

Plain Language Summary of Proposed 2020 Comprehensive Plan Update Amendments to the King County Code

This summary fulfills requirements in the Washington State Growth Management Act and King County Code 20.18.100 requirements for a plain language summary.

Overview

King County is updating its Comprehensive Plan policies, text and maps, and the associated development regulations related to planning and zoning. This is a discretionary action by the County to address a set of timely issues, and is not a state-required update under the State Growth Management Act. The proposed amendments include updates to the code to be consistent with state law, and updates to regulations for a set of public health and safety, environmental, housing, and other topics. The following is a summary of the changes in the Proposed Ordinance.

Summary of Changes

| # | Section | Current Code | Proposed Change | Rationale / Intent |
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| 1 | 20.12.337 | Adopts West Hill Community Plan in 1993. | Repeals section of code in order to repeal the West Hill Community Plan. | Concurrent with the repeal, King County is proposed to adopt a new Plan for the subarea. |
| 2 | 20.18.030 | Establishes general procedures for Comprehensive Plan update timelines and processes. | Amends subsections to change terminology related to comprehensive plan updates, amendments, cycles, and processes. Other grammatical changes such as consistency and dates. | Terminology changes throughout the Code, and the Comprehensive Plan, to ensure consistency when referring to updates to the Comprehensive Plan, amendments within the Comprehensive Plan, and processes or schedules. |
| 3 | 20.18.050 | Establishes initiation process for site-specific land use map and shoreline master program map amendments. | See #2 above. | See #2 above. |
| 4 | 20.18.055 | Establishes review standards and transmittal procedures for site-specific land use map amendment. | See #2 above. | See #2 above. |
| 5 | 20.18.060 | Establishes procedures for the eight-year update to the Comprehensive Plan. | See #2 above. | See #2 above. |
| 6 | 20.18.070 | Establishes procedures for the annual update to the Comprehensive Plan. | See #2 above. | See #2 above. |

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| 7 | 20.18.170 | Establishes the Four to One program, including the process to consider proposal, overall program goals, conservation easement requirements, and inter-jurisdictional review procedures and requirements. | Amendments throughout section: <ul style="list-style-type: none"> • Change to section title to clarify the dual goals of program. • Establishes the Docket as the mechanism for initiation of a Four-to-One from property owners. • Changes the level of review through the Docket process as the pre-application review process. • Establishes a new requirement for annexation prior to development for projects adjacent to a city. • Establishes a new requirement for an interlocal agreement with the annexing City. | Implements the recommendations of Four to One Program Review Study. The amendments clarify procedures and ensure a proper level of review. |
| 9 | 20.18.180 | Establishes the Four to One program criteria for both the urban and rural/open space portions of these projects. This includes lands allowed to use the program, parcel sizes, eligibility criteria, and evaluation criteria. | Amendments throughout section: <ul style="list-style-type: none"> • Change to title to clarify the dual goals of program. • Increases options for the land use designation to match the intended use of the land. • Amends the open space section to establish parameters for where and how the proposed open space is to be provided on the site. • Adds evaluation criteria related to public access and the County's ability to efficiently manage the open space property. | Implements recommendations of Four to One Program Review Study. The amendments clarify and strengthen the criteria. |
| 10 | 20.22.170 | Establishes duties for the King County Hearing Examiner related to review of site-specific map amendments. | See #2 above. | See #2 above. |
| 11 | 21A.02.110 | Establishes classification for rights-of-way under zoning code, and allowed uses for streets or alleys, or railroads. | Amends section related to allowed uses in railroad rights of way to clarify that accessory facilities are to be for freight-dependent uses by defining them as accessory to delivery and distribution | Ensures that the options for allowed uses in railroad rights of way cannot be used to avoid fossil fuel facility regulations. |
| 12 | 21A.06.150 | Defines bulk fuel gas storage tanks. | Amends title and definition to distinguish local distribution tanks from Fossil Fuel Facilities, which is established in a separate definition. | Ensures that local gas tanks are regulated differently than fossil fuel facilities. |
| 13 | 21A.06.197 | Defines coal mine by-product stockpiles. | Amends definition to clarify that coal is not a mineral product. | Distinguishes coal, which is an organic product, from mineral products. |

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| 14 | 21A.06.532 | New section in Definitions for fossil fuels. | Establishes a definition for fossil fuels, based on research and analysis in Comprehensive Plan and Moratorium Study process. Definition includes a set of exclusions for other types of fuels. | Defines fossil fuels, and also excludes other fuels such as non-fuel products, additives, renewable fuels, and captured fuels from other processes. |
| 15 | 21A.06.532A | New section in Definitions for fossil fuel facilities. | Establishes a definition for fossil fuel facility related to uses and activities. Definition includes exclusions such as for smaller, local-serving uses, and preempted uses. | Defines fossil fuel facilities and includes exclusions for other facilities and uses. |
| 16 | 21A.06.532B | New section in Definitions for fossil fuel facilities, new or modified. | Establishes a definition that distinguishes between new and modified facilities. | Definition needed in relation to limitations on expansion but allowances for modifications and upgrades. |
| 17 | 21A.06.532C | New section in Definitions for fossil fuel facility, type I. | Establishes a definition for the smaller one of two types of facilities that is based on the volume of liquid or dry materials. Smaller facilities are those above the exclusion levels in Local Gas Storage Tanks, and have a capacity of up to 378,000 gallons and/or dry storage of 1,425 cubic yards | Definition distinguishes between the smaller- and larger-sized facilities; this relates to the differential development conditions in the permitted uses table. |
| 18 | 21A.06.532D | New section in Definitions for fossil fuel facility, type II. | Establishes a definition for the smaller one of two types of facilities that is based on the volume of liquid or dry materials. Smaller facilities are those above the exclusion levels in Local Gas Storage Tanks, and have a capacity of more than 378,000 gallons and/or dry storage of 1,425 cubic yards. | Definition distinguishes between the smaller- and larger-sized facilities; this relates to the differential development conditions in the permitted uses table. |
| 19 | 21A.06.805 | Defines Nonhydro-electric generation facility. | Amends definition to exclude fossil fuels generated as a by-product in the waste management process. | Definition distinguishes fossil fuel that are generated through co-generation processes; this relates to the differential development conditions in the permitted uses table. |
| 20 | 21A.06.1041 | New section in Definitions for a Sea Level Rise Buffer. | Establishes a definition for a Sea Level Rise Buffer as an area adjacent to a coastal high hazard area and that extends landward to an elevation three feet above the base flood elevation. | The new buffers sets development standards to prepare and mitigate for future impacts from sea level rise. This only applies to lands on Vashon-Maury Island that are adjacent to areas that are mapped for coastal flooding. |
| 21 | 21A.06.1350 | Establishes a definition for utility facilities for the distribution or transmission of services. Includes ten facility types, including facilities that relate to fossil fuels. | Amends sections related to definition of a utility facility for natural gas pipelines and storage tanks to distinguish between fossil fuel facilities and the generally smaller and local-serving facilities excluded from the fossil fuel facility definitions. | Amendments to ensure that fossil fuels are regulated separately from these other uses. |

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| 22 | 21A.06.1375 | Establishes a definition for warehousing and wholesale trade establishments that store and/or sell bulk goods. | Amends definition to distinguish between these types of facilities and establishments and fossil fuel facilities. | Amendments to ensure that fossil fuels are regulated separately from these other uses. |
| 23 | 21A.08.030 | Contains the residential land uses table that defines permitted uses, conditional uses, special uses, and development conditions for all zoning classifications. | <p>(1) Amends development conditions for two types of Residential Accessory Structures - Accessory Dwelling Units and Accessory Living Quarters. Change includes;</p> <ul style="list-style-type: none"> • Technical changes for clarity. • For Accessory Dwelling Units, allows detached ADUs on smaller lots in the urban area and rural towns; and limits the height of ADUs to address design considerations • For Accessory Living Quarters, establishes requirements related to how kitchens are defined; establishes limits on the number of these on each lot, limits heights to address design considerations, and defines zones where they are allowed. <p>(2) Amends development conditions for Cottage Housing developments. These changes include removing maximum lot size limits; adding design standards; establishing appropriate parking standards; and allowing attached garages.</p> | <p>(1) Amendments implement the recommendations in Accessory Dwelling Unit and Accessory Living Quarters Code Study. For Accessory Dwelling Units, these changes are intended to incentivize the development of these units in areas suited for infill development. For Accessory Living Quarters, these new regulations are intended to ensure these are properly sited and permitted to address potential impacts.</p> <p>(2) Amendments implement the recommendations in the Cottage Housing Code Study. These changes are intended to incentivize use of this development type by increasing potential sites and addressing design considerations.</p> |
| 24 | 21A.08.060 | Contains the government/business services land uses table that defines permitted uses, conditional uses, special uses, and development conditions for all zoning classifications. | Amendments to distinguish within two land uses from fossil fuel facilities. This includes warehousing and wholesale trade, and transportation service. Amendments to section also to reflect aforementioned definition changes to local distribution gas tanks (#12 above). | Amendments to ensure that fossil fuels are regulated separately from these other uses. |
| 25 | 21A.08.080 | Contains the manufacturing land uses table that defines permitted uses, conditional uses, special uses, and development conditions for all zoning classifications. | Amendments to distinguish Petroleum Refining and Related Industries land uses from Fossil Fuel Facilities | Amendments to ensure that fossil fuels are regulated separately from these other uses. |
| 26 | 21A.08.090 | Contains the resource land uses table that defines permitted uses, conditional uses, special uses, and development conditions for all zoning classifications. | Amendment to remove Standard Industrial Classification Major Group 12: Coal Mining from the list of permitted uses. | Amendment to no longer have coal mining be a permitted use. |

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| 27 | 21A.08.100 | Contains the regional land uses table that defines permitted uses, conditional uses, special uses, and development conditions for all zoning classifications. | <p>Amendments to the permitting review type (i.e., Special Use, Conditional Use, Permitted Use) for Non-hydroelectric Generation Facilities, and Oil and Gas Extraction, land uses given the aforementioned definition and permitted use table changes.</p> <p>Amendments establish permitting review paths for fossil fuel facility types I and II. Adds new subsections that establish development conditions for the type II (the larger facilities) related to setback and enclosure requirements.</p> | Identifies to the appropriate permitting pathways for these non-fossil fuel facilities based on their revised definitions. Setback and enclosure requirements are established to protect public health, safety and natural resources. |
| 28 | 21A.12.030 | Contains the densities and dimensions table that defines standards for densities, setbacks, heights, and impervious surfaces. | Amendment in section related to heights to establish a limit on the height of these types of accessory structures. | Height limits established to address design and compatibility considerations given that these structures are accessory to the principal structure. |
| 29 | 21A.22.020 | Defines the uses activities to which the mineral extraction or materials processing operations periodic review process applies. | Amendment to establish that Title 21A.22 applies to all mining operations, including coal mining. | Ensures that the periodic review process would apply to all mines, including non-mineral coal mines. |
| 30 | 21A.24.072 | Establishes the alteration exception process for critical areas. | Grammatical fix to correct an inaccurate code reference. | -- |
| 31 | 21A.24.230 | Defines flood hazard areas, and the process the County uses to establish boundaries. | Adds a new component, which is the Sea Level Rise buffer to the coastal high hazard flood areas. This only applies to lands on Vashon-Maury Island that are adjacent to areas that are mapped for coastal flooding. | The intent of the new buffer is to establish development standards that help to prepare and mitigate for future impacts from sea level rise. |
| 32 | 21A.24.272 | Defines coastal high hazard areas, including development standards and exceptions. | Extends existing flood regulations and standards that currently apply to lands that are mapped for coastal flooding on Vashon-Maury Island to adjacent lands that are now located in the new sea level rise buffer. | The intent of the new buffer is to establish development standards that help to prepare and mitigate for future impacts from sea level rise. |
| 33 | 21A.24.310 | Defines steep slope hazard areas, including development standards and alteration processes. | Creates larger setbacks for buildings on top of bluffs for bluffs that are located in existing coastal high hazard areas and the new sea level rise buffer. Allows for modification of standards to address reasonable use of property. | The intent is to increase protections for structures that may be subject to erosion to prepare and mitigate for future impacts from sea level rise. |

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| 34 | 21A.24.316 | Defines critical aquifer recharge areas, including development standards and alteration processes. | <p>Add a new subsection with limitations on wells in Critical Areas Aquifer Recharge Areas (CARA) on Vashon-Maury Island in certain instances.</p> <ul style="list-style-type: none"> • New prohibition on new wells for properties that are both within a CARA and within the current mapped coastal high hazard flood areas. • New development standard for new wells for properties that are both within a CARA and within the new sea level rise buffer zone. This requires well casings to be higher than the Base Flood Elevation. • Requires decommissioning or retrofitting of existing wells in either the existing coastal high hazard area or the new sea level rise buffer. This requirement is only triggered when there is a “substantial improvement” to a structure, similar to other regulations in the King County Code | The intent is to increase protections of groundwater to help to prepare and mitigate for future impacts from sea level rise and to limit the possibility of saltwater contamination of groundwater. |
| 35 | 21A.25.050 | Establishes the shoreline jurisdiction list and delineations. | <p>Technical change to description of contiguous floodplain area that is landward of the hundred-year floodplain to reference federal emergency management insurance rate maps.</p> <p>Procedures amended to require updates to any errors in the map within three years, rather than on a standard comprehensive plan update schedule.</p> | Amendments for greater consistency with federal and state regulations. |
| 36 | 21A.25.170 | Defines shoreline stabilization regulations, allowances, and criteria. | <p>Further limits abilities to do shoreline stabilization projects along feeder bluffs and critical saltwater habitat areas. This would now require elevating/moving a structure out of danger (far enough away that it provides ten years of protection), unless the cost is the same or more than as the cost of doing the shoreline stabilization.</p> <p>New requirement that, if a shoreline stabilization project that meets the criteria noted above, the toe of the stabilization needs to be higher than the mean higher-high tide elevation.</p> | The intent is to focus protection efforts on moving structures out of harm’s way, rather than allowing more artificial shoreline elements (which can have negative ecological impacts and/or may not provide as much protection as relocation), in preparation for future sea level rise impacts. |

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| 37 | 21A.37.010 | Defines the purpose and goals of the transfer of development rights (TDR) program. | Establishes the basis for transferring development rights in urban areas to other urban areas in order to provide open space in defined equity areas, consistent with the County's equity and social justice ordinance. | Implements Open Space Equity Cabinet recommendations to address open space access in these underserved areas. |
| 38 | 21A.37.020 | Defines the sending site regulations and criteria for the transfer of development rights program. | See #37 above. | See #37 above. |
| 39 | 21A.37.040 | Defines the calculations, such as transfer ratios and densities, for the transfer of development rights program. | See #37 above. | See #37 above. |
| 40 | 21A.37.070 | Defines the sending site certification and interagency review committee process for the transfer of development rights program. | See #37 above. | See #37 above. |
| 41 | 21A.37.100 | Defines the purpose statement for the transfer of development rights bank. | See #37 above. | See #37 above. |
| 42 | 21A.38.050 | Establishes special district overlay - pedestrian-oriented commercial development, including allowed uses. | <p>Technical amendment to "pedestrian oriented commercial development" Special District Overlay to clarify that subarea plans no longer designate centers, as this function is now done via the Urban Centers map in Chapter 2 of the Comp Plan.</p> <p>Adds to list of uses that are not allowed within the Special District Overlay.</p> <p>Adjusts a number of standards within the special district overlay, such as facades, window treatments and placement, parking and walkway requirements, landscaping requirements, and others.</p> | Intent of the changes to uses and regulations is to ensure a more effective implementation of the pedestrian-oriented goals of the overlay. |
| 43 | 21A.38.090 | Special district overlay - economic redevelopment, which defines allowed uses and development standards. | Amendment to "economic redevelopment" SDO-090 to prohibit marijuana processing and producing on Community Business zoned properties in North Highline-White Center that are currently subject to this Special District Overlay. | This amendment affects the North Highline Area; however, it is an outcome of the Skyway subarea planning process. It also implements the recommendations in the King County Marijuana Report (Proposed Motion 2019-0012). |

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| 44 | 21A.38.140 | Special district overlay - residential infill, which defines consolidation requirements, recreation and walkway requirements. | Repeals SDO-130. This “residential infill” Special District Overlay applied to fifteen R-8 zoned parcels in West Hill and included regulations related to lot consolidation, recreation space siting, and pedestrian access. | Special District Overlay is proposed for repeal because some of these provisions are now already allowed under the zoning code, and some are not legally enforceable. |
| 45 | 21.38.XXX | Establishes a new Special District Overlay – MLK Jr Way South Neighborhood Business Center Design Standards. This includes requirements for mixed use development and other standards. | Creates a new Special District Overlay that requires mixed development, and defines and limits some allowed uses. | Intent is to ensure development in this area in Skyway-West Hill incentivizes commercial opportunities close existing high-density housing. |
| 46 | 21A.38.240 | 21A.38.240 Special district overlay - floodplain density, limits densities on certain Rural Area 5 properties, to limit impacts to flooding. | Repeals "floodplain density" Special District Overlay on all parcels to which it applies. | The Code Study identified that this was an outdated Special District Overlay and has been superseded by other stormwater regulations. The County agreed with this rationale in 2016 when this Special District Overlay was removed from properties in the 2016 Comprehensive Plan. |
| 47 | 21A.42.310 | Establishes a new periodic review process for fossil fuel facilities. | New periodic review process modeled on process for mines. It includes a five-year review cycle, establishes land use decision type. | Intent is to ensure facilities are operating consistent with permitting standards, and industry operating standards. |
| 48 | 27.10.180 | Establishes permit fees for site-specific land use amendments. | Amends subsections related to Plan Update terminology. | See #2 above. |