  
15197 funding sources into the impact fee account. The ~~((planning and community  
15198 development))~~ housing, homelessness, and community development division shall review  
15199 proposed developments of low~~((or moderate))~~-income housing ~~((by such public or  
15200 nonprofit developers pursuant to))~~ in accordance with criteria and procedures adopted by  
15201 administrative rule, and shall advise the department of local services, permitting division,  
15202 as to whether the project qualifies for the exemption.

15203 B. ~~((Private developers))~~ Applicants who dedicate residential units for occupancy  
15204 by low ~~((or moderate))~~ income-households may apply to the housing, homelessness, and  
15205 community development division for reductions in school impact fees ~~((pursuant to the  
15206 criteria established for public housing agencies and private non-profit housing developers  
15207 pursuant to))~~ in accordance with subsection A. of this section~~((, and subject to the  
15208 provisions of subsection A. of this section))~~. The housing, homelessness, and community  
15209 development division shall review proposed developments of low~~((or moderate))~~-income  
15210 housing by such private ~~((developers pursuant to))~~ applicants in accordance with criteria  
15211 and procedures adopted by administrative rule, and shall advise the department of local  
15212 services, permitting division, as to whether the project qualifies for the exemption. If the  
15213 housing, homelessness, and community development division recommends the  
15214 exemption, the department of local services, permitting division, shall reduce the  
15215 calculated school impact fee for the development by an amount that is proportionate to  
15216 the number of units in the development that satisfy the adopted criteria.



Ordinance 19881

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15217 C. ~~((Individual))~~ Developments for low~~((or moderate))~~-income ~~((home~~  
15218 ~~purchasers))~~ homeownership units (as defined pursuant to the King County  
15219 Comprehensive Housing Affordability Strategy (CHAS)) who are ~~((purchasing))~~  
15220 developing homes at prices within the~~((#))~~ eligibility limits based on standard lending  
15221 criteria and meet other means tests established by rule by the housing, homelessness, and  
15222 community development division are exempted from payment of the impact fee,  
15223 ~~((provided))~~ except that at such time as the property in question is transferred to another  
15224 owner who does not qualify for the exemption, at which time the fee shall be due and  
15225 payable.

15226 D. The housing, homelessness, and community development division is hereby  
15227 instructed and authorized to adopt, pursuant to K.C.C. chapter 2.98, administrative rules  
15228 to implement this section. Such rules shall provide for the administration of this program  
15229 and shall:

15230 1. Encourage the construction of housing for low~~((or moderate))~~-income  
15231 households ~~((by public housing agencies or private non-profit housing developers~~  
15232 ~~participating in publicly sponsored or subsidized housing programs))~~;

15233 2. Encourage the construction ~~((in private developments))~~ of housing units for  
15234 low~~((or moderate))~~-income households that are in addition to units required by another  
15235 housing program or development condition;

15236 3. Ensure that housing that qualifies as low~~((or moderate))~~ cost meets  
15237 appropriate standards regarding household income, rent levels or sale prices, location,  
15238 number of units, and development size; and

Ordinance 19881

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15239 4. Ensure that ~~((developers))~~ applicants who obtain an exemption from or  
15240 reduction of school impact fees will in fact build the proposed low ~~((or moderate))~~ cost  
15241 housing and make it available to low~~((or moderate))~~-income households ~~((for a~~  
15242 ~~minimum of fifteen years))~~.

15243 5. Ensure that individual low~~((or moderate))~~-income purchasers meet  
15244 appropriate eligibility standards based on income and other financial means tests.

15245 E. As a condition of receiving an exemption under subsection B. or C. of this  
15246 section, the ~~((owner must))~~ applicant shall execute and record a ~~((county drafted lien,))~~  
15247 ~~covenant((, and/or other contractual provision))~~ against the property ~~((for a period of ten~~  
15248 ~~years for individual owners, and fifteen years for private developers,))~~ guaranteeing that  
15249 the proposed development will continue to be used for low~~((or moderate))~~-income  
15250 housing. In the event that ~~((the pattern of development or))~~ the use of the development is  
15251 no longer for low~~((or moderate))~~-income housing, then the owner shall pay the impact  
15252 fee amount from which the owner or any prior owner was exempt. The ~~((lien,))~~  
15253 ~~covenant((, or other contractual provision))~~ shall run with the land and apply to  
15254 subsequent owners.

15255 F. All school impact fee exemptions, reductions, or waivers shall be approved by  
15256 the school district that would receive the school impact fee, except for fee exemptions  
15257 allowed under K.C.C. 21A.43.070 and K.C.C. 21A.43.080, fee reductions based on  
15258 modifications to permits after issuance, or fee waivers for construction not begun.

15259 SECTION 343. Ordinance 11621, Section 118, and K.C.C. 21A.43.090 are  
15260 hereby amended to read as follows:

Ordinance 19881

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15261           A. Impact fee receipts shall be earmarked specifically and retained in a special  
15262 interest-bearing account established by the county solely for the district's school impact  
15263 fees. All interest shall be retained in the account and expended for the purpose or purposes  
15264 identified in subsection B. of this section. Annually, the county, based in part on the report  
15265 submitted by the district under K.C.C. 21A.28.152, shall prepare a report on each impact  
15266 fee account showing the source and amount of all moneys collected, earned, or received,  
15267 and capital or system improvements that were financed in whole or in part by impact fees.

15268           B. Impact fees for the district's system improvements shall be expended by the  
15269 district for capital improvements including but not limited to school planning, land  
15270 acquisition, site improvements, necessary off-site improvements, construction, engineering,  
15271 architectural, permitting, financing, and administrative expenses, relocatable facilities,  
15272 capital equipment pertaining to educational facilities, and any other expenses which could  
15273 be capitalized, and which are consistent with the school district's capital facilities plan.

15274           C. In the event that bonds or similar debt instruments are issued for the advanced  
15275 provision of capital facilities for which impact fees may be expended and where consistent  
15276 with the bond covenants, impact fees may be used to pay debt service on such bonds or  
15277 similar debt instruments to the extent that the facilities or improvements provided are  
15278 consistent with the requirements of this section.

15279           D. Impact fees shall be expended or encumbered, which means being committed as  
15280 part of the funding for a facility for which the publicly funded share has been assured,  
15281 building permits applied for, or construction contracts let, by the district for a permissible  
15282 use within ten years of receipt by the county, unless there exists an extraordinary and  
15283 compelling reason for fees to be held longer than ten years. Such extraordinary or

Ordinance 19881

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15284 compelling reasons shall be identified to the county by the district. The county must  
15285 prepare written findings concurring with the district's reasons, and authorizing the later  
15286 encumbrance or expenditure of the fees prior to the district so encumbering or expending  
15287 the funds, or directing a refund of the fees.

15288         E. The current owner of property on which an impact fee has been paid may  
15289 receive a refund of such fees if the impact fees have not been expended or encumbered  
15290 within ten years of receipt of the funds by the county. In determining whether impact fees  
15291 have been encumbered, impact fees shall be considered encumbered on a first in, first out  
15292 basis. The county shall notify potential claimants by first-class mail deposited with the  
15293 United States Postal Service addressed to the owner of the property as shown in the county  
15294 tax records.

15295         F. An owner's request for a refund must be submitted to the permitting division in  
15296 writing within one year of the date the right to claim the refund arises or the date that notice  
15297 is given, whichever date is later. Any impact fees that are not expended or encumbered  
15298 within these time limitations, and for which no application for a refund has been made  
15299 within this one-year period, shall be retained and expended consistent with this section.  
15300 Refunds of impact fees shall include any interest earned on the impact fees.

15301         G. Should the county seek to terminate any or all school impact fee requirements,  
15302 all unexpended or unencumbered funds, including interest earned, shall be refunded to the  
15303 current owner of the property for which a school impact fee was paid. Upon the finding  
15304 that any or all fee requirements are to be terminated, the county shall place notice of the  
15305 termination and the availability of refunds in a newspaper of general circulation at least two  
15306 times and shall notify all potential claimants by first-class mail addressed to the owner of

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Ordinance 19881

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15307 the property as shown in the county tax records. All funds available for refund shall be  
15308 retained for a period of one year. At the end of one year, any remaining funds shall be  
15309 retained by the county, but must be expended for the district, consistent with this section.  
15310 The notice requirement in this subsection shall not apply if there are no unexpended or  
15311 unencumbered balances within the account or accounts being terminated.

15312 H. An ~~((developer))~~ applicant may request and shall receive a refund, including  
15313 interest earned on the impact fees, when:

15314 1. The ~~((developer))~~ applicant does not proceed to finalize the development  
15315 activity as required by statute or county code; and

15316 2. No impact on the district has resulted. "Impact" shall be deemed to include  
15317 cases where the district has expended or encumbered the impact fees in good faith prior to  
15318 the application for a refund. In the event that the district has expended or encumbered the  
15319 fees in good faith, no refund shall be forthcoming. However, if within a period of three  
15320 years, the same or subsequent owner of the property proceeds with the same or  
15321 substantially similar development activity, the owner shall be eligible for a credit. The  
15322 owner must petition the county and provide receipts of impact fees paid by the owner for a  
15323 development of the same or substantially similar nature on the same property or some  
15324 portion thereof. The county shall determine whether to grant a credit, and such  
15325 determinations may be appealed by following the procedures set forth in K.C.C.  
15326 21A.43.070.

15327 I. Interest due upon the refund of impact fees required by this section shall be  
15328 calculated according to the average rate received by the county or the district on invested  
15329 funds throughout the period during which the fees were retained.

Ordinance 19881

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15330            SECTION 344. Ordinance 15170, Section 6, and K.C.C. 21A.45.010 are hereby  
15331 amended to read as follows:

15332            It is the purpose of this chapter to ensure the maintenance of a safe environment  
15333 within the homeless encampments and temporary microshelter villages and to address the  
15334 potential impacts to neighborhoods by establishment of such ~~((homeless encampments))~~  
15335 sites.

15336            SECTION 345. Ordinance 15170, Section 7, and K.C.C. 21A.45.020 are hereby  
15337 amended to read as follows:

15338            The definitions in this section apply throughout this chapter and to K.C.C.  
15339 20.20.020 unless the context clearly requires otherwise.

15340            A. "Homeless encampment" means a group of homeless persons temporarily  
15341 residing out of doors on a site with a host and services provided by a sponsor and  
15342 supervised by a managing agency.

15343            B. "Host" means the owner of the site property that has an agreement with the  
15344 managing agency to allow the use of property for a homeless encampment or temporary  
15345 microshelter village. A "host" may be the same entity as the sponsor or the managing  
15346 agency.

15347            C. "Managing agency" means an organization that has the capacity to organize  
15348 and manage a homeless encampment or temporary microshelter village. A "managing  
15349 agency" may be the same entity as the host or the sponsor.

15350            D. "Temporary microshelter village" means a temporary site containing multiple  
15351 microshelters and may provide cooking facilities or meals, hygiene facilities, including  
15352 restrooms and showers, and a shared gathering space.

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Ordinance 19881

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15353            ~~((D-))~~ E. "Public health" means ~~((the Seattle King County department of))~~ public  
15354 health - Seattle & King County.

15355            ~~((E-))~~ F. "Sponsor" means a local church or other local, community-based  
15356 organization that has an agreement with the managing agency to provide basic services  
15357 and support for the residents of a homeless encampment or temporary microshelter  
15358 village and liaison with the surrounding community and joins with the managing agency  
15359 in an application for a county permit. A "sponsor" may be the same entity as the host or  
15360 the managing agency.

15361            SECTION 346. Ordinance 15170, Section 8, and K.C.C. 21A.45.030 are hereby  
15362 amended to read as follows:

15363            A temporary microshelter village in the RA zone and the Snoqualmie Pass and  
15364 Fall City Rural Towns or a homeless encampment may be permitted as a temporary use  
15365 in accordance with K.C.C. chapter 21A.32 only in compliance with this chapter.

15366            SECTION 347. Ordinance 15170, Section 9, and K.C.C. 21A.45.040 are hereby  
15367 amended to read as follows:

15368            The following written agreements shall be provided by the applicant:

15369            A. If the applicant is not the sponsor, an agreement to provide or coordinate basic  
15370 services and support for the homeless encampment or temporary microshelter village  
15371 residents and to join with the applicant in all applications for relevant permits; and

15372            B. If the applicant is not the host, an agreement granting permission to locate the  
15373 homeless encampment or temporary microshelter village at the proposed location and to  
15374 join with the applicant in all applications for relevant permits.

Ordinance 19881

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15375            SECTION 348. Ordinance 15170, Section 10, as amended, and K.C.C.

15376            21A.45.050 are hereby amended to read as follows:

15377            A. An application for a homeless encampment or temporary microshelter village  
15378 shall be submitted to the department at least thirty days in advance of the desired date to  
15379 commence the use for a type 1 permit or forty days in advance of the desired date to  
15380 commence the use for a type 2 permit.

15381            B. In addition to contents otherwise required for ~~((such))~~ applications in subsection  
15382 A., the application for a homeless encampment shall include:

15383            1. A copy of a written code of conduct adopted by the host or entered into  
15384 between the host and managing agency addressing the issues identified in the example  
15385 code of conduct, Attachment A to Ordinance 15170. The written code of conduct must  
15386 require homeless encampment residents to abide by specific standards of conduct to  
15387 promote health and safety within the homeless encampment and within the adjoining  
15388 neighborhoods. The written code of conduct must prohibit the managing agency from  
15389 preventing homeless encampment residents from calling 9-1-1 and from retaliating  
15390 against homeless encampment residents who have called 9-1-1. Nothing in this  
15391 subsection is intended to preclude the host and the managing agency from agreeing, in  
15392 the written code of conduct, to additional terms or standards of conduct stricter than the  
15393 example code of conduct;

15394            2. The name of the managing agency and the sponsor including the name and  
15395 telephone number of the person available to immediately respond to an on-site problem;

15396            3. The host signature;



Ordinance 19881

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15397           4. The name of the on-site camp manager, or designee, who is available to  
15398 immediately respond to an onsite problem and whose telephone number is posted at the  
15399 encampment entrance and visible from one hundred feet outside the encampment; and

15400           5. The plan through which the managing agency and the sponsor will dispose of  
15401 garbage and debris prior to vacating the encampment site at the end of the permit period.

15402           C. In addition to contents otherwise required for applications in subsection A. of  
15403 this section, the application for a temporary microshelter village shall include:

15404           1. A description of the staffing and operational characteristics, including  
15405 sanitation and basic safety measures required for the facility;

15406           2. Occupancy policies, including a description of the population to be served and  
15407 a code of conduct that includes, at a minimum, a prohibition of threatening or unsafe  
15408 behavior;

15409           3. A plan for managing the exterior appearance of the site, including keeping the  
15410 site litter free;

15411           4. A plan for addressing reported concerns and making this information publicly  
15412 available, including a phone number, email, and point of contact at the site of the facility  
15413 for the community to report concerns;

15414           5. A plan for outreach with surrounding property owners and residents addressing  
15415 items such as noise, smoking areas, parking, security procedures, and litter; and

15416           6. Plans and narrative documenting compliance with all applicable codes,  
15417 including:

15418           a. an elevation of the building or buildings to be occupied;

Ordinance 19881

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15419            b. a floor plan that describes the capacities of the buildings for the uses intended,  
15420 room dimensions, and a designation of the rooms to be used for nonambulatory residents, if  
15421 any; and

15422            c. a site plan showing property lines, buildings, driveways, parking, fences,  
15423 storage areas, gardens, recreation areas, and site improvements.

15424            NEW SECTION. SECTION 349. There is hereby added to K.C.C. chapter  
15425 21A.45 a new section to read as follows:

15426            A temporary microshelter village is subject to the following standards:

15427            A. A temporary microshelter village shall only be allowed in the RA zone or in  
15428 the Snoqualmie Pass and Fall City Rural Towns;

15429            B. The maximum number of microshelters at a temporary microshelter village  
15430 shall be determined taking into consideration site conditions, but in no case shall be  
15431 greater than twenty-five at any one time;

15432            C. The number of residents shall not exceed the number of beds available;

15433            D. The duration of a temporary microshelter village at any specific location shall  
15434 not exceed one hundred and eighty days at any one time, including setup and dismantling  
15435 of the temporary microshelter village;

15436            E. A temporary microshelter village shall be collocated on a religious facility  
15437 property and shall not be located on the same site more than once every twelve months;

15438            F. The managing agency of a temporary microshelter village shall be a social  
15439 service provider or nonprofit agency;

15440            G. The temporary microshelter village shall be buffered from surrounding  
15441 properties with a minimum setback of ten feet along property lines and provide:

Ordinance 19881

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- 15442           1. ten feet of Type II landscaping consistent with K.C.C. 21A.16.040; or
- 15443           2. A six-foot high, view-obscuring fence;
- 15444           H. No permanent structures shall be erected on the temporary microshelter
- 15445 village;
- 15446           I. On-site services such as laundry, hygiene, meals, case management, and social
- 15447 programs shall be limited to use by residents;
- 15448           J. Supervision shall be provided by on-site staff at all times, unless it can be
- 15449 demonstrated that this level of supervision is not warranted for the population being
- 15450 housed;
- 15451           K. The managing agency shall provide sanitation and basic safety measures;
- 15452           L. All vehicles on-site shall be licensed and in operational condition.
- 15453           SECTION 350. Ordinance 15170, Section 13, as amended, and K.C.C.
- 15454 21A.45.080 are hereby amended to read as follows:
- 15455           The managing agency, in partnership with the sponsor, shall:
- 15456           A. At least fourteen days before the anticipated start date of the homeless
- 15457 encampment or temporary microshelter village, provide notification to all residences and
- 15458 businesses within five hundred feet of the boundary of the proposed (~~homeless~~
- 15459 ~~encampment~~) site, but the area shall be expanded as necessary to provide notices to at
- 15460 least twenty different residences or businesses, as well as any homeowner association
- 15461 representing residents receiving notice. The notice shall contain the following specific
- 15462 information:
- 15463           1. Name of sponsor;
- 15464           2. Name of host if different from the sponsor;

Ordinance 19881

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- 15465 3. ~~((Date the homeless encampment will begin))~~ Beginning and ending date;  
15466 4. Length of stay;  
15467 5. Maximum number of residents allowed;  
15468 6. Planned location ~~((of the homeless encampment))~~;  
15469 7. Dates, times, and locations of community informational meetings ~~((about the~~  
15470 ~~homeless encampment))~~;  
15471 8. Contact information including names and phone numbers for the managing  
15472 agency and the sponsor; and  
15473 9. A county contact person or agency; and  
15474 B. Conduct at least one community informational meeting held on the host site,  
15475 or nearby, at least ten days before the anticipated start date ~~((of the homeless~~  
15476 ~~encampment))~~. The purpose of the meeting is to provide those residences and businesses  
15477 that are entitled to notice under this section with information regarding the proposed  
15478 duration and operation ~~((of the homeless encampment))~~, conditions that will be placed on  
15479 the operation ~~((of the homeless encampment))~~, and requirements of the written code of  
15480 conduct, and to answer questions ~~((regarding the homeless encampment))~~.

15481 SECTION 351. Ordinance 17950, Section 4, and K.C.C. 21A.45.095 are hereby  
15482 amended to read as follows:

15483 If a violation of K.C.C. 21A.45.090 is determined to have occurred, the  
15484 department may issue a notice of violation to the managing agency and the sponsor.  
15485 Within six days of the notice issuance, the managing agency or the sponsor shall  
15486 demonstrate to the department that the violation has been cured. If the violation is not  
15487 cured within this time period as determined by the department, the department may issue

Ordinance 19881

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15488 a notice and order as allowed by K.C.C. Title 23 requiring the residents to vacate the  
15489 ~~((encampment))~~ site. By accepting the permit, and as a condition of the permit, the  
15490 managing agency and the sponsor are presumed to agree to vacate the encampment site  
15491 within seventeen days if a notice and order is issued and not appealed.

15492 SECTION 352. Ordinance 15170, Section 15, and K.C.C. 21A.45.100 are hereby  
15493 amended to read as follows:

15494 A. An applicant for a homeless encampment or temporary microshelter village  
15495 may apply for a temporary use permit that applies standards that differ from those  
15496 established by ~~((K.C.C. 21A.45.030, 21A.45.040, 21A.45.050, 21A.45.060, 21A.45.070,  
15497 21A.45.080 and 21A.45.090)) this chapter. In addition to all other permit application  
15498 requirements, the applicant shall submit a description of the requirements to be modified  
15499 and shall demonstrate how the modification will result in a safe ~~((homeless~~  
15500 ~~encampment))~~ site under the specific circumstances of the application.~~

15501 B. The department shall review the proposed modifications and shall either deny  
15502 or approve the application, with conditions if necessary, to ensure a safe ~~((homeless~~  
15503 ~~encampment))~~ site with minimal impacts to the host neighborhood.

15504 C. The department may impose additional conditions to the temporary use permit  
15505 to address and mitigate for site-specific circumstances.

15506 D. The hearing examiner shall expedite the hearing on an appeal of the  
15507 department's decision under this section.

15508 SECTION 353. Ordinance 19555, Section 22, and K.C.C. 21A.48.010 are hereby  
15509 amended to read as follows:

Ordinance 19881

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15510 A. The purpose of the inclusionary housing (~~(regulations)~~) program is to provide for  
 15511 the creation of new affordable dwelling units in unincorporated King County, particularly in  
 15512 areas where there is a high risk for displacement and need for affordable housing.

15513 B. (~~The regulations and incentives in this chapter shall apply only to the Skyway-~~  
 15514 ~~West Hill and North Highline community service area subarea geographies,)~~ This chapter  
 15515 shall apply to the urban area and rural towns, as follows:

15516 1.a. The mandatory inclusionary housing standards in K.C.C. 21A.48.020 shall  
 15517 apply to (~~areas with an~~) the following developments in the Skyway and White Center  
 15518 unincorporated activity center land use designations(~~(:)~~):

15519 (1) construction of a new building with residential units; and

15520 (2) alterations, additions, or change of use of an existing building that results  
 15521 in an increase to the total number of dwelling units.

15522 b. The following developments shall not be required to meet the mandatory  
 15523 inclusionary housing standards:

15524 (1) construction or substantial improvement of one or two single detached  
 15525 residences, one duplex, or accessory dwelling units on a single lot; or

15526 (2) manufactured home communities, cottage housing, senior assisted housing,  
 15527 and residential care uses in section 162 of this ordinance; and

15528 2. The voluntary inclusionary housing incentive(~~(s)~~) standards in K.C.C.  
 15529 21A.48.030 shall apply to (~~areas that do not have an unincorporated activity center land use~~  
 15530 ~~designation; and~~

15531 3. ~~The standards in K.C.C. 21A.48.040, K.C.C. 21A.48.050, K.C.C. 21A.48.060,~~  
 15532 ~~K.C.C. 21A.48.070, K.C.C. 21A.48.080 and K.C.C. 21A.48.090 shall apply to any~~

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Ordinance 19881

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15533 ~~inclusionary housing project.)~~ the urban areas and the Vashon and Snoqualmie Pass Rural

15534 Towns that are:

15535 a. served by public sewers; and

15536 b. zoned R-4 through R-48, NB, CB, RB, or O.

15537 ~~C. ((Development or substantial improvement of one dwelling unit, an accessory~~  
 15538 ~~dwelling unit, mobile home parks, cottage housing or senior citizen assisted housing shall~~  
 15539 ~~not be subject to this chapter.))~~ Accessory dwelling units shall not be used to meet the  
 15540 requirements of this section.

15541 SECTION 354. Ordinance 19555, Section 23, and K.C.C. 21A.48.020 are hereby  
 15542 amended to read as follows:

15543 ~~A. ((This section shall apply to the unincorporated activity center land use~~  
 15544 ~~designation.~~

15545 ~~B. New or substantially improved r))~~Residential or mixed-use developments shall  
 15546 provide affordable dwelling units((, and may exceed the base density allowed in the zoning  
 15547 classification,)) in accordance with the ((standards listed below)) rates identified in the

15548 table in this subsection.

<u>Occupancy Type and AMI</u>	<u>Affordable Dwelling Units Required (as Percentage of Total Units)</u>	<u>Maximum Density (As Percentage of Base Density)</u>
<u>Owner Occupied at 80% AMI</u>	<u>10%</u>	<u>150%</u>
<u>Rental at 60% AMI</u>	<u>10%</u>	<u>150%</u>

Ordinance 19881

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<b><u>Rental at 50% AMI</u></b>	<u>7%</u>	<u>150%</u>
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15549 B. If an alteration, addition, or change of use to an existing building results in an  
 15550 increase in the total number of units, only the additional dwelling units are subject to the  
 15551 requirements of this section.

15552 C. In exchange for providing affordable dwelling units, a development may exceed  
 15553 the base density as shown in in the table in this subsection and the dimensional standards in  
 15554 K.C.C. 21A.48.050.

15555 D. The number of required affordable dwelling units shall be calculated by  
 15556 multiplying the total number of dwelling units in a development by the applicable  
 15557 percentages of affordable dwelling units. For the purposes of calculating the number of  
 15558 required affordable dwelling units:

15559 1. Two-bedroom affordable dwelling units shall count as one and one-quarter  
 15560 affordable dwelling units;

15561 2. Three-bedroom affordable dwelling units shall count as one and one-half  
 15562 affordable dwelling units; and

15563 3. Four-bedroom affordable dwelling units shall count as one and three-quarters.

15564 E. Developments may earn additional density above one-hundred fifty percent  
 15565 density through the provision of additional affordable dwelling units consistent with the  
 15566 table in K.C.C. 21A.48.030.A. and as follows:

15567 1. The percentage of affordable dwelling units provided in a development shall  
 15568 not be less than those prescribed in this section.

15569 2. The maximum density shall be:

15570 a. two-hundred and twenty-five percent of base density in Skyway-West Hill;



Ordinance 19881

15571 b. two-hundred and seventy-five percent of base density in the urban area; and  
 15572 c. an additional twenty-five percent of the base density is allowed in the  
 15573 following circumstances:  
 15574 (1) projects that are developed by a public agency or nonprofit housing agency;  
 15575 (2) developments that provide child daycare in accordance with section 240 of  
 15576 this ordinance; or  
 15577 ~~((Additional density is authorized with the use))~~ (3) for all other developments,  
 15578 through the purchase of ~~((transfers of development rights))~~ TDRs in accordance with  
 15579 K.C.C. chapter 21A.37~~((, as shown in the table in this subsection))~~. Additional units  
 15580 derived from TDRs shall conform with the percentages at the affordability levels listed.  
 15581 ~~((Where projects qualify, the TDR for affordable housing pilot program may be utilized in~~  
 15582 ~~accordance with K.C.C. 21A.37.130.~~

<b>Mandatory Affordability Requirements</b>			<b>TDR Allowance</b>
<b>Occupancy Type and AMI</b>	<b>Minimum Percentage of Total Units Required to be Affordable</b>	<b>Maximum Density (as percentage of base density)</b>	<b>Additional Maximum Density Allowed with purchase of TDRs</b>
<b>Owner Occupied at 80% AMI</b>	100%	200%	None
	30%	150%	Additional 50%, up to 200% of base density

Ordinance 19881

	15%	125%	Additional 50%, up to 175% of base density
<b>Any combination of 80% AMI (Owner) and 60% AMI (Rental)</b>	100%	200%	None
	25%	150%	Additional 50%, up to 200% of base density
	12%	125%	Additional 50%, up to 175% of base density
<b>Rental at 60% AMI</b>	100%	200%	None
	20%	150%	Additional 50%, up to 200% of base density
	10%	125%	Additional 50%, up to 175% of base density
<b>Rental at 50% AMI</b>	100%	200%	None
	15%	150%	Additional 50%, up to 200% of base density
	7%	125%	Additional 50%, up to 175% of base density))

15583 SECTION 355. Ordinance 19555, Section 24, and K.C.C. 21A.48.030 are hereby

15584 amended to read as follows:

15585 A. ~~((This section shall apply within the Skyway West Hill and North Highline~~  
 15586 ~~community service area subarea geographies except for areas with an unincorporated~~  
 15587 ~~activity center land use designation.~~

15588 B. ~~New or substantially improved development may only exceed the base density~~  
 15589 ~~allowed in the zoning classification in accordance with the standards listed below.~~

Ordinance 19881

15590 Additional density is authorized with the use of transfers of development rights in  
 15591 accordance with K.C.C. chapter 21A.37, as shown in the table in this subsection. Additional  
 15592 units derived from TDRs shall conform with the percentages at the affordability levels  
 15593 listed. The price of the TDR shall be determined in accordance with K.C.C. 21A.37.130.

<b>Affordability Requirements</b>			<b>TDR Allowance</b>
<b>Occupancy Type and AMI</b>	<b>Minimum Percentage of Total Units Required to be Affordable</b>	<b>Maximum Density (as percentage of base density)</b>	<b>Additional Maximum Density Allowed with purchase of TDRs</b>
<b>Developments with 9 or fewer units</b>	0%	100%	Up to 150% base density
<b>Rental at 60% AMI</b>	100%	200%	None
	20%	150%	Additional 50%, up to 200% of base density
	10%	125%	Additional 50%, up to 175% of base density
<b>Rental at 50% AMI</b>	100%	200%	None
	15%	150%	Additional 50%, up to 200% of base density
	7%	125%	Additional 50%, up to 175% of base density
<b>Owner Occupied at 80% AMI</b>	100%	200%	None
	30%	150%	Additional 50%, up to 200% of base density

Ordinance 19881

	15%	125%	Additional 50%, up to 175% of base density
<b>Any combination of 80% AMI (Owner) and 60% AMI (Rental)</b>	100%	200%	None
	25%	150%	Additional 50%, up to 200% of base density
	12%	125%	Additional 50%, up to 175% of base density))

15594 1. Residential or mixed-use development may exceed the base density allowed in  
 15595 the underlying zone when affordable dwelling units are provided at rates identified in the  
 15596 table in subsection, up to a maximum density of:

- 15597 a. two-hundred twenty-five percent of base density in Skyway-West Hill;
- 15598 b. two-hundred seventy-five percent of base density in the urban area;
- 15599 c. one-hundred seventy-five in the Vashon Rural Town; and
- 15600 d. two-hundred percent in the Snoqualmie Pass Rural Town.

15601 2. An additional twenty-five percent of base density allowed in the following  
 15602 circumstances:

- 15603 a. For a public agency or nonprofit housing agency developing an inclusionary  
 15604 housing project;
- 15605 b. Developments providing child daycare in accordance with section 240 of this  
 15606 ordinance; or
- 15607 c. Except for the Vashon Rural Town, through the purchase of TDRs in  
 15608 accordance with K.C.C. chapter 21A.37. Additional density derived from TDRs shall

Ordinance 19881

15609 conform with the percentages at the affordability levels listed.

<b><u>Occupancy</u></b>	<b><u>Affordable Dwelling Unit Size</u></b>				
	<b><u>Studio</u></b>	<b><u>One Bedroom</u></b>	<b><u>Two Bedroom</u></b>	<b><u>Three Bedrooms</u></b>	<b><u>Four or More Bedrooms</u></b>
<b><u>Rental at 50% AMI</u></b>	<u>2 bonus unit per 1.0 affordable unit</u>	<u>2.5 bonus units per 1.0 affordable unit</u>	<u>3 bonus units per 1.0 affordable unit</u>	<u>3.7 bonus units per 1.0 affordable unit</u>	<u>4.5 bonus units per 1.0 affordable unit</u>
<b><u>Rental at 60% AMI</u></b>	<u>1.4 bonus units per 1.0 affordable unit</u>	<u>1.9 bonus units per 1.0 affordable unit</u>	<u>2.4 bonus units per 1.0 affordable unit</u>	<u>2.9 bonus units per 1.0 affordable unit</u>	<u>3.4 bonus units per 1.0 affordable unit</u>
<b><u>Rental at 70% AMI<sup>1</sup></u></b>	<u>0.7 bonus units per 1.0 affordable unit</u>	<u>0.9 bonus units per 1.0 affordable unit</u>	<u>1.1 bonus units per 1.0 affordable unit</u>	<u>1.4 bonus units per 1.0 affordable unit</u>	<u>1.6 bonus units per 1.0 affordable unit</u>
<b><u>Owner Occupied at 80% AMI</u></b>	<u>1.3 bonus units per 1.0 affordable unit</u>	<u>1.8 bonus units per 1.0 affordable unit</u>	<u>2.2 bonus units per 1.0 affordable unit</u>	<u>2.7 bonus units per 1.0 affordable unit</u>	<u>3.2 bonus units per 1.0 affordable unit</u>
<b><u>Owner</u></b>	<u>0.3 bonus</u>	<u>0.4 bonus</u>	<u>0.5 bonus</u>	<u>0.6 bonus</u>	<u>0.7 bonus</u>

Ordinance 19881

<b><u>Occupied</u></b>	<u>units per 1.0</u>	<u>units per 1.0</u>	<u>units per 1.0</u>	<u>units per 1.0</u>	<u>units per 1.0</u>
<b><u>at 100%</u></b>	<u>affordable</u>	<u>affordable</u>	<u>affordable</u>	<u>affordable</u>	<u>affordable</u>
<b><u>AMI</u></b>	<u>unit</u>	<u>unit</u>	<u>unit</u>	<u>unit</u>	<u>unit</u>

<sup>1</sup>In Skyway-West Hill, affordable dwelling units provided at 70% AMI shall be three-bedroom or larger.

15610 B. Projects may include more than one occupancy type and AMI combination.

15611 Bonus dwelling units shall be granted at the ratio identified for each affordable unit based  
 15612 on occupancy type and AMI, up to the maximum density in subsection A. of this section.

15613 C. Developments may exceed other dimensional standards of the underlying zone  
 15614 in accordance with K.C.C. 21A.48.050.

15615 SECTION 356. Ordinance 19555, Section 25, and K.C.C. 21A.48.040 are hereby  
 15616 amended to read as follows:

15617 A. ((The number of required affordable dwelling units shall be calculated by  
 15618 multiplying the total number of dwelling units to be constructed by the applicable  
 15619 percentages of affordable dwelling units as established in K.C.C. 21A.48.020 or K.C.C.  
 15620 21A.48.030, and for)) The maximum density shall be calculated by multiplying the base  
 15621 density, as established in this title or a property-specific development standard, by the  
 15622 maximum percentage identified in this chapter. In cases of conflict, the base and  
 15623 maximum densities in a property-specific development standard or special district  
 15624 overlay shall apply.

15625 B. The total number of dwelling units in a development, which is the sum of all  
 15626 market-rate dwelling units, bonus dwelling units, and affordable dwelling units, shall not  
 15627 exceed the density as established in subsection A. of this section.

Ordinance 19881

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15628            C. For the purposes of providing an affordable dwelling unit, fractions shall be  
 15629 rounded in accordance with K.C.C. 21A.12.070(~~(, except as follows:~~  
 15630            ~~1. F))~~for fractions below 0.50, the applicant shall pay a fee based on the fraction  
 15631 multiplied by the value of an ~~((single))~~ affordable dwelling unit. The fee and affordable  
 15632 dwelling unit value shall be calculated using the same method as required for payment in  
 15633 lieu of providing affordable dwelling units in K.C.C. 21A.48.080. The revenues  
 15634 generated from the fee shall be dedicated to affordable housing projects in the same  
 15635 ~~((community service area))~~ subarea geography where the development is occurring(~~(; and~~  
 15636            ~~2. Affordable dwelling units in the development shall be calculated as follows:~~  
 15637            ~~a. Studio dwelling units shall be counted as one half of one affordable~~  
 15638 ~~dwelling unit;~~  
 15639            ~~b. One bedroom and two bedroom dwelling units shall be counted as one~~  
 15640 ~~affordable dwelling unit;~~  
 15641            ~~c. Three bedroom dwelling units shall be counted as one and one half~~  
 15642 ~~affordable dwelling units; and~~  
 15643            ~~d. Dwelling units with four or more bedrooms shall be counted as two~~  
 15644 ~~affordable dwelling units.~~  
 15645            ~~B. The total number of market rate dwelling units and affordable dwelling units~~  
 15646 ~~shall not exceed the total allowed density as established in this chapter and K.C.C.~~  
 15647 ~~chapter 21A.12.)).~~  
 15648            SECTION 357. Ordinance 19555, Section 26, and K.C.C. 21A.48.050 are hereby  
 15649 amended to read as follows:  
 15650            ~~((For developments subject to this chapter:~~

Ordinance 19881

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- 15651           A. ~~The affordable dwelling units shall:~~
- 15652               1. ~~Have a similar or larger unit size and bedroom composition as the market-rate~~
- 15653 ~~dwelling units in the development;~~
- 15654               2. ~~Be integrated throughout the development;~~
- 15655               3. ~~Be constructed with materials and finishes of comparable quality to the~~
- 15656 ~~market rate dwelling units in the development;~~
- 15657               4. ~~Meet accessibility standards at the same ratio as required by the development;~~
- 15658 ~~and~~
- 15659               5. ~~Have access equal to that of the market rate dwelling units to on-site~~
- 15660 ~~amenities including, but not limited to, parks, outdoor play areas, pools, exercise facilities~~
- 15661 ~~and equipment, gathering spaces, bicycle repair facilities, shared work spaces, and similar~~
- 15662 ~~on-site amenities.~~
- 15663           B-)) A. In exchange for the provision of affordable dwelling units, inclusionary
- 15664 housing developments that provide at least the minimum amount of affordable housing
- 15665 identified in the table in K.C.C. 21A.48.020.A. shall be eligible for the incentive
- 15666 dimensional standards prescribed in this section. All ((the)) other dimensional standards
- 15667 ((of K.C.C. chapter 21A.12)) in this title and any applicable property-specific
- 15668 development standards and special district overlays shall apply((, except as specifically
- 15669 prescribed by this chapter. The following modifications shall only be utilized for
- 15670 developments that provide housing in conformance with K.C.C. 21A.48.020 or K.C.C.
- 15671 21A.48.030:));
- 15672           ((+)) B. The maximum height limits are as follows:
- 15673           ((a-)) 1. In the R-18, R-24, and R-48 zones((,)) eighty feet;



Ordinance 19881

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15674            ~~((b-))~~ 2. In the NB zone~~((;))~~; sixty-five feet;

15675            ~~((e-))~~ 3. In the CB zone~~((;))~~; eighty feet;

15676            ~~((d-))~~ 4. In the RB and O zones~~((;))~~; eighty-five feet; ~~((and))~~

15677            ~~((e. For properties subject to P-Suffix NH-PXX (the p-suffix established in~~

15678 ~~Map Amendment 17 of Attachment D to Ordinance 19555); the height limits set in the P-~~

15679 ~~Suffix))~~ 5. Along the North Highline core street type designated in K.C.C. 21A.60.040,

15680 ~~as recodified by this ordinance: fifty-five feet; and~~

15681            6. In the CB zone in Snoqualmie Pass Rural Town, sixty-five feet.

15682            ~~((2. In the R-18, R-24 and R-48 zones, any portion of a building that exceeds~~

15683 ~~the base height for the zone set forth in K.C.C. chapter 21A.12 shall be set back an~~

15684 ~~additional ten feet from the street property line and interior property line;~~

15685            ~~3. In the NB, CB, RB and O zones, any portion of a building that exceeds the~~

15686 ~~maximum height allowed for the zone by K.C.C. 21A.12.040.B.6. shall be set back an~~

15687 ~~additional ten feet from the street property line and interior property line;))~~

15688            C. Upper-level step back requirements do not apply.

15689            ~~((4-))~~ D. The percentages of residential uses in mixed-use developments in

15690 K.C.C. 21A.14.110 do not apply. ~~((The percentages are as follows:~~

15691            ~~a. a maximum of seventy five percent of the total built floor area when located~~

15692 ~~in NB zones; and~~

15693            ~~b. a maximum of eighty five percent of the total built floor area when located~~

15694 ~~in CB, RB and O zones;))~~ Developments subject to K.C.C. 21A.14.110 shall instead

15695 provide ground floor commercial space with a minimum depth of fifty feet along any

15696 public street. Entrances, lobbies, common areas, and other necessary residential

Ordinance 19881

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15697 appurtenances are allowed on the ground floor. Outside of the unincorporated activity  
 15698 centers, up to seventy-five percent of the ground floor commercial space may be  
 15699 live/work units.

15700 ~~((5.)) E. The ((building)) floor area ratios prescribed in ((K.C.C. 21A.14.130))~~  
 15701 this title do not apply~~((. Developments subject to this chapter shall not have a floor area~~  
 15702 ratio maximum)); and

15703 ~~((6. The parking and circulation standards of K.C.C. chapter 21A.18 apply,~~  
 15704 except:

15705 a-) F.1. The minimum number of required parking spaces ~~((for apartments and~~  
 15706 townhouses shall be one space per dwelling unit;

15707 b. ~~The minimum required parking spaces for nonresidential uses of the project~~  
 15708 shall be the minimum required in K.C.C. 21A.18.020, or the minimum required in any  
 15709 applicable property specific development standard or special district overlay, whichever  
 15710 is less; and)) are as follows:

	<u>White</u>	<u>Skyway</u>	<u>Within 1/2</u>	<u>All</u>	<u>Snoqual</u>	<u>Vashon</u>
	<u>Center</u>	<u>Unincorpo</u>	<u>mile</u>	<u>other</u>	<u>mie Pass</u>	<u>Rural</u>
	<u>Unincorpor</u>	<u>rated</u>	<u>Walkshed of</u>	<u>Urban</u>	<u>Rural</u>	<u>Town</u>
	<u>ated</u>	<u>Activity</u>	<u>a High</u>	<u>Areas</u>	<u>Town</u>	
	<u>Activity</u>	<u>Center</u>	<u>Capacity or</u>			
	<u>Center</u>		<u>Frequent</u>			
			<u>Transit</u>			
			<u>Stop<sup>1</sup></u>			

Ordinance 19881

<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 space per dwelling unit</u>	<u>1.0 space 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>	<u>100% of parking required in K.C.C. 21A.18.030</u>

15711 <sup>1</sup>As Mapped by the Metro transit department.

15712 ((e-)) 2. The director may authorize a reduction of up to fifty percent of the  
 15713 minimum required number of spaces for inclusionary housing projects without a required  
 15714 a parking study. The director shall consider proximity to transit, shared parking for two  
 15715 or more uses, bedroom composition, availability of on-street parking, and proposed  
 15716 nonresidential uses when determining the size of the reduction.

15717 G. The required recreational space in K.C.C. 21A.14.180 is reduced by twenty-  
 15718 five percent.

15719 SECTION 358. Ordinance 19555, Section 27, and K.C.C. 21A.48.060 are hereby  
 15720 amended to read as follows:

Ordinance 19881

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- 15721            A.1. Affordable dwelling units constructed under this chapter shall:
- 15722            a. have a similar or larger unit size and bedroom composition as the market-
- 15723 rate dwelling units in the development;
- 15724            b. be integrated throughout the development;
- 15725            c. be constructed with materials and finishes of comparable quality to the
- 15726 market-rate dwelling units in the development;
- 15727            d. meet accessibility standards at the same ratio as required by the
- 15728 development; and
- 15729            e. have access equal to that of the market-rate dwelling units to on-site
- 15730 amenities including, but not limited to, parks, outdoor play areas, pools, exercise facilities
- 15731 and equipment, gathering spaces, bicycle repair facilities, shared work spaces, and similar
- 15732 on-site amenities.
- 15733            2. The director may modify or waive the standards in subsection A.1.a. for a
- 15734 project developed by a public or nonprofit agency if the director determines that the
- 15735 proposal meets the needs of future residents and provides an equivalent or better quality
- 15736 of development.
- 15737            B. As a condition of development permit issuance, the department shall approve
- 15738 the calculation of the number of ~~((required))~~ affordable dwelling units and allowed
- 15739 market-rate dwelling units.
- 15740            ~~((B-))~~ C. Before issuance of the certificate of occupancy, the applicant shall
- 15741 record a covenant or deed restriction on the property, in a form and substance acceptable
- 15742 to the prosecuting attorney's office and department of community of human services,
- 15743 reflecting the following:
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Ordinance 19881

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15744           1. A statement that the length of the term of the affordability shall be for the life  
15745 of the development project for renter-occupied dwelling units or fifty years from the date  
15746 of initial occupancy for owner-occupied dwelling units;

15747           2. The total number of units;

15748           3. The number of market-rate dwelling units;

15749           4. The number and affordability of owner-occupied and rental affordable  
15750 dwelling units based on the standards of this chapter;

15751           5. A statement that for any owner-occupied dwelling units, the covenants or  
15752 declarations have been reviewed by the director and the terms ensure that the purposes of  
15753 this chapter are accomplished;

15754           6. Reporting requirements as required by the department of community and  
15755 human services, including subsequent community preference and affirmative marketing  
15756 reports after the certificate of occupancy is issued, where applicable under K.C.C.  
15757 21A.48.070; and

15758           7. Signatures of the property owner and the director.

15759           SECTION 359. Ordinance 19555, Section 28, and K.C.C. 21A.48.070 are hereby  
15760 amended to read as follows:

15761           For developments in the Skyway-West Hill and North Highline subarea  
15762 geographies subject to this chapter:

15763           A. As part of a complete permit application, the applicant shall submit a  
15764 community preference and affirmative marketing plan. The plan shall include:

15765           1. A tenant selection process for the affordable dwelling units that provides a  
15766 preference for housing applicants with a current or past connection to the respective

Ordinance 19881

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15767 subarea geography where the project is located. The plan should provide no more than  
15768 and aim to provide forty percent of the affordable dwelling units to tenants that meet the  
15769 requirements for community preference;

15770           2. An advertising and outreach plan designed to provide information to and  
15771 attract potential housing applicants who would otherwise be less likely to apply, without  
15772 regard to protected class status as established by federal, state, and local laws. An  
15773 affirmative advertising and outreach plan should generally help potential housing  
15774 applicants know about vacancies, feel welcome to apply, and have the opportunity to rent  
15775 units; and

15776           3. A process for housing applicants to file an appeal regarding the tenant  
15777 selection process and verification of eligibility for preference.

15778           B. Before issuance of the building permit or subdivision approval, the community  
15779 preference and affirmative marketing plan shall be reviewed and approved by the  
15780 department of community and human services.

15781           C.1. At least sixty days before issuance of certificate of occupancy, the applicant  
15782 shall submit a community preference and affirmative marketing initial report. The initial  
15783 report shall include:

15784           a. information describing the activities conducted to implement the community  
15785 preference and affirmative marketing plan; and

15786           b. information regarding the number of housing applicants:

15787           (1) that requested a preference;

15788           (2) deemed eligible under the preference criteria;

15789           (3) eligible for the preference that were selected for housing; and

Ordinance 19881

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15790 (4) that appealed the preference selection process and the outcome of each  
15791 appeal.

15792 2. Before issuance of the certificate of occupancy, the community preference  
15793 and affirmative marketing initial report shall be subject to review and approval by the  
15794 department of community and human services.

15795 D. The department of community and human services shall provide guidance and  
15796 technical assistance to the applicant to ensure the community preference and affirmative  
15797 marketing plan and community preference and affirmative marketing report complies  
15798 with federal, state, and local laws and regulations.

15799 SECTION 360. Ordinance 19555, Section 29, and K.C.C. 21A.48.080 are hereby  
15800 amended to read as follows:

15801 A. The director may, at their discretion, approve a request for alternative  
15802 compliance for the inclusionary housing requirements. Requests for such modifications  
15803 shall clearly ~~((set forth))~~ state the facts upon which the request for relief is sought.

15804 Alternative compliance may include:

15805 1. Except for the Vashon Rural Town, ~~((P))~~ providing affordable housing units  
15806 off-site at another location within the same ~~((community service area))~~ subarea  
15807 geography where the project is proposed;

15808 2. For developments subject to K.C.C. 21A.48.020, ~~((P))~~ payment to the county  
15809 in lieu of constructing affordable housing units to be used to create affordable housing  
15810 units within the same ~~((community services area))~~ subarea geography; or

15811 3. Such other means proposed by the applicant and approved at the discretion of  
15812 the director, consistent with the following criteria for alternative compliance.

Ordinance 19881

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15813 B. Alternative compliance requests may only be approved when all of the  
15814 following requirements are met:

15815 1. The applicant demonstrates that the proposed alternative compliance method  
15816 provides the same number and quality affordable housing units as those provided on-site;

15817 2. The affordable housing units provided through the alternative compliance  
15818 method will provide the same mix of rental or owner-occupied units as would have  
15819 otherwise been provided on-site; and

15820 3. In no case shall the director approve an alternative compliance request that  
15821 results in zero affordable housing units being constructed on-site.

15822 C. If an alternative compliance request is approved that includes off-site  
15823 affordable housing units, any building permits required for off-site affordable housing  
15824 units shall be submitted before issuance of building permits or final ~~((subdivision))~~ plat  
15825 approval for the subject property. Certificates of occupancy for off-site affordable  
15826 housing units shall be issued before issuance of the final certificate of occupancy for the  
15827 subject property.

15828 D. If an alternative compliance request is approved that includes payment in lieu  
15829 of constructing affordable ~~((housing))~~ dwelling units, the formula for payments shall be  
15830 established by department of community and human services through a public rule under  
15831 K.C.C. chapter 2.98. ~~((The formula should be based on the cost to the county to  
15832 construct and maintain an affordable dwelling unit.))~~ The payment obligation shall be  
15833 paid before issuance of any building permits or final subdivision approval for the project.

15834 E. As part of the application review process for an inclusionary housing proposal,  
15835 the director may authorize modifications to the dimensional standards in K.C.C. Title



Ordinance 19881

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15836 21A. Approval of modifications may only be granted if the applicant demonstrates that  
15837 the subject property cannot otherwise reasonably achieve the minimum density.

15838 F.1. As part of the application review process for an inclusionary housing  
15839 proposal, the director may modify or waive the requirements for affordable dwelling  
15840 units under this chapter if the applicant demonstrates that the cost of complying with this  
15841 chapter would deprive the property owner of all economically beneficial use of the  
15842 property or would create severe economic impact that unduly burdens the property  
15843 owner.

15844 2. Requests for such modifications shall clearly ~~((set forth))~~ state the facts upon  
15845 which the request for relief is sought.

15846 3. Review of a modification or waiver of the requirements of this subsection F.  
15847 may include the director considering the following factors, at a minimum:

15848 a. The severity of the economic impact caused by the application of the  
15849 requirements of this chapter;

15850 b. A modification under subsection E. of this section is not sufficient to  
15851 alleviate the severity of economic impact caused by the application of the requirements of  
15852 this chapter;

15853 c. The extent to which alternative uses of the property or configurations of the  
15854 proposed development would alleviate the need for the requested waiver or modification;

15855 d. The extent to which any economic impact was due to decisions by the  
15856 applicant or property owner; and

15857 e. Other factors relevant to whether the burden should be borne by the property  
15858 owner.

Ordinance 19881

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15859           4. The waiver or modification may be approved only to the extent necessary to  
15860 grant relief from the deprivation of all economically beneficial use of the property or  
15861 severe economic impact.

15862           5. The following factors, on their own, shall not be a sufficient basis for the  
15863 director to grant a waiver or modification for the requirements of this chapter:

15864           a. decrease in property value;

15865           b. inability for a property owner to fully utilize the increase in residential  
15866 development capacity through implementation of this chapter; or

15867           c. the fact that any such increase in residential development capacity,  
15868 combined with the requirements of this chapter, did not leave the property owner in a  
15869 better financial position than would have been the case with no increase in residential  
15870 development capacity and no application of the requirements of this chapter.

15871           SECTION 361. Ordinance 19555, Section 30, and K.C.C. 21A.48.090 are hereby  
15872 amended to read as follows:

15873           A. The executive shall track the use of the inclusionary housing regulations in  
15874 this chapter. The information shall be publicly available on a county website, and shall  
15875 include, at a minimum, information describing:

15876           1. The number and location of developments that applied to the department for  
15877 approval and the number and location of developments that were subject to the  
15878 requirements of this chapter;

15879           2. The number and location of developments that applied for any alternative  
15880 compliance, the number and location of developments that were granted such alternative  
15881 compliance, and the terms of each alternative compliance;

Ordinance 19881

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15882           3. The number of market rate units and the number of affordable units  
15883 constructed, including the location of all affordable units; and

15884           4. The amount of revenue collected through in lieu and fractional fees for each  
15885 subarea geography, and the amount and location those fees were spent in the subarea  
15886 geography.

15887           B.1. In conjunction with the Comprehensive Plan update required by K.C.C.  
15888 20.18.060.B., (~~excluding the 2024 Comprehensive Plan update,~~) the executive shall  
15889 analyze the inclusionary housing regulations to determine whether the purposes of the  
15890 Comprehensive Plan and the inclusionary housing regulations are being met, and shall  
15891 propose code changes to address any recommendations from that analysis as part of the  
15892 Comprehensive Plan update to improve the efficacy of the regulations.

15893           2. If the executive or council finds that the inclusionary housing regulations are  
15894 not effective at providing for affordable housing units, nothing in this section shall  
15895 prevent the executive from transmitting or the council from adopting an ordinance that  
15896 modifies the regulations outside of the timeline in K.C.C. 20.18.060.

15897           C. The department shall be available to brief the local services and land use  
15898 committee or its successor at least once per year on the implementation and overall  
15899 efficacy of the inclusionary housing regulations and the information required by this  
15900 section.

15901           SECTION 362. Ordinance 12627, Section 3, as amended, and K.C.C.  
15902 21A.55.030 are hereby amended to read as follows:

Ordinance 19881

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15903           A. The demonstration projects set forth in this chapter are the only authorized  
 15904 demonstration projects. New or amended demonstration projects to carry out new or  
 15905 different goals or policies shall be adopted as part of this chapter.

15906           B. Demonstration projects must be consistent with the King County  
 15907 Comprehensive Plan. Classification of a demonstration project and its provisions to  
 15908 waive or modify development standards must not require nor result in amendment of the  
 15909 Comprehensive Plan nor the Comprehensive Plan land use map.

15910           C. Unless they are specifically modified or waived pursuant to the provisions of  
 15911 this chapter, the standard requirements of this title and other county ordinances and  
 15912 regulations shall govern all development and land uses within a demonstration project  
 15913 area. Property-specific development standards (P-suffix conditions) as provided in  
 15914 K.C.C. chapter 21A.38 shall supersede any modifications or waivers allowed by the  
 15915 provisions of this chapter.

15916           D. Demonstration project sites should be selected so that any resulting amended  
 15917 development standards or processes can be applied to similar areas or developments.  
 15918 Similar areas could include those with similar mixes of use and zoning. Similar  
 15919 developments could include types of buildings such as commercial or ~~((multifamily))~~  
 15920 multiunit and types of development such as subdivisions or redevelopment.

15921           SECTION 363. Ordinance 16650, Section 1, as amended, and K.C.C.  
 15922 21A.55.101 are hereby amended to read as follows:

15923           A.1. The purpose of the sustainable communities and housing demonstration  
 15924 projects is to provide affordable housing and workforce housing integrated into  
 15925 developments containing market rate housing and maximize sustainable development,

Ordinance 19881

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15926 which includes: bike, pedestrian, and transit connections; a mix of housing types;  
15927 and the use of recyclable materials. The demonstration projects will provide information  
15928 on the application of these techniques to urban infill redevelopment and ~~((urban single  
15929 family))~~ single detached residential development, some of which may ~~((include mixed  
15930 use))~~ be mixed-use. The demonstration projects will also assist the county in refining  
15931 regulations relating to zoning, subdivision, roads, and stormwater as they relate to  
15932 sustainable development.

15933 2. The demonstration projects will also enable the county to evaluate whether  
15934 consolidated administrative approval of zoning and subdivision-related modifications or  
15935 waivers and any subsequent hearings, if required, effectively speeds the development  
15936 review process while maintaining land use coordination and environmental protection  
15937 and whether that leads to administrative costs savings for project applicants and King  
15938 County.

15939 B. The expected benefits from the demonstration projects include: the use of  
15940 innovative design and development techniques to promote sustainable communities;  
15941 reduced impervious surface areas for site infrastructure; a greater use of recycled-content  
15942 building materials and more efficient use of energy and natural resources; and the  
15943 opportunity to identify and evaluate potential substantive changes to land use  
15944 development regulations that support the development of sustainable and affordable  
15945 housing.

15946 C. A request by the applicant to modify or waive development standards for the  
15947 development proposals shall be evaluated by the department of local services, permitting  
15948 division, based on the criteria in subsection J. of this section. A request shall first be

Ordinance 19881

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15949 either approved or denied administratively and may be further reviewed as described in  
 15950 subsection H.3. of this section. Approval or denial of the proposed modification or  
 15951 waiver shall not be construed as applying to any other development application either  
 15952 within the demonstration project area or elsewhere in the county.

15953 D. A modification or waiver approved by the department of local services,  
 15954 permitting division, in accordance with this section shall be in addition to those  
 15955 modifications or waivers that are currently allowed by this title. The proposed  
 15956 modifications or waivers to development regulations that may be considered regarding  
 15957 sustainable communities and housing demonstration projects shall include only the  
 15958 following chapters and related public rules:

15959 1. Drainage review requirements: K.C.C. chapter 9.04 and the Surface Water  
 15960 Design Manual;

15961 2. King County road standards: K.C.C. chapter 14.42 and the King ((e))County  
 15962 ((f))Road Design and Construction ((s))Standards((, 2007 update));

15963 3. Density and dimensions: ((K.C.C. chapter 21A.12)) sections 173, 174, 198,  
 15964 and 199 of this ordinance;

15965 4. Design requirements: K.C.C. chapter 21A.14;

15966 5. Landscaping and water use: K.C.C. chapter 21A.16 and K.C.C. 21A.60.060,  
 15967 a recodified by this ordinance;

15968 6. Parking and circulation: K.C.C. chapter 21A.18;

15969 7. Signs: K.C.C. chapter 21A.20;

15970 8. Critical areas: K.C.C. chapter 21A.24, if the modification results in a net  
 15971 improvement to the functions of the critical area; and

Ordinance 19881

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15972           9. Landscape installation timing: K.C.C. chapters 27A.30 and 27A.40.

15973           E. A demonstration project authorized by this section may contain residential and

15974 limited nonresidential uses subject to the following:

15975           1. The demonstration project may include any residential uses as allowed as a

15976 permitted use in the R-12 through R-48 zones, subject to any development conditions in

15977 K.C.C. 21A.08.030, without the need to request a modification or waiver as described in

15978 subsection H. of this section. The applicant may request a modification or waiver of any

15979 of the development conditions for residential uses contained in K.C.C. 21A.08.030,

15980 subject to the review process described in subsection H. of this section and the criteria in

15981 subsection J. of this section;

15982           2. The demonstration project may include, as part of a residential project, any

15983 nonresidential use allowed as a permitted use in the NB zone under K.C.C. 21A.08.030,

15984 21A.08.040, section 162 of this ordinance, 21A.08.050, section 164 of this ordinance,

15985 21A.08.060, and 21A.08.070, subject to any development conditions contained in those

15986 sections without the need to request a modification or waiver as described in subsection

15987 H. of this section, except the following uses are not allowed:

15988           a. automotive parking;

15989           b. automotive repair(~~and~~);

15990           c. automotive service(~~(, K.C.C. 21A.08.050)~~);

15991           (~~e.~~) d. commuter parking lot, (~~(K.C.C. 21A.08.060,)~~) unless as part of a

15992 transit-oriented development. For the purposes of this subsection (~~(E.2.e.)~~) E.2.d.,

15993 "transit-oriented development" means a development that is designated as a transit-

15994 oriented development in an agreement with the county and that includes the construction

Ordinance 19881

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15995 of new housing units at or within one quarter mile of a county transit center or park and  
 15996 ride lot;

15997 ~~((d.))~~ e. gasoline service stations ~~((as defined in K.C.C. 21A.08.070));~~

15998 ~~((e.))~~ f. off-street required parking lot;

15999 g. commercial and industrial accessory uses;

16000 ~~((f.))~~ h. private stormwater management facility;

16001 ~~((g.))~~ i. self-service storage; and

16002 ~~((h.))~~ j. vector waste receiving facility.

16003 3. The nonresidential uses shall be no greater than three thousand square feet  
 16004 per use, with a total maximum of all nonresidential uses not to exceed ten percent of the  
 16005 area of the demonstration project site or twenty thousand square feet, whichever is  
 16006 smaller. The applicant may request a modification or waiver of the development  
 16007 conditions for nonresidential uses in K.C.C. 21A.08.030, 21A.08.040, section 162 of this  
 16008 ordinance, 21A.08.050, section 164 of this ordinance, 21A.08.060, and 21A.08.070,  
 16009 subject to the review process described in subsection H. of this section and the criteria in  
 16010 subsection J. of this section.

16011 F. A demonstration project authorized by this section allows a residential basics  
 16012 program for townhouse and apartment building types, consistent with the department of  
 16013 local services public rules chapter 16-04: residential basics program.

16014 G. All related review processes such as subdivision, building permit, inspection,  
 16015 and similar processes for a demonstration project shall be expedited if:

16016 1. Fifty percent or more of all residential units proposed for the demonstration  
 16017 project are affordable to households at eighty percent of area median income, as defined



Ordinance 19881

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16018 by Department of Housing and Urban Development income guidelines for King County  
16019 and below; or

16020           2. Seventy percent or more of all residential units for the demonstration project  
16021 are affordable to households at eighty to one hundred fifteen percent of area median  
16022 income, as defined by Department of Housing and Urban Development income  
16023 guidelines for King County.

16024           H.1. Requests for a modification or waiver made in accordance with this section  
16025 may only be submitted in writing in relation to the following types of applications:

- 16026           a. a site development permit;
- 16027           b. a binding site plan;
- 16028           c. a building permit;
- 16029           d. a short subdivision; or
- 16030           e. a subdivision.

16031           2. Requests shall be submitted to the department in writing before or in  
16032 conjunction with an application for one or more of the permits listed in subsection H.1. of  
16033 this section, together with any supporting documentation. The supporting documentation  
16034 ~~((must))~~ shall illustrate how the proposed modification meets the criteria in subsection J.  
16035 of this section.

16036           3. Except for an applicant's request for a modification or waiver submitted in  
16037 conjunction with an application for a subdivision, the notice of application, review, and  
16038 approval of a proposed modification or waiver shall be treated as a Type 2 land use  
16039 decision in accordance with K.C.C. 20.20.020. The request for a modification or waiver  
16040 submitted in conjunction with an application for a subdivision shall be treated as a Type 3

Ordinance 19881

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16041 land use decision in accordance with K.C.C. 20.20.020.

16042           4. A preapplication meeting with the applicant and the department of local  
16043 services, permitting division, to determine the need for and the likely scope of a proposed  
16044 modification or waiver is required before submittal of such a request. If a modification or  
16045 waiver requires approval of the department of natural resources and parks or the  
16046 department of local services, road services division, that department or division shall be  
16047 invited to participate in the preapplication meeting.

16048           5. If the applicant requests an adjustment from the county drainage standards,  
16049 the director shall refer the request to the department of natural resources and parks for  
16050 decision under K.C.C. chapter 9.04, with the right to appeal within the department of  
16051 natural resources and parks as provided in K.C.C. 9.04.050.C.6. The department of  
16052 natural resources and parks shall consider the purposes of this demonstration ordinance as  
16053 a factor relative to the public interest requirement for drainage adjustments described in  
16054 K.C.C.9.04.050.C.

16055           6. If the applicant requests a variance from the county road standards, the  
16056 director shall refer the request to the county road engineer for decision under K.C.C.  
16057 14.42.060, with the right to appeal within the department of local services, road services  
16058 division, as provided in K.C.C. 14.42.060 and the associated public rule. The department  
16059 of local services, road services division, shall consider the purposes of this demonstration  
16060 ordinance as a factor relative to the public interest requirement for road variances  
16061 described in K.C.C. 14.42.060.

16062           7. Administrative appeals of modifications or waivers approved by the director  
16063 shall be combined with any appeal of the underlying permit decision, if the underlying

Ordinance 19881

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16064 permit is subject to appeal.

16065 I. An approved development proposal for any of the applications listed in  
16066 subsection H.1. of this section, including site plan elements or conditions of approval  
16067 may be amended or modified at the request of the applicant or the applicant's successor in  
16068 interest designated by the applicant in writing. The director may administratively  
16069 approve minor modifications to an approved development proposal. Modifications that  
16070 result in major changes as determined by the department or as defined by the approval  
16071 conditions shall be treated as a new application for purposes of vesting and shall be  
16072 reviewed as applicable to the underlying application pursuant to K.C.C. 20.20.020. Any  
16073 increase in the total number of dwelling units above the maximum number set forth in the  
16074 development proposal permit or approval shall be deemed a major modification. The  
16075 county, through the applicable development proposal permit or approval conditions, may  
16076 specify additional criteria for determining whether proposed modifications are major or  
16077 minor. The modifications allowed under this section supersede other modification or  
16078 revision provisions of K.C.C. Title 16 and Title 19A and this title.

16079 J.1. To be eligible to use the provisions of this section, a demonstration project  
16080 ~~((must))~~ shall be located on a demonstration project site identified in ~~((Ordinance 16650,~~  
16081 ~~Section 2,))~~ Attachment I to this ordinance, and the applicant has accepted the site as a  
16082 King County sustainable communities and housing demonstration project.

16083 2. Proposals to modify or waive development regulations for a development  
16084 application ~~((must))~~ shall be consistent with general health, safety, and public welfare  
16085 standards, and ~~((must))~~ not violate state or federal law.

16086 3.a. Applications ~~((must))~~ shall demonstrate how the proposed project, when

Ordinance 19881

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16087 considered as a whole with the proposed modifications or waivers to the code, will meet  
16088 all of the criteria in this subsection J., as compared to development without the  
16089 modification or waiver, and:

- 16090 (1) achieves higher quality urban development;
- 16091 (2) provides quality infill development;
- 16092 (3) optimizes site utilization; and
- 16093 (4) enhances pedestrian experiences and sense of place and community.

16094 b. Any individual request for a modification or waiver (~~must~~) shall meet two  
16095 or more of the following criteria:

16096 (1) contributes to the creation of a sustainable community, which includes  
16097 features such as a connected street network, a mix of housing types, pedestrian or bike  
16098 routes throughout the development, direct bus connections, no front garages, and front  
16099 porches.

16100 (2) uses the natural site characteristics to protect the natural systems;

16101 (3)(a) contributes to achievement of a three-star rating for the project site  
16102 under the Built Green Communities program administered by the Master Builders  
16103 Association of King and Snohomish Counties;

16104 (b) contributes to achievement of a four-star or higher rating for the single  
16105 (~~family units~~) detached residences under the Built Green program administered by the  
16106 Master Builders Association of King and Snohomish Counties or achieve a gold  
16107 certification under the U.S. Green Building Council, LEED program, or equivalent  
16108 program; or

16109 (c) contributes to achievement of a four-star or higher rating for (~~the~~

Ordinance 19881

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16110 ~~multifamily units~~) multiunit developments under the Built Green program administered  
16111 by the Master Builders Association of King and Snohomish Counties or achieve a gold  
16112 certification under the U.S. Green Building Council, LEED program, or other equivalent  
16113 program; and

16114 (4) provides attractive, well-designed development that will assist in  
16115 improving safety and preventing crime in the development and surrounding area,  
16116 including: adequate outdoor lighting along walkways~~((/))~~ and trails~~((/))~~; walkways~~((/))~~  
16117 and trails ~~((/))~~ five feet or wider; and low vegetation along walkways~~((/))~~ and trails.

16118 4. The criteria in this subsection supersede other variance, modification, or  
16119 waiver criteria and provisions of K.C.C. Title 21A.

16120 K. Regulatory modification and waiver applications, or both, authorized by this  
16121 section shall be filed with the department of local services, permitting division, within  
16122 three years of the approval of the development proposal, which includes issuance of a  
16123 building permit or site development permit, recording of a plat, short plat, or binding site  
16124 plan, or by such a later date as may be specified in the conditions of any development  
16125 approval for any type of modification or waiver for which the opportunity for future  
16126 application is expressly granted in those conditions. Modifications or waivers contained  
16127 within an approved development proposal are valid as long as the underlying permit or  
16128 development application approval is valid. If modifications or waivers are approved as  
16129 separate applications, they ~~((must))~~ shall be incorporated into a valid permit or  
16130 development application within three years of approval of the development proposal.  
16131 The director may extend the date for filing the demonstration project permit and  
16132 development applications for a maximum of twelve months. Any deadline in this

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Ordinance 19881

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16133 subsection shall be adjusted to include the time for appeal of all or any portion of the  
16134 project approval.

16135 SECTION 364. Ordinance 19119, Section 2, and K.C.C. 21A.55.125 are hereby  
16136 amended to read as follows:

16137 A.1. The purpose of the alternative housing demonstration project is to:

16138 a. encourage private market development of housing options that are  
16139 affordable to different segments of the county's population by testing removal of certain  
16140 regulatory barriers to developing such housing;

16141 b. compare ~~((at least two))~~ alternative housing options and their accessibility  
16142 for populations who are otherwise unable to find suitable housing, such as lower-income  
16143 one-person households, low-income seniors, people with disabilities, veterans, and  
16144 persons experiencing homelessness; and

16145 c. evaluate the public benefit of providing housing options with smaller living  
16146 spaces and shared facilities~~((; and~~

16147 ~~d. implement Phase I of King County Comprehensive Plan Workplan Action 6,~~  
16148 ~~as adopted in Ordinance 18427, and as amended by Ordinances 18427 and 18810)).~~

16149 2. The expected benefits from the alternative housing demonstration project  
16150 include:

16151 a. the use of innovative design and development techniques to promote  
16152 alternative housing options;

16153 b. the development of new affordable housing built to modern building  
16154 standards; and

16155 c. the opportunity to identify and evaluate potential substantive changes to land

Ordinance 19881

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16156 use and development regulations that support the development of affordable housing  
16157 while maintaining community character.

16158 B. ~~((For purposes of this section:~~

16159 1. ~~"Congregate residence" means one or more buildings that contain either~~  
16160 ~~sleeping units or dwelling units, or both, and where residents share either sanitation~~  
16161 ~~facilities or kitchen facilities, or both.~~

16162 2. ~~"Sleeping unit" means a room or space in which people sleep, and can also~~  
16163 ~~include permanent provisions for living, eating, and either sanitation or kitchen facilities~~  
16164 ~~but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping~~  
16165 ~~units.~~

16166 ~~C.))~~ The alternative housing demonstration project shall be implemented in  
16167 ~~((North Highline as described in Attachment A to Ordinance 19119 and in the Vashon~~  
16168 ~~Rural Town as described in Attachment B to Ordinance 19119)) the Snoqualmie Pass~~  
16169 ~~Rural Town as described in Map Amendment 31 in Attachment I to this ordinance.~~

16170 ~~(D.))~~ C. Applications shall demonstrate how the proposed project, when  
16171 considered as a whole with the proposed modifications or waivers to the code, will meet  
16172 the criteria in this section and, as compared to development without the modification or  
16173 waiver, the degree to which the project will:

16174 a. increase the range of affordable housing options, including providing  
16175 housing types that meet the needs of the local community;

16176 b. provide housing options for low- to moderate-income households;

16177 c. provide for the development of lower rent housing options through  
16178 construction of buildings with shared facilities;

Ordinance 19881

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16179           d. seek to prevent displacement of the local community's residents;

16180           e. for projects with public funding, meet or exceed the sustainable

16181 development standards adopted by Washington state Department of Commerce under

16182 RCW 39.35D.080;

16183           f. for projects without public funding, meet or exceed Master Builders

16184 Association of King and Snohomish Counties 4-star Built Green standard; and

16185           g. provide attractive and well-designed development.

16186           ~~((E-))~~ D. The following apply to a demonstration project development proposal

16187 under this section and supersede development regulations under this title that are in

16188 conflict~~((-+))~~. A demonstration project development proposal for a congregate residence

16189 in ~~((North Highline identified in Attachment A to Ordinance 19119))~~ the Snoqualmie

16190 Pass Rural Town as identified in Map Amendment 31 of Attachment I to this ordinance,

16191 is a permitted use under K.C.C. 21A.08.030 and the maximum residential density

16192 provisions ~~((and the base height provisions of K.C.C. 21A.12.030 and 21A.12.040))~~ as

16193 established by this title do not apply if:

16194           ~~((a- the))~~ 1. The proposal is for no more than a combined total of ~~((sixty))~~

16195 forty dwelling units and sleeping units;

16196           ~~((b- each))~~ 2. Each sleeping unit or dwelling unit contains no more than two

16197 hundred twenty square feet of floor area; ~~((and))~~

16198           ~~((e- the))~~ 3. The proposed development does not exceed sixty-five feet in

16199 height; and

16200           4. The proposed development does not use the provisions of K.C.C. chapter

16201 21A.48.



Ordinance 19881

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16202           ~~((2. A demonstration project development proposal for a congregate residence,~~  
 16203 ~~in Vashon Rural Town as identified in Attachment B to Ordinance 19119 is a permitted~~  
 16204 ~~use under K.C.C. 21A.08.030 and the maximum residential density provisions of K.C.C.~~  
 16205 ~~21A.12.030 do not apply if:~~

16206           ~~a. the development proposal is for no more than five buildings with each~~  
 16207 ~~building containing no more than a combined total of eight dwelling units and sleeping~~  
 16208 ~~units; and~~

16209           ~~b. except for accessibility units designed to house persons with physical~~  
 16210 ~~disabilities, sleeping units and dwelling units shall not contain more than three hundred~~  
 16211 ~~fifty square feet of floor area. Sleeping units and dwelling units designed as accessible~~  
 16212 ~~for persons with physical disabilities shall contain no more than three hundred eight five~~  
 16213 ~~feet of net floor area.))~~

16214           ~~((F.))~~ E. A congregate residence under this section shall meet the following  
 16215 standards:

16216           1. A congregate residence shall include at least one common kitchen facility. In  
 16217 a congregate residence with more than two floors, at least one common kitchen facility is  
 16218 required on each floor with sleeping units. In a congregate residence consisting of more  
 16219 than one building, at least one common kitchen facility is required in each building.

16220           2. A sleeping unit that does not include sanitation facilities in the sleeping unit  
 16221 shall have access to shared sanitation facilities on the same floor as the sleeping unit.

16222           3. Communal areas, such as common kitchen facilities, lounges, recreation  
 16223 rooms, dining rooms, living rooms, laundry rooms, foyers, and lobbies, shall be open to  
 16224 all residents of the congregate residence and shall meet the following standards:

Ordinance 19881

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16225 a. The total floor area of communal areas shall be at least twelve percent of the  
16226 total floor area of all sleeping and dwelling units; and

16227 b. Service areas, including, but not limited to, hallways and corridors, supply  
16228 or janitorial storage areas, operations and maintenance areas, staff areas, and offices, may  
16229 not be counted toward the communal area total floor area requirement.

16230 ~~((G.))~~ F.1. An application for a development permit or building permit under this  
16231 section shall include a proposed agreement with the department of local services,  
16232 permitting division, that addresses at least the following to be undertaken by the  
16233 applicant:

16234 a. measures to ensure that rents remain affordable, such as rent and income  
16235 restrictions or the inherent affordability of smaller units;

16236 ~~b. ((measures to reduce displacement of the local community's residents, such  
16237 as affirmative marketing or maintaining wait lists;~~

16238 ~~c. measures to ensure that residents have available transportation choices to  
16239 enable them reasonable access to retail and services, such as the Metro transit department  
16240 Access paratransit services, community service vans, bike storage rooms or carshare  
16241 services;~~

16242 ~~d. for projects in the Vashon Rural Town, services that will be available to  
16243 residents of the project, such as case management for vulnerable populations or social  
16244 connectivity programming;~~

16245 e.)) measures to incorporate housing needs of the local community into the  
16246 proposed development;

16247 ~~((F.))~~ c. measures to involve the local community in the proposed development;

Ordinance 19881

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16248 and

16249 ~~((g.))~~ d. what information the applicant will collect and when and how it will  
 16250 be reported to the department of local services, permitting division, and the department of  
 16251 community and human services to assist in evaluation of the demonstration project.

16252 2. The department shall not approve a development permit or building permit  
 16253 application under this section until the proposed agreement under this subsection has  
 16254 been approved by the department of local services, permitting division.

16255 ~~((H.))~~ G.1. A modification or waiver approved by the department of local  
 16256 services, permitting division, in accordance with this section shall be in addition to those  
 16257 modifications or waivers that are currently allowed by this title, K.C.C. Title 9, K.C.C.  
 16258 Title 14, and K.C.C. Title 16.

16259 2. An applicant under this section, in conjunction with an application for a site  
 16260 development permit or a building permit, may request in writing a modification or waiver  
 16261 of the development regulations under the following chapters and titles. Proposals to  
 16262 modify or waive development regulations for a development application ~~((must))~~ shall be  
 16263 consistent with general health, safety, and public welfare standards and ~~((must))~~ shall not  
 16264 violate state or federal law:

16265 a. drainage review requirements: K.C.C. chapter 9.04 and the Surface Water  
 16266 Design Manual;

16267 b. King County road standards: K.C.C. chapter 14.42 and the King  
 16268 ~~((e))~~County ~~((r))~~Road Design and Construction ~~((s))~~Standards~~((, 2016 update))~~;

16269 c. King County building code: K.C.C. Title 16;

16270 d. permitted uses: K.C.C. chapter 21A.08;

Ordinance 19881

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16271 e. density and dimensions: (~~K.C.C. chapter 21A.12~~) section 213 of this  
16272 ordinance;

16273 f. design requirements: K.C.C. chapter 21A.14;

16274 g. landscaping and water use: K.C.C. chapter 21A.16;

16275 h. parking and circulation: K.C.C. chapter 21A.18; and

16276 i. school impact fees: K.C.C. chapter 21A.43.

16277 3. Requests for a waiver or modification made in accordance with this section  
16278 shall be submitted to the department of local services, permitting division, in writing  
16279 before or in conjunction with a development permit or building permit application  
16280 together with any supporting documentation. The supporting documentation (~~must~~)  
16281 shall illustrate how the proposed modification meets the criteria in this section.

16282 4. The notice of application, review, and approval of a proposed modification or  
16283 waiver under this section shall be treated as a Type 2 land use decision in accordance  
16284 with K.C.C. 20.20.020. Approval or denial of the proposed modification or waiver shall  
16285 not be construed as applying to any other development application either within a  
16286 demonstration project area or elsewhere in the county.

16287 5. A preapplication conference with the applicant and the department of local  
16288 services, permitting division, to determine the need for and the likely scope of a proposed  
16289 modification or waiver is required before submittal of such a request. If a modification or  
16290 waiver requires approval of the department of natural resources and parks or the  
16291 department of local services, roads services division, that department or division shall be  
16292 invited to participate in the preapplication conference.

16293 6. If the applicant requests an adjustment from the county drainage standards,

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Ordinance 19881

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16294 the director shall refer the request to the department of natural resources and parks for  
16295 decision under K.C.C. chapter 9.04, with the right to appeal within the department of  
16296 natural resources and parks as provided in K.C.C. 9.04.050.C.6. The department of  
16297 natural resources and parks shall consider the purposes of this demonstration project as a  
16298 factor relative to the public interest requirement for drainage adjustments described in  
16299 K.C.C. 9.04.050.C.

16300           7. If the applicant requests a variance from the county road standards, the  
16301 director shall refer the request to the county road engineer for decision under K.C.C.  
16302 14.42.060, with the right to appeal to the department of local services, road services  
16303 division, as provided in K.C.C. 14.42.060 and the associated public rules. The  
16304 department of local services, road services division, shall consider the purposes of this  
16305 demonstration project as a factor relative to the public interest requirement for road  
16306 variances described in K.C.C. 14.42.060.

16307           8. Administrative appeals of modifications or waivers approved by the director  
16308 shall be combined with any appeal of the underlying permit decision.

16309           ~~((F))~~ H. An approved development permit or a building permit under this section,  
16310 including site plan elements or conditions of approval, may be amended or modified at  
16311 the request of the applicant or the applicant's successor in interest designated by the  
16312 applicant in writing. The director may administratively approve minor modifications to  
16313 an approved permit. Modifications that result in major changes as determined by the  
16314 department of local services, permitting division, or as defined by the approval  
16315 conditions, shall be treated as a new application for purposes of vesting and shall be  
16316 reviewed as applicable to the underlying application in accordance with K.C.C.

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Ordinance 19881

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16317 20.20.020. Any increase in the total number of sleeping units and dwelling units above  
16318 the maximum number set forth in the development permit or building permit approval  
16319 shall be deemed a major modification. The county, through the applicable development  
16320 permit or building permit approval conditions, may specify additional criteria for  
16321 determining whether proposed modifications are major or minor. The modifications  
16322 allowed under this section supersede other modification or revision provisions of K.C.C.  
16323 Title 16 and this title.

16324 ~~((I-))~~ I. Demonstration project applications shall be accepted by the department of  
16325 local services, permitting division, for four years from ~~((July 19, 2020))~~ the effective date  
16326 of this section. Complete applications submitted before the end of the four years, shall be  
16327 reviewed and decided on by the department of local services, permitting division.

16328 ~~((K-))~~ J.1. The executive shall electronically file the following reports ~~((in the~~  
16329 ~~form of a paper original and an electronic copy))~~ with the clerk of the council, who shall  
16330 retain the original and provide an electronic copy to all councilmembers, the council chief  
16331 of staff, and the lead staff to the local services~~((;))~~ and land use committee or its  
16332 successor ~~((and the lead staff to the community health and housing services committee or~~  
16333 ~~its successor))~~:

16334 a. A preliminary report within two years of the final certificate of occupancy  
16335 for the first project completed under the demonstration project in this section, as adopted  
16336 in either Ordinance 19119 or this ordinance, that describes and evaluates the pertinent  
16337 preliminary results; and

16338 b. A final report within two years of the final certificate of occupancy for the  
16339 second project completed under the demonstration project, as adopted in either ordinance

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Ordinance 19881

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16340 19119 or this ordinance, that describes and evaluates the pertinent results and  
16341 recommends changes, if appropriate based on evaluation, that should be made to the  
16342 county processes and development regulations.

16343           2. If only insufficient or inconclusive data are available when the report required  
16344 under subsection ~~((K.))~~ J.1. of this section is due, the executive ~~((must))~~ shall  
16345 electronically file ~~((in the form of a paper original and an electronic copy))~~ with the clerk  
16346 of the council, who shall retain the original and provide an electronic copy to all  
16347 councilmembers, the council chief of staff, and the lead staff to the local services and  
16348 land use committee or its successor ~~((and the lead staff to the community health and~~  
16349 ~~housing services committee or its successor))~~ a report on the demonstration projects that  
16350 indicates the date a subsequent report or reports will be transmitted to fully evaluate  
16351 outcomes of the demonstration project sites and recommend changes, if appropriate,  
16352 based on the evaluation, that should be made to the county processes and development  
16353 regulations.

16354           NEW SECTION. SECTION 365. There is hereby added to K.C.C. 21A.55 a new  
16355 section to read as follows:

16356           A.1. The purpose of the regenerative development demonstration project is to  
16357 determine whether innovative permit processing, site development, and building  
16358 construction techniques can facilitate development that goes beyond sustainability and  
16359 results in significant community and environmental benefits, including: net-positive  
16360 energy and water use; improved ecological performance; health and wellness through  
16361 walkability, social interaction, and elimination of toxic materials; and diverse, equitable,  
16362 and affordable housing. The demonstration project will provide information on

Ordinance 19881

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16363 application of these techniques to a project with a mix of residential and commercial uses  
16364 within Vashon Rural Town.

16365           2. The demonstration project will also enable the county to evaluate whether  
16366 consolidated administrative approval of modifications or waivers and any subsequent  
16367 hearings, if required, effectively speeds the development review process while  
16368 maintaining land use coordination and environmental protection, and whether that leads  
16369 to administrative costs savings for project applicants and King County.

16370           B. Expected benefits from the demonstration project include: restoration and  
16371 enhancement of local ecosystems, particularly ground and surface waters on site and in  
16372 the watershed; greater use of non-toxic, sustainable building materials; more efficient use  
16373 of energy and natural resources; improved resident wellbeing; resilience to climate  
16374 change; diverse, equitable, and affordable housing; and the opportunity to identify and  
16375 evaluate potential substantive changes to land use development regulations that support  
16376 these goals.

16377           C. A request by the applicant to modify or waive development standards for the  
16378 development proposals shall be evaluated by the department of local services, permitting  
16379 division, based on the criteria in subsection J. of this section. A request shall first be  
16380 either approved or denied administratively and may be further reviewed as described in  
16381 subsection H.3. of this section. Approval or denial of the proposed modification or  
16382 waiver shall not be construed as applying to any other development application either  
16383 within the demonstration project area or elsewhere in the county.

16384           D. A modification or waiver approved by the department of local services,  
16385 permitting division, in accordance with this section shall be in addition to those



Ordinance 19881

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16386 modifications or waivers that are currently allowed by this title. The proposed  
16387 modifications or waivers to development regulations that may be considered regarding  
16388 regenerative development demonstration projects shall include only the following  
16389 chapters and related public rules:

- 16390 1. Drainage review requirements: K.C.C. chapter 9.04 and the Surface Water  
16391 Design Manual;
- 16392 2. King County road standards: K.C.C. chapter 14.42 and the King County  
16393 Road Design and Construction Standards;
- 16394 3. Density and dimensions: section 212 and section 213 of this ordinance,  
16395 except that allowed densities shall not be modified or waived;
- 16396 4. Design requirements: K.C.C. chapter 21A.14;
- 16397 5. Landscaping and water use: K.C.C. chapter 21A.16;
- 16398 6. Parking and circulation: K.C.C. chapter 21A.18;
- 16399 7. Signs: K.C.C. chapter 21A.20;
- 16400 8. Critical areas: K.C.C. chapter 21A.24, if the modification results in a net  
16401 improvement to the functions of the critical area; and
- 16402 9. Landscape installation timing: K.C.C. chapters 27A.30 and 27A.40.

16403 E. A demonstration project authorized by this section may contain residential and  
16404 nonresidential uses subject to the following:

- 16405 1. The R-8 zoned areas of the demonstration project may include any residential  
16406 uses as allowed as a permitted use in the R-12 through R-48 zones, subject to any  
16407 development conditions in K.C.C. 21A.08.030, without the need to request a  
16408 modification or waiver as described in subsection H. of this section. The applicant may

Ordinance 19881

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16409 request a modification or waiver of any of the development conditions for residential uses  
16410 contained in K.C.C. 21A.08.030, subject to the review process described in subsection H.  
16411 of this section and the criteria in subsection J. of this section;

16412           2. For nonresidential uses anywhere within the demonstration project area, the  
16413 applicant may request a modification or waiver of the development conditions for  
16414 nonresidential uses in section 211 of this ordinance, subject to the review process  
16415 described in subsection H. of this section and the criteria in subsection J. of this section.

16416           F. A demonstration project authorized by this section allows a residential basics  
16417 program for townhouse, apartment, and houseplex building types, consistent with the  
16418 department of local services public rules chapter 16-04: residential basics program.

16419           G. All related review processes such as subdivision, building permit, inspection,  
16420 and similar processes for a demonstration project shall be expedited if:

16421           1. Ten percent or more of all for-sale residential units proposed for the  
16422 demonstration project are placed into a Community Land Trust as affordable to  
16423 households at eighty percent of area median income; and

16424           2. Either:

16425           a. fifteen percent or more of all rental residential units for the demonstration  
16426 project are affordable to households at eighty percent of area median income; or

16427           b. seventy percent or more of all rental residential units for the demonstration  
16428 project are affordable to households at eighty to one hundred fifteen percent of area  
16429 median income.

16430           H.1. Requests for a modification or waiver made in accordance with this section  
16431 may only be submitted in writing in relation to the following types of applications:

Ordinance 19881

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16432 a. a site development permit;

16433 b. a binding site plan;

16434 c. a building permit;

16435 d. a short subdivision;

16436 e. a subdivision;

16437 f. a conditional use permit; or

16438 g. a clearing and grading permit.

16439 2. Requests shall be submitted to the department in writing before or in  
16440 conjunction with an application for one or more of the permits listed in subsection H.1. of  
16441 this section, together with any supporting documentation. The supporting documentation  
16442 must illustrate how the proposed modification meets the criteria in subsection J. of this  
16443 section.

16444 3. Except for an applicant's request for a modification or waiver submitted in  
16445 conjunction with an application for a subdivision, the notice of application, review, and  
16446 approval of a proposed modification or waiver shall be treated as a Type 2 land use  
16447 decision in accordance with K.C.C. 20.20.020. The request for a modification or waiver  
16448 submitted in conjunction with an application for a subdivision shall be treated as a Type 3  
16449 land use decision in accordance with K.C.C. 20.20.020.

16450 4. A preapplication meeting with the applicant and the department of local  
16451 services, permitting division, to determine the need for and the likely scope of a proposed  
16452 modification or waiver, is required before submittal of such a request. If a modification  
16453 or waiver requires approval of the department of natural resources and parks or the

Ordinance 19881

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16454 department of local services, road services division, that department or division shall be  
16455 invited to participate in the preapplication meeting.

16456           5. If the applicant requests an adjustment from the county drainage standards,  
16457 the director shall refer the request to the department of natural resources and parks for  
16458 decision under K.C.C. chapter 9.04, with the right to appeal within the department of  
16459 natural resources and parks as provided in K.C.C. 9.04.050.C.6. The department of  
16460 natural resources and parks shall consider the purposes of this demonstration ordinance as  
16461 a factor relative to the public interest requirement for drainage adjustments described in  
16462 K.C.C.9.04.050.C.

16463           6. If the applicant requests a variance from the county road standards, the  
16464 director shall refer the request to the county road engineer for decision under K.C.C.  
16465 14.42.060, with the right to appeal within the department of local services, road services  
16466 division, as provided in K.C.C. 14.42.060 and the associated public rule. The department  
16467 of local services, road services division, shall consider the purposes of this demonstration  
16468 ordinance as a factor relative to the public interest requirement for road variances  
16469 described in K.C.C. 14.42.060.

16470           7. Administrative appeals of modifications or waivers approved by the director  
16471 shall be combined with any appeal of the underlying permit decision, if the underlying  
16472 permit is subject to appeal.

16473           I. An approved development proposal for any of the applications listed in  
16474 subsection H.1. of this section, including site plan elements or conditions of approval,  
16475 may be amended or modified at the request of the applicant or the applicant's successor in  
16476 interest designated by the applicant in writing. The director may administratively

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Ordinance 19881

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16477 approve minor modifications to an approved development proposal. Modifications that  
16478 result in major changes as determined by the department or as defined by the approval  
16479 conditions shall be treated as a new application for purposes of vesting and shall be  
16480 reviewed as applicable to the underlying application pursuant to K.C.C. 20.20.020. Any  
16481 increase in the total number of dwelling units above the maximum number set forth in the  
16482 development proposal permit or approval shall be deemed a major modification. The  
16483 county, through the applicable development proposal permit or approval conditions, may  
16484 specify additional criteria for determining whether proposed modifications are major or  
16485 minor. The modifications allowed under this section supersede other modification or  
16486 revision provisions of K.C.C. Title 16 and Title 19A and this title.

16487         J.1. To be eligible to use the provisions of this section, a demonstration project  
16488 must be located on a demonstration project site identified in the regenerative  
16489 development demonstration project Map Amendment 9 in Attachment I to this ordinance,  
16490 and the applicant has accepted the site as a King County regenerative development  
16491 demonstration project.

16492         2. Proposals to modify or waive development regulations for a development  
16493 application must be consistent with general health, safety, and public welfare standards,  
16494 and must not violate state or federal law.

16495         3.a. Applications must demonstrate how the proposed project, when considered  
16496 as a whole with the proposed modifications or waivers to the code, will meet all of the  
16497 criteria in this subsection J., as compared to development without the modification or  
16498 waiver, and:

16499                 (1) achieves higher-quality development;

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Ordinance 19881

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16500 (2) optimizes site utilization; and

16501 (4) enhances pedestrian experiences and sense of place and community.

16502 b. Any individual request for a modification or waiver must meet two or more  
16503 of the following criteria:

16504 (1) contributes to the creation of a walkable community, which includes  
16505 features such as a connected street and trail network, a mix of housing types, and  
16506 pedestrian or bike routes throughout the development.

16507 (2) uses the natural site characteristics to enhance the natural systems,  
16508 providing a net benefit; and

16509 (3) contributes to achievement of Living Certification through the  
16510 International Living Future Institute's Living Building Challenge certification program.

16511 4. The criteria in this subsection supersede other variance, modification, or  
16512 waiver criteria and provisions of K.C.C. Title 21A.

16513 K. Regulatory modification and waiver applications, or both, authorized by this  
16514 section shall be filed with the department of local services, permitting division, on or  
16515 before January 1, 2028. Complete applications submitted on or before January 1, 2028,  
16516 shall be reviewed and decided on by the department of local services, permitting division.

16517 Modifications or waivers contained within an approved development proposal are valid  
16518 as long as the underlying permit or development application approval is valid. If  
16519 modifications or waivers are approved as separate applications, they must be incorporated  
16520 into a valid permit or development application on or before January 1, 2028. The director  
16521 may extend the date for filing the demonstration project permit and development

Ordinance 19881

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16522 applications for a maximum of twelve months. Any deadline in this subsection shall be  
16523 adjusted to include the time for appeal of all or any portion of the project approval.

16524 SECTION 366. Ordinance 3269, Section 2, and K.C.C. 24.08.010 are hereby  
16525 amended to read as follows:

16526 ~~((For the purpose of this title, the following terms have the meanings ascribed to~~  
16527 ~~them in this chapter.)) The definitions in K.C.C. chapter 21A.06 and the definitions in  
16528 this chapter apply to this title.~~

16529 NEW SECTION. SECTION 367. There is hereby added to K.C.C. chapter 24.08  
16530 a new section to read as follows:

16531 Rotating shelter: an emergency shelter where the hosting organizations host  
16532 shelter operations on a temporary basis, rotating the shelter operations between its  
16533 participating host locations.

16534 SECTION 368. Sections 369 through 374 of this ordinance should constitute a  
16535 new chapter in K.C.C. Title 24.

16536 NEW SECTION. SECTION 369. The purpose of this chapter is to provide  
16537 standards for certain residential care uses and to address the potential impacts to  
16538 neighborhoods.

16539 NEW SECTION. SECTION 370. Recuperative housing is subject to the  
16540 following criteria:

16541 A. Prospective residents shall be referred to the facility by off-site providers of  
16542 housing and services for people experiencing homelessness;

16543 B. Recuperative housing facilities shall be staffed and in operation twenty-four  
16544 hours per day;

Ordinance 19881

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16545 C. Specific rooms or units shall be assigned to specific residents for the duration  
16546 of their stay;

16547 D. On-site services such as laundry, hygiene, meals, case management, and social  
16548 programs are limited to residents;

16549 E. All vehicles on-site shall be licensed and in operational condition; and

16550 F. A lease agreement for residents is allowed but not required.

16551 NEW SECTION. SECTION 371.

16552 A. Emergency shelters that operate twenty-four hours per day, seven days per  
16553 week, are subject to the following criteria:

16554 1. Facilities shall be staffed twenty-four hours per day; and

16555 2. Beds or rooms shall be assigned to specific residents for the duration of their  
16556 stay;

16557 B. Emergency shelters that operate only overnight and rotating shelters shall  
16558 provide on-site supervision while in operation; and

16559 C. A lease agreement for residents is allowed but not required.

16560 NEW SECTION. SECTION 372. Emergency supportive housing is subject to  
16561 the following criteria:

16562 A. Facilities shall be staffed and in operation twenty-four hours per day;

16563 B. Specific rooms or units shall be assigned to specific residents for the duration  
16564 of their stay;

16565 C. On-site services such as laundry, hygiene, meals, case management, and social  
16566 programs shall be limited to residents;

16567 D. All vehicles on-site shall be licensed and in operational condition; and



Ordinance 19881

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16568 E. A lease agreement for residents is allowed but not required.

16569 NEW SECTION. SECTION 373. Microshelter villages are subject to the

16570 following criteria:

16571 A. On-site services such as laundry, hygiene, meals, case management, and social  
16572 programs shall be limited to residents;

16573 B. Supervision shall be provided by on-site staff at all times, unless it can be  
16574 demonstrated that this level of supervision is not warranted for the population being  
16575 housed;

16576 C. The organization managing and operating the facility shall provide sanitation  
16577 and basic safety measures;

16578 D. All vehicles on-site shall be licensed and in operational condition; and

16579 E. A lease agreement for residents is allowed but not required.

16580 NEW SECTION. SECTION 374. Safe parking sites are allowed subject to the

16581 following criteria:

16582 A. A six-foot clearance shall be provided around each recreational vehicle;

16583 B. All vehicles on-site shall be:

16584 1. Licensed and in operable condition; and

16585 2. Parked within the designated parking area;

16586 C. All personal property shall be stored inside the vehicles;

16587 D. All propane tanks shall be securely fastened to a recreational vehicle's propane  
16588 tank mounting bracket;

16589 E. The following are prohibited:

16590 1. Tents, tarps, and other temporary structures, such as lean-tos;

Ordinance 19881

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16591            2. Vehicles that leak the following:  
 16592                a. domestic sewage or other waste fluids or solids; or  
 16593                b. gasoline, transmission or radiator fluid, engine oil, or other similar fluids,  
 16594 excluding potable water;

16595            3. Fires; and  
 16596            4. Audio, video, generator, or other amplified sound that is audible outside the  
 16597 vehicles; and

16598            F. The organization managing or operating the safe parking site shall comply and  
 16599 enforce compliance of applicable state statutes and regulations and local ordinances  
 16600 concerning, but not limited to, drinking water connections, solid waste disposal, human  
 16601 waste, outdoor fire burning, and electrical systems.

16602            SECTION 375. Ordinance 13332, Section 34, as amended, and K.C.C. 27.10.190  
 16603 are hereby amended to read as follows:

16604            Preliminary subdivision, short subdivision, (~~urban planned development~~) or  
 16605 binding site plan applications shall be charged fees for planning, fire flow and access, site  
 16606 engineering, critical area, survey, and state Environmental Policy Act review as follows:

16607	A.	Short ( <del>plat</del> ) <u>subdivision</u> - urban ((2)) 3 to 4 lots, simple	\$34,187.00
16608	B.	Short ( <del>plat</del> ) <u>subdivision</u> - urban ((2)) 3 to 4 lots, complex	\$40,118.00
16609	C.	Short ( <del>plat</del> ) <u>subdivision</u> - urban 5 to 9 lots	\$50,714.00
16610	D.	Short ( <del>plat</del> ) <u>subdivision</u> - rural	\$40,118.00
16611	E.	Subdivision( <del>(, urban planned development,)</del> ) or binding site plan -	
16612		base fee	\$62,839.00
16613	F.	Subdivision - additional fee per lot	\$212.00

Ordinance 19881

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16614	G.	<u>Microsubdivision – urban 2 lots</u>	<u>\$15,000.00</u>
16615	H.	Minor plan revisions before or after preliminary approval	
16616	1.	<u>Microsubdivision – urban 2 lots</u>	<u>\$1,800.00</u>
16617	2.	Short ( <del>(plat)</del> ) <u>subdivision</u>	\$3,601.00
16618	<del>((2.))</del> 3.	Subdivision( <del>(, urban planned development)</del> ) or binding site plan	\$9,217.00
16619	<del>((H.))</del> I.	Extension of ( <del>(plat)</del> ) <u>preliminary</u> approval	\$423.00
16620		<u>SECTION 376.</u> Ordinance 13332, Section 35, as amended, and K.C.C. 27.10.200	
16621		are hereby amended to read as follows:	
16622		Final ( <del>(subdivision)</del> ) <u>plat</u> , short ( <del>(subdivision)</del> ) <u>plat</u> , ( <del>(urban planned</del>	
16623		<del>development,))</del> binding site plan, subdivisional legal description, or title review,	
16624		approval, and resubmittal shall be charged fees as follows:	
16625	A.	Final plan review and approval	
16626	1.	Short plat - urban ( <del>((2))</del> ) <u>3</u> to 4 lots, simple	\$10,762.00
16627	2.	Short plat - urban ( <del>((2))</del> ) <u>3</u> to 4 lots, complex	\$15,001.00
16628	3.	Short plat - urban 5 to 9 lots	\$23,052.00
16629	4.	Short plat - rural	\$15,001.00
16630	5.	<del>((Subdivision,))</del> <u>Final plat or binding site plan</u> ( <del>(, or urban planned</del>	
16631		<del>development))</del> )	\$23,052.00
16632	6.	<u>Microplat – urban 2 lots</u>	<u>\$5,000.00</u>
16633	B.	Final plan resubmittal	
16634	1.	Short plat - urban ( <del>((2))</del> ) <u>3</u> to 4 lots, simple	\$1,484.00
16635	2.	Short plat - urban ( <del>((2))</del> ) <u>3</u> to 4 lots, complex	\$2,117.00
16636	3.	Short plat - urban 5 to 9 lots	\$4,239.00

Ordinance 19881

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16637	4.	Short plat - rural	\$2,117.00
16638	5.	<del>((Subdivision,))</del> <u>Final plat or binding site plan</u> <del>((, or urban planned</del>	
16639		<del>development))</del>	\$4,239.00
16640	6.	<u>Microplat – urban 2 lots</u>	<u>\$700.00</u>
16641	C.	Alteration after recordation	
16642	1.	Short plat - urban <del>((2))</del> <u>3</u> to 4 lots, simple	\$7,204.00
16643	2.	Short plat - urban <del>((2))</del> <u>3</u> to 4 lots, complex	\$10,169.00
16644	3.	Short plat - urban 5 to 9 lots	\$15,466.00
16645	4.	Short plat - rural	\$10,160.00
16646	5.	<del>((Subdivision,))</del> <u>Final plat or binding site plan</u> <del>((or urban planned</del>	
16647		<del>development))</del>	\$18,434.00
16648	6.	<u>Microplat – urban 2 lots</u>	<u>\$3,500.00</u>
16649	D.	Subdivisional legal description review	
16650	1.	1-50 lots - base fee	\$1,043.00
16651	2.	1-50 lots - per lot	\$250.00
16652	3.	51-100 lots - base fee	\$13,543.00
16653	4.	51-100 lots - per lot	\$101.00
16654	5.	More than 100 lots - base fee	\$18,593.00
16655	6.	More than 100 lots - per lot	\$24.00
16656	7.	Name change	\$770.00

16657        SECTION 377. No later than June 30, 2025, the executive shall transmit the  
 16658 thirty-year forest plan, clean water healthy habitat strategic plan, and wildfire risk  
 16659 reduction strategy to the council, along with motions accepting each document. The

Ordinance 19881

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16660 documents and motions required by this section shall be filed with the clerk of the  
16661 council, who shall retain an electronic copy and provide an electronic copy to all  
16662 councilmembers, the council chief of staff, and the lead staff to the transportation,  
16663 economy, and environment committee or its successor.

16664 SECTION 378. The following are hereby repealed:

16665 A. Ordinance 14050, Section 17, and K.C.C. 14.70.300;

16666 B. Ordinance 9614, Section 103, as amended, and K.C.C. 16.82.150;

16667 C. Ordinance 16267, Section 6, and K.C.C. 16.82.151;

16668 D. Ordinance 15053, Section 15, as amended, and K.C.C. 16.82.152;

16669 E. Ordinance 15053, Section 16, and K.C.C. 16.82.154;

16670 F. Ordinance 18810, Section 6, and K.C.C. 20.08.175;

16671 G. Ordinance 1096, Sections 1 and 2, as amended, and K.C.C. 20.12.090;

16672 H. Ordinance 8279, Section 1, as amended, and K.C.C. 20.12.150;

16673 I. Ordinance 18623, Section 8, and K.C.C. 20.12.329;

16674 J. Ordinance 11620, Section 18, and K.C.C. 20.12.433;

16675 K. Ordinance 11620, Section 19, and K.C.C. 20.12.435;

16676 L. Ordinance 8380, Section 1, and K.C.C. 20.14.010;

16677 M. Ordinance 8380, Appendix A;

16678 N. Ordinance 8380, Appendix B;

16679 O. Ordinance 10238, Section 1, as amended, and K.C.C. 20.14.020;

16680 P. Ordinance 10293, Attachment A, as amended;

16681 Q. Ordinance 10293, Sections 1, 2, 6, 7, and 9, as amended, and K.C.C.

16682 20.14.025;

Ordinance 19881

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- 16683 R. Ordinance 10293, Attachment A, as amended;
- 16684 S. Ordinance 10513, Section 1, as amended, and K.C.C. 20.14.030;
- 16685 T. Ordinance 10513, Attachment A, as amended;
- 16686 U. Ordinance 11087, Section 1, as amended, and K.C.C. 20.14.040;
- 16687 V. Ordinance 11087, Attachment A, as amended;
- 16688 W. Ordinance 11111, Section 1, as amended, and K.C.C. 20.14.050;
- 16689 X. Ordinance 11111, Attachment A, as amended;
- 16690 Y. Ordinance 11886, Sections 1 and 4, as amended, and K.C.C. 20.14.060;
- 16691 Z. Ordinance 11886, Attachment A, as amended;
- 16692 AA. Ordinance 12809, Section 1, as amended, and K.C.C. 20.14.070;
- 16693 BB. Ordinance 12809, Attachment A, as amended;
- 16694 CC. Ordinance 14091, Section 1, and K.C.C. 20.14.080;
- 16695 DD. Ordinance 14091, Attachment A;
- 16696 EE. Ordinance 13147, Section 28, as amended, and K.C.C. 20.18.120;
- 16697 FF. Ordinance 8998, Section 6, and K.C.C. 20.44.145;
- 16698 GG. Ordinance 11210, Section 22, and K.C.C. 21A.06.027;
- 16699 HH. Ordinance 10870, Section 99, as amended, and K.C.C. 21A.06.295;
- 16700 II. Ordinance 17191, Section 20, and K.C.C. 21A.06.318;
- 16701 JJ. Ordinance 10870, Section 106 and K.C.C. 21A.06.330;
- 16702 KK. Ordinance 17191, Section 22 and K.C.C. 21A.06.450;
- 16703 LL. Ordinance 12171, Section 3, and K.C.C. 21A.06.533;
- 16704 MM. Ordinance 10870, Section 192, and K.C.C. 21A.06.760;
- 16705 NN. Ordinance 10870, Section 196, and K.C.C. 21A.06.780;

Ordinance 19881

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- 16706 OO. Ordinance 14045, Section 6, and K.C.C. 21A.06.819;
- 16707 PP. Ordinance 10870, Section 208, and K.C.C. 21A.06.840;
- 16708 QQ. Ordinance 10870, Section 210, and K.C.C. 21A.06.850;
- 16709 RR. Ordinance 10870, Section 219, and K.C.C. 21A.06.895;
- 16710 SS. Ordinance 11210, Section 31, and K.C.C. 21A.06.897;
- 16711 TT. Ordinance 11210, Section 33, and K.C.C. 21A.06.972;
- 16712 UU. Ordinance 10870, Section 239, and K.C.C. 21A.06.995;
- 16713 VV. Ordinance 10870, Section 255, and K.C.C. 21A.06.1075;
- 16714 WW. Ordinance 10870, Section 301, and K.C.C. 21A.06.1305;
- 16715 XX. Ordinance 10870, Section 308, and K.C.C. 21A.06.1340;
- 16716 YY. Ordinance 10870, Section 339, and K.C.C. 21A.12.020;
- 16717 ZZ. Ordinance 10870, Section 340, as amended, and K.C.C. 21A.12.030;
- 16718 AAA. Ordinance 10870, Section 341, as amended, and K.C.C. 21A.12.040;
- 16719 BBB. Ordinance 17539, Section 35, and K.C.C. 21A.12.042;
- 16720 CCC. Ordinance 10870, Section 345, as amended, and K.C.C. 21A.12.080;
- 16721 DDD. Ordinance 11555, Section 4, as amended, and K.C.C. 21A.12.085;
- 16722 EEE. Ordinance 10870, Section 368, as amended, and K.C.C. 21A.14.080;
- 16723 FFF. Ordinance 10870, Section 369, as amended, and K.C.C. 21A.14.090;
- 16724 GGG. Ordinance 10870, Section 372, and K.C.C. 21A.14.120;
- 16725 HHH. Ordinance 10870, Section 373, as amended, and K.C.C. 21A.14.130;
- 16726 III. Ordinance 10870, Section 379, as amended, and K.C.C. 21A.14.190;
- 16727 JJJ. Ordinance 10870, Section 410, as amended, and K.C.C. 21A.18.060;
- 16728 KKK. Ordinance 10870, Section 417, and K.C.C. 21A.18.130;

Ordinance 19881

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- 16729 LLL. Ordinance 10870, Section 418, and K.C.C. 21A.18.140;
- 16730 MMM. Ordinance 15170, Section 18, and K.C.C. 21A.32.145;
- 16731 NNN. Ordinance 10870, Section 560, and K.C.C. 21A.34.010;
- 16732 OOO. Ordinance 10870, Section 561, as amended, and K.C.C. 21A.34.020;
- 16733 PPP. Ordinance 10870, Section 562, as amended, and K.C.C. 21A.34.030;
- 16734 QQQ. Ordinance 10870, Section 563, as amended, and K.C.C. 21A.34.040;
- 16735 RRR. Ordinance 10870, Section 564, as amended, and K.C.C. 21A.34.050;
- 16736 SSS. Ordinance 10870, Section 565, as amended, and K.C.C. 21A.34.060;
- 16737 TTT. Ordinance 10870, Section 566, and K.C.C. 21A.34.070;
- 16738 UUU. Ordinance 10870, Section 567, and K.C.C. 21A.34.080;
- 16739 VVV. Ordinance 16267, Section 68, as amended, and K.C.C. 21A.37.055;
- 16740 WWW. Ordinance 10870, Section 578, as amended, and K.C.C. 21A.38.050;
- 16741 XXX. Ordinance 10870, Section 581, as amended, and K.C.C. 21A.38.080;
- 16742 YYY. Ordinance 11567, Section 1, as amended, and K.C.C. 21A.38.100;
- 16743 ZZZ. Ordinance 12823, Section 13, and K.C.C. 21A.38.180;
- 16744 AAAA. Ordinance 18623, Section 9, and K.C.C. 21A.38.270;
- 16745 BBBB. Ordinance 19555, Section 19, and K.C.C. 21A.38.275;
- 16746 CCCC. Ordinance 19555, Section 20, and K.C.C. 21A.38.280;
- 16747 DDDD. Ordinance 10870, Section 582, and K.C.C. 21A.39.010;
- 16748 EEEE. Ordinance 10870, Section 583, as amended, and K.C.C. 21A.39.020;
- 16749 FFFF. Ordinance 10870, Section 584, as amended, and K.C.C. 21A.39.030;
- 16750 GGGG. Ordinance 10870, Section 585, and K.C.C. 21A.39.040;
- 16751 HHHH. Ordinance 10870, Section 586, as amended, and K.C.C. 21A.39.050;



Ordinance 19881

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- 16752 III. Ordinance 10870, Section 587, and K.C.C. 21A.39.060;
- 16753 JJJJ. Ordinance 10870, Section 588, and K.C.C. 21A.39.070;
- 16754 KKKK. Ordinance 10870, Section 589, and K.C.C. 21A.39.080;
- 16755 LLLL. Ordinance 10870, Section 590, and K.C.C. 21A.39.090;
- 16756 MMMM. Ordinance 10870, Section 591, and K.C.C. 21A.39.100;
- 16757 NNNN. Ordinance 10870, Section 592, and K.C.C. 21A.39.110;
- 16758 OOOO. Ordinance 10870, Section 593, and K.C.C. 21A.39.120;
- 16759 PPPP. Ordinance 10870, Section 594, and K.C.C. 21A.39.130;
- 16760 QQQQ. Ordinance 12171, Section 8, and K.C.C. 21A.39.200;
- 16761 RRRR. Ordinance 13130, Section 10, as amended, and K.C.C. 21A.42.180;
- 16762 SSSS. Ordinance 10870, Section 628, and K.C.C. 21A.44.070;
- 16763 TTTT. Ordinance 12171, Section 9, and K.C.C. 21A.44.080;
- 16764 UUUU. Ordinance 13275, Section 1, as amended, and K.C.C. 21A.55.050;
- 16765 VVVV. Ordinance 14662, Section 1, as amended, and K.C.C. 21A.55.060;
- 16766 WWWW. Ordinance 19687, Section 10, and K.C.C. 21A.60.020;
- 16767 XXXX. Ordinance 17877, Section 1;
- 16768 YYYYY. Ordinance 17877, Section 2;
- 16769 ZZZZ. Ordinance 17877, Section 3;
- 16770 AAAAA. Ordinance 17878, Section 1;
- 16771 BBBBB. Ordinance 17878, Section 2;
- 16772 CCCCC. Ordinance 17878, Section 3;
- 16773 DDDDD. Ordinance 17950, Section 5;
- 16774 EEEEE. Ordinance 15170, Section 16, as amended;

Ordinance 19881

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16775 FFFFF. Ordinance 15170, Section 17, as amended;

16776 GGGGG. Attachment A to Ordinance 13875, as amended; and

16777 HHHHH. Ordinance 16650, Attachment B.

16778 SECTION 379. The executive shall submit sections 48, 270, 272, 273, 274, 275,

16779 276, 277, 278, 279, and 280 of this ordinance and amendments to King County

16780 Comprehensive Plan chapter six in Attachment A to this ordinance to the state

16781 Department of Ecology for its approval, as provided in RCW 90.58.090.

16782 SECTION 380. Sections 48, 270, 272, 273, 274, 275, 276, 277, 278, 279, and

16783 280 of this ordinance and amendments to King County Comprehensive Plan chapter six

16784 in Attachment A to this ordinance take effect within the shoreline jurisdiction fourteen

16785 days after the state Department of Ecology provides written notice of final action stating

16786 that the proposal is approved, in accordance with RCW 90.58.090. The executive shall

16787 provide the written notice of final action to the clerk of the council.

16788 SECTION 381. The "Designated Mineral Resource Sites" table shown in Chapter

16789 3 of the King County Comprehensive Plan shall not take effect until the latter of the

16790 following:

16791 A. Sixty-one days after the date of publication of notice of adoption for this

16792 ordinance; or

16793 B. If a petition for review to the growth management hearings board is timely

16794 filed, upon issuance of the board's final order. The executive shall alert the clerk of the

16795 council whether a petition is filed, and if a petition is filed, when a final order is issued.

16796 SECTION 382. The executive is authorized to submit an application to the

16797 Growth Management Planning Council to designate the Skyway and White Center

Ordinance 19881

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16798 Unincorporated Activity Centers as countywide centers, as provided in Appendix 6 to the

16799 2021 King County Countywide Planning Policies.

16800 SECTION 383. **Severability.** If any provision of this ordinance or its application

Ordinance 19881

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16801 to any person or circumstance is held invalid, the remainder of the ordinance or the  
16802 application of the provision to other persons or circumstances is not affected.

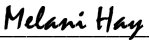
Ordinance 19881 was introduced on 12/12/2023 and passed as amended by the Metropolitan King County Council on 12/10/2024, by the following vote:

Yes: 8 - Balducci, Barón, Dembowski, Mosqueda, Perry, Upthegrove, von Reichbauer and Zahilay  
No: 1 - Dunn

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

Signed by:  
  
E76CE01F07B14EF...  
Dave Upthegrove, Chair

ATTEST:

DocuSigned by:  
  
8DE1BB375AD3422...  
Melani Hay, Clerk of the Council

APPROVED this \_\_\_\_ day of 12/23/2024, \_\_\_\_\_.

Signed by:  
  
4FBCAB8196AE4C6...  
Dow Constantine, County Executive

**Attachments:** A. 2024 King County Comprehensive Plan, Adopted December 10, 2024, B. Appenix A Capital Facilities and Utilities, December 2024, C. Appendix B Housing Needs Assessment, December 2024, D. Appendix C Transortation, December 2024, E. Appendix C1 Transportation Needs Report, December 2024, F. Appendix C2 Regional Trail Needs Report, December 2024, G. Apendix D1 Growth Targets and the Urban Growth Area, December 2024, H. Amendmewnts to Vashon-Maury Island Community Service Area Subarea Plan, As Amended, December 2024, I. Land Use and Zoning Map Amendments, December 2024, J. Snoqualmie Valley-Northeast King County Subarea Plan, December 2024

## Certificate Of Completion

Envelope Id: 47BF82A3-6EA6-4AEF-8701-27E74CCBE736

Status: Completed

Subject: Complete with Docusign: Ordinance 19881.docx

Source Envelope:

Document Pages: 860

Signatures: 3

Envelope Originator:

Certificate Pages: 5

Initials: 0

Cherie Camp

AutoNav: Enabled

401 5TH AVE

Envelopeld Stamping: Enabled

SEATTLE, WA 98104

Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Cherie.Camp@kingcounty.gov

IP Address: 198.49.222.20

## Record Tracking

Status: Original

Holder: Cherie Camp

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12/17/2024 10:22:09 AM

Cherie.Camp@kingcounty.gov

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Pool: FedRamp

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Pool: King County-Council

Location: DocuSign

## Signer Events

## Signature

## Timestamp

Dave Upthegrove

Signed by:

Sent: 12/17/2024 10:27:49 AM

dave.upthegrove@kingcounty.gov

E76CE01F07B14EF...

Viewed: 12/17/2024 12:23:50 PM

Chair

Signed: 12/17/2024 12:24:04 PM

Security Level: Email, Account Authentication (None)

Signature Adoption: Uploaded Signature Image

Using IP Address: 47.45.129.219

## Electronic Record and Signature Disclosure:

Accepted: 12/17/2024 12:23:50 PM

ID: 3139d20d-f2ff-471d-b489-924a6381db05

Melani Hay

DocuSigned by:

Sent: 12/17/2024 12:24:32 PM

melani.hay@kingcounty.gov

8DE1BB375AD3422...

Viewed: 12/17/2024 12:25:06 PM

Clerk of the Council

Signed: 12/17/2024 12:26:08 PM

King County Council

Signature Adoption: Pre-selected Style

Security Level: Email, Account Authentication (None)

Using IP Address: 198.49.222.20

## Electronic Record and Signature Disclosure:

Accepted: 9/30/2022 11:27:12 AM

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

Dow Constantine

Signed by:

Sent: 12/17/2024 12:26:35 PM

Dow.Constantine@kingcounty.gov

4FBCAB8196AE4C6...

Viewed: 12/23/2024 11:26:09 AM

King County Executive

Signed: 12/23/2024 11:26:37 AM

Security Level: Email, Account Authentication (None)

Signature Adoption: Uploaded Signature Image

Using IP Address: 146.129.84.117

## Electronic Record and Signature Disclosure:

Accepted: 12/23/2024 11:26:09 AM

ID: 453bc49d-90d6-4922-8d24-2caf47ae851a

## In Person Signer Events

## Signature

## Timestamp

## Editor Delivery Events

## Status

## Timestamp

## Agent Delivery Events

## Status

## Timestamp

## Intermediary Delivery Events

## Status

## Timestamp

Certified Delivery Events	Status	Timestamp
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Carbon Copy Events	Status	Timestamp
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Ames Kessler akessler@kingcounty.gov Executive Legislative Coordinator & Public Records Officer King County Security Level: Email, Account Authentication (None) <b>Electronic Record and Signature Disclosure:</b> Not Offered via DocuSign	<b>COPIED</b>	Sent: 12/17/2024 12:26:35 PM Viewed: 12/17/2024 3:29:06 PM
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Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Envelope Sent	Hashed/Encrypted	12/17/2024 10:27:49 AM
Certified Delivered	Security Checked	12/23/2024 11:26:09 AM
Signing Complete	Security Checked	12/23/2024 11:26:37 AM
Completed	Security Checked	12/23/2024 11:26:37 AM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure
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You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: [cipriano.dacanay@kingcounty.gov](mailto:cipriano.dacanay@kingcounty.gov)

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

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

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

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- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
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