



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

February 21, 2001

Ordinance 14045

Proposed No. 2000-0187.3

Sponsors Sullivan

1 AN ORDINANCE relating to zoning and
2 comprehensive planning, revising definitions of the
3 rural area zone and urban residential zone to be
4 consistent with comprehensive plan policies, adding
5 definitions for hazardous liquid and gas transmission
6 pipelines, mixed-use development, resource land
7 tract, rural equestrian community trail, and rural forest
8 focus areas, and amending permitted use tables to
9 address development standards and allowed uses in
10 the rural area and on resource lands and apartments
11 and townhouses in the R-1 through R-8 zones,
12 amending density and dimensions tables to add a
13 minimum lot area to the rural area zone and allowing
14 a density of one dwelling unit per five acres for
15 density transfers, clarifying the minimum density
16 requirements to recognize that P-Suffix, Special
17 District Overlay or Subarea Plan may alter minimum

density requirements, revising the method for
calculating density in the rural area, establishing
setbacks from hazardous liquid and gas transmission
pipelines, restricting uses within a hazardous liquid
and gas transmission pipeline easement, allowing
limited movement of density within a development
site consisting of lots with different zoning, amending
and creating new development standards relating to
size of buildings, setbacks, building placement and
landscaping for non-residential uses in the rural area,
amending standards for cluster development in the
rural area to allow creation of a tract for resource uses
and requiring native landscaping along frontage of
new cluster subdivisions, establishing site design
standards for mixed-use developments, amending on-
site recreation space requirements, changing the
calculation for fee-in-lieu of recreation space to
reflect market value after development, increasing
landscaping of surface parking lots and requirements
for street trees, strengthening requirements to place
parking to the rear or side of buildings in non-
residential developments, restricting wetland
mitigation banking sites within the Agricultural

Production District, clarifying standards for caretaker's accessory living quarters when located within a barn or stable, adding density incentives for providing public art in private development projects, requiring the review process for new high schools in the urban area to apply to new high schools in the rural area, changing the term "rural forest district" to "rural forest focus areas"; amending Ordinance 10870, Section 27, as amended, and K.C.C. 21A.04.060, Ordinance 10870, Section 29, as amended, and K.C.C. 21A.04.080, Ordinance 10870, Section 330, as amended, and K.C.C. 21A.08.030, Ordinance 10870, Section 331, as amended, and K.C.C. 21A.08.040, Ordinance 10870, Section 332, as amended, and K.C.C. 21A.08.050, Ordinance 10870, Section 333, as amended, and K.C.C. 21A.08.060, Ordinance 10870, Section 334, as amended, and K.C.C. 21A.08.070, Ordinance 10870, Section 335, as amended, and K.C.C. 21A.08.080, Ordinance 10870, Section 336, as amended, and K.C.C. 21A.08.090, Ordinance 10870, Section 337, as amended, and K.C.C. 21A.08.100, Ordinance 10870, Section 340, as amended, and K.C.C. 21A.12.030, Ordinance 10870,

64 Section 341, as amended, and K.C.C. 21A.12.040,
65 Ordinance 10870, Section 343, as amended, and
66 K.C.C. 21A.12.060, Ordinance 10870, Section 344, as
67 amended, and K.C.C. 21A.12.070, Ordinance 10870,
68 Section 345, as amended, and K.C.C. 21A.12.080,
69 Ordinance 10870, Section 351, as amended, and
70 K.C.C. 21A.12.140, Ordinance 10870, Section 357, as
71 amended, and K.C.C. 21A.12.200, Ordinance 10870,
72 Section 359, as amended, and K.C.C. 21A.12.220,
73 Ordinance 10870, Section 364, as amended, and
74 K.C.C. 21A.14.040, Ordinance 10870, Section 374,
75 and K.C.C. 21A.14.140, Ordinance 10870, Section
76 378, as amended, and K.C.C. 21A.14.180, Ordinance
77 11621, Section 49, and K.C.C. 21A.14.185,
78 Ordinance 10870, Section 379, as amended, and
79 K.C.C. 21A.14.190, Ordinance 10870, Section 380, as
80 amended, and K.C.C. 21A.14.200, Ordinance 10870,
81 Section 388, as amended, and K.C.C. 21A.16.030,
82 Ordinance 10870, Section 390, as amended, and
83 K.C.C. 21A.16.050, Ordinance 10870, Section 392, as
84 amended, and K.C.C. 21A.16.070, Ordinance 10870,
85 Section 415, as amended, and K.C.C. 21A.18.010,
86 Ordinance 10870, Section 481, as amended, and

K.C.C. 21A.24.340, Ordinance 11621, Section 72,
and K.C.C. 21A.24.345, Ordinance 11168, Section 5,
as amended, and K.C.C. 21A.30.062, Ordinance
10870, Section 563, and K.C.C. 21A.34.040,
Ordinance 10870, Section 634 (part), and K.C.C.
21A.42.140, Ordinance 13274, Section 2, and K.C.C.
21A.55.110, Ordinance 13274, Section 4, and K.C.C.
21A.55.130, Ordinance 13274, Section 5, and K.C.C.
21A.55.140, Ordinance 13274, Section 6, and K.C.C.
21A.55.150, adding new sections to K.C.C. chapter
21A.06 and adding new sections to K.C.C. chapter
21A.14.

PREAMBLE

For the purposes of effective land use planning and regulation the King
County council makes the following legislative findings:

A. King County has adopted the 1994 King County Comprehensive Plan
to meet the requirements of the Washington state Growth Management
Act (GMA).

B. The GMA requires that the Comprehensive Plan and development
regulations be subject to continuing review and evaluation by the county.

C. King County has approved annual amendments to correct technical errors and to make changes that do not require a substantive policy change or alter the urban growth line.

D. King County has performed its first comprehensive four-year cycle review of the Comprehensive Plan and development regulations. As a result of the review, King County is amending the 1994 Comprehensive Plan through passage of the 2000 King County Comprehensive Plan.

E. The GMA requires that King County adopt development regulations, to be consistent with and implement the Comprehensive Plan.

F. The changes to the King County zoning code, K.C.C. Title 21A, contained in this ordinance are needed to bring K.C.C. Title 21A into conformance with the 2000 King County Comprehensive Plan, as required by the GMA. As such, they bear a substantial relationship to, and are necessary for, the public health, safety and general welfare of King County and its residents.

G. The following legislative findings support new standards for the preservation of rural area equestrian trails:

1. The planning goals set forth by GMA include a goal to “encourage the retention of open space and development of recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks” (R.C.W. 36.70A.020(9)), and a goal to “ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the

development is available for occupancy and use without decreasing
current service levels below locally established minimum standards”
(R.C.W. 36.70A.020(12)).

2. The Washington state Subdivision Act requires local governments, in
deciding whether to approve or disapprove subdivisions, to consider if
“appropriate provisions are made for...parks and recreation....” (R.C.W.
58.17.110).

3. As development occurs within the Rural Areas designated by the 1994
King County Comprehensive Plan, particularly those areas designated as
Equestrian Communities in the 2000 revision of the Comprehensive Plan,
safe travel routes for nonmotorized users including equestrians,
pedestrians and bicyclists, and safe non-road access to regional trails, are
being blocked or lost.

4. In 1993 King County adopted the Nonmotorized Transportation Plan,
which calls for the preservation of existing dedicated and informal trail
systems...

5. King County has adopted a variety of policies and implementing
measures, including regulations, incentives and capital improvement
programs to preserve and enhance rural character. Raising of livestock is
specifically called out as an appropriate activity in Rural Areas.

6. The department of development and environmental services (DDES)
determined that since valid equestrian communities include a large
proportion of the Rural Area, general code requirements tied to adopted

equestrian community land use designations would be more appropriate than a special district overlay as an implementing mechanism. The provisions adopted by this ordinance are consistent with and provide additional means of implementing these policies.

7. In 1999, DDES convened an Equestrian Communities Citizens' Advisory Committee (CAC). The CAC, which included representatives from equestrian, hiking and bicycling organizations, was supported with staff from DDES, King County department of natural resources, King County department of transportation, and King County department of parks and recreation. The CAC made recommendations on the specific provisions to be included in this ordinance and identified specific designated Rural Area lands appropriate for protection as equestrian communities. The provisions adopted by this ordinance are based in part on the recommendations of the CAC.

8. Equestrian communities significantly contribute to the rural character of King County through the provision of activities such as equestrian livestock husbandry, training, competition and recreation. Protecting equestrian communities serves a substantial public interest by preserving that rural character. Maintaining equestrian trails and trail links serves a substantial public interest because such trails and trail links are critical to the preservation of equestrian communities. Trail riding is a significant part of a horse's training. Maintaining such trails and trail links also

serves a substantial public interest by providing opportunities for other types of nonmotorized recreation such as hiking and bicycling.

9. New development near equestrian communities often causes adverse impacts on equestrian uses. These impacts include, for example, the increase in the use of equestrian facilities such as road-side or off-road trails, open spaces and parks, the obstruction of trails historically traveled by equestrian or other nonmotorized users, and increases in automobile traffic and other activities that conflict with equestrian uses.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 10870, Section 27, as amended, and K.C.C. 21A.04.060 are each hereby amended to read as follows:

Rural area zone. A. The purpose of the rural zone (RA) is to provide for an area-wide long-term rural character and to minimize land use conflicts with nearby agricultural((s)) or forest ~~((or mineral extraction))~~ production districts or mineral extraction sites. These purposes are accomplished by:

1. Limiting residential densities and permitted uses to those that are compatible with rural character and nearby resource production districts and sites and are able to be adequately supported by rural service levels;

2. Allowing small-scale farming and forestry activities and tourism and recreation uses ~~((which))~~ that can be supported by rural service levels and ~~((which))~~ that are compatible with rural character; ~~((and))~~

3. Increasing required setbacks to minimize conflicts with adjacent agriculture, forest or mineral zones~~((s))~~; and

200 4. Requiring tracts created through cluster development to be designated as
201 permanent open space or as permanent resource use.

202 B. Use of this zone is appropriate in rural areas designated by the Comprehensive
203 Plan as follows:

204 1. ~~((AR-2.5/))~~RA-2.5 in rural areas where the predominant ~~((densities already~~
205 ~~exceed one dwelling per))~~ lot pattern is below five acres in size for lots established prior
206 to the adoption of the 1994 Comprehensive Plan ~~((and the soils can support on-site~~
207 ~~sewage disposal without damage to water resources))~~;

208 2. ~~((AR-5/))~~RA-5 in rural areas ~~((without established subdivision patterns and~~
209 ~~predominantly))~~ where the predominant lot pattern is five acres or greater but less than
210 ten acres in size and the area is generally environmentally unconstrained ~~((lands))~~;

211 3. ~~((AR-10/))~~RA-10 in rural areas~~((next to designated resource production areas~~
212 ~~where additional buffering is required, or where area wide environmental features~~
213 ~~constrain development. RA 10 is also applied to Rural Farm Districts designated by the~~
214 ~~King County Comprehensive Plan))~~ where the predominant lot pattern is ten acres or
215 greater but less than twenty acres in size. RA-10 is also applied on land that is generally
216 environmentally constrained, as defined by county, state or federal law, to protect critical
217 habitat and regionally significant resource areas (RSRAs). The RA-10 zone is also
218 applied to lands within one-quarter mile of a forest or agricultural production district or
219 an approved long-term mineral extraction site. On Vashon-Maury Island RA-10 zoning
220 shall be maintained on areas zoned RA-10 as of 1994 and on areas with a predominant lot
221 size of ten acres or greater that are identified on the Areas Highly Susceptible to
222 Groundwater Contamination map; and

223 4. RA-20 in Rural Forest Focus Districts designated by the King County -
224 Comprehensive Plan.

225 SECTION 2. Ordinance 10870, Section 29, as amended, and K.C.C. 21A.04.080
226 are each hereby amended to read as follows:

227 **Urban residential zone.** A. The purpose of the urban residential zone (R) is to
228 implement ((C)) comprehensive ((P)) plan goals and policies for housing quality,
229 diversity and affordability, and to efficiently use urban residential land, public services
230 and energy. These purposes are accomplished by:

231 1. Providing, in the R-1 through R-8 zones, for a mix of predominantly single
232 detached dwelling units and other development types, with a variety of densities and sizes
233 in locations appropriate for urban densities;

234 2. Providing, in the R-12 through R-48 zones, for a mix of predominantly
235 apartment and townhouse dwelling units, mixed-use and other development types, with a
236 variety of densities and sizes in locations appropriate for urban densities;

237 3. Allowing only those accessory and complementary nonresidential uses that
238 are compatible with urban residential communities; and

239 4. Establishing density designations to facilitate advanced area-wide planning
240 for public facilities and services, and to protect environmentally sensitive sites from over
241 development.

242 B. Use of this zone is appropriate in urban areas, activity centers, or ((f))Rural
243 ((f))Towns designated by the Comprehensive Plan ((or community plans)) as follows:

244 1. The R-1 zone on or adjacent to lands with area-wide environmental
245 constraints where development is required to cluster away from sensitive areas, on lands

designated urban separators or wildlife habitat network where development is required to cluster away from the axis of the corridor((;)) on critical aquifer recharge areas, and on Regionally and Locally Significant Resource Areas (RSRAs/LSRAs) or in well-established subdivisions of the same density, which are served at the time of development by public or private facilities and services adequate to support planned densities;

2. The R-4 through R-8 zones on urban lands that are predominantly environmentally unconstrained and are served at the time of development, by adequate public sewers, water supply, roads and other needed public facilities and services; and

3. The R-12 through R-48 zones in ~~((urban areas, urban or community))~~ next to Unincorporated ((a))Activity ((e))Centers, ((urban neighborhood centers)), in Community or Neighborhood Business Centers, in mixed-use development, on small, scattered lots integrated into existing residential areas, or in ((f))Rural ((t))Towns, that are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.

NEW SECTION. SECTION 3. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Active recreation space. Active recreation space: recreation space that recognizes a higher level of public use than passive recreation space, and that will be developed for organized or intense recreation. Active recreation site includes both the active recreation uses and all necessary support services and facilities.

NEW SECTION. SECTION 4. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

268 **Hazardous liquid and gas transmission pipeline.** Hazardous liquid and gas
269 transmission pipeline: Hazardous liquid and gas transmission pipelines, as defined by
270 RCW 81.88.040 and WAC 480-93-005.

271 NEW SECTION. SECTION 5. There is hereby added to K.C.C. chapter 21A.06
272 a new section to read as follows:

273 **Mixed-use development.** Mixed-use development: a combination of residential
274 and non-residential uses within the same building or site as part of an integrated
275 development project with functional interrelationships and coherent physical design.

276 NEW SECTION. SECTION 6. There is hereby added to K.C.C. chapter 21A.06
277 a new section to read as follows:

278 **Open space.** Open space: areas left predominately in a natural state to create
279 urban separators and greenbelts, sustain native ecosystems, connect and increase
280 protective buffers for environmentally sensitive areas, provide a visual contrast to
281 continuous development, reinforce community identity and aesthetics, or provide links
282 between important environmental or recreational resources.

283 NEW SECTION. SECTION 7. There is hereby added to K.C.C. chapter 21A.06
284 a new section to read as follows:

285 **Rural equestrian community trail.** Rural equestrian community trail: an
286 existing trail within the Equestrian Community, as mapped in the King County
287 Comprehensive Plan, that has historically been used by the public for riding horses, and
288 that may also have historically been used by or is suitable for use by other non-motorized
289 trail users.

290 NEW SECTION. SECTION 8. There is hereby added to K.C.C. chapter 21A.06
291 a new section to read as follows:

292 **Rural forest focus areas.** Rural forest focus areas: Mapped geographic areas
293 where special efforts to maintain forest cover and the practice of sustainable forestry are
294 warranted.

295 NEW SECTION. SECTION 9. There is hereby added to K.C.C. chapter 21A.06
296 a new section to read as follows:

297 **Resource land tract.** Resource land tract: a tract of land, created through a
298 subdivision or short subdivision cluster development in the RA zone, that may be used as
299 a working forest or farm.

300 SECTION 10. Ordinance 10870, Section 330, as amended, and K.C.C.

301 21A.08.030 are each hereby amended to read as follows:

302 **A. Residential land uses.**

KEY	
P-	Permitted Use
C-	Conditional Use
S-	Special Use

Zone	Resource			Residential			Commercial/Industrial						
	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I	
Specific Land Use													
SIC #	DWELLING UNITS,												
	TYPES:												
*	Single detached	P((2)) C13	P2 C13	P((2)) C13	P C13	P C13	P C13						
*	Townhouse			C4	C4	P ((12)) C 12	P	P3	P3	P3	P3		
*	Apartment			C4	C4	P5 C4	P	P3	P3	P3	P3		

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*	Mobile home park				S14		C8	P				
	GROUP RESIDENCES:											
*	Community residential facility – I				C	C	C	P	P3	P3	P3	P3
*	Community residential facility – II							P	P3	P3	P3	P3
*	Dormitory				C6	C6	C6	P				
*	Senior citizen assisted housing					P4	P4	P	P3	P3	P3	P3
	ACCESSORY USES:											
*	Residential accessory uses	P7	P7		P7	P7	P7	P7	P7	P7	P7	P7
*	Home occupation	P	P		P	P	P	P	P	P	P	P
*	Home industry	C			C	C	C					
	TEMPORARY LODGING:											
7011	hotel/motel (1)									P	P	P
*	Bed and breakfast guesthouse	P9 C10			P10	P10	P10	P10	P10	P11	P11	
7041	Organization hotel/lodging houses										P	
GENERAL CROSS REFERENCES: Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development Standards see K.C.C. 21A.12 through 21A.30; General Provisions, see K.C.C. 21A.32 through 21A.38; Application and Review Procedures, see K.C.C. 21A.40; through 21A.44; (*)Definition of this specific Land Use, see K.C.C. 21A.06												

B. Development conditions.

1. Except bed and breakfast guesthouses.

1. Except for bed and breakfast guesthouses.

2. In the forest production district, the following conditions apply:

a. Site disturbance associated with development of any new residence shall be limited to three acres. Site disturbance shall mean all land alterations including, but not limited to, grading, utility installation, landscaping, clearing for crops, on-site sewage disposal systems, and driveways. Additional site disturbance for raising livestock, up to the smaller of thirty-five percent of the lot or seven acres, may be approved provided that a farm management (conservation) plan is prepared pursuant to the requirements of K.C.C. chapter 21A.30. Animal densities shall be based on the area devoted to animal care and not the total area of the lot;

b. A forest management plan shall be required for any new residence in the forest production district, which shall be reviewed and approved by the King County department of natural resources prior to building permit issuance; and

c. ~~((For properties in the F zone, a))~~ A fire protection plan for the subject property is required and shall be reviewed and approved by the Washington state ((D))department of ((N))natural ((R))resources with the concurrence of the fire marshal for each residential use. This plan shall be developed in such a manner as to protect the adjoining forestry uses from a fire ((which may)) that might originate from the residential use. This plan shall provide for setbacks from existing forestry uses and maintenance of approved fire trails or other effective fire line buffers on perimeters with forest land.

3. Only as part of a mixed use development subject to the conditions of K.C.C. chapter 21A.14, except that in the NB zone on properties with a land use designation of commercial outside of center (CO) in the urban areas, stand-alone townhouse

developments are permitted subject to ~~((the provisions of))~~ K.C.C. 21A.12.040,
~~((K.C.C.))~~ 21A.14.030, ~~((K.C.C.))~~ 21A.14.060 and ~~((K.C.C.))~~ 21A.14.180.

4.a. Only in a building listed on the National Register as an historic site or
designated as a King County landmark subject to the provisions of K.C.C. 21A.32.

b. In the R-1 zone, apartment units are permitted, provided that:

(1) the proposal shall be subject to a conditional use permit when exceeding
base density,

(2) at least fifty percent of the site is constrained by unbuildable sensitive
areas. For purposes of this section, unbuildable sensitive areas shall include wetlands,
streams and slopes forty percent or steeper and associated buffers; and

(3) the density does not exceed a density of eighteen units per acre of net
buildable area as defined in K.C.C. 21A.06.797; or

c. In the R-4 through R-8 zones, apartment units are permitted, provided that
the proposal shall be subject to a conditional use permit when exceeding base density,
and provided that the density does not exceed a density of eighteen units per acre of net
buildable area as defined in K.C.C. 21A.06.797.

5. ~~((Only subject to the residential density incentive provisions of K.C.C.
21A.34.))~~ Apartment units are permitted outright as follows:

a. In the R-1 zone when at least fifty percent of the site is constrained by
unbuildable sensitive areas which for purposes of this section, includes wetlands, streams
and slopes forty percent or steeper and associated buffers, and provided that the density
does not exceed a density of eighteen units per acre of net buildable area as defined in
K.C.C. 21A.06.797; or

b. In the R-4 through R-8 zones, provided that the density does not exceed eighteen units per acre of net buildable area as defined in K.C.C. 21A.06.797.

6. Only as an accessory to a school, college~~((/))~~, university or church.

7.a. Accessory dwelling units:

(1) ~~((Θ))~~only one accessory dwelling per primary single detached dwelling unit;

(2) ~~((Θ))~~only in the same building as the primary dwelling unit ~~((when the))~~on an urban lot that is less than ~~((10,000))~~ ten thousand square feet in area, ~~((or when there is))~~on a rural lot that is less than the minimum lot size, or on a lot containing more than one primary dwelling ~~((on a lot))~~;

(3) ~~((F))~~the primary dwelling unit or the accessory dwelling unit shall be owner occupied;

(4) ~~((a((-)))~~ ~~((Θ))~~one of the dwelling units shall not exceed a floor area of ~~((1,000))~~ one thousand square feet except when one of the dwelling units is wholly contained within a basement or attic, and

~~((b((-)))~~ ~~((W))~~when the primary and accessory dwelling units are located in the same building, only one entrance may be located on each street side of the building;

(5) ~~((Θ))~~one additional off-street parking space shall be provided;

(6) ~~((F))~~the accessory dwelling unit shall be converted to another permitted use or shall be removed if one of the dwelling units ceases to be owner occupied; and

(7) ~~((A))~~an applicant seeking to build an accessory dwelling unit shall file a notice approved by the department with the records and elections division which identifies the dwelling unit as accessory. The notice shall run with the land. The

applicant shall submit proof that the notice was filed before the department shall approve any permit for the construction of the accessory dwelling unit. The required contents and form of the notice shall be set forth in administrative rules. If an accessory dwelling unit in a detached building in the Rural zone is subsequently converted to a primary unit on a separate lot, neither the original lot or the new lot may have an additional detached accessory dwelling unit constructed unless the lot is at least twice the minimum lot area required in the zone.

(8) accessory dwelling units and accessory living quarters are not allowed in the F zone.

(9) in the A zone, one accessory dwelling unit is allowed on any lot under twenty acres in size, and two accessory dwelling units are allowed on lots that are twenty acres or more, provided that the accessory dwelling units are occupied only by farm workers and the units are constructed in conformance with the State Building Code.

b. One single or twin engine, noncommercial aircraft shall be permitted only on lots ~~((which))~~ that abut, or have a legal access ~~((which))~~ that is not a county right-of-way, to a waterbody or landing field, provided there is:

(1) ~~((N))~~ no aircraft sales, service, repair, charter or rental; and

(2) ~~((N))~~ no storage of aviation fuel except that contained in the tank or tanks of the aircraft.

c. Buildings for residential accessory uses in the RA and A zone shall not exceed five thousand square feet of gross floor area, except for buildings related to agriculture or forestry.

8. Mobile home parks shall not be permitted in the R-1 zones.

397 9. Only as an accessory to the permanent residence of the operator, ~~((provided))~~
398 and:

399 a. Serving meals to paying guests shall be limited to breakfast; and

400 b. There shall be ~~((N))~~no more than ~~((5))~~ five guests per night.

401 10. Only as an accessory to the permanent residence of the operator,
402 ~~((provided))~~ and:

403 a. Serving meals to paying guests shall be limited to breakfast; and

404 b. The number of persons accommodated per night shall not exceed five,
405 except that a structure ~~((which))~~ that satisfies the standards of the Uniform Building Code
406 as adopted by King County for R-1 occupancies may accommodate up to ten persons per
407 night.

408 11. Only ~~((when))~~ if part of a mixed-use development, and subject to the
409 conditions of K.C.C. 21A.08.030B.10.

410 12. ~~((A conditional use permit is not required for townhouse units on lots in a
411 subdivision designed for townhouse units;))~~ Townhouses are permitted, but shall be
412 subject to a conditional use permit if exceeding base density.

413 13. Required ~~((prior to))~~ before approving more than one dwelling on individual
414 lots, except on lots in subdivisions, short subdivisions~~((;))~~ or binding site plans approved
415 for multiple unit lots, and except as provided for accessory dwelling units in K.C.C.
416 21A.08.030B.7.

417 14. No new mobile home parks are allowed in a rural zone.

418 SECTION 11. Ordinance 10870, Section 331, as amended, and K.C.C.

419 21A.08.040 are each hereby amended to read as follows:

420 **A. Recreational/cultural land uses.**

421
422

General Provisions, see K.C.C. 21A.32 through 21A.38;

Application and Review Procedures, see K.C.C. 21A.40; through 21A.44;

(*)Definition of this specific Land Use, see K.C.C. 21A.06

B. Development conditions.

1. The following conditions and limitations shall apply, where appropriate:

a. No stadiums on sites less than ten acres;

b. Lighting for structures and fields shall be directed away from residential areas;

c. Structures or service yards shall maintain a minimum distance of fifty feet from property lines adjoining residential zones, except for structures in on-site recreation areas required in K.C.C. 21A.14.180 and 21A.14.190. Setback requirements for structures in these on-site required recreation areas shall be maintained ~~((pursuant to))~~ in accordance with K.C.C. 21A.12.030;

d. Facilities in the RA-10, RA-20, F, A or M zones, or in a designated rural ~~((farm or))~~ forest ~~((district))~~ focus area, shall be limited to trails and trailheads and active recreation facilities, including related accessory uses such as parking and sanitary facilities. Active recreation facilities shall be limited to those properties within the agricultural production district (APD) that are acquired before designation of the APD, using voter-approved recreation funds, state funds mandated for recreation funds or King County board of recreation funds. Active recreation uses allowed on parcels as noted in this subsection B.1.d may be transferred to other parcels within the same APD. However, active recreation from lands outside of the APD shall not be relocated to any parcel within an APD. Where ~~((such))~~ those facilities are permitted within an APD, the following deed restrictions ~~((will))~~ shall be applied:

444 (1) ~~((A))~~ active recreation uses shall be designed in a manner that visually
445 screens adjacent agricultural uses from park users and that restricts physical trespass onto
446 adjacent agricultural production district properties;

447 (2) ~~((B))~~ buildings associated with recreational uses shall be limited to
448 restroom facilities, picnic shelters and storage/maintenance facilities for equipment used
449 on-site;

450 (3) ~~((N))~~ no use that permanently compacts, removes, sterilizes, pollutes or
451 otherwise materially impairs the future use of the soil for raising agricultural crops shall
452 be allowed;

453 (4) ~~((A))~~ any soil surfaces temporarily disturbed through construction activities
454 shall be restored in a manner consistent with agricultural uses, including restoration of the
455 original soil horizon sequence, as soon as practical following ~~((such disruptions))~~ the
456 disturbance;

457 (5) ~~((A))~~ access to recreational uses shall be designed to minimize impact on
458 the surrounding agricultural production district and should be limited to direct access
459 along district boundaries whenever feasible; and

460 (6) ~~((A))~~ although the recreational use of agricultural production district
461 properties may be long term, ~~((such))~~ the use shall be recognized as an interim use of the
462 production district's prime agricultural soils. As such, any acquisition funding or policy
463 restrictions for the recreational use of the property shall be viewed as subordinate to the
464 county's prior commitment to the preservation of prime agricultural soils and the viability
465 of local agricultural production. ~~((Whenever))~~ If the county declares through action of
466 the King County council a critical shortage of agricultural soils to accommodate an active

soil-dependent agricultural proposal, the county shall initiate a process to relocate any recreational uses off the subject property and to make the property available for re-establishment of agricultural activities; and

e. Overnight camping is allowed only in an approved campground.

2. Recreational vehicle parks are subject to the following conditions and limitations:

a. The maximum length of stay of any vehicle shall not exceed one hundred eighty days during a three-hundred-sixty-five-day period;

b. The minimum distance between recreational vehicle pads shall be no less than ten feet; and

c. Sewage shall be disposed in a system approved by the Seattle-King County health department.

3. Limited to day moorage. The marina shall not create a need for off-site public services beyond those already available before the date of application.

4. Not permitted in the RA-10 or RA-20 zones. ~~((, or in the RA-10 zone when located in a designated rural farm district, 1))~~ Limited to recreation facilities subject to the following conditions and limitations:

a. The bulk and scale shall be compatible with residential or rural character of the area;

b. For sports clubs, the gross floor area shall not exceed ten thousand square feet unless the building is on the same site or adjacent to a site where a public facility is located or unless the building is a nonprofit facility located in the urban area; and

489 c. Use is limited to residents of a specified residential development or to sports
490 clubs providing supervised instructional or athletic programs.

491 5. Limited to day moorage.

492 6.a. Adult entertainment businesses shall be prohibited within three hundred
493 thirty feet of any property zoned RA, UR or R or containing schools, licensed daycare
494 centers, public parks or trails, community centers, public libraries or churches. In
495 addition, adult entertainment businesses shall not be located closer than three thousand
496 feet to any other adult entertainment business. These distances shall be measured from
497 the property line of the parcel or parcels proposed to contain the adult entertainment
498 business to the property line of the parcels zoned RA, UR or R or that contain the uses
499 identified in this subsection B.6.a.

500 b. Adult entertainment businesses shall not be permitted within an area likely
501 to be annexed to a city subject to an executed interlocal agreement between King County
502 and a city declaring that the city will provide opportunities for the location of adult
503 businesses to serve the area. The areas include those identified in the maps attached to
504 Ordinance 13546.

505 7. Clubhouses, maintenance buildings ~~((and))~~, equipment storage areas~~((;))~~ and
506 driving range tees shall be at least fifty feet from residential property lines. Lighting for
507 practice greens and driving range ball impact areas shall be directed away from adjoining
508 residential zones. Applications shall comply with adopted best management practices for
509 golf course development. ~~((The department shall determine by administrative rule best
510 management practices for golf course development. These rules shall be delivered to the
511 council for review by July 31, 1998.))~~ Within the RA zone, ~~((such))~~ those facilities shall

512 be permitted only in the RA-5((;)) and RA-2.5 ((and RA-10)) zones. Not permitted in
513 ((a)) designated rural ((farm or)) forest ((district)) focus area, regionally significant
514 resource areas or locally significant resource areas ((In the RA-10 zone, a))Ancillary
515 facilities associated with a golf course are limited to practice putting greens, maintenance
516 buildings and other structures housing administrative offices or activities ((which)) that
517 provide convenience services to players. These convenience services are limited to a pro
518 shop, food services and dressing facilities and shall occupy a total of no more than ten
519 thousand square feet. Furthermore, the residential density that is otherwise permitted by
520 the zone shall not be used on other portions of the site through clustering or on other sites
521 through the transfer of density provision. This residential density clustering or transfer
522 limitation shall be reflected in a deed restriction that is recorded at the time applicable
523 permits for the development of the golf course are issued. ((In the RA-10 zone, the
524 county shall limit this use to no more than six development permit applications of which
525 only three may be over one hundred acres in size. The provisions permitting this use
526 expire on April 1, 2003, unless re-enacted by council action.))

527 8. Limited to a golf driving range as an accessory to golf courses.

528 9.a. New structures and outdoor ranges shall maintain a minimum distance of
529 fifty feet from property lines adjoining residential zones, but existing facilities shall be
530 exempt((;)).

531 b. Ranges shall be designed to prevent stray or ricocheting projectiles, pellets
532 or arrows from leaving the property((;)).

c. Site plans shall include: safety features of the range; provisions for reducing sound produced on the firing line; elevations of the range showing target area, backdrops or butts; and approximate locations of buildings on adjoining properties(~~(; and)~~).

d. Subject to the licensing provisions of K.C.C. Title 6.

10.a. Only in an enclosed building, and subject to the licensing provisions of K.C.C. Title 6(~~(;)~~).

b. Indoor ranges shall be designed and operated so as to provide a healthful environment for users and operators by:

(1) installing ventilation systems (~~((which))~~) that provide sufficient clean air in the user's breathing zone, and

(2) adopting appropriate procedures and policies (~~((which))~~) that monitor and control exposure time to airborne lead for individual users.

11. Only as accessory to a park or in a building listed on the National Register as an historic site or designated as a King County landmark subject to K.C.C. chapter 21A.32.

12. Only as accessory to a nonresidential use established through a discretionary permit process, (~~((and provided further that))~~) if the scale is limited to ensure compatibility with surrounding neighborhoods(~~(, and provided further that))~~. ~~((t))~~This condition applies to the UR zone only if the property is located within a designated unincorporated ~~((r))~~Rural ~~((t))~~Town.

13. Subject to the following:

a. The park shall abut an existing park on one or more sides, intervening roads notwithstanding;

b. No bleachers or stadiums are permitted if the site is less than ten acres, and no public amusement devices for hire are permitted;

c. Any lights provided to illuminate any building or recreational area shall be so arranged as to reflect the light away from any premises upon which a dwelling unit is located; and

d. All buildings or structures or service yards on the site shall maintain a distance not less than fifty feet from any property line and from any public street.

14. Excluding amusement and recreational uses classified elsewhere in this chapter.

15. Limited to golf driving ranges and subject to K.C.C. 21A.08.040B.7.

16. Subject to the following conditions:

a. The length of stay per party in campgrounds shall not exceed one hundred eighty days during a three-hundred-sixty-five-day period; and

b. Only for campgrounds that are part of a proposed or existing county park, which are subject to review and public hearings through the department of parks and recreation's master plan process under K.C.C. 2.16.050.

17. Only for stand-alone sports clubs that are not part of a park.

18. Subject to review and approval of conditions to comply with trail corridor provisions of K.C.C. 21A.14 when located in an RA zone and in an equestrian community designated by the Comprehensive Plan.

SECTION 12. Ordinance 10870, Section 332, as amended, and K.C.C.

21A.08.050 are each hereby amended to read as follows:

A. General ((S))services land uses.

		RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
		A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
		AGRICULTURE	FOREST	MINERAL	RURAL	RESIDENTIAL	RESIDENTIAL	RESIDENTIAL	NEIGHBORHOOD	COMMERCIAL	RECREATION	OFFICE	INDUSTRIAL
		A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
SIC#	SPECIFIC LAND USE												
	Personal Services:												
72	General Personal Service						C 26	C 26	P	P	P	P3	P3
7216	Drycleaning Plants												P
7218	Industrial Launderers												P
7261	Funeral Home/Crematory					C4	C4	C4		P	P		
*	Cemetery, Columbarium or Mausoleum				P25 C5, 32	P25 C5	P25 C5	P25 C5	P25	P25	P25 C5	P25	
*	Day care I	P6			P6	P6	P6	P	P	P	P	P7	P7
*	Day care II				P8 C	P8 C	P8 C	P8 C	P	P	P	P7	P7
74	Veterinary Clinic	P9			P9 C10, 32	P9 C10			P10	P10	P10		P
753	Automotive repair (1)								P11	P	P		P
754	Automotive service								P11	P	P		P
76	Miscellaneous repair									P	P		P
866	Churches, synagogue, temple				P12 C28, 32	P12 C	P12 C	P12 C	P	P	P	P	
83	Social Services (2)				P12 C13, 32	P12 C13	P12 C13	P12 C13	P13	P	P	P	
*	Stable	P14 C			P14 C, 32	P14 C	P14 C						
*	Kennel or Cattery				C	C				C	P		
*	Theatrical Production Services									P31	P31		
*	Artist Studios				P29	P29	P29	P29	P	P	P	P30	P
*	Interm Recycling Facility	P21	P21	P21	P22		P22	P22	P23	P23	P		P
	Health Services:												
801-04	Office/Outpatient Clinic				P12 C13	P12 C13	P12 C13	P12 C13	P	P	P	P	P
805	Nursing and personal care facilities							C		P	P		
806	Hospital						C13	C13		P	P	C	
807	Medical/Dental Lab									P	P	P	P
808-09	Miscellaneous Health									P	P	P	
	Education Services												
*	Elementary School				P16 C15, 32	P	P	P					
*	Middle/Junior High School				P16 C15, 32	P	P	P					
*	Secondary or High School				P16 C15, 27, 32	P27	P27	P27		C	C		
*	Vocational School				P13 C, 32	P13 C	P13 C	P13 C			P	P17	P
*	Specialized Instruction School		P18		P19 C20, 32	P19 C20	P19 C20	P19 C20	P	P	P	P17	P
*	School District Support Facility				C24, 32 P16, C15	P24 C	P24 C	P24 C	C	P	P	P	P

581

GENERAL CROSS REFERENCES: Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070;
Development Standards see K.C.C. 21A.12 through 21A.30;
General Provisions, see K.C.C. 21A.32 through 21A.38;
Application and Review Procedures, see K.C.C. 21A.40; through 21A.44;
(*)Definition of this specific Land Use, see K.C.C. 21A.06

582 B. Development conditions.

583 1. Except SIC Industry No. 7534 - Tire Retreading, see manufacturing permitted
584 use table.

585 2. Except SIC Industry Group Nos.:

586 a. 835-Day Care Services, and

587 b. 836-Residential Care, which is otherwise provided for on the residential
588 permitted land use table.

589 3. Limited to SIC Industry Group and Industry Nos.:

590 a. 723-Beauty Shops;

591 b. 724-Barber Shops;

592 c. 725-Shoe Repair Shops and Shoeshine Parlors;

593 d. 7212-Garment Pressing and Agents for Laundries and Drycleaners; and

594 e. 217-Carpet and Upholstery Cleaning.

595 4. Only as an accessory to a cemetery, and prohibited from the UR zone only if
596 the property is located within a designated unincorporated Rural Town.

597 5. Structures shall maintain a minimum distance of one hundred feet from
598 property lines adjoining residential zones.

599 6. Only as an accessory to residential use, (~~provided~~) and:

600 a. Outdoor play areas shall be completely enclosed by a solid wall or fence,
601 with no openings except for gates, and have a minimum height of six feet; and

602 b. Outdoor play equipment shall maintain a minimum distance of twenty feet
603 from property lines adjoining residential zones.

604 7. Permitted as an accessory use(~~(-s)~~). See commercial/industrial accessory,
605 K.C.C. 21A.08.060A.

606 8. Only as a re-use of a public school facility subject to (~~(the provisions of)~~)
607 K.C.C. chapter 21A.32, or an accessory use to a school, church, park, sport club or public
608 housing administered by a public agency, (~~(provided)~~) and:

609 a. Outdoor play areas shall be completely enclosed by a solid wall or fence,
610 with no openings except for gates and have a minimum height of six feet;

611 b. Outdoor play equipment shall maintain a minimum distance of twenty feet
612 from property lines adjoining residential zones;

613 c. Direct access to a developed arterial street shall be required in any
614 residential zone; and

615 d. Hours of operation may be restricted to assure compatibility with
616 surrounding development.

617 9. As a home occupation only, (~~(provided that)~~) but the square footage
618 limitations in K.C.C. chapter 21A.30 for home occupations apply only to the office space
619 for the clinic, and (~~(provided further that)~~):

620 a. Boarding or overnight stay of animals is allowed only on sites of five acres
621 or more;

622 b. No burning of refuse or dead animals is allowed;

623 c. The portion of the building or structure in which animals are kept or treated
624 shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be
625 surrounded by an eight-foot solid wall and surfaced with concrete or other impervious
626 material; and

627 d. The provisions of K.C.C. chapter 21A.30 relative to animal keeping are met.

628 10.a. No burning of refuse or dead animals is allowed;

629 b. The portion of the building or structure in which animals are kept or treated
630 shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be
631 surrounded by an eight-foot solid wall and surfaced with concrete or other impervious
632 material; and

633 c. The provisions of K.C.C. chapter 21A.30 relative to animal keeping are met.

634 11. The repair work or service shall only be performed in an enclosed building,
635 and no outdoor storage of materials. SIC Industry No. 7532 - Top, Body, and Upholstery
636 Repair Shops and Paint Shops is not allowed.

637 12. Only as a re-use of a public school facility subject to ~~((the provisions of))~~
638 K.C.C. chapter 21A.32.

639 13. Only as a re-use of a surplus nonresidential facility subject to K.C.C. chapter
640 21A.32.

641 14. Covered riding arenas are subject to ~~((the provisions of))~~ K.C.C. 21A.30.030
642 and shall not exceed twenty thousand square feet, ~~((provided that))~~ but stabling areas,
643 whether attached or detached, shall not be counted in this calculation.

644 15. Limited to projects which do not require or result in an expansion of sewer
645 service outside the urban growth area, unless a finding is made that no cost-effective

646 alternative technologies are feasible, in which case a tightline sewer sized only to meet
647 the needs of the public school, as defined in RCW 28A.150.010, or the school facility and
648 serving only the public school or the school facility may be used. ~~((Under no~~
649 ~~circumstances shall other uses or structures in the rural area be connected to and served~~
650 ~~by the school's tightline sewer.))~~ New public high schools shall be permitted subject to
651 the review process set forth in K.C.C. 21A.42.140.

652 16.a. For middle~~(-))~~or junior high schools and secondary or high schools or
653 school facilities, only as a re-use of a public school facility or school facility subject to
654 ~~((the provisions of))~~ K.C.C. chapter 21A.32. An expansion of such a school or a school
655 facility shall be subject to approval of a conditional use permit and the expansion shall
656 not require or result in an expansion of sewer service outside the urban growth area,
657 unless a finding is made that no cost-effective alternative technologies are feasible, in
658 which case a tightline sewer sized only to meet the needs of the public school, as defined
659 in RCW 28A.150.010, or the school facility may be used.

660 b. Renovation, expansion, modernization or reconstruction of a school, a
661 school facility, or the addition of relocatable facilities, is permitted but shall not require
662 or result in an expansion of sewer service outside the urban growth area, unless a finding
663 is made that no cost-effective alternative technologies are feasible, in which case a
664 tightline sewer sized only to meet the needs of the public school, as defined in RCW
665 28A.150.010, or the school facility may be used.

666 17. All instruction must be within an enclosed structure.

667 18. Limited to resource management education programs.

668 19. Only as an accessory to residential use, ~~((provided))~~and:

- 669 a. Students ~~((are))~~ shall be limited to twelve per one-hour session~~((;))~~;
- 670 b. All instruction must be within an enclosed structure~~((;))~~; and
- 671 c. Structures used for the school shall maintain a distance of twenty-five feet
- 672 from property lines adjoining residential zones.

673 20. Subject to the following:

674 a. Structures used for the school and accessory uses shall maintain a minimum

675 distance of twenty-five feet from property lines adjoining residential zones;

676 b. On lots over two and one half acres:

677 (1) Retail sales of items related to the instructional courses is permitted,

678 ~~((provided))~~ if total floor area for retail sales is limited to two thousand square feet;

679 (2) Sales of food prepared in the instructional courses is permitted with

680 department of public health - Seattle and King County approval, ~~((provided))~~ if total floor

681 area for food sales is limited to one thousand square feet and is located in the same

682 structure as the school; and

683 (3) Other incidental student-supporting uses are allowed, ~~((provided))~~ if such

684 uses are found to be both compatible with and incidental to the principal use; and

685 c. On sites over ten acres, located in a designated Rural Town and zoned UR,

686 R-1, and/or R-4:

687 (1) Retail sales of items related to the instructional courses is permitted,

688 provided total floor area for retail sales is limited to two thousand square feet;

689 (2) Sales of food prepared in the instructional courses is permitted with

690 department of public health - Seattle and King County approval, ~~((provided))~~ if total

691 floor area for food sales is limited to one thousand seven hundred fifty square feet and is
692 located in the same structure as the school;

693 (3) Other incidental student-supporting uses are allowed, ~~((provided such))~~ if
694 the uses are found to be functionally related, subordinate, compatible with and incidental
695 to the principal use;

696 (4) The use ~~((is))~~ shall be integrated with allowable agricultural uses on the
697 site;

698 (5) Advertised special events shall comply with the temporary use
699 requirements of this chapter; and

700 (6) Existing structures that are damaged or destroyed by fire or natural event,
701 if damaged by more than fifty percent of their prior value, may reconstruct and expand an
702 additional sixty-five percent of the original floor area but need not be approved as a
703 conditional use if their use otherwise complies with ~~((the standards set forth in))~~
704 development condition B.20.c of this section and ~~((the requirements of))~~ this title.

705 21. Limited to source-separated yard or organic waste processing facilities.

706 22. Limited to drop box facilities accessory to a public or community use such
707 as a school, fire station or community center.

708 23. With the exception of drop box facilities for the collection and temporary
709 storage of recyclable materials, all processing and storage of material shall be within
710 enclosed buildings. Yard waste processing is not permitted.

711 24. Only ~~((when))~~ if adjacent to an existing or proposed school.

712 25. Limited to columbariums accessory to a church ~~((provided that)), but~~
713 required landscaping and parking ~~((are))~~ shall not be reduced.

714 26. Not permitted in R-1 and limited to a maximum of five thousand square feet
715 per establishment and subject to the additional requirements in K.C.C. 21A.12.230.

716 27. a. New high schools shall be permitted in the rural and the urban residential
717 and urban reserve zones subject to the review process (~~((set forth))~~) in K.C.C. 21A.42.140
718 (~~((and))~~).

719 b. Renovation, expansion, modernization, or reconstruction of a school, or the
720 addition of relocatable facilities, is permitted.

721 28. Limited to projects (~~((which))~~) that do not require or result in an expansion of
722 sewer service outside the urban growth area. In addition, such use shall not be permitted
723 in the RA-20 zone.

724 29. Only as a reuse of a surplus non-residential facility subject to K.C.C. chapter
725 21A.32 or as a joint use of an existing public school facility.

726 30. All studio use must be within an enclosed structure.

727 31. Adult use facilities shall be prohibited within six hundred sixty feet of any
728 residential zones, any other adult use facility, (~~((or))~~) school, licensed daycare centers,
729 parks, community centers, public libraries or churches (~~((which))~~) that conduct religious or
730 educational classes for minors.

731 32. Subject to review and approval of conditions to comply with trail corridor
732 provisions of K.C.C. 21A.14 when located in an RA zone and in an equestrian
733 community designated by the Comprehensive Plan.

734 SECTION 13. Ordinance 10870, Section 333, as amended, and K.C.C.

735 21A.08.060 are each hereby amended to read as follows:

736 **A. Government/business services land uses.**

KEY		Z O N E	RESOURCE			RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
P-Permitted Use			A	F	M	R	U R	U R	N B	C B	R B	O	I
C-Conditional Use			G	O	I	U	R E	R E	E U	O U	E U	F	N
S-Special Use			R	R	N	R	B S	B S	I S	M S	G S	F	D
			I	E	E	A	A E	A I	G I	M I	I I	I	U
			C	S	R	L	N R	N D	H N	U N	O N	C	S
			U	T	A		V	E	B E	N E	N E	E	T
			L		L		E	N	O S	I S	A S		R
			T					T	R S	T S	L S		I
			U					I	H	Y			A
			R					A	O				L
			E					L	O	D			
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I (30)
	GOVERNMENT SERVICES:												
*	Public agency or utility office				P3C5	P3 C5	P3 C	P3 C	P	P	P	P	P16
*	Public agency or utility yard				P27	P27	P27	P27			P		P
*	Public agency archives										P	P	P
921	Court									P4	P	P	
9221	Police Facility				P7	P7	P7	P7	P7	P	P	P	P
9224	Fire Facility				C6, 33	C6	C6	C6	P	P	P	P	P
*	Utility Facility	P29 C28	P29 C28	P29 C28	P29 C28, 33	P29 C28	P29 C28	P29 C28	P	P	P	P	P
*	Commuter Parking Lot				C 33 P19	C P19	C P19	C P19	P	P	P	P	P
*	Private Stormwater Management Facility	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8

Ordinance 14045

*	Vactor Waste Receiving Facility	P	P	P	P18	P18	P18	P18	P31	P31	P31	P31	P
	BUSINESS SERVICES:												
*	Construction and Trade										P	P9	P
*	Individual Transportation and Taxi									P25	P	P10	P
421	Trucking and Courier Service									P11	P12	P13	P
*	Warehousing, (1) and Wholesale Trade												P
*	Self-service Storage							C14		P	P	P	P
4221	Farm Product Warehousing,	P15	C		C15	C15							P
4222	Refrigeration and Storage				33								
*	Log Storage	P15	P		P26								P
					33								
47	Transportation Service												P
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	P16
*	Professional Office								P	P	P	P	P16
7312	Outdoor Advertising Service										P	P17	P
735	Miscellaneous Equipment Rental									P17	P	P17	P
751	Automotive Rental and Leasing									P	P		P
752	Automotive Parking								P20	P20	P21	P20	P
*	Off-Street Required Parking Lot				P32	P32	P32	P32	P32	P32	P32	P32	P32
7941	Professional Sport Teams/Promoters										P	P	
873	Research, Development and Testing										P2	P2	P2
*	Heavy Equipment and Truck Repair												P
	ACCESSORY USES:												
*	Commercial/Industrial Accessory Use			P	P22				P22	P22	P	P	P
*	Helistop					C23	C23	C23	C23	C23	C23	C23	C23

GENERAL CROSS REFERENCES: Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070;

Development Standards see K.C.C. 21A.12 through 21A.30;

General Provisions, see K.C.C. 21A.32 through 21A.38;

Application and Review Procedures, see K.C.C. 21A.40; through 21A.44;

(*)Definition of this specific Land Use, see K.C.C. 21A.06
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737 B. Development conditions.

738 1. Except self-service storage.

739 2. Except SIC Industry No. 8732-Commercial Economic, Sociological, and
740 Educational Research, see general business service/office.

741 3.a. Only as a re-use of a public school facility or a surplus nonresidential
742 facility subject to the provisions of K.C.C. chapter 21A.32; or

743 b. only when accessory to a fire facility and the office is no greater than one
744 thousand five hundred square feet of floor area.

745 4. Only as a re-use of a surplus nonresidential facility subject to K.C.C. chapter
746 21A.32.

747 5. New utility office locations only if there is no commercial/industrial zoning
748 in the utility district, and not in the RA-10 or RA-20 zones unless it is demonstrated that
749 no feasible alternative location is possible, and provided further that this condition
750 applies to the UR zone only if the property is located within a designated unincorporated
751 Rural Town.

752 6.a. All buildings and structures shall maintain a minimum distance of twenty
753 feet from property lines adjoining residential zones;

754 b. any buildings from which fire-fighting equipment emerges onto a street
755 shall maintain a distance of thirty-five feet from such street;

756 c. no outdoor storage; and

757 d. excluded from the RA-10 and RA-20 zones unless it is demonstrated that no
758 feasible alternative location is possible.

759 7. Limited to "storefront" police offices. Such offices shall not have:

- 760 a. holding cells,
- 761 b. suspect interview rooms (except in the NB zone), or
- 762 c. long-term storage of stolen properties.
- 763 8. Private stormwater management facilities serving development proposals
- 764 located on commercial/industrial zoned lands shall also be located on
- 765 commercial/industrial lands, unless participating in an approved shared facility drainage
- 766 plan. Such facilities serving development within an area designated "urban" in the King
- 767 County Comprehensive Plan shall only be located in the urban area.
- 768 9. No outdoor storage of materials.
- 769 10. Limited to office uses.
- 770 11. Limited to self-service household moving truck or trailer rental accessory to
- 771 a gasoline service station.
- 772 12. Limited to self-service household moving truck or trailer rental accessory to
- 773 a gasoline service station and SIC Industry No. 4215-Courier Services, except by air.
- 774 13. Limited to SIC Industry No. 4215-Courier Services, except by air.
- 775 14. Accessory to an apartment development of at least twelve units provided:
- 776 a. the gross floor area in self service storage shall not exceed the total gross
- 777 floor area of the apartment dwellings on the site;
- 778 b. all outdoor lights shall be deflected, shaded and focused away from all
- 779 adjoining property;
- 780 c. the use of the facility shall be limited to dead storage of household goods;
- 781 d. no servicing or repair of motor vehicles, boats, trailers, lawn mowers or
- 782 similar equipment;

- 783 e. no outdoor storage or storage of flammable liquids, highly combustible or
784 explosive materials or hazardous chemicals;
- 785 f. no residential occupancy of the storage units;
- 786 g. no business activity other than the rental of storage units; and
- 787 h. a resident director shall be required on the site and shall be responsible for
788 maintaining the operation of the facility in conformance with the conditions of approval.
- 789 15. Limited to products produced on-site.
- 790 16. Only as an accessory use to another permitted use.
- 791 17. No outdoor storage.
- 792 18. Only as an accessory use to a public agency or utility yard, or to a transfer
793 station.
- 794 19. Limited to new commuter parking lots designed for thirty or fewer parking
795 spaces or commuter parking lots located on existing parking lots for churches, schools, or
796 other permitted nonresidential uses which have excess capacity available during
797 commuting; provided that the new or existing lot is adjacent to a designated arterial that
798 has been improved to a standard acceptable to the department of transportation;
- 799 20. No tow-in lots for damaged, abandoned or otherwise impounded vehicles.
- 800 21. No dismantling or salvage of damaged, abandoned or otherwise impounded
801 vehicles.
- 802 22. Storage limited to accessory storage of commodities sold at retail on the
803 premises or materials used in the fabrication of commodities sold on the premises.

804 23. Limited to emergency medical evacuation sites in conjunction with police,
805 fire or health service facility. Helistops are prohibited from the UR zone only if the
806 property is located within a designated unincorporated Rural Town.

807 24. Allowed as accessory to an allowed use.

808 25. Limited to private road ambulance services with no outside storage of
809 vehicles.

810 26. Limited to two acres or less.

811 27a. Utility yards only on sites with utility district offices; or

812 b. Public agency yards are limited to material storage for road maintenance
813 facilities.

814 28. Limited to bulk gas storage tanks which pipe to individual residences but
815 excluding liquefied natural gas storage tanks.

816 29. Excluding bulk gas storage tanks.

817 30. For I-zoned sites located outside the urban growth area designated by the
818 King County Comprehensive Plan, uses shall be subject to the provisions for rural
819 industrial uses as set forth in K.C.C. chapter 21A.12.

820 31. Vactor waste treatment, storage and disposal shall be limited to liquid
821 materials. Materials shall be disposed of directly into a sewer system, or shall be stored
822 in tanks (or other covered structures), as well as enclosed buildings.

823 32. Provided:

824 a. off-street required parking for a land use located in the urban area must be
825 located in the urban area;

826 b. off-street required parking for a land use located in the rural area must be
827 located in the rural area; and

828 c. off-street required parking must be located on a lot which would permit,
829 either outright or through a land use permit approval process, the land use the off-street
830 parking will serve.

831 33. Subject to review and approval of conditions to comply with trail corridor
832 provisions of K.C.C. 21A.14 when located in an RA zone and in an equestrian community
833 designated by the Comprehensive Plan.

834 SECTION 14. Ordinance 10870, Section 334, as amended, and K.C.C.
835 21A.08.070 are each hereby amended to read as follows:

836

A. Retail land uses.

KEY	
P-	Permitted Use
C-	Conditional Use
S-	Special Use

KEY P- Permitted Use C- Conditional Use S- Special Use		RESOURCE			RURAL	RESIDENTIAL		COMMERCIAL/INDUSTRIAL					
		A G R I C U L T U R E	F O R E S T	M I N E R A L	R U R A L	U R B A N R E S E R V E	R E S I D E N T I A L	N E I G H B O R H O O D S	C O M M U N I T Y S	R E U S E O N E A S E S	O F F I C E	I N D U S T R I A L	
	ZONE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
SIC#	SPECIFIC LAND USE												
*	Building, Hardware and Garden Materials	P 19			P 21 C1	((G4))			P2	P	P		
*	Forest Products Sales	P3 P4	P4		P3 P4						P		
*	Department and Variety Stores						C14	C14	P5	P	P		
54	Food Stores				C13		C15	C15	P	P	P	C	P6
*	Agricultural Product Sales	P((3))2 0 C7	P4		P((3)) 20 C7	P3	P3						
*	Motor Vehicle and Boat Dealers										P8		P
553	Auto Supply Stores									P9	P9		P
554	Gasoline Service Stations								P	P	P		P
56	Apparel and Accessory Stores									P	P		
*	Furniture and Home Furnishing Stores									P	P		
58	Eating and Drinking Places				C13		C16	C16	P10	P	P	P	P
*	Drug Stores						C15	C15	P	P	P	C	
592	Liquor Stores									P	P		
593	Uses Goods: Antiques/Secondhand Shops									P	P		
*	Sporting Goods and related stores									P	P		
*	Book, Stationary, Video & Art Supply stores						C15	C15	P	P	P		
*	Jewelry Stores									P	P		
*	Monuments, Tombstones, and Gravestones										P		
*	Hobby, Toy, Game Shops								P	P	P		
*	Photographic and Electronic Shops								P	P	P		
*	Fabric Shops									P	P		
598	Fuel Dealers									C11	P		P
*	Florist Shops						C15	C15	P	P	P	P	
*	Personal Medical Supply Stores									P	P		
*	Pet Shops								P	P	P		
*	Bulk Retail									P	P		
*	Auction Houses										P12		P
*	Livestock Sales	P17	P17		P17	P17	P17 P18						P

837
838

839

840

GENERAL CROSS REFERENCES: Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070;
Development Standards see K.C.C. 21A.12 through 21A.30;
General Provisions, see K.C.C. 21A.32 through 21A.38;
Application and Review Procedures, see K.C.C. 21A.40; through 21A.44;
(*Definition of this specific Land Use, see K.C.C. 21A.06

B. Development conditions.

1. Only feed stores and garden supply stores.

2. Only hardware and garden materials stores shall be permitted.

3. a. ~~((Except for hay sales, 1))~~ Limited to products produced on-site~~((; and))~~.

b. Covered sales areas shall not exceed a total area of five hundred square feet.

4. No permanent structures or signs.

5. Limited to SIC Industry No. 5331, Variety Stores, and further limited to a maximum of two thousand square feet of gross floor area.

6. Limited to a maximum of two thousand square feet of gross floor area.

7.a. The floor area devoted to retail sales shall not exceed ~~((two))~~ three-thousand five hundred square feet~~((;))~~.

b. ~~((No more than forty))~~ Sixty percent or more of the average annual gross sales of agricultural products sold through the store over a five-year period shall be derived from products ~~((not))~~ grown or produced in King County. At the time of the initial application, the applicant shall submit a reasonable projection of the source of product sales~~((;))~~.

c. Sales shall be limited to agricultural produce and plants~~((;))~~.

d. Storage areas for produce may be included in a farm store structure or in any accessory building~~((;))~~.

e. Hours of operation shall be limited to 7:00 a.m. to 9:00 p.m. during ~~((the months of))~~ May through September and 7:00 a.m. to 7:00 p.m. during ~~((the months of))~~ October through April~~((;))~~. ~~((@))~~Outside lighting is permitted if no off-site glare is allowed~~((; and~~

~~—f. Noncontiguous lands within King County may be assembled by an individual farmer or group of farmers for the purposes of establishing a source of local products to be sold in a farm store on one of the properties))~~.

8. Excluding retail sale of trucks exceeding one-ton capacity.

9. Only the sale of new or reconditioned automobile supplies is permitted.

10. Excluding SIC Industry No. 5813-Drinking Places.

11. No outside storage of fuel trucks and equipment.

12. Excluding vehicle and livestock auctions.

13. Only as accessory to a winery or brewery.

14. Not in R-1 and limited to SIC Industry No. 5331 - Variety Stores, limited to a maximum of five thousand square feet of gross floor area, and subject to K.C.C. 21A.12.330.

15. Not permitted in R-1 and limited to a maximum of five thousand square feet of gross floor area and subject to K.C.C. 21A.12.230.

16. Not permitted in R-1 and excluding SIC Industry No. 5813-Drinking Places, and limited to a maximum of five thousand square feet of gross floor area and subject to K.C.C. 21A.12.230.

17. Retail sale of livestock is permitted only as accessory to raising livestock.

18. Limited to the R-1 zone.

883 19. Limited to the sale of livestock feed, hay and livestock veterinary supplies
884 with a covered sales area of not more than five hundred square feet. The five hundred
885 square foot limitation does not include areas for storing livestock feed, hay or veterinary
886 supplies or covered parking areas for trucks engaged in direct sale of these products from
887 the truck.

888 20.a. Covered sales areas shall not exceed a total area of two thousand square
889 feet.

890 b. Sixty percent or more of the average annual gross sales of agricultural
891 products sold through the store over a five-year period shall be derived from products
892 grown or produced in King County. At the time of the initial application, the applicant
893 shall submit a projection of the source of product sales.

894 c. Sales shall be limited to agricultural produce and plants.

895 d. Storage areas for produce may be included in a farm store structure or in any
896 accessory building.

897 e. Hours of operation shall be limited to 7:00 a.m. to 9:00 p.m. during May
898 through September and 7:00 a.m. to 7:00 p.m. during October through April. Outside
899 lighting is permitted if no off-site glare is allowed.

900 21. Limited to hay sales.

901 SECTION 15. Ordinance 10870, Section 335, as amended, and K.C.C.

902 21A.08.080 are each hereby amended to read as follows:

903 **A. Manufacturing land uses.**

KEY		Z O N E	RESOURCE			RESIDENTIAL				COMMERCIAL/ INDUSTRIAL								
			A	F	M	R	U	R	U	R	N	B	C	B	R	B	O	I
			G	O	I	U	R	E	R	E	E	U	O	U	E	U	F	N
			R	R	N	R	B	S	B	S	I	S	M	S	G	S	F	D
			I	E	E	A	A	E	A	I	G	I	M	I	I	I	U	
			N	C	S	R	L	N	R	D	H	N	U	N	O	N	C	S
			U	T	A			V		E	B	E	N	E	N	E	E	T
			L		L			E		N	O	S	I	S	A	S		R
			T							T	R	S	T	S	L	S		I
			U							I	H	Y						A
			R							A	O							L
			E						L	O	D							
SIC#	SPECIFIC LAND USE		A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I				
20	Food and Kindred Products		P1	P1		<u>P1</u>	P1					C		P2 C				
2082/ 2084	Winery/Brewery		P1			<u>P3</u>	P3					C		P				
22	Textile Mill Products													C				
23	Apparel and other Textile Products											C		P				
24	Wood Products, except furniture		P4	P4 C5		<u>P4</u>	P4					C6		P				
25	Furniture and Fixtures											C		P				
26	Paper and Allied Products													C				
27	Printing and Publishing									P7	P7	P7C	P7C	P				
28	Chemicals and Allied Products													C				
2911	Petroleum Refining and related industries													C				

Ordinance 14045

30	Rubber and Misc. Plastics Products												C
31	Leather and Leather Goods										C		P
32	Stone, Clay, Glass and Concrete Products									P8	P9		P
33	Primary Metal Industries												C
34	Fabricated Metal Products												P
35	Industrial and Commercial Machinery												P
351-55	Heavy Machinery and Equipment												C
357	Computer and Office Equipment										C	C	P
36	Electronic and other Electric Equipment										C		P
374	Railroad Equipment												C
376	Guided Missile and Space Vehicle Parts												C
379	Miscellaneous Transportation Vehicles												C
38	Measuring and Controlling Instruments										C	C	P
39	Miscellaneous Light Manufacturing										C		P
*	Motor Vehicle and Bicycle Manufacturing												C
*	Aircraft, Ship and Boat Building												P10 C
7534	Tire Retreading										C		P
781-82	Movie Production/Distribution										P		P

GENERAL CROSS REFERENCES: Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070;
Development Standards see K.C.C. 21A.12 through 21A.30;
General Provisions, see K.C.C. 21A.32 through 21A.38;
Application and Review Procedures, see K.C.C. 21A.40; through 21A.44;
(*)Definition of this specific Land Use, see K.C.C. 21A.06

B. Development conditions.

1. Limited to agricultural products produced on-site, provided structures and areas used for processing shall maintain a minimum distance of ~~((75))~~ seventy-five feet from property lines adjoining residential zones.
2. Except slaughterhouses.
3. Only as a home industry, subject to K.C.C. chapter 21A.30.
4. Limited to rough milling and planing of products grown on-site with portable equipment.
5. Limited to SIC Industry Group No. 242-Sawmills.
6. Limited to uses found in SIC Industry No. 2434-Wood Kitchen Cabinets and No. 2431-Millwork ~~(())~~, excluding planing mills~~(())~~.
7. Limited to photocopying and printing services offered to the general public.
8. Only within enclosed buildings, and as an accessory use to retail sales.
9. Only within enclosed buildings.
10. Limited to boat building of craft not exceeding ~~((48))~~ forty-eight feet in length.
11. For I-zoned sites located outside the urban growth area designated by the King County Comprehensive Plan, uses shown as a conditional use in the table of K.C.C. 21A.08.080A shall be prohibited, and all other uses shall be subject to the provisions for rural industrial uses as set forth in K.C.C. chapter 21A.12.

SECTION 16. Ordinance 10870, Section 336, as amended, and K.C.C.

21A.08.090 are each hereby amended to read as follows:

A. Resource land uses.

KEY

P- Permitted Use

C- Conditional Use

S- Special Use

		RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
		A G R I C U L T U R E	F O R E S T	M I N E R A L	R U R A L	R E S I D E N T I A L	R 1 - 8	R 1 2 - 4 8	N E I G H B O R H O O D S	C O M M U N I T Y S	R E U S I O N E A S S	O F F I C E	I N D U S T R I A L
SIC#	ZONE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
	SPECIFIC LAND USE												
	Agriculture:												
1	Growing and Harvesting Crops	P	P		P	P	P						P
2	Raising Livestock and Small Animals	P	P		P	P	P6						P
*	Agriculture Training Facility	C10											
	Forestry:												
8	Growing & Havesting Forest Product	P	P	P7	P	P	P						P
*	Forest Research		P		P	P						P2	P
	Fish and Wildlife Management:												
921	Hatchery/Fish Preserve (1)	P	P		P	P	C						P
273	Aquaculture (1)	P	P		P	P	C						P
*	Wildlife Shelters	P	P		P	P							
	Mineral:												
10 12 14	Mineral Extraction and Processing		P9 C	P									
2951 3271 3273	Asphalt/Concrete Mixtures and Block		P8	P8									P
	Accessory Uses:												
*	Resource Accessory Uses	P3	P4	P5	P3	P3							P4

GENERAL CROSS REFERENCES: Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070;

Development Standards see K.C.C. 21A.12 through 21A.30;

General Provisions, see K.C.C. 21A.32 through 21A.38;

Application and Review Procedures, see K.C.C. 21A.40; through 21A.44;

(*)Definition of this specific Land Use, see K.C.C. 21A.06

B. Development conditions.

1. May be further subject to ~~((the provisions of))~~ K.C.C. Title 25, Shoreline Management ~~((Program))~~.

2. Only forest research conducted within an enclosed building.

3. ~~((Housing for agricultural workers and their families employed on the premises only as an accessory to a permanent residence provided:~~

a. ~~Sites are limited to those with ten acres or more;~~

b. ~~Accessory housing is limited to one unit on less than 20 acres, or two on 20 acres or more; and~~

c. ~~Accessory housing shall not be rented to the public at large))~~ Accessory dwelling units in accordance with K.C.C. 21A.08.030.

4. Excluding housing for agricultural workers.

5. Limited to either maintenance ~~((and/))~~ or storage facilities, or both, in conjunction with mineral extraction or processing operation.

6. Large livestock allowed ~~((only in the R-1 zone))~~ in accordance with K.C.C. 21A.30.

7. Only in conjunction with a mineral extraction site plan approved ~~((pursuant to))~~ in accordance with K.C.C. chapter 21A.22.

8. Only as accessory to a primary mineral extraction use, or as a continuation of a mineral processing use established prior to the effective date of or consistent with this ~~((code))~~ title.

950 9. Limited to mining activities that are located greater than one-quarter mile
951 from an established residence and that do not use local access streets (~~((which))~~) that abut
952 lots developed for residential use.

953 10. Agriculture training facilities are allowed only as an accessory to existing
954 agricultural uses and are subject to the following conditions:

955 a. The impervious surface associated with the agriculture training facilities
956 shall comprise not more than ~~((10))~~ ten percent of the allowable impervious surface
957 permitted under K.C.C. 21A.12.040;

958 b. New or the expansion of existing structures, or other site improvements,
959 shall not be located on class 1, 2~~((s))~~ or 3 soils;

960 c. The director may require reuse of surplus structures to the maximum extent
961 practical;

962 d. The director may require the clustering of new structures with existing
963 structures;

964 e. New structures or other site improvements shall be set back a minimum
965 distance of ~~((75))~~ seventy-five feet from property lines adjoining residential zones;

966 f. Bulk and design of structures shall be compatible with the architectural style
967 of the surrounding agricultural community;

968 g. New sewers shall not be extended to the site;

969 h. Traffic generated shall not impede the safe and efficient movement of
970 agricultural vehicles, nor shall it require capacity improvements to rural roads;

971 i. Agriculture training facilities may be used to provide educational services to
972 the surrounding rural/agricultural community or for community events. Property owners

973 may be required to obtain a temporary use permit for community events in accordance
974 with K.C.C. chapter 21A.32;

975 j. Use of lodging and food service facilities shall be limited only to activities
976 conducted in conjunction with training and education programs or community events
977 held on site;

978 k. Incidental uses, such as office and storage, shall be limited to those
979 ((which)) that directly support education and training activities or farm operations; and

980 l. The King County agriculture commission shall be notified of and have an
981 opportunity to comment upon all proposed agriculture training facilities during the permit
982 process in accordance with K.C.C. chapter 21A.40.

SECTION 17. Ordinance 10870, Section 337, as amended, and K.C.C.

21A.08.100 are each hereby amended to read as follows:

A. Regional land uses.

KEYKEY P- Permitted Use C- Conditional Use S- Special Use		RESOURCE			RURAL	RESIDENTIAL		COMMERCIAL/INDUSTRIAL					
		AGRICULTURE	FOREST	MINERAL	RURAL	URBAN RESERVE	RESIDENTIAL URBAN	NEIGHBORHOODS	COMMUNIS	BUSINESS	RECREATION	OFFICE	INDUSTRIAL
	ZONE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
SIC#	SPECIFIC LAND USE												
*	Jail		((S))		((S))	((S))	S	S	S	S	S	S	S
*	Jail Farm/Camp	S	S		S	S							
*	Work Release Facility				S 19	S 19	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 S		C14 S	C14 S	C14 S						
*	Non-hydroelectric Generation Facility	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	P12 S
*	Communication Facility (17)	C6c S	P		C6c S	C6c S	C6c S	C6c S	C6c S	P	P	P	P
*	Earth Station	P6b	P		C6a S	C6a S	C6a S	C6a S	P6b C	P	P	P	P
13	Oil and Gas Extraction	S	C	P	S	S	S	S	S	S	S	S	C
*	Energy Resource Recovery Facility		S	S	S	S	S	S	S	S	S	S	S
*	Soil Recycling Facility		S	S	S								C
*	Landfill		S	S	S	S	S	S	S	S	S	S	S
*	Transfer Station			S	S	S	S	S	S	S	S		P
*	Wastewater Treatment Facility				S	S	S	S	S	S	S	S	C
*	Municipal Water Production	S	P13 S	S	S	S	S	S	S	S	S	S	S
*	Airport/Heliport	S7	S7		S	S	S	S	S	S	S	S	S
*	Transit Bus Base				((S))	((S))	S	S	S	S	S	S	P
*	School Bus Base				C5, S 20	C5 S	C5 S	C5 S	S	S	S	S	P
7948	Racetrack				S8	S8	S8	S8	S8	S8	S8	S8	S
*	Fairground									S	S		S
8422	Zoo/Wildlife Exhibit (2)		S9		S9	S	S	S		S	S		
7941	Stadium/Arena										S		S
8221	College/University (1)				P10 C11	P10 C11	P10	P10	P10				
8222		P10	P10		S18	S18	C11 S	C11 S	C11 S	P	P	P	P
*	Zoo animal breeding facility	P16	P16		P16								

989

GENERAL CROSS REFERENCES:	((Permitted)) Land Use ((Chart)) Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070;
	Development Standards see K.C.C. 21A.12 through 21A.30;
	General Provisions, see K.C.C. 21A.32 through 21A.38;
	Application and Review Procedures, see K.C.C. 21A.40; through 21A.44;
	(*)Definition of this specific Land Use, see K.C.C. 21A.06

990

B. Development ~~((€))~~ conditions.

991

1. Except technical institutions. See vocational schools on general services land

992

use table, K.C.C. 21A.08.050.

993

2. Except arboretum. See K.C.C. 21A.08.040, recreation/cultural land use table.

994

3. Except weapons armories and outdoor shooting ranges.

995

4. Except outdoor shooting range.

996

5. Only in conjunction with an existing or proposed school.

997

- 6.a. Limited to no more than three satellite dish antennae.

998

- b. Limited to one satellite dish antenna.

999

- c. Limited to tower consolidations.

1000

7. Limited to landing field for aircraft involved in forestry or agricultural

1001

practices or for emergency landing sites.

1002

8. Except racing of motorized vehicles.

1003

9. Limited to wildlife exhibit.

1004

10. Only as a re~~((-))~~use of a public school facility, subject to ~~((the provisions))~~

1005

of K.C.C. chapter 21A.32.

1006

11. Only as a re~~((-))~~use of a surplus nonresidential facility, subject to ~~((the~~

1007

~~provisions))~~ of K.C.C. chapter 21A.32.

1008

12. Limited to cogeneration facilities for on-site use only.

- 1009 13. Excluding impoundment of water using a dam.
- 1010 14. Limited to facilities that comply with the following ((provisions)):
- 1011 a. Any new diversion structure shall not:
- 1012 (1) exceed a height of eight feet as measured from the streambed((;)); or
- 1013 (2) impound more than three surface acres of water at the normal maximum
- 1014 surface level;
- 1015 b. There shall be no active storage;
- 1016 c. The maximum water surface area at any existing dam or diversion shall not
- 1017 be increased;
- 1018 d. An exceedance flow of no greater than fifty percent in mainstream reach
- 1019 shall be maintained;
- 1020 e. Any transmission line shall be limited to a:
- 1021 (1) right-of-way of five miles or less; and
- 1022 (2) capacity of two hundred thirty KV or less;
- 1023 f. Any new, permanent access road shall be limited to five miles or less; and
- 1024 g. The facility shall only be located above any portion of the stream used by
- 1025 anadromous fish.
- 1026 15. For I-zoned sites located outside the urban growth area designated by the
- 1027 King County Comprehensive Plan, uses shown as a conditional or special use in K.C.C.
- 1028 21A.08.100A, except for waste water treatment facilities, shall be prohibited. All other
- 1029 uses, including waste water treatment facilities, shall be subject to the provisions for rural
- 1030 industrial uses ((as set forth)) in K.C.C. chapter 21A.12.

1025 16. The operator of such a facility shall provide verification to the department of
1026 natural resources or its successor organization that the facility meets or exceeds the
1027 standards of the Animal and Plant Health Inspection Service of the United States
1028 Department of Agriculture and the accreditation guidelines of the American Zoo and
1029 Aquarium Association.

1030 17. The following provisions of the table apply only to major communication
1031 facilities ~~((M))~~ minor communication facilities shall be reviewed ~~((pursuant to))~~ in
1032 accordance with the processes and standard outlined in K.C.C. chapter 21A.26.

1033 18. Only for facilities related to resource-based research.

1034 19. Limited to work release facilities associated with natural resource-based
1035 activities.

1036 20. Limited to projects which do not require or result in an expansion of sewer
1037 service outside the urban growth area, unless a finding is made that no cost-effective
1038 alternative technologies are feasible, in which case a tightline sewer sized only to meet
1039 the needs of the school bus base and serving only the school bus base may be used.
1040 Renovation, expansion, modernization or reconstruction of a school bus base is permitted
1041 but shall not require or result in an expansion of sewer service outside the urban growth
1042 area, unless a finding is made that no cost-effective alternative technologies are feasible,
1043 in which case a tightline sewer sized only to meet the needs of the school bus base.

SECTION 18. Ordinance 10870, Section 340, as amended, and K.C.C.

21A.12.030 are each hereby amended to read as follows:

A. Densities and dimensions - residential zones

ZONE	RESIDENTIAL											
	RURAL				URBAN RESERVE	URBAN RESIDENTIAL						
	RA-2.5	RA-5	RA-10	RA-20	UR	R-1 (17)	R-4	R-6	R-8	R-12	R-18	R-24
STANDARDS												
Base Density: Dwelling Unit/Acre (15)	0.2 du/ac	0.2 du/ac	0.1 du/ac	0.05 du/ac	0.2 du/ac (21)	1 du/ac	4 du/ac	6 du/ac	8 du/ac	12 du/ac	18 du/ac	24 du/ac
Maximum Density: Dwelling Unit/Acre (1)	0.4 du/ac (20)	0.4 du/ac (20)					6 du/ac	9 du/ac	12 du/ac	18 du/ac	27 du/ac	36 du/ac
Minimum Density: (2)							85% (12) (18)	85% (12) (18)	85% (12) (18)	80% (18)	75% (18)	70% (18)
Minimum Lot Area (13)	1.875 ac	3.75 ac	7.5 ac	15 ac								
Minimum Lot Width (3)	135 ft	135 ft	135 ft	135 ft	35 ft	35 ft	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft
Minimum Street Setback (3)	30 ft (9)	30 ft (9)	30 ft (9)	30 ft (9)	30 ft (7)	20 ft (7)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)
Minimum Interior Setback (3) (16)	5 ft (9)	10 ft (9)	10 ft (9)	10 ft (9)	5 ft (7)	5 ft (7)	5 ft	5 ft	5 ft	5 ft (10)	5 ft (10)	5 ft (10)
Base Height (4)	40 ft	40 ft	40 ft	40 ft	35 ft	35 ft	35 ft	35 ft 45 ft (14)	35 ft 45 ft (14)	60 ft	60 ft 80 ft (14)	60 ft 80 ft (14)
Maximum Impervious Surface: Percentage (5)	25% (11) (19)	20% (11) (19)	15% (11) (19)	12.5% (11) (19)	30% (11)	30% (11)	55%	70%	75%	85%	85%	85%

B. Development conditions.

1. This maximum density may be achieved only through the application of residential density incentives ~~((pursuant to))~~ in accordance with K.C.C. chapter 21A.34 or transfers of density credits ~~((pursuant to))~~ in accordance with K.C.C. chapter 21A.36 or 21A.55, or any combination of density incentive or density transfer. Maximum density may only be exceeded ~~((pursuant to))~~ in accordance with K.C.C.

21A.34.040F.1.((f))g.

2. Also see K.C.C. 21A.12.060.

3. These standards may be modified under the provisions for zero-lot-line and townhouse developments.

1056 4. Height limits may be increased ~~((when))~~ if portions of the structure ~~((which))~~
1057 that exceed the base height limit provide one additional foot of street and interior setback
1058 for each foot above the base height limit, ~~((provided))~~ but the maximum height may not
1059 exceed seventy-five feet. Netting or fencing and support structures for the netting or
1060 fencing used to contain golf balls in the operation of golf courses or golf driving ranges
1061 are exempt from the additional interior setback requirements ~~((provided that))~~ but the
1062 maximum height shall not exceed seventy-five feet.

1063 5. Applies to each individual lot. Impervious surface area standards for:

1064 a. regional uses shall be established at the time of permit review;

1065 b. nonresidential uses in residential zones shall comply with K.C.C.

1066 21A.12.120 and 21A.12.220;

1067 c. individual lots in the R-4 through R-6 zones ~~((which))~~ that are less than nine
1068 thousand seventy-six square feet in area shall be subject to the applicable provisions of
1069 the nearest comparable R-6 or R-8 zone; and

1070 d. a lot may be increased beyond the total amount permitted in this chapter
1071 subject to approval of a conditional use permit.

1072 6. Mobile home parks shall be allowed a base density of six dwelling units per
1073 acre.

1074 7. The standards of the R-4 zone shall apply if a lot is less than fifteen thousand
1075 square feet in area.

1076 8. At least twenty linear feet of driveway shall be provided between any garage,
1077 carport or other fenced parking area and the street property line. The linear distance shall

1078 be measured along the center line of the driveway from the access point to such garage,
1079 carport or fenced area to the street property line.

1080 9.a. Residences shall have a setback of at least one hundred feet from any
1081 property line adjoining A, M or F zones or existing extractive operations. However,
1082 residences on lots less than one hundred fifty feet in width adjoining A, M or F zone or
1083 existing extractive operations shall have a setback from the rear property line equal to
1084 fifty percent of the lot width and a setback from the side property equal to twenty-five
1085 percent of the lot width.

1086 b. Except for residences along a property line adjoining A, M or F zones or
1087 existing extractive operations, ((for)) lots between one acre and two and one-half acres in
1088 size((;)) shall conform to the requirements of the R-1 zone ((shall apply. For)) and lots
1089 under one acre((;)) shall conform to the requirements of the R-4 zone ((shall apply)).

1090 10.a. For developments consisting of three or more single-detached dwellings
1091 located on a single parcel, the setback shall be ten feet along any property line abutting
1092 R-1 through R-8, RA and UR zones, except for structures in on-site play areas required in
1093 K.C.C. 21A.14.190, which shall have a setback of five feet.

1094 b. for townhouse and apartment development, the setback shall be twenty feet
1095 along any property line abutting R-1 through R-8, RA and UR zones, except for
1096 structures in on-site play areas required in K.C.C. 21A.14.190, which shall have a setback
1097 of five feet, unless the townhouse or apartment development is adjacent to property upon
1098 which an existing townhouse or apartment development is located.

1099 11. Lots smaller than one-half acre in area shall comply with standards of the
1100 nearest comparable R-4 through R-8 zone. For lots that are one-half acre in area or

larger, the maximum impervious surface area allowed shall be at least ten thousand square feet. On any lot over one acre in area, an additional five percent of the lot area may be used for buildings related to agricultural or forestry practices. For lots smaller than two acres but larger than one-half acre, an additional ten percent of the lot area may be used for structures ~~((which))~~ that are determined to be medically necessary, ~~((provided))~~ if the applicant submits with the permit application a notarized affidavit, conforming with ~~((the requirements of))~~ K.C.C. 21A.32.170A.2.

12. For purposes of calculating minimum density, the applicant may request that the minimum density factor be modified based upon the weighted average slope of the net buildable area(s) of the site ~~((pursuant to))~~ in accordance with K.C.C. 21A.12.087.

13. ~~((Reserved))~~ These lot size minimums are for purposes of lot averaging, and do not apply to lot clustering proposals.

14. The base height to be used only for projects as follows:

a. in R-6 and R-8 zones, a building with a footprint built on slopes exceeding a fifteen percent finished grade; and

b. in R-18, R-24 and R-48 zones using residential density incentives and transfer of density credits ~~((pursuant to))~~ in accordance with this title.

15. Density applies only to dwelling units and not to sleeping units.

16. Vehicle access points from garages, carports or fenced parking areas shall be set back from the property line on which a joint use driveway is located to provide a straight line length of at least twenty-six feet as measured from the center line of the garage, carport or fenced parking area, from the access point to the opposite side of the joint use driveway.

1124 17. a. All subdivisions and short subdivisions in the R-1 zone shall be required
1125 to be clustered ~~((when))~~ if the property is located within or contains:

- 1126 (1) a floodplain,
1127 (2) a critical aquifer recharge area,
1128 (3) a Regionally or Locally Significant ~~((r))~~Resource Area,
1129 (4) existing or planned public parks or trails, or connections to such facilities,
1130 (5) a Class I or II stream or wetland~~((s))~~, or
1131 (6) a "greenbelt/urban separator" or "wildlife corridor" ~~((--))~~ area designated
1132 by the ~~((e))~~Comprehensive ~~((p))~~Plan or a community plan.

1133 b. The development shall be clustered away from sensitive areas or the axis of
1134 designated corridors such as urban separators or the wildlife habitat network to the extent
1135 possible and the open space shall be placed in a separate tract that includes at least fifty
1136 percent of the site. Open space tracts shall be permanent and shall be dedicated to a
1137 homeowner's association or other suitable organization, as determined by the director,
1138 and meet the ~~((provisions of))~~ requirements in K.C.C. 21A.14.040. On-site sensitive area
1139 and buffers, wildlife habitat networks, required habitat and buffers for protected species
1140 and designated urban separators shall be placed within the open space tract to the extent
1141 possible. Passive recreation (with no development of recreational facilities) and natural-
1142 surface pedestrian and equestrian trails are acceptable uses within the open space tract.

1143 18. See K.C.C. 21A.12.085.

1144 19. All subdivisions and short subdivisions in R-1 and RA zones within the
1145 North Fork and Upper Issaquah Creek subbasins of the Issaquah Creek Basin (the North
1146 Fork and Upper Issaquah Creek subbasins are identified in the Issaquah Creek Basin and

1147 Nonpoint Action Plan) and the portion of the Grand Ridge subarea of the East
1148 Sammamish Community Planning Area ~~((which))~~ that drains to Patterson Creek shall
1149 have a maximum impervious surface area of eight percent of the gross acreage of the plat.
1150 Distribution of the allowable impervious area among the platted lots shall be recorded on
1151 the face of the plat. Impervious surface of roads need not be counted towards the
1152 allowable impervious area. ~~((In cases w))~~ Where both lot- and plat-specific impervious
1153 limits apply, the more restrictive shall be required.

1154 20. This density may only be achieved on RA 2.5 and RA 5 zoned parcels
1155 ~~((designated as rural))~~ receiving density from rural forest focus areas through the
1156 ~~((F))~~transfer of ~~((D))~~density ~~((C))~~credit ~~((P))~~pilot ~~((P))~~program outlined in K.C.C.
1157 chapter 21A.55.

1158 21. Base density may be exceeded, if the property is located in a designated
1159 rural city urban growth area and each proposed lot contains an occupied legal residence
1160 ~~((which))~~ that predates 1959.

SECTION 19. Ordinance 10870, Section 341, as amended, and K.C.C.

21A.12.040 are each hereby amended to read as follows:

A. Densities and dimensions - resource and commercial/industrial zones.

ZONES	RESOURCE			COMMERCIAL/INDUSTRIAL					
	A G R I C U L T U R E		F O R E S T	M I N E R A L	N E D I G B H U B S O I R N H E O S	C O B M U M S U I N N I E T S Y S	R B E U G S I I O N E A S L S	O F F I C E	I N D U S T R I A L
STANDARDS	A-10	A-35	F	M	NB	CB	RB	O	I
Base Density: Dwelling Unit/Acre	0.1 du/ac	.0286 du/ac	.0125 du/ac		8 du/ac	18 du/ac	36 du/ac	36 du/ac	
Maximum Density: Dwelling Unit/Acre					12 du/ac	24 du/ac	48 du/ac	48 du/ac	
Minimum Lot Area	10 acres	35 acres	80 acres	10 acres					
Maximum Lot Depth/Width Ratio	4 to 1	4 to 1							
Minimum Street Setback	30 ft (4)	30 ft (4)	((100)) 50 ft (4)	(12)	10 ft (5)	10 ft (5)	10 ft (5)	10 ft	25 ft
Minimum Interior Setback	10 ft (4)	10 ft (4)	100 ft (4)	(12)	20 ft (7) (14)	20 ft (7)	20 ft (7)	20 ft (7)	20 ft (7) 50 ft (8)
Base Height (10)	35 ft	35 ft	35 ft	35 ft	35 ft 45 ft (6)	35 ft 60 ft (6)	35 ft 65 ft (6)	45 ft 60 ft (6)	45 ft
Maximum Floor/Lot Ratio: Square Feet					1/1 (9)	1.5/1 (9)	2.5/1 (9)	2.5/1 (9)	2.5/1
Maximum Impervious Surface: Percentage (13)	15% 35% (11)	10% 35% (11)	10% 35% (11)		85%	85%	90%	75%	90%

B. Development ((C))conditions.

1. Reserved.

2. These densities are allowed only through the application of mixed-use development standards and for stand-alone townhouse development in the NB zone on property designated commercial outside of center in the urban area.

3. These densities may only be achieved through the application of residential density incentives or transfer of density credits in mixed-use developments and for stand-

1172 alone townhouse development in the NB zone on property designated commercial outside
1173 of center in the urban area. See K.C.C. chapters 21A.34 and 21A.36.

1174 4.a. In the F zone, scaling stations may be located thirty-five feet from property
1175 lines. Residences shall have a setback of at least thirty feet from all property lines.

1176 b. For lots between one acre and ~~((2.5))~~ two and one half acres in size, the
1177 setback requirements of the R-1 zone shall apply. For lots under one acre, the setback
1178 requirements of the R-4 zone shall apply.

1179 c. For developments consisting of three or more single-detached dwellings
1180 located on a single parcel, the setback shall be ten feet along any property line abutting
1181 R-1 through R-8, RA and UR zones.

1182 5. Gas station pump islands shall be placed no closer than twenty-five feet to
1183 street front lines.

1184 6. This base height allowed only for mixed-use developments and for stand-
1185 alone townhouse development in the NB zone on property designated commercial outside
1186 of center in the urban area.

1187 7. Required on property lines adjoining residential zones.

1188 8. Required on property lines adjoining residential zones for industrial uses
1189 established by conditional use permits.

1190 9. The floor~~((/))~~-to-lot ratio for mixed-use developments shall conform to
1191 K.C.C. chapter 21A.14.

1192 10. Height limits may be increased ~~((when))~~ if portions of the structure building
1193 ~~((which))~~ that exceed the base height limit provide one additional foot of street and
1194 interior setback for each foot above the base height limit, provided the maximum height

may exceed seventy-five feet only in mixed-use developments. Netting or fencing and support structures for the netting or fencing used to contain golf balls in the operation of golf courses or golf driving ranges are exempt from the additional interior setback requirement provided that the maximum height shall not exceed seventy-five feet.

11. Applicable only to lots containing less than one acre of lot area.

Development on lots containing less than ~~((15,000))~~ fifteen thousand square feet of lot area shall be governed by impervious surface standards of the nearest comparable R-4 through R-8 zone.

12. See K.C.C. 21A.22.060 for setback requirements in the mineral zone.

13. The impervious surface area for any lot may be increased beyond the total amount permitted in this chapter subject to approval of a conditional use permit.

14. Required on property lines adjoining residential zones ~~((except when))~~ unless a stand-alone townhouse development on property designated commercial outside of center in the urban area is proposed to be located adjacent to property upon which an existing townhouse development is located.

SECTION 20. Ordinance 10870, Section 343, as amended, and K.C.C. 21A.12.060 are each hereby amended to read as follows:

Minimum urban residential density. Minimum density for residential development in the urban areas designated by the ~~((e))~~Comprehensive ~~((p))~~Plan shall be based on the tables in K.C.C. 21A.12.030, adjusted as provided ~~((for))~~ in 21A.12.070 ~~((-~~)) through 21A.12 .080.

1216 A. A proposal may be phased, ~~((when))~~ if compliance with the minimum density
1217 requirement results in noncompliance with ~~((the standards of))~~ K.C.C. chapter 21A.28,
1218 ~~((provided))~~ if the overall density of the proposal is consistent with this section.

1219 B. Minimum density requirements may be waived by King County if the
1220 applicant demonstrates one or more of the following:

1221 1. The proposed layout of the lots in a subdivision or the buildings in a multiple
1222 dwelling development will not preclude future residential development consistent with
1223 the minimum density of the zone~~((:))~~;

1224 2. The non-sensitive area of the parcel is of a size or configuration that results in
1225 lots ~~((which))~~ that cannot meet the minimum dimensional requirements of the zone~~((:))~~;

1226 3. In the R-12 through R-48 zones, the area of the parcel required to
1227 accommodate storm water facilities exceeds ~~((10))~~ ten percent of the area of the site~~((:))~~;
1228 or

1229 4. The site contains a national, state or county historic landmark.

1230 C. A proposal to locate a single residential unit on a lot shall be exempt from the
1231 minimum density requirement provided the applicant either pre~~((-))~~plans the site by
1232 demonstrating that the proposed single residence would be located in a manner
1233 compatible with future division of the site in a manner ~~((which))~~ that would meet the
1234 minimum density requirements, or locates the dwelling within fifteen feet of one or more
1235 of the site's interior lot lines.

1236 D. Alternative minimum density requirements may be imposed through county-
1237 approved property-specific development standards (P-suffix), a special district overlays
1238 in accordance with K.C.C. chapter 21A.38 or a subarea plan.

1239 SECTION 21. Ordinance 10870, Section 344, as amended, and K.C.C.

1240 21A.12.070 are each hereby amended as follows:

1241 **Calculations - allowable dwelling units, lots or floor area.** Permitted number
1242 of units, lots or floor area shall be determined as follows:

1243 A. The allowed number of dwelling units or lots (base density) shall be computed
1244 by multiplying the site area specified in K.C.C. 21A.12.080 by the applicable residential
1245 base density number;

1246 B. The maximum density (unit or lot) limits shall be computed by adding the
1247 bonus or transfer units authorized by K.C.C. chapters 21A.34 ~~((or))~~, 21A.36 or 21A.55 to
1248 the base units computed under subsection A of this section;

1249 C. The allowed floor area, which excludes structured or underground parking
1250 area and areas housing mechanical equipment, shall be computed by applying the floor-
1251 to-lot area ratio to the project site area specified in K.C.C. 21A.12.080; ~~((and))~~

1252 D. ~~((When))~~ If calculations result in a fraction, the fraction shall be rounded to
1253 the nearest whole number as follows, except as provided in subsection E of this section:

1254 1. Fractions of 0.50 or above shall be rounded up; and

1255 2. Fractions below 0.50 shall be rounded down~~((:))~~; and

1256 E. For subdivisions and short subdivisions in the RA and A zones, rounding up of
1257 the number of development units or lots is not allowed.

1258 SECTION 22. Ordinance 10870, Section 345, as amended, and K.C.C.

1259 21A.12.080 are each hereby amended as follows:

1260 **Calculations – ((S))site area used for base density and maximum density**
1261 **floor area calculations.** A. All site areas may be used in the calculation of base and
1262 maximum allowed residential density or project floor area except as outlined under the
1263 provisions of subsection B of this section.

1264 B. Submerged lands shall not be credited toward base and maximum density or
1265 floor area calculations.

1266 C. For subdivisions and short subdivisions in the RA zone, if calculations of site
1267 area for base density result in a fraction, the fraction shall be rounded to the nearest
1268 whole number as follows:

1269 1. Fractions of 0.50 or above shall be rounded up; and

1270 2. Fractions below 0.50 shall be rounded down.

1271 SECTION 23. Ordinance 10870, Section 351, as amended, and K.C.C.

1272 21A.12.140 are each hereby amended to read as follows:

1273 **Setbacks - from regional utility corridors.** A. In subdivisions and short
1274 subdivisions, areas used as regional utility corridors shall be contained in separate tracts.

1275 B. In other types of land development permits, easements shall be used to
1276 delineate ((such)) regional utility corridors.

1277 C. All ((buildings and)) structures shall maintain a minimum distance of five feet
1278 from property or easement lines delineating the boundary of regional utility corridors,
1279 except for utility structures necessary to the operation of the utility corridors.

D. Any structure designed for human occupancy, except for utility structures not normally occupied that are necessary for the operation of the pipeline or a minor communication facility, shall maintain a minimum distance of one hundred feet from a hazardous liquid or gas transmission pipeline located within a regional utility corridor.

The setback distance may be modified if the applicant demonstrates the following:

1. A one-hundred-foot setback would deny all reasonable use of the property; or
2. That the structure would be protected from radiant heat of an explosion by berming or other physical barriers; or
3. That a one-hundred-foot setback would be impractical or unnecessary due to existing geographical features, streets, lot lines, or easements; or
4. That no other practical alternative exists to meet the demand for service; and
5. That the applicant will construct a hazardous liquid or gas transmission containment system or other mitigating actions if the county finds that leakage could accumulate within one hundred feet of the pipeline. Any containment system or other mitigating actions required by this section shall meet all applicable federal, state and local regulations.

SECTION 24. Ordinance 10870, Section 357, as amended, and K.C.C. 21A.12.200 are each hereby amended to read as follows:

Lot or site divided by zone boundary. When a lot or site is divided by a zone boundary, the following ~~((rules shall apply))~~ applies:

A. ~~((When))~~If a lot or site contains both residential and non-residential zoning, the zone boundary between the zones shall be considered a lot line for determining permitted building height and required setbacks on the site~~((s))~~.

B. ~~((When))~~ If a lot or site contains residential zones of varying density~~((;))~~:

1. Any residential density transfer within the lot or site shall be allowed ~~((from the portion with the lesser residential density to that of the greater residential density;~~

~~2. Residential density transfer from the higher density zone to the lower density zone may be allowed only when))~~ if:

a. ~~((the units transferred from any R-12 to R-48 zoned portion of the lot are maintained in an attached dwelling unit configuration on the lower density portion receiving such units,))~~ the density, as a result of moving dwelling units from one lot to another lot within a site or across zone lines within a single lot, does not exceed one hundred fifty percent of the base density on any of the lots or portions of a lot to which the density is transferred;

b. the transfer does not reduce the minimum density achievable on the lot~~((;))~~ or site;

c. the transfer enhances the efficient use of needed infrastructure~~((;))~~;

d. the transfer does not result in significant adverse impacts to the low density portion of the lot~~((;))~~ or site;

e. the transfer contributes to preservation of environmentally sensitive areas, wildlife corridors, or other natural features~~((;))~~; and

f. the transfer does not result in significant adverse impacts to adjoining lower density properties~~((;))~~;

2. Residential density transfers from one lot to another lot within a site or from one portion of a lot to another portion of a lot across a zone line shall not be allowed in the RA zone;

3. Residential density transfers shall not be allowed to a lot or portion of a lot zone R-1;

4. Compliance with the~~((se))~~ criteria in this subsection B shall be evaluated during review of any development proposals in which such a transfer is proposed; and

5. Residential density transfers from one lot to another lot within a site or from one portion of a lot to another portion of a lot across a zone line shall not, in of itself, be considered development above the base density for purposes of requiring a conditional use permit for apartments or townhouses in the R-1 through R-8 zones.

C. Uses on each portion of the lot shall only be those permitted in each zone ~~((pursuant to))~~ in accordance with K.C.C. chapter 21A.08.

SECTION 25. Ordinance 10870, Section 364, as amended, and K.C.C. 21A.14.040 are each hereby amended to read as follows:

Lot segregations – ~~((C))~~clustered development. ~~((When))~~If residential lot clustering is proposed, the following provisions shall be met:

A. In the R zones, ~~((A))~~any designated open space tract resulting from lot clustering shall not be altered or disturbed except as specified on recorded documents creating the open space. ~~((Such-ø))~~Open spaces may be retained under ownership by the subdivider, conveyed to residents of the development, or conveyed to a third party. ~~((When))~~If access to the open space is provided, the access shall be located in a separate tract;

B. In the RA zone:

1. No more than eight lots of less than ~~((2.5))~~ two and one-half acres shall be allowed in a cluster;

1349 2. No more than eight lots of less than ~~((2.5))~~ two and one-half acres shall be
1350 served by a single cul-de-sac street;

1351 3. Clusters containing two or more lots of less than ~~((2.5))~~ two and one-half
1352 acres, whether in the same or adjacent developments, shall be separated from similar
1353 clusters by at least ~~((120))~~ one hundred twenty feet;

1354 4. The overall amount, and the individual degree of clustering shall be limited to
1355 a level that can be adequately served by rural facilities and services, including, but not
1356 limited to, on-site sewage disposal systems and rural roadways; ~~((and))~~

1357 5. A fifty-foot Type II landscaping screen, as defined in K.C.C. 21A.16.040,
1358 shall be provided along the frontage of all public roads. The planting materials shall
1359 consist of species that are native to the Puget Sound region. Preservation of existing
1360 healthy vegetation is encouraged and may be used to augment new plantings to meet the
1361 requirements of this section;

1362 6. Except as provided in subsection B.7 of this section, open space tracts created
1363 by clustering in the RA zone shall be designated as permanent open space. Acceptable
1364 uses within open space tracts are passive recreation, with no development of facilities,
1365 and natural-surface pedestrian and equestrian foot trails; and

1366 7. In the RA zone a resource land tract may be created through a cluster
1367 development in lieu of an open space tract. The resource land tract may be used as a
1368 working forest or farm if the following provisions are met:

1369 a. Appropriateness of the tract for forestry or agriculture has been determined
1370 by the King County department of natural resources;

b. The subdivider shall prepare a forest management plan, which must be reviewed and approved by the King County department of natural resources, or a farm management (conservation) plan, if such is required pursuant to K.C.C. 21A.30, which must be developed by the King Conservation District. The criteria for management of a resource land tract established through a cluster development in the RA zone shall be set forth in a Public Rule. The criteria must assure that forestry or farming will remain as a sustainable use of the resource land tract and that structures supportive of forestry and agriculture may be allowed in the resource land tract. The criteria must also set impervious surface limitations and identify the type of buildings or structures that will be allowed within the resource land tract;

c. The recorded plat or short plat shall designate the resource land tract as a working forest or farm;

d. Resource land tracts that are conveyed to residents of the development shall be retained in undivided interest by the residents of the subdivision or short subdivision;

e. A homeowners association shall be established to assure implementation of the forest management plan or farm management (conservation) plan if the resource land tract is retained in undivided interest by the residents of the subdivision or short subdivision;

f. The subdivider shall file a notice with the King County records and elections division. The required contents and form of the notice shall be set forth in a Public Rule. The notice shall inform the property owner or owners that the resource land tract is designated as a working forest or farm, which must be managed in accordance with the

provisions established in the approved forest management plan or farm management
(conservation) plan;

g. The subdivider shall provide to the department proof of the approval of the
forest management plan or farm management (conservation) plan and the filing of the
notice required in subsection B.7.f of this section before recording of the final plat or
short plat; and

h. The notice shall run with the land; and

C. In the R-1 zone, open space tracts created by clustering required by K.C.C.
21A.12.030 shall be located and configured to create urban separators and greenbelts as
required by the ((e))Comprehensive ((p))Plan, ((community plans, or local)) or subarea
plans or open space functional plans, to connect and increase protective buffers for
environmentally sensitive areas as defined in K.C.C. 21A.06.1065, to connect and protect
wildlife habitat corridors designated by the ((e))Comprehensive ((p))Plan((;)) and to
connect existing or planned public parks or trails. King County may require open space
tracts created under this subsection to be dedicated to an appropriate managing public
agency or qualifying private entity such as a nature conservancy. In the absence of such
a requirement, open space tracts shall be retained in undivided interest by the residents of
the subdivision or short subdivision. A homeowners association shall be established for
maintenance of the open space tract.

NEW SECTION. SECTION 26. There is hereby added to K.C.C. chapter
21A.14 a new section to read as follows:

Mixed use development – design features. Mixed-use development permitted
by K.C.C. chapter 21A.08 shall incorporate the following design features:

1416 A. Residential and non-residential uses proposed for mixed-use development
1417 shall be only those uses permitted in the zone, as established by K.C.C. chapter 21A.08;

1418 B. If residential and non-residential uses are proposed for the same structure,
1419 nonresidential uses shall occupy the lower levels. The director may waive this
1420 requirement under the following circumstances:

1421 1. If the structure is located on a sloping lot that provides access from upper
1422 levels or from multiple levels. In such cases, the nonresidential use may be located on
1423 the levels that exit onto the primary pedestrian streets; or

1424 2. If views from the upper levels are valuable amenities that would help assure
1425 success of the nonresidential uses, such as a restaurant;

1426 C. Mixed-use development shall provide off-street parking behind or to the side
1427 of buildings, or enclosed within buildings consistent with K.C.C. 21A.18.030. Relief
1428 from this requirement may be granted by the director only if the applicant can
1429 demonstrate that there is no practical site design to meet this requirement. The director
1430 may allow only the number of parking spaces that cannot be accommodated to the rear or
1431 sides of buildings, or enclosed within buildings, to be located to the front of buildings. A
1432 twenty percent reduction of required parking is allowed if a mixed-use development
1433 meets the criteria of K.C.C. 21A.18.040 for shared parking.

1434 SECTION 27. Ordinance 10870, Section 374, and K.C.C. 21A.14.140 are each
1435 hereby repealed.

1436 SECTION 28. A moratorium on all new permit applications on all new public
1437 schools (except for remodels of existing facilities and provisions of portable facilities and
1438 except for public schools specifically funded by bonds approved by the voters in the

1439 district on or before February 12, 2001 and for which a pre-application meeting with
1440 King County has already occurred) and public school facilities, private schools and
1441 churches, synagogues and temples and schools related to such religious facilities in the
1442 RA zone is hereby established for a period not to exceed ten months from the effective
1443 date of this ordinance, unless extended by additional council action as provided for by
1444 statute. The purpose of the moratorium shall be to allow time for the task force convened
1445 pursuant to section 29 of this ordinance to complete its work and refer its
1446 recommendations to the council for action.

1447 SECTION 29. The council shall, within thirty days of the effective date of this
1448 ordinance, convene a task force to review all standards relating to nonresidential uses in
1449 the Rural Area and schedule a public hearing on the moratorium consistent with state
1450 law. The task force shall include staff representatives from the council and executive,
1451 appropriate state agencies, rural residents, and representatives from small and large
1452 churches and religious institutions and public schools and private schools. The task force
1453 shall be chaired, convened and coordinated by a council staff person appointed by the
1454 council. The meetings of the task force shall be open and public. The task force shall
1455 evaluate possible issues for compliance with the state Growth Management Act, other
1456 state statutes, federal statutes, and pertinent court decisions. The task force shall evaluate
1457 possible issues for compliance with the state Growth Management Act, other state
1458 statutes, federal statutes, and pertinent court decisions. The task force shall forward
1459 appropriate recommendations for policy and code revisions to the council by October 15,
1460 2001. The task force shall evaluate methods to achieve minimum impacts from
1461 nonresidential uses including, but not limited to, the following issues: lot coverage; bulk

1462 and scale; transportation infrastructure; transportation management; parking standards;
1463 wastewater management; surface water management; nonresidential property usage;
1464 signage; and hours of operation. The task force shall work to assure that the standards
1465 developed are consistent for public and private school. The task force shall also evaluate
1466 methods to enable both public and private schools to provide educational services to
1467 students residing in the Rural Area.

1468 NEW SECTION. SECTION 30. There is hereby added to K.C.C. chapter
1469 21A.14 a new section to read as follows:

1470 **Hazardous liquid and gas transmission pipelines.** A. Tracts and easements
1471 containing hazardous liquid and gas transmission pipelines and required setbacks from
1472 such pipelines may include the following uses, subject to other regulations applicable to
1473 each use and approval of the holder of the easement: utility structures not normally
1474 occupied necessary for the operation of the pipeline, landscaping, trails, open space,
1475 keeping of animals, agriculture, forestry, commercial signage, minor communication
1476 facilities and the utility structures not normally occupied necessary for the operation of
1477 the minor communication facility, and other compatible uses as specified on the face of
1478 the recorded plat or short plat; provided that structures designed for human occupancy
1479 shall never be allowed within pipeline tracts, easements or setbacks.

1480 B. Hazardous liquid and gas transmission pipelines shall not be located in aquifer
1481 recharge areas, landslide hazard areas or erosion hazard areas. When it is impractical to
1482 avoid such areas, special engineering precautions should be taken to protect public health,
1483 safety and welfare.

1484 SECTION 31. Ordinance 10870, Section 378, as amended, and K.C.C.

1485 21A.14.180 are each hereby amended to read as follows:

1486 **On-site recreation – ~~((S))~~space required.** A. Residential developments ~~((if))~~ of
1487 more than four units in the UR and R-4 through R-48 zones, stand-alone townhouse
1488 developments in the NB zone on property designated commercial outside of center in the
1489 urban area of more than four units, and mixed-use developments ~~((if))~~ of more than four
1490 units, shall provide recreation space for leisure, play and sport activities as follows:

- 1491 1. Residential subdivision, ~~((and))~~ townhouses and apartments developed at a
1492 density of eight units or less per acre - ~~((390))~~ three hundred ninety square feet per unit;
1493 2. Mobile home park - ~~((260))~~ two hundred sixty square feet per unit; and
1494 3. Apartment, townhouses developed at a density of greater than eight units per
1495 acre, and mixed use:
- 1496 a. Studio and one bedroom - ~~((90))~~ ninety square feet per unit;
1497 b. Two bedrooms - ~~((130))~~ one hundred thirty square feet per unit; and
1498 c. Three or more bedrooms - ~~((170))~~ one hundred seventy square feet per unit.

1499 B. Recreation space shall be placed in a designated recreation space tract if part
1500 of a subdivision. The tract shall be dedicated to a homeowner's association or other
1501 workable organization acceptable to the director, to provide continued maintenance of the
1502 recreation space tract consistent with K.C.C. 21A.14.200.

1503 C. Any recreation space located outdoors that is not part of a storm water tract
1504 developed in accordance with subsection F. of this section shall:

- 1505 1. Be of a grade and surface suitable for recreation improvements and have a
1506 maximum grade of five percent;

2. Be on the site of the proposed development;

3. Be located in an area where the topography, soils, hydrology and other physical characteristics are of such quality as to create a flat, dry, obstacle-free space in a configuration which allows for passive and active recreation;

4. Be centrally located with good visibility of the site from roads and sidewalks;

~~((3))~~ 5. Have no dimensions less than ~~((20))~~ thirty feet (except trail segments);

6. Be located in one designated area, unless the director determines that residents of large subdivisions, townhouses and apartment developments would be better served by multiple areas developed with recreation or play facilities;

~~((4))~~ 7. In single detached or townhouse subdivisions, ~~((when))~~ if the required outdoor recreation space exceeds ~~((5000))~~ five thousand square feet, ~~((the space shall))~~ have a street roadway or parking area frontage along ~~((10))~~ ten percent or more of the recreation space perimeter ~~((6))~~, except trail segments(9)), if the outdoor recreation space is located in a single detached or townhouse subdivision;

~~((5))~~ 8. Be accessible and convenient to all residents within the development;

and

~~((6))~~ 9. Be located adjacent to, and be accessible by, trail or walkway to any existing or planned municipal, county or regional ((community)) park, public open space or trail system, which may be located on adjoining property.

~~((C))~~ D. Indoor recreation areas may be credited towards the total recreation space requirement, ~~((when))~~ if the ~~((county))~~ director determines that ~~((such))~~ the areas are located, designed and improved in a manner ~~((which))~~ that provides recreational opportunities functionally equivalent to those recreational opportunities available

1530 outdoors. For senior citizen assisted housing, indoor recreation areas need not be
1531 functionally equivalent but may include social areas, game and craft rooms((;)) and other
1532 multi-purpose entertainment and education areas.

1533 E. Play equipment or age appropriate facilities shall be provided within dedicated
1534 recreation space areas according to the following requirements:

1535 1. For developments of five dwelling units or more, a tot lot or children's play
1536 area, which includes age appropriate play equipment and benches, shall be provided
1537 consistent with K.C.C. 21A.14.190;

1538 2. For developments of five to twenty-five dwelling units, one of the following
1539 recreation facilities shall be provided in addition to the tot lot or children's play area:

1540 a. playground equipment;

1541 b. sport court;

1542 c. sport field;

1543 d. tennis court; or

1544 e. any other recreation facility proposed by the applicant and approved by the
1545 director.

1546 3. For developments of twenty-six to fifty dwelling units, at least two or more of
1547 the recreation facilities listed in subsection E.2 of this section shall be provided in
1548 addition to the tot lot or children's play area;

1549 4. For developments of more than fifty dwelling units, one or more of the
1550 recreation facilities listed in subsection E.2 of this section shall also be provided for every
1551 twenty-five dwelling units in addition to the tot lot or children's play area. If calculations
1552 result in a fraction, the fraction shall be rounded to the nearest whole number as follows:

1553 a. Fractions of 0.50 or above shall be rounded up; and

1554 b. Fractions below 0.50 shall be rounded down.

1555 ~~((D))~~F. In subdivisions, recreation areas that are contained within the on-site
1556 ~~((S))~~stormwater (~~runoff~~) tracts, but are located outside of the one hundred year design
1557 water surface, may be credited for up to ~~((50%))~~ fifty percent of the required square
1558 footage of the on-site recreation space requirement on a foot-per-foot basis, subject to the
1559 following criteria:

1560 1. The stormwater (~~runoff tract is dedicated or reserved as a part of a recreation~~
1561 space tract)) tract and any on-site recreation tract shall be contiguously located. At final
1562 plat recording, contiguous stormwater and recreation tracts shall be recorded as one tract
1563 and dedicated to the homeowner's association or other organization as approved by the
1564 director;

1565 2. The (~~detention pond~~) stormwater facilities shall be constructed to meet the
1566 following conditions:

1567 a. The side slope of the stormwater facilities shall not exceed ~~((33%))~~ thirty-
1568 three percent unless slopes are existing, natural and covered with vegetation;

1569 b. A bypass system or an emergency overflow pathway shall be designed to
1570 handle flow exceeding the facility design and located so that it does not pass through
1571 active recreation areas or present a safety hazard;

1572 c. The stormwater facilities shall be landscaped and developed (~~in a manner to~~
1573 enhance)) for passive recreation opportunities such as trails, picnic areas and aesthetic
1574 viewing; and

d. The stormwater facilities shall be designed so they do not require fencing pursuant to the Surface Water Design Manual.

~~((3.))~~G. ~~((In the case of))~~ For joint use of the tract for stormwater facilities and recreation space, ~~((the))~~ King County ~~((department of public works shall be))~~ is responsible for maintenance of the stormwater facilities only and ~~((will))~~ requires ~~((an access))~~ a drainage easement for that purpose.

H. A recreation space plan shall be submitted to the department and reviewed and approved with engineering plans.

1. The recreation space plans shall address all portions of the site that will be used to meet recreation space requirements of this section, including stormwater facilities. The plans shall show dimensions, finished grade, equipment, landscaping and improvements, as required by the director, to demonstrate that the requirements of the on-site recreation space in K.C.C. 21A.14.180 and play areas in K.C.C. 21A.14.190 have been met.

2. If engineering plans indicate that the onsite stormwater facilities or stormwater tract must be increased in size from that shown in preliminary approvals, the recreation plans must show how the required minimum recreation space under K.C.C. 21A.14.180A will be met.

SECTION 32. Ordinance 11621, Section 49, and K.C.C. 21A.14.185 are each hereby amended to read as follows:

Recreation space – ~~((F))~~fees in lieu of. A. The creation of on-site recreation space shall be the preferred method of providing new development with opportunities for leisure, play and sports activities. Applicants shall to the best of their ability endeavor to

1598 provide recreation space on the project site. However, ((I))if on-site recreation space is
1599 not provided in accordance with K.C.C. 21A.14.180, the applicant shall pay a fee-in-lieu
1600 of actual recreation space if approved by King County. King County acceptance of
1601 ((this)) a fee-in-lieu payment is discretionary((, and may be permitted, if the proposed on-
1602 site recreation space does not meet the criteria of this chapter, or)). A fee-in-lieu of on-
1603 site recreation space may be permitted if the recreation space provided within a county
1604 park in the vicinity will be of greater benefit to the prospective residents of the
1605 development.

1606 B. Fees ((provided in lieu of on-site recreation space)) shall be determined
1607 annually by the department of parks and recreation ((division)) on the basis of the
1608 ((typical))projected market value of the required recreation space land area ((prior to
1609 the))after development. Any recreational space provided by the applicant shall be
1610 credited toward the required fees.

1611 C. If recreation space credit is applied to stormwater facilities in accordance with
1612 K.C.C. 21A.14.180E, the development loses its option to request a fee-in-lieu and the
1613 remainder of the required recreation space and play area must be provided on site.

1614 SECTION 33. Ordinance 10870, Section 379, as amended, and K.C.C.
1615 21A.14.190 are each hereby amended to read as follows:

1616 **On-site recreation - ((P))play areas required.** A. All single detached
1617 subdivisions, apartment, townhouse and mixed-use developments, of more than four units
1618 in the UR and R-4 through R-48 zones and stand-alone townhouse developments in the
1619 NB zone of more than four units on property designated commercial outside of center in
1620 the urban area, excluding age-restricted senior citizen housing, shall provide ((to))

children play areas within the recreation space on-site, except ~~((when))~~ if facilities are available to the public ~~((within 1/4 mile))~~ that ~~((are developed as parks or playgrounds and are accessible without crossing of arterial streets.))~~ meet all of the following:

1. Developed as a county, municipal or regional park;
2. Located within one quarter mile walking distance; and
3. Accessible without crossing any arterial street.

~~B. ((If any play apparatus is provided in the play area, the apparatus shall meet Consumer Product Safety Standards for equipment, soft surfacing and spacing, and shall be located in an area that is))~~ Play area designs shall:

- ~~1. ((At least 400 square feet in size with no dimension less than twenty feet; and))~~ Provide at least forty five square feet per dwelling unit, with a minimum size of four hundred square feet;
2. Be ((A))adjacent to main pedestrian paths or near building entrances((-));
3. Meet the requirements of K.C.C. 21A.14.180; and
4. Provide play equipment that meets, at a minimum, the Consumer Product Safety Standards for equipment, soft surfacing and spacing.

SECTION 34. Ordinance 10870, Section 380, as amended, and K.C.C. 21A.14.200 are each hereby amended to read as follows:

On-site recreation – ~~((M))~~maintenance of recreation space or dedication. A. Recreation space ~~((as defined))~~ that meets the criteria in K.C.C. 21A.14.180~~((B)).C~~ may, at the discretion of the department of parks and recreation, be dedicated as a park open to the public in lieu of providing the on-site recreation required ~~((above when))~~ under K.C.C. 21A.14.180 if ~~((when))~~ the following criteria are met:

1644 1. The dedicated area is at least ~~((twenty))~~ ten acres in size, ~~((except))~~ unless
1645 when adjacent to an existing or planned county park;

1646 2. The dedicated land provides one or more of the following:

1647 a. ~~((S))~~ shoreline access~~((;))~~;

1648 b. ~~((R))~~ regional trail linkages~~((;))~~;

1649 c. ~~((H))~~ habitat linkages~~((;))~~;

1650 d. ~~((R))~~ recreation facilities~~((;))~~; or

1651 e. ~~((H))~~ heritage sites; and

1652 3. The dedicated area is located within ~~((4))~~ one mile of the project site.

1653 B. Unless the recreation space is dedicated to King County ~~((pursuant to))~~ in
1654 accordance with subsection A~~((;))~~ of this section, maintenance of any recreation space
1655 retained in private ownership shall be the responsibility of the owner or other separate
1656 entity capable of long-term maintenance and operation in a manner acceptable to the
1657 ~~((parks division))~~ department.

1658 NEW SECTION. SECTION 35. There is hereby added to K.C.C. chapter
1659 21A.14 a new section to read as follows:

1660 **Financial guarantees.** Financial guarantees for construction of recreation
1661 facilities required under K.C.C. 21A.14.180 and 21A.14.190 shall be provided consistent
1662 with K.C.C Title 27A.

1663 NEW SECTION. SECTION 36. There is hereby added to K.C.C. chapter
1664 21A.14 a new section to read as follows:

1665 **Rural equestrian community trail preservation – purpose.** The purposes of
1666 the rural equestrian community trail protection and improvement requirements set forth

in this chapter are to promote the preservation of equestrian communities in King County as a valuable element of rural character and lifestyle. King County intends to accomplish these purposes in a flexible manner that provides incentives to and minimizes costs to private property owners, provides protection from liability for property owners with trails on their property, and does not reduce permitted residential densities in subdivisions and short subdivisions.

NEW SECTION. SECTION 37. There is hereby added to K.C.C. chapter 21A.14 a new section to read as follows:

Rural equestrian community trails – general applicability.

A. The county may accept the voluntary dedication, grant of easements or other form of protection of rural equestrian community trails consistent with the provisions of sections 36 through 40 of this ordinance from any development when such development contains any existing historically established rural equestrian community trail, and when located in the RA, A or F zones and within an equestrian community designated by the King County Comprehensive Plan. The residents or tenants of the development shall be provided access to any such trail provided hereunder for use consistent with the function of the trail. The area of any such trail provided hereunder shall be counted as part of the site for purposes of density and floor area calculations and any existing trail protected pursuant to this ordinance shall not be subject to the clearing limitations of the grading code so long as it is retained in its current location. The application of this section shall not reduce the allowed density within a residential subdivision or short subdivision.

1688 B. The rural equestrian community trails provisions apply to the following
1689 development proposals when located in the RA, A or F zones and within an equestrian
1690 community designated by the King County Comprehensive Plan:

- 1691 1. Residential development including subdivisions and short subdivisions.
- 1692 2. Development proposals for park/recreation, amusement/entertainment and
1693 cultural uses denoted in the permitted use table in K.C.C. 21A.08.040.
- 1694 3. Development proposals for general services uses denoted in the permitted use
1695 table in K.C.C. 21A.08.050 except those conducted as home occupations or otherwise
1696 accessory to residential uses.
- 1697 4. Development proposals for government/business service uses denoted in the
1698 permitted use table in K.C.C. 21A.08.060.

1699 NEW SECTION. SECTION 38. There is hereby added to K.C.C. 21A.14 a new
1700 section to read as follows:

1701 **Rural equestrian community trails – authority.**

1702 A. The county shall accept a voluntary dedication, grant of easement or other
1703 form of protection for the preservation or relocation of a rural equestrian community trail
1704 in the RA, A or F zone within the Equestrian Community area designated in the King
1705 County Comprehensive Plan whenever the department makes a project-specific
1706 determination in writing that:

- 1707 1. The equestrian community trail is listed or mapped on an inventory of
1708 equestrian community trails maintained by the King County parks and recreation
1709 department;

1710 2. The equestrian community trail connects to trails on other properties or to a
1711 state, county or other publicly-maintained trail;

1712 3. If the equestrian community trail traverses or impacts an environmentally
1713 sensitive area, it can be modified to meet code requirements for trails in sensitive areas;

1714 4. Permanent protection or relocation of an equestrian community trail can be
1715 accomplished without interference with the proposed use and development of the subject
1716 property, and the site can be developed without interference with the trail and allows for
1717 future owners of the property to access historically existing or public trails in the vicinity
1718 of the site.

1719 B. The form of protection shall address limitations on uses of the trail based on
1720 the historically established uses.

1721 C. Any determination by the department regarding the acceptance or non-
1722 acceptance of dedication or other protection of a rural equestrian community trail under
1723 this chapter may be appealed to the hearing examiner consistent with the appeal process
1724 for the underlying permit, in accordance with K.C.C. 20.20.020.

1725 NEW SECTION. SECTION 39. There is hereby added to K.C.C. 21A.14 a new
1726 section to read as follows:

1727 **Rural equestrian community trails – location and design standards.** The
1728 following design standards apply to rural equestrian community trails provided pursuant
1729 to this chapter located within the RA, A or F zones and within the equestrian community
1730 designated by the King County Comprehensive Plan.

1731 A. An on-site rural equestrian community trail should be retained at its existing
1732 location unless that location impairs the use of the property as intended by the applicant.

1733 A rural equestrian trail retained in the existing location shall not require any upgrades or
1734 improvements, except for maintenance required by this section. The trail may be
1735 relocated to a location within the street right-of-way or to another corridor separate from
1736 a street right-of-way, provided that whatever alternative is used preserves the same
1737 connections as the original trail to an existing public park or trail in the vicinity of the
1738 subject property. The preferred place for a relocated trail is out of the right-of-way or
1739 separated from the paved surface and road shoulder by a berm, ditch or other separation.
1740 Trails may only be relocated to a street right-of-way when meeting the standards in
1741 subsection E of this section. A tax credit pursuant to the Public Benefit Rating System
1742 may only be given for trails relocated off the road right-of-way. The trail location shall
1743 be preserved by appropriate easements or dedications.

1744 B. Corridors for trails located outside a street right-of-way shall be ten feet wide,
1745 or six feet wide if the trail will be located along a property line and additional corridor
1746 space can reasonably be expected to be preserved on the abutting property and the
1747 corridor is not encumbered by any structures adjacent to the corridor.

1748 C. If permitted by K.C.C. chapter 21A.24, an existing or relocated rural
1749 equestrian community trail may be located in a designated sensitive area buffer. If the
1750 rural equestrian community trail is located in a delineated sensitive area tract no separate
1751 trail corridor is required provided the trail itself is maintained in a safe condition and kept
1752 free of obstructions.

1753 D. Rural equestrian community trails that are not located within street rights-of-
1754 way, should be natural, visually and functionally unobtrusive, and as low-impact as
1755 possible.

1756 E. Relocated or new rural equestrian community trails within public or private
1757 road rights-of-way shall be designed consistent with adopted King County Road
1758 Standards (KCRS, Section 3.11), as supplemented by the following standards:

1759 1. The trail shall be located to provide access to a local equestrian travel
1760 corridor through the project site and adjacent properties, as determined by the King
1761 County department of transportation in cooperation with the local equestrian community.

1762 2. The preferred design is a trail separated from the paved roadway by a berm,
1763 ditch, tree cover or other natural obstacle; the center of the trail tread shall be at least
1764 eight feet of horizontal distance from the paved roadway edge.

1765 3. When a separated trail cannot be provided, a soft-surfaced ninety-six inch-
1766 wide roadway shoulder path shall be installed on all roads other than local access streets,
1767 where a forty-eight inches shoulder path shall be sufficient.

1768 4. All trails shall have an all-weather tread of thirty-six to forty-eight inches.

1769 5. The roadway shall include appropriate surface treatment to reduce slippage at
1770 roadway/trail crossings.

1771 6. Appropriate signs shall be provided to indicate the location of street crossings
1772 for trails, with emphasis on arterials and subcollector street.

1773 F. Relocated or new rural equestrian community trails not located in a right-of-way shall
1774 be designed to the King County Road Standards, KCRS, Section 3.11.A.2.

1775 NEW SECTION. SECTION 40. There is hereby added to K.C.C. chapter
1776 21A.14 a new section to read as follows:

1777 **Rural equestrian community trails - maintenance.** A. Once a trail has been
1778 dedicated or otherwise protected as provided by this chapter, it shall remain free from

1779 structural obstructions or other permanent or temporary obstacles. A rural equestrian
1780 community trails shall be open to the public for use by equestrian trail users. If a
1781 permitted activity such as clearing, grading or construction will block an established trail
1782 for more than five consecutive days, a temporary, well-marked detour route shall be
1783 provided, if feasible.

1784 B. When the trail is created by a form of protection other than public dedication
1785 or location within public street right-of-way, trail ownership shall be held by the owner of
1786 the property being developed, or in an undivided interest by each owner of a lot within
1787 the development, or by an incorporated homeowner's association, or other legal entity
1788 which assures the ownership, maintenance and protection of the trail.

1789 C. Responsibility for trail maintenance shall be determined by the department
1790 and provided for in the deed, easement or other protection instrument entered into by the
1791 property owner. This subsection is not intended to create a responsibility to maintain the
1792 trail beyond what is required by this title. Trails within dedicated street rights-of-way
1793 shall be maintained by the department of transportation or its successor agency. Trails
1794 within easements granted to King County or on land that has been transferred in fee
1795 simple ownership to King County shall be maintained by the department of parks and
1796 recreation. Any owner or county agency may contract with a local user group or parks
1797 district for maintenance of the trail.

1798 D. If the trail is established by a form of protection other than dedication, the
1799 time and manner of use of the trail shall be subject to such conditions as the county and
1800 the subject property owner may agree. The trail corridor and the conditions related to it
1801 shall be recorded on all documents of title of record for all affected lots.

1802 NEW SECTION. SECTION 41. Rural equestrian community trails – incentive
1803 **program.**

1804 The County shall develop an incentive program, with the assistance of the task
1805 force described in section 42 of this ordinance to encourage further the voluntary
1806 dedication or protection of qualifying rural equestrian community trails by private property
1807 owners. Incentives that the county and the task force should consider include, but are not
1808 limited to, the following:

1809 A. Agreement by the county to improve and/or maintain an existing or relocated
1810 rural equestrian community trail;

1811 B. Agreement by the county to indemnify the subject property owner from loss or
1812 damage relating to the use of an existing or relocated rural equestrian community trail by
1813 the public;

1814 C. The provision of tax credit pursuant to the Public Benefit Rating system as
1815 provided for in K.C.C. chapter 20.36, which ranks trail linkages as a high priority;

1816 D. Approval to allow an existing or relocated rural equestrian community trail to
1817 be located in a designated sensitive area buffer or native growth protection easement;

1818 E. Approval to allow an existing or relocated rural equestrian community trail to be
1819 located in an open space tract in a cluster subdivision, as provided in K.C.C. 21A.14.040;

1820 F. Grant of relief from otherwise-applicable development standards set forth in
1821 K.C.C. Title 21A for a development project incorporating an existing or relocated rural
1822 equestrian community trail, as the county determines may be reasonably necessary to
1823 accommodate the preservation of such trail.

1824 NEW SECTION. SECTION 42. A. The natural resources, parks and open space
1825 committee of the council shall convene a task force of stakeholders, including public
1826 agency landowners, private owners of lands in the rural and resource areas, and non-
1827 motorized trail users to:

- 1828 1. consider possible refinements to the ordinance
- 1829 2. evaluate the scope of the informal trails system that now exists in the rural and
1830 resource areas and
- 1831 3. recommend any other programmatic or acquisition actions the county could
1832 undertake which would assist in the preservation of equestrian and other non-motorized
1833 trails.

1834 B. The task force shall forward any ordinance revisions or programmatic and
1835 acquisition recommendations no later than August 31, 2001 for council consideration.

1836 NEW SECTION. SECTION 43. There is hereby added to K.C.C. chapter 21A.14
1837 a new section to read as follows:

1838 **Preliminary subdivision and short subdivision approval – Covenants relating**
1839 **to keeping livestock in the RA zone.**

1840 In the RA zone, all subdivisions and short subdivisions shall be recorded with a
1841 condition prohibiting any covenant that would preclude the keeping of horses or other
1842 large livestock.

1843 SECTION 44. Ordinance 10870, Section 388, as amended, and K.C.C.
1844 21A.16.030 are each hereby amended to read as follows:

1845 **Land use grouping.** ~~((In order to))~~To facilitate the application of this chapter, the
1846 land uses of K.C.C. chapter 21A.08 have been grouped in the following manner~~((:))~~:

- 1847 A. “Residential” development ((shall)) refers to those uses listed in K.C.C.
1848 21A.08.030, except those uses listed under “Accessory” uses, ((provided)) and:
- 1849 1. “Attached/group residences” ((shall)) refers to:
- 1850 a. townhouses, except as provided in subsection A.2.a of this section;
- 1851 b. apartments, and detached dwelling units developed on common property at a
1852 density of ((12)) twelve or more units per acre;
- 1853 c. senior citizen assisted housing;
- 1854 d. temporary lodging;
- 1855 e. group residences other than Type I community residential facilities; and
- 1856 f. mobile home parks; and
- 1857 2. “Single family development” ((shall)) refers to:
- 1858 a. residential subdivisions and short subdivisions, including attached and
1859 detached dwelling units on individually platted or short platted lots;
- 1860 b. any detached dwelling units located on a lot; and
- 1861 c. Type I community residential facilities((:));
- 1862 B. “Commercial development” ((shall)) refers to those uses in:
- 1863 1. K.C.C. 21A.08.040 as amusement/entertainment uses, except golf facilities;
- 1864 2. K.C.C. 21A.08.050 except recycling centers, health and educational services,
1865 daycare I, churches, synagogues((:)) and temples; and
- 1866 3. K.C.C. 21A.08.070, except forest product sales and agricultural crop
1867 sales((:));
- 1868 C. “Industrial development” ((shall)) refers to those uses listed in:
- 1869 1. K.C.C. 21A.08.050 as recycling center;

2. K.C.C. 21A.08.060 except government services;

3. K.C.C. 21A.08.080; and

4. K.C.C. 21A.08.090 as mineral extraction and processing((-));

D. "Institutional development" ((shall)) refers to those uses listed in:

1. K.C.C. 21A.08.040 as cultural uses, except arboretums;

2. K.C.C. 21A.08.050 as churches, synagogues and temples, health services, and education services except specialized instruction schools permitted as an accessory use; and

3. K.C.C. 21A.08.060 as government services((-));

E. "Utility development" ((shall)) refers to those uses listed in K.C.C. 21A.08.060 as utility facilities((-)); and

F. Uses ((contained)) in K.C.C. chapter 21A.08 that are not listed in subsections A((-)) through E of this section shall not be subject to landscaping and tree retention requirements except as specified in any applicable review of a conditional use or special use permits.

SECTION 45. Ordinance 10870, Section 390, as amended, and K.C.C. 21A.16.050 are each hereby amended to read as follows:

Landscaping – ((S))street frontages. The average width of perimeter landscaping along street frontages shall be provided as follows:

A. Twenty feet of Type II landscaping shall be provided for an institutional use, excluding playgrounds and playfields;

B. Ten feet of Type II landscaping shall be provided for an industrial development;

C. Ten feet of Type II landscaping shall be provided for an above-ground utility facilities development, excluding distribution and transmission corridors, located outside a public right-of-way;

D. Ten feet of Type III landscaping shall be provided for a commercial or attached/group residence development; and

E. For single family subdivisions and short subdivisions:

1. Trees shall be planted at the rate of one tree for every ((40)) forty feet of frontage along ((a neighborhood collector street or arterial)) all public streets((-));

2. The trees shall be:

a. Located within the street right-of-way if permitted by the custodial state or local agency;

b. No more than ((20)) twenty feet from the street right-of-way line ((when)) if located within a lot;

c. Maintained by the adjacent landowner unless part of a county maintenance program; and

d. A species approved by the county if located within the street right-of way and compatible with overhead utility lines.

3. The trees may be spaced at irregular intervals ((in order)) to accommodate sight distance requirements for driveways and intersections.

SECTION 46. Ordinance 10870, Section 392, as amended, and K.C.C. 21A.16.070 are each hereby amended to read as follows:

Landscaping – ((S))surface parking areas. Parking area landscaping shall be provided within surface parking areas with ten or more parking stalls for the purpose of

1916 improving air quality, reducing surface water runoff, providing shade and diminishing the
1917 visual impacts of large paved areas as follows:

1918 A. Residential developments with common parking areas shall provide planting
1919 areas at the rate of ~~((20))~~ twenty square feet per parking stall;

1920 B. Commercial, industrial~~((;))~~ or institutional developments~~((;))~~ shall provide
1921 landscaping at a rate of:

1922 1. Twenty square feet per parking stall ~~((when 10))~~ if ten to ~~((30))~~ thirty parking
1923 stalls are provided; and

1924 2. Twenty-five square feet per parking stall ~~((when 31))~~ if thirty-one or more
1925 parking stalls are provided;

1926 C. Trees shall be provided and distributed throughout the parking area at a rate
1927 of:

1928 1. One tree for every ~~((five))~~ three parking stalls for a commercial or industrial
1929 development; and

1930 2. One tree for every ~~((ten))~~ five parking stalls for residential or institutional
1931 development;

1932 D. The maximum distance between any parking stall and landscaping shall be no
1933 more than ~~((100))~~ one hundred feet;

1934 E. Permanent curbs or structural barriers shall be provided to protect the
1935 plantings from vehicle overhang; ~~((and))~~

1936 F. Landscaping around the perimeter of a site that is in addition to the perimeter
1937 landscaping required by K.C.C. 21A.16.050 may count toward ten percent of the required
1938 surface parking area landscaping if it is adjacent to the parking area; and

G. Parking area landscaping shall consist of:

1. Canopy-type deciduous trees, evergreen trees, evergreen shrubs and ground covers planted in islands or strips;

2. Shrubs that do not exceed a maintained height of ~~((42))~~ forty-two inches;

3. Plantings contained in planting islands or strips having an area of at least ~~((100))~~ one hundred square feet and with a narrow dimension of no less than five feet;

4. Ground cover ~~((pursuant to))~~ in accordance with K.C.C. 21A.16.090; and

5. At least ~~((70))~~ seventy percent of trees are deciduous.

SECTION 47. Ordinance 10870, Section 415, as amended, and K.C.C.

21A.18.110 are each hereby amended to read as follows:

Off-street parking plan design standards. A. Off-street parking areas shall not be located more than ~~((600))~~ six hundred feet from the building they are required to serve for all uses except those specified ~~((below))~~ as follows; where ~~((the))~~ an off-street parking area~~((s))~~ does not abut the building~~((s-they))~~ it serves, the required maximum distance shall be measured from the nearest building entrance that the parking area serves:

1. For all single detached dwellings the parking spaces shall be located on the same lot they are required to serve;

2. For all other residential dwellings at least a portion of parking areas shall be located within ~~((150))~~ one hundred fifty feet from the building or buildings they are required to serve;

3. For all non-residential uses permitted in residential zones, the parking spaces shall be located on the same lot they are required to serve and at least a portion of parking

1962 areas shall be located within ~~((150))~~ one hundred fifty feet from the nearest building
1963 entrance they are required to serve;

1964 4. In designated activity, community business~~((s))~~ and neighborhood business
1965 centers, parking lots ~~((should))~~ shall be located to the rear or sides of buildings ~~((when~~
1966 ~~feasible))~~. Relief from this subsection A.4 may be granted by the director only if the
1967 applicant can demonstrate that there is no practical site design to meet this requirement.
1968 The director may allow only the number of parking spaces that cannot be accommodated
1969 to the rear or sides of buildings to be located to the front of buildings;

1970 5. Parking lots shall be so arranged as to permit the internal circulation of
1971 vehicles between parking aisles without re-entering adjoining public streets; and

1972 6. Parking for the disabled shall be provided in accordance with K.C.C.
1973 21A.18.060.

1974 B. The minimum parking space and aisle dimensions for the most common
1975 parking angles are shown on the ~~((chart below))~~ table in this subsection. For parking
1976 angles other than those shown on the chart, the minimum parking space and aisle
1977 dimensions shall be determined by the director. Regardless of the parking angle, one-
1978 way aisles shall be at least ten feet wide, and two-way aisles shall be at least twenty feet
1979 wide. If dead-end aisles are used in the parking layout, they shall be constructed as two-
1980 way aisles. Parking plans for angle parking shall use space widths no less than eight feet
1981 six inches for a standard parking space design and eight feet for a compact car parking
1982 space design.

1983

MINIMUM PARKING STALL AND AISLE DIMENSIONS.*

A	B	C	D	E	F
PARKING ANGLE	STALL WIDTH	CURB LENGTH	STALL DEPTH	AISLE WIDTH 1-WAY 2-WAY	UNIT DEPTH 1-WAY 2-WAY
0	8.0* Min 8.5 Desired 9.0	20.0* 22.5 22.5	8.0 8.5 9.0	12.0 20.0 12.0 20.0 12.0 20.0	** ** 29.0 37.0 30.0 38.0
30	8.0* Min 8.5 Desired 9.0	16.0* 17.0 18.0	15.0 16.5 17.0	10.0 20.0 10.0 20.0 10.0 20.0	** ** 42.0 53.0 44.0 54.0
45	8.0* Min 8.5 Desired 9.0	11.5* 12.0 12.5	17.0*	12.0 20.0 12.0 20.0 12.0 20.0	** ** 50.0 58.0 51.0 59.0
60	8.0* Min 8.5 Desired 9.0	9.6* 10.0 10.5	18.0 20.0 21.0	18.0 20.0 18.0 20.0 18.0 20.0	** ** 58.0 60.0 60.0 62.0
90	8.0* Min 8.5 Desired 9.0	8.0* 8.5 9.0	16.0* 18.0 18.0	24.0 24.0 24.0 24.0 23.0 24.0	** ** 60.0 60.0 60.0 60.0

1984

* for compact stalls only

1985

** variable with compact and standard combinations

1986

C. Any parking spaces abutting a required landscaped area on the driver or

1987

passenger side of the vehicle shall provide an additional ((18)) eighteen inches above the

1988

minimum space width requirement to provide a place to step other than in the landscaped

1989 area. The additional width shall be separated from the adjacent parking space by a
1990 parking space division stripe.

1991 D. The parking space depth may be reduced (~~((when))~~) if vehicles overhang a
1992 walkway or landscaping under the following conditions:

- 1993 1. Wheelstops or curbs are installed;
- 1994 2. The remaining walkway provides a minimum of forty-eight inches of
1995 unimpeded passageway for pedestrians;
- 1996 3. The amount of space depth reduction is limited to a maximum of eighteen
1997 inches; and
- 1998 4. Landscaping is designed in accordance with K.C.C. 21A.16.070.E.

1999 E. Driveways providing ingress and egress between off-street parking areas and
2000 abutting streets shall be designed, located and constructed in accordance with the
2001 provisions of K.C.C. chapter 14.42, Road Standards. Driveways for single detached
2002 dwellings, no more than twenty feet in width, may cross required setbacks or landscaped
2003 areas (~~((in-order))~~) to provide access between the off-street parking areas and the street,
2004 provided no more than fifteen percent of the required landscaping or setback area is
2005 eliminated by the driveway. Joint use driveways may be located within required
2006 landscaping or setback areas. Driveways for all other developments may cross or be
2007 located within required setbacks or landscaped areas (~~((in-order))~~) to provide access
2008 between the off-street parking areas and the street, (~~((provided))~~) if no more than ten
2009 percent of the required landscaping is displaced by the driveway and the driveway is
2010 located no closer than five feet from any property line except where intersecting the
2011 street.

F. Parking spaces required ~~((per))~~ under this title shall be located as follows:

1. For single detached dwelling units the required parking spaces shall be outside of any required setbacks or landscaping, ~~((provided))~~ but driveways crossing setbacks and required landscaping may be used for parking. However, if the driveway is a joint use driveway, no vehicle parked on the driveway shall obstruct any joint user's access to the driveway or parking spaces;

2. For all other developments parking spaces may be permitted by the director in setback areas ~~((pursuant to))~~ in accordance with an approved landscape plan; and

3. For non-residential uses in residential zones, parking is permitted in setback areas ~~((pursuant to))~~ in accordance with K.C.C. 21A.12.220.

G. Lighting shall be provided for safety of traffic and pedestrian circulation on the site. It shall be designed to minimize direct illumination of abutting properties and adjacent streets. The director shall have the authority to waive the requirement to provide lighting.

H. Tandem or end-to-end parking is allowed in residential developments. Apartment~~((/))~~ or townhouse developments may have tandem parking areas for each dwelling unit but shall not combine parking for separate dwelling units in tandem parking areas.

I. All vehicle parking and storage for single detached dwellings must be in a garage, carport or on an approved impervious surface. Any impervious surface used for vehicle parking or storage must have direct and unobstructed driveway access.

J. The total number of vehicles parked or stored outside of a building on a single family lot in the R-4 through R-8 zones, excluding recreational vehicles and trailers, shall

not exceed six vehicles on lots ~~((12,500))~~ twelve thousand five hundred square feet or less and eight vehicles on lots greater than ~~((12,500))~~ twelve thousand five hundred square feet.

K. Vanpool~~((/))~~ or carpool parking areas shall meet the following minimum design standards:

1. A minimum vertical clearance of seven feet three inches shall be provided to accommodate van vehicles if designated vanpool~~((/))~~ or carpool parking spaces are located in a parking structure; and

2. A minimum turning radius of twenty-six feet four inches with a minimum turning diameter ~~((/))~~ curb to curb~~((/))~~ of fifty-two feet five inches shall be provided from parking aisles to adjacent carpool~~((/))~~ or vanpool parking spaces.

L. Direct access from the street right-of-way to off-street parking areas shall be subject to ~~((the requirements of))~~ K.C.C. 21A.28.120.

M. No dead-end alley may provide access to more than eight off-street parking spaces.

N. Any parking stalls located in enclosed buildings must be totally within the enclosed building.

SECTION 48. Ordinance 10870, Section 481, as amended, and K.C.C. 21A.24.340 are each hereby amended to read as follows:

Wetlands: ~~((M))~~mitigation requirements. A. Restoration shall be required ~~((when))~~ if a wetland or its buffer is altered in violation of law or without any specific permission or approval by King County. The following minimum requirements shall be met for the restoration of a wetland:

2058 1. The original wetland configuration shall be replicated including its depth,
2059 width, length and gradient at the original location;

2060 2. The original soil type and configuration shall be replicated;

2061 3. The wetland edge and buffer configuration shall be restored to its original
2062 condition;

2063 4. The wetland, edge and buffer shall be replanted with vegetation native to King
2064 County (~~((which))~~) that replicates the original vegetation in species, sizes and densities; and

2065 5. The original wetland functions shall be restored including, but not limited to,
2066 hydrologic and biologic functions.

2067 B. The requirements in subsection A(~~((:))~~) of this section may be modified if the
2068 applicant demonstrates that greater wetland functions can otherwise be obtained.

2069 C. Replacement shall be required (~~((when))~~) if a buffer is altered (~~((pursuant to))~~)
2070 under an approved development proposal or a wetland is used for a regional flow control
2071 facility or other approved use. The requirements for the restoration of wetlands shall be
2072 met by replacement wetlands.

2073 D. Enhancement may be allowed (~~((when))~~) if a wetland or buffer will be altered
2074 (~~((pursuant to))~~) under a development proposal, but the wetland's biologic and/or hydrologic
2075 functions will be improved. Minimum requirements for enhancement shall be established
2076 in administrative rules.

2077 E. All alterations of wetlands shall be replaced or enhanced on the site or within
2078 the same drainage basin using the following formulas: class 1 and 2 wetlands on a (~~((2:1))~~)
2079 two-to-one basis and class 3 wetlands on a (~~((1:1))~~) one-to-one basis with equivalent or

greater biologic functions including, but not limited to, habitat functions and with equivalent hydrologic functions including, but not limited to, storage capacity.

F. Replacement or enhancement off the site may be allowed if the applicant demonstrates to the satisfaction of King County that the off-site location is in the same drainage sub-basin as the original wetland and that greater biologic and hydrologic functions will be achieved. The formulas in subsection E((-)) of this section shall apply to replacement and enhancement off the site.

G. Surface water management or flood control alterations including, but not limited to, wetponds shall not constitute replacement or enhancement unless other functions are simultaneously improved.

H. Mitigation sites should be located to alleviate wildlife habitat fragmentation and avoid impacts to and prevent loss of farmable land within agricultural production districts.

SECTION 49. Ordinance 11621, Section 72, and K.C.C. 21A.24.345 are each hereby amended to read as follows:

Wetlands: ((M))mitigation banking. King County may consider and approve replacement or enhancement of unavoidable adverse impacts to wetlands caused by the development activities through an approved wetland mitigation bank. Wetland mitigation banking is not allowed in the agricultural production districts if the purpose is to compensate for filling wetlands for development outside of the agricultural production districts. Compensatory mitigation in advance of authorized impacts must be provided through an approved mitigation bank. Criteria governing the creation and use of a mitigation bank shall be established in administrative rules. A pilot project or projects,

complete with evaluation should be initiated (~~((which))~~) that would test the viability of the mitigation bank concept (~~((prior to))~~) before its full implementation.

SECTION 50. Ordinance 13129, Section 8, and K.C.C. 21A.26.370 are each hereby amended to read as follows:

Minor communication facilities - collocation. A. Upon application for a conditional use permit or a building permit for a new free-standing tower, whichever is required first, the applicant shall provide a map showing all existing transmission support structures or other suitable nonresidential structures located within one-quarter mile of the proposed structure with consideration given to engineering and structural requirements. No new transmission support structure shall be permitted if an existing structure suitable for attachment of an antenna or collocation is located within one-quarter mile, unless the applicant demonstrates that the existing structure (~~((is))~~) or a new structure complying with K.C.C. 21A.26.380:

1. would be physically or technologically unfeasible pursuant to K.C.C. 21A.26.420,
or
2. is not made available for sale or lease by the owner, or
3. is not made available at a market rate cost, or
4. would result in (~~((greater visual impact as described in K.C.C. 21A.26.330))~~)
conflicts with Federal Aviation Administration height limitations.

B. The burden of proof shall be on the applicant to show that a suitable existing, modified or replacement structure for mounting of antenna or collocation cannot be reasonably or economically used in accordance with these criteria.

2124 ((B))C. Prior to the receipt of a building permit to construct a new tower, the
2125 applicant shall file a letter agreeing to allow collocation on the tower with the department.
2126 The agreement shall commit the applicant to provide, either at a market rate cost or at
2127 another cost basis agreeable to the affected parties, the opportunity to collocate the antenna
2128 of other service providers on the applicant's proposed tower to the extent that such
2129 collocation is technically ((and structurally)) feasible for the affected parties.

2130 D. All new or modified transmission support structures shall be constructed in a
2131 manner that would provide sufficient structural strength to allow the collocation of
2132 additional antenna from other service providers.

2133 SECTION 51. Ordinance 13129, Section 9, and K.C.C. 21A.26.380 are each hereby
2134 amended to read as follows:

2135 **Minor communication facilities - modifications.** Antenna modifications consistent
2136 with the provisions of K.C.C. 21A.26.390 are permitted outright. Modifications to
2137 transmission support structures are also permitted outright, provided there is no increase in
2138 the height of the transmission support structure(~~((Increases to the height of an existing~~
2139 ~~transmission support structure are also permitted outright, provided that the increase is))~~
2140 except when:

2141 A. Necessary to accommodate the actual collocation of the antenna of other service
2142 providers, or to accommodate the current providers antenna required to utilize new
2143 technology, such as digital transmissions;

2144 B. Limited to no more than forty feet above the height of the existing transmission
2145 support structure ; and

2146 C. Proposed in a residential zone and the proposed height exceeds sixty feet and is
2147 demonstrated by the applicant to be required to meet the proposed area of coverage. If
2148 proposed in a residential zone, notice and a comment period shall be provided consistent
2149 with the provisions of K.C.C. 20.20.060. If the need for additional height is challenged
2150 within the comment period specified, technical evaluation as provided for in K.C.C.
2151 21A.26.450 shall be conducted. The department may approve, require additional
2152 mitigation, or deny the proposed height increase on the basis of this technical evaluation.

2153 SECTION 52. Ordinance 13129, Section 11, and K.C.C. 21A.26.400 are each hereby
2154 amended to read as follows:

2155 **Minor communication facilities - location within street, utility and railroad**
2156 **rights-of-way.** A. The mounting of antenna upon existing ((or replacement)) structures,
2157 such as light and power poles, located within publicly or privately maintained street,
2158 utility and railroad right-of-ways is permitted outright. If an existing structure within a
2159 street, utility, or railroad rights-of-way cannot accommodate an antenna due to structural
2160 deficiency or does not have the height required to provide adequate signal coverage, the
2161 structure may be replaced with a new structure that will serve the original purpose and
2162 will not exceed the original height by forty feet. However, minor communication
2163 facilities within street, utility and railroad right-of-way that propose the construction of a
2164 separate structure used solely for antenna shall be subject to the zoning provisions
2165 applicable to the property abutting the portion of right-of-way where the structure is
2166 proposed except that the setbacks specified in the zoning code shall not apply. Setbacks
2167 shall be those specified in the road design standards. In cases where the abutting property

on either side of the right-of-way has different zoning, the more restrictive zoning provisions shall apply.

B. The placement of antenna on existing or replacement structures within street, utility or railroad rights-of- way is the preferred alternative in residential neighborhoods and the Rural Areas and the feasibility of such placement shall be considered by the county whenever evaluating a proposal for a new transmission support structure, except for a new structure that is proposed to collocate antenna for two or more separate service providers.

SECTION 53. Ordinance 13129, Section 14, and K.C.C. 21A.26.410 are each hereby amended to read as follows:

Minor communication facilities - public parks and open spaces owned by King County. Within public parks and open spaces owned by King County, the placement of antennas on existing structures, such as power poles, light poles for streets and parking lots, light standards for recreational fields and communication towers, is the preferred option. If an existing structure within a county-owned park or open space cannot accommodate an antenna due to structural deficiency, or does not have the height required to provide adequate signal coverage, the structure may be replaced with a new structure provided that the new structure will serve the original purpose and not exceed the original height by forty feet. Any height increase in excess of forty feet will require a conditional use permit.

The construction of a new free-standing tower within public parks and open spaces owned by King County shall be subject to a conditional use permit when the height of the proposed tower exceeds sixty feet.

SECTION 54. Ordinance 13129, Section 16, and K.C.C. 21A.26.420 are each hereby amended to read as follows:

Minor communication facilities - criteria for determining technical feasibility.

When an applicant is required to demonstrate that an existing, modified or replacement structure is not technically feasible for collocation, the evidence submitted to corroborate that finding may consist of any of the following:

A. No existing structures are located within the geographic area required to meet the applicant's proposed area of coverage.

B. Existing structures are not of sufficient structural strength to support the applicant's proposed antenna and related equipment and the cost of modification or replacement of an existing structure to allow collocation would equal or exceed that of the construction of the new structure.

C. Existing structures or structures modified consistent with K.C.C. 21A.26.380 ~~((are))~~ would not be of sufficient height required to meet the applicant's proposed area of coverage or allow microwave connection to other sites operated by the applicant.

D. The applicant's proposed antenna would cause interference between the proposed and existing antenna, and that even the additional height permitted for collocations pursuant to K.C.C. 21A.26.380 would not ensure enough separation to avoid such interference.

SECTION 55. Ordinance 11168, Section 5, as amended, and K.C.C. 21A.30.062 are each hereby amended to read as follows:

Animal regulations – ~~((L))~~livestock – ~~((B))~~building requirements. A. In residential zones, fee boarding of livestock other than in a legally established stable shall only be as an accessory use to a resident on the subject property~~((;))~~.

2213 B. A barn or stable may contain a caretaker's accessory living quarters under the
2214 following conditions:

2215 1. Only one accessory living quarter per primary detached dwelling unit, except
2216 in the F zone which prohibits accessory living quarters;

2217 2. The accessory living quarter shall not exceed five hundred square feet, and

2218 3. The structure must be constructed in conformance with the State Building
2219 Code; and

2220 C. A barn or stable may contain a caretaker's accessory dwelling unit as allowed
2221 pursuant to this provisions of this Title relating to accessory dwelling units.

2222 SECTION 56. Ordinance 10870, Section 563, and K.C.C. 21A.34.040 are each
2223 hereby amended to read as follows:

2224 **Public benefits and density incentives.** A. The public benefits eligible to earn
2225 increased densities, and the maximum incentive to be earned by each benefit, are ((set
2226 forth)) in subsection ((E-))F of this section. The density incentive is expressed as additional
2227 bonus dwelling units ((f)), or fractions of dwelling units((g)), earned per amount of public
2228 benefit provided.

2229 B. Bonus dwelling units may be earned through any combination of the listed
2230 public benefits.

2231 C. The guidelines for affordable housing bonuses including the establishment of
2232 rental levels, housing prices and asset limitations, will be updated and adopted annually by
2233 the council in the ((comprehensive housing affordability strategy))consolidated housing
2234 and community development plan.

2235 D. Bonus dwelling units may also be earned and transferred to the project site
 2236 through the transfer of density credit ("TDC") process ((set forth)) in K.C.C. chapter
 2237 21A.36 or 21A.55, by providing any of the open space, park site or historic preservation
 2238 public benefits set forth in subsection((s-E))F.2 or ((E))F.3 of this section on sites other
 2239 than that of the RDI development.

2240 E. Residential development in R-4 through R-48 zones with property specific
 2241 development standards requiring any public benefit enumerated in this chapter, shall be
 2242 eligible to earn bonus dwelling units ((as set forth)) in accordance with subsection ((E-))F
 2243 of this section ((when)) if the public benefits provided exceed the basic development
 2244 standards of this title. ((When)) If a development is located in a special overlay district,
 2245 bonus units may be earned if the development provides public benefits exceeding
 2246 corresponding standards of the special district.

2247 F. The following are the public benefits eligible to earn density incentives through
 2248 RDI review:

BENEFIT

DENSITY INCENTIVE

1. AFFORDABLE HOUSING

a. Benefit units consisting of rental housing permanently priced to serve non-senior citizen low-income households (i.e. no greater	1.5 bonus units per benefit unit, up to a maximum of 30 low-income units per five acres of site area; projects on
---	---

BENEFIT

DENSITY INCENTIVE

than 30 percent of gross income for households at or below 50 percent of King County median income, adjusted for household size). A covenant on the site that specifies the income level being served, rent levels and requirements for reporting to King County shall be recorded at final approval.

sites of less than five acres shall be limited to 30 low-income units.

b. Benefit units consisting of rental housing designed and permanently priced to serve low-income senior citizens (i.e. no greater than 30 percent of gross income for 1 or 2-person households, 1 member of which is 62 years of age or older, with incomes at or below 50 percent of King County median income, adjusted for household size). A covenant on the site that specifies the income level being served, rent levels and requirements for reporting to King County shall be recorded at final approval.

1.5 bonus units per benefit unit, up to a maximum of 60 low-income units per five acres of site area; projects on sites of less than five acres shall be limited to 60 low-income units.

c. Benefit units consisting of senior

1 bonus unit per benefit unit

BENEFIT

DENSITY INCENTIVE

citizen assisted housing units 600 square feet or less.

d. Benefit units consisting of moderate income housing reserved for income- and asset-qualified home buyers (total household income at or below 80 percent of King County median, adjusted for household size). Benefit units shall be limited to owner-occupied housing with prices restricted based on typical underwriting ratios and other lending standards, and with no restriction placed on resale. Final approval conditions shall specify requirements for reporting to King County on both buyer eligibility and housing prices.

0.75 bonus unit per benefit unit.

e. Benefit units consisting of moderate income housing reserved for income- and asset-qualified home buyers (total household income at or below 80 percent of King County median, adjusted for household size). Benefit units shall be limited to owner-occupied housing with

1 bonus unit per benefit unit.

BENEFIT

DENSITY INCENTIVE

prices restricted based on typical underwriting ratios and other lending standards, and with a 15 year restriction binding prices and eligibility on resale to qualified moderate income purchasers. Final approval conditions shall specify requirements for reporting to King County on both buyer eligibility and housing prices.

f. Benefit units consisting of moderate income housing reserved for income- and asset-qualified home buyers (total household income at or below 80 percent of King County median, adjusted for household size). Benefit units shall be limited to owner-occupied housing, with prices restricted to same income group, based on current underwriting ratios and other lending standards for 30 years from date of first sale. A covenant on the site that specifies the income level and other aspects of buyer eligibility, price levels and requirements for reporting to King

1.5 bonus units per benefit unit.

BENEFIT

DENSITY INCENTIVE

County shall be recorded at final approval.

g. Projects in which 100 percent of the units are reserved for moderate income - and asset-qualified buyers (total household income at or below 80 percent of the King County median, adjusted for household size). All units shall be limited to owner-occupied housing with prices restricted based on current underwriting ratios and other lending standards, and with prices restricted to same income group, for 15 years from date of first sale. Final approval conditions shall specify requirements for reporting to King County on both buyer eligibility and housing prices.

h. Benefit units consisting of mobile home park space or pad reserved for the relocation of an insignia or non-insignia mobile home, that has been or will be displaced due to closure of a mobile home park located in

200 percent of the base density of the underlying zone. Limited to parcels 5 acres or less in size and located in the R-4 through R-8 zones. Housing types in the R-4 or R-6 zones shall be limited to structures containing four or less units, except for townhouses. Such RDI proposals shall not be eligible to utilize other RDI bonus density incentives listed in this section.

1.0 bonus unit per benefit unit.

BENEFIT

DENSITY INCENTIVE

incorporated or unincorporated King County.

2. OPEN SPACE, TRAILS AND PARKS

a. Dedication of park site or trail right-of-way meeting King County location and size standards for neighborhood, community or regional park, or trail, and accepted by the parks division.

0.5 bonus unit per acre of park area or quarter-mile of trail exceeding the minimum requirement of K.C.C.

21A.14 for on-site recreation space or trail corridors, computed on the number of dwelling units permitted by the site's base density.

b. Improvement of dedicated park site to King County standards for developed parks.

0.75 bonus unit per acre of park improvement. If the applicant is dedicating the site of the improvements, the bonus units earned by improvements shall be added to the bonus units earned by the dedication.

c. Improvement of dedicated trail segment to King County standards.

1.8 bonus units per quarter-mile of trail constructed to county standard for

BENEFIT

DENSITY INCENTIVE

pedestrian trails; or

2.5 bonus units per quarter-mile of constructed to county standard for multipurpose trails (pedestrian/ bicycle/equestrian).

Shorter segments shall be awarded bonus units on a pro-rate basis. If the applicant is dedicating the site of the improvements, the bonus units earned by improvements shall be added to the bonus units earned by the dedication.

d. Dedication of open space, meeting King County acquisition standards to the county or a qualified public or private organization such as a nature conservancy.

0.5 bonus unit per acre of open space.

BENEFIT

DENSITY INCENTIVE

3. HISTORIC PRESERVATION

a. Dedication of a site containing an historic landmark in accordance with K.C.C. 20.62, to King County or a qualifying nonprofit organization capable of restoring and/or maintaining the premises to standards set by the King County Landmarks Commission.

0.5 bonus unit per acre of historic site.

b. Restoration of a site or structure designated as an historic landmark in accordance with K.C.C. 20.62 to a specific architectural or site plan approved by the King County Landmarks Commission.

0.5 bonus unit per acre of site or one thousand square feet of floor area of building restored.

4. ENERGY CONSERVATION

a. Benefit units that incorporate conservation features in the construction of all on-site dwelling units heated by electricity that

0.15 bonus unit per benefit unit that achieves the required savings.

BENEFIT

DENSITY INCENTIVE

save at least 20 percent of space heat energy use from the maximum permitted by the Northwest Energy Code, as amended. No more than 50 percent of the required savings may result from the installation of heat pumps. None of the required savings shall be achieved by reduction of glazing area below 15 percent of floor area. Energy use shall be expressed as allowable energy load per square foot or as total transmittance (UA).

b. Benefit units that incorporate conservation features in the construction of all on-site dwelling units heated by natural gas, or other non-electric heat source, that save at least 25 percent of space heat energy use from the maximum permitted by the Northwest Energy Code, as amended. None of the required savings shall be achieved by reduction of glazing area below 15 percent of floor area. Energy use shall be expressed as allowable

0.10 bonus unit per benefit unit that achieves the required savings.

BENEFIT

DENSITY INCENTIVE

energy load per square foot or as total

transmittance (UA).

c. Developments located within 1/4 mile of transit routes served on at least a half-hourly basis during the peak hours and hourly during the daytime non-peak hours.

10 percent increase above the base density of the zone.

5. PUBLIC ART

a. Devoting 1% of the project budget to public art on site.

5 percent increase above the base density of the zone.

b. Contributing 1% of the project budget to the King County public art fund for development of art projects. The contribution shall be used for projects located within a one mile radius of the development project.

5 percent increase above the base density of the zone.

2249 NOTE: ((When)) If proposed energy conservation bonus units of K.C.C.
2250 21A.34.040 are reviewed in conjunction with a subdivision or a short subdivision, the
2251 applicant shall provide data and calculations for a typical house of the type to be built in the
2252 development that demonstrates to the department's satisfaction how the required savings

will be achieved. A condition of approval shall be recorded with the plat and shown-on the title of each lot specifying the required energy savings that must be achieved in the construction of the dwelling unit. The plat notation shall also specify that the savings shall be based on the energy code in effect at the time of preliminary plat application.

SECTION 57. Ordinance 10870, Section 634 (part), and K.C.C. 21A.42.140 are each hereby amended to read as follows:

Review process for high schools. A. The School District shall hold a public hearing on the request for a building permit on the proposed high school and may merge the public hearing for environmental review with this hearing. The hearing shall address the proposal's compliance with the applicable development standards and whether the impacts of traffic on the neighborhood have been addressed pursuant to the State Environmental Policy Act, Chapter 43.21C RCW, and/or through the payment of road impact fees. The hearing may be conducted by the Board of Directors, or where authorized by board policy, by a hearing examiner appointed by the School Board. The District shall provide notice of the hearing as follows:

1. By posting the property;
2. By publishing in a newspaper of general circulation in the general area where the proposed high school is located;
3. By sending notices by first class mail to owners of property in an area within ~~((500))~~ five hundred feet of the proposed high school, ~~((provided-such))~~ but the area shall be expanded as necessary to send mailed notices to at least ~~((20))~~ twenty different property owners; and
4. By sending notices to other residents of the District that have requested notice.

2276 B. At a regularly scheduled or special Board meeting, the Board of Directors shall
2277 adopt findings of compliance with applicable King County development standards,
2278 including the decision criteria outlined in K.C.C. chapter 21A.44, or adopt proposed actions
2279 necessary to reach compliance. ~~((Where))~~ If a hearing examiner has been appointed, the
2280 Board of Directors shall review and adopt or reject the hearing examiner's proposed
2281 findings and/or proposed actions. The board may include in the record any information
2282 supporting its findings or any information from prior public meetings held on the same
2283 general subject at the discretion of the Board.

2284 C. Copies of the findings and/or the proposed actions shall be mailed to all parties
2285 of record and to the county.

2286 D. Any aggrieved party of record may request the Board of Directors to reconsider
2287 the findings within ~~((20))~~ twenty calendar days of its adoption. An aggrieved party
2288 requesting reconsideration shall submit written evidence challenging the findings or
2289 otherwise specifically identify reasons why the District has failed to reasonably comply
2290 with the applicable King County development standards or the decision criteria outlined in
2291 K.C.C. chapter 21A.44. Within ~~((30))~~ thirty calendar days after a request for
2292 reconsideration has been filed with the District, the Board of Directors may reconsider and
2293 revise the findings and/or proposed actions, or may decline to reconsider. Failure to act, or
2294 to initiate the process for reconsideration by notifying the aggrieved party of record of
2295 intent to reconsider, within the ~~((30-))~~ thirty day period shall be deemed to constitute a
2296 decision not to reconsider.

2297 E. The Board's final findings shall be attached to the District's building permit
2298 application and shall be considered as prima facie evidence of compliance with the
2299 applicable King County development standards.

2300 SECTION 58. Ordinance 13274, Section 2, and K.C.C. 21A.55.110 are each
2301 hereby amended to read as follows:

2302 **Transfer of development credit (TDC) pilot program - framework for**
2303 **monitoring.** This section establishes a framework for evaluating the effectiveness of
2304 ~~((the provisions of))~~ Ordinance 13274, as follows:

2305 A. Pilot projects shall be initiated by private parties within thirty-six months of
2306 ~~((the effective date of Ordinance 13274 (10/5/98).))~~ October 5, 1998; and

2307 B. Within the thirty-six month effective period for the TDC ~~((P))~~ pilot
2308 ~~((P))~~ program, the executive shall:

2309 1. Develop a means of monitoring and assessing the pilot program ~~((in order))~~
2310 to improve future applications and to measure outcomes based on the TDC purposes
2311 described in K.C.C. 21A.55.100; and

2312 2. Submit annual fourth-quarter reports to the council ~~((which))~~ that describe:

2313 a. the use of the pilot program in the preceding year~~((;))~~;

2314 b. the public benefit associated with each sending site qualified under ~~((this~~
2315 ~~o))~~ Ordinance 13274, such as resource protection or preservation of a model forest in the
2316 rural forest ~~((district))~~ focus areas~~((;))~~;

2317 c. current receiving area market conditions, and recommendations for
2318 improved regulatory, fiscal and marketing strategies~~((;))~~;

d. community acceptance of the program and associated higher densities in the receiving areas, including recommendations for improved and/or flexible development standards to ensure quality urban and rural development~~(())~~; and

e. opportunities for new sending and receiving areas, including cooperative planning with cities.

SECTION 59. Ordinance 13274, Section 4, and K.C.C. 21A.55.130 are each hereby amended to read as follows:

Transfer of development credit (TDC) pilot program - sending sites.

A. For the purpose of this chapter, ~~((a))~~ “sending site” ~~((is defined as))~~ means the portion of the parcel~~((s))~~ or parcels qualif~~((ying))~~ied under subsection B ~~((below))~~ of this section. Sending sites shall be maintained in a natural state, except for ~~((agricultural))~~ lands zoned A or F, or lands zoned RA within the rural ~~((farm and))~~ forest ~~((district lands))~~ focus areas, proposed public park or trail sites suitable for active or passive recreation or historic sites. Nonresidential uses consistent with the zone may be allowed following the transfer of residential development credits if allowed under the conservation easement.

B. Qualification of a sending site shall demonstrate that the site contains a public benefit such that preservation of that benefit by transferring residential development density to another site is in the public interest.

1. Designation in the King County Comprehensive Plan or a functional plan as an ~~((A))~~agricultural or forest production district ~~((land))~~ or zoned A or F or ~~((as))~~ lands zoned RA within the ~~((R))~~rural ~~((Farm or F))~~forest ~~((Districts))~~focus area ~~((land,))~~

2341 ~~((which))~~ that is not encumbered through King County's development rights purchase
2342 program; or

2343 2. Designation in the King County Comprehensive Plan, or a functional plan as
2344 a proposed park site, through either:

- 2345 a. designation of a specific site~~((;))~~; or
2346 b. identification of geographic areas of proposed park sites which meet
2347 adopted standards and criteria; or

2348 3.a. A written determination by a public land managing agency, including but
2349 not limited to the King County department of parks and recreation, King County
2350 department of natural resources, King County office of cultural resources, a city parks
2351 department ~~((f))~~if a sending site is located within that city's designated potential
2352 annexation area~~((h))~~, the Washington ~~((S))~~state Parks and Recreation Commission or a
2353 private land conservation organization such as ~~((t))~~The Nature Conservancy, that the
2354 sending site is appropriate for preservation or acquisition as:

- 2355 ~~((a-))~~ (1) open space,
2356 ~~((b-))~~ (2) wildlife habitat for federal or state listed endangered or threatened
2357 species, priority or candidate priority species of local importance; or species of local
2358 significance as defined by the King County Comprehensive Plan; or wildlife networks
2359 designated by King County, or Priority Habitats as defined by the state,

- 2360 ~~((e-))~~ (3) urban separators,
2361 ~~((d-))~~ (4) regional trail/natural linkages, or
2362 ~~((e-))~~ (5) historic landmarks.

b. The agency making the written determination of qualification shall state that the sending site is appropriate for preservation or acquisition under that agency's rules, regulations or guidelines and shall state that the proposed form of permanent protection is acceptable to the agency responsible for managing the sending site once encumbered (i.e. encumbrance with a conservation easement or fee simple ownership). Following the encumbrance or dedication of the sending site, the remaining land value may be acquired or accepted by the managing agency.

C. For the purposes of the TDC ((P))pilot ((P))program, "acquisition" ((shall)) means obtaining fee simple rights in real property, or a less than a fee simple right in a form ((which)) that preserves in perpetuity the public benefit supporting the designation or qualification of the property as a sending site.

SECTION 60. Ordinance 13274, Section 5, and K.C.C. 21A.55.140 are each hereby amended to read as follows:

Transfer of development credit (TDC) pilot program - receiving sites.

A. Receiving sites shall be:

1. Zoned R-4 through R-48, NB, CB, RB or O, or any combination thereof.
((Such)) The sites may also be within potential annexation areas established ((pursuant to)) under the countywide planning policies((;));
2. King County incorporated municipal jurisdictions with urban centers ((f))as designated under the countywide planning policies((;)), transit station sites((;)) and/or other urban areas where new growth is or will be encouraged under the Growth Management Act and the countywide planning policies and where facilities and services exist or where public investments in facilities and services will be made, or

2386 3. RA-2.5 and RA-5 zoned parcels ~~((which))~~ that meet the criteria listed -
2387 ~~((below))~~ in this subsection A.3 may receive development credits transferred from
2388 ~~((R))~~rural ~~((Farm and F))~~forest ~~((Districts))~~ focus areas, and accordingly may be
2389 subdivided and developed at a maximum density of one dwelling per ~~((2.5))~~ two and one-
2390 half acres. Increased density allowed through the designation of rural receiving areas:
2391 a. must be eligible to be served by domestic Group A public water service;
2392 b. must be located within one-quarter mile of an existing predominant pattern
2393 of rural lots smaller than ~~((5))~~ five acres in size;
2394 c. must not adversely impact regionally or locally significant resource areas or
2395 environmentally sensitive areas;
2396 d. ~~((shall))~~ must not require public services and facilities to be extended to
2397 create or encourage a new pattern of smaller lots; ~~((and))~~
2398 e. ~~((may))~~ must not be located within ~~((R))~~rural ~~((Farm and))~~ ~~((F))~~forest
2399 ~~((Districts))~~ focus areas; and
2400 f. must not be located on Vashon or Maury Islands.
2401 B. Except as provided in this chapter development of an unincorporated King
2402 County receiving site shall remain subject to all zoning code provisions for the base zone.
2403 C. Apartments and townhouse units are permitted outright in the R-4 through R-8
2404 zones through the transfer of density credits provisions of this pilot project, subject to the
2405 review process described in K.C.C. 21A.55.180.
2406 D. An unincorporated King County receiving site may accept development
2407 credits from one or more sending sites, up to the maximum density permitted ~~((pursuant~~
2408 ~~to))~~ under K.C.C. 21A.12.030.

2409 E. Property located within the outer boundaries of the Noise Remedy Area as
2410 identified by the Seattle-Tacoma International Airport may not accept development
2411 credits.

2412 SECTION 61. Ordinance 13274, Section 6, and K.C.C. 21A.55.150 are each
2413 hereby amended to read as follows:

2414 **Transfer of development credit (TDC) pilot program - transfer rules.**

2415 A. Unincorporated urban sending sites and unincorporated urban receiving sites.

2416 1. The number of residential development credits that an unincorporated urban
2417 sending site is eligible to send to an unincorporated urban receiving site shall be
2418 determined by:

2419 ~~((1))~~a. ~~((A))~~applying twenty-five percent of the sending site's base zoned
2420 density to the sending site's unbuildable sensitive areas for R-4 through R-48 zoned
2421 properties and one credit per acre for R-1 zoned properties. Due to the limitations
2422 imposed by K.C.C. chapter 21A.24, for the purposes of this chapter unbuildable sensitive
2423 areas shall include class 1 and class 2 wetlands, streams, slopes forty percent or steeper
2424 and associated buffers; and

2425 ~~((2))~~b. applying the base density of the zone the sending site is located in to the
2426 remaining portion of the sending site less the following:

2427 ~~((a-))~~ (1) any portion of the sending site already in a conservation easement or
2428 other similar encumbrance~~((5))~~;

2429 ~~((b-))~~ (2) any land area already used to calculate residential density for other
2430 development within the sending site~~((5))~~;

2431 ~~((c-))~~ (3) any submerged land~~((5))~~;

2432 ((d-)) (4) regional utility corridors; and
2433 ((e-)) (5) other areas, excluding setbacks, required by King County to remain
2434 undeveloped.

2435 2. Any fractions of development credits ((which)) that result from the
2436 calculations in ((K.C.C. 21A.55.150)) subsection A.1 ((or A2 above)) of this section shall
2437 not be included in the final determination of total development credits available for
2438 transfer.

2439 3. The twenty-five percent discount for unbuildable sensitive areas in ((K.C.C.
2440 21A.55.150)) subsection A.1.a ((above)) of this subsection shall not be applied to urban
2441 sending sites certified using the process prescribed in this chapter prior to December 31,
2442 1998.

2443 4. For the purposes of the transfer of development credit (TDC) program,
2444 sending sites zoned R-1 shall have a base density of four dwelling units per acre.

2445 B. Rural or natural resource land sending sites and unincorporated urban
2446 receiving sites.

2447 1. For purposes of the transfer of development credit (TDC) program, property
2448 zoned RA within rural forest focus areas shall have a base density of one dwelling unit
2449 per five acres, property zoned A-10 and A-35 within the agricultural production district
2450 shall have a base density of one dwelling unit per ten acres and one dwelling unit per
2451 thirty-five acres, respectively, and property zoned F within the forest production district
2452 shall have a base density of one dwelling unit per eighty acres or one dwelling unit per
2453 each lot that is between fifteen and eighty acres in size. The number of residential
2454 development credits that a rural or natural resource area sending site is eligible to send to

an urban area receiving site shall be determined by applying twice the base density of the zone in which the rural ~~((area))~~ or natural resource land sending site is located, after the following lands have been subtracted:

~~((1. A))~~a. any portion of the sending site already in a conservation easement or other similar encumbrance~~((s))~~;

~~((2. A))~~b. any land area already used to calculate residential density for other development within the sending site~~((s))~~; and

~~((3. A))~~c. any submerged lands.

2. Any fractions of development credits ~~((which))~~ that result from the calculations ~~((above))~~ in subsection B.1 of this section shall not be included in the final determination of total development credits available for transfer.

C. Rural ~~((or forest production district))~~ or natural resource land sending sites and incorporated urban receiving sites.

1. For purposes of the transfer of development credit (TDC) program, property zoned RA within rural forest focus areas shall have a base density of one dwelling unit per five acres, property zoned A-10 and A-35 within the agricultural production district shall have a base density of one dwelling unit per ten acres and one dwelling unit per thirty-five acres, respectively, and property zoned F within the forest production district shall have a base density of one dwelling unit per eighty acres or one dwelling unit per each lot that is between fifteen and eighty acres in size. The number of development credits that a rural ~~((area))~~ or natural resources land sending site is eligible to send to an incorporated urban area receiving site shall be determined through the application of a conversion ratio established by the incorporated municipal jurisdiction. The conversion

ratio will be applied to the number of available sending site credits determined by applying the base density of the zone in which the sending site is located, after the following lands have been subtracted:

~~((1. A))~~a. any portion of the sending site already in a conservation easement or other similar encumbrance~~((5))~~;

~~((2. A))~~b. any land area already used to calculate residential density for other development within the sending site~~((5))~~; and

~~((3. A))~~c. any submerged lands.

2. Any fractions of development credits ~~((which))~~ that result from the calculations ~~((above))~~ in subsection C.1 of this section shall not be included in the final determination of total development credits available for transfer.

D. Rural sending sites and rural receiving sites.

1. For purposes of the transfer of development credit (TDC) program, property zoned RA within rural forest focus areas shall have a base density of one dwelling unit per five acres. The number of residential development credits that a sending site is eligible to send to a receiving site shall be determined by applying the base density of the zone in which the sending site is located, after the following lands have been subtracted:

~~((1. A))~~a. any portion of the sending site already in a conservation easement or other similar encumbrance~~((5))~~;

~~((2. A))~~b. any land area already used to calculate residential density for other development within the sending site~~((5))~~; and

~~((3. A))~~c. any submerged lands.

2500 2. Any fractions of development credits (~~((which))~~) that result from the
2501 calculations (~~((above))~~) in subsection D.1 of this section shall not be included in the final
2502 determination of total development credits available for transfer.

2503 E. Following the transfer of residential development credits from either rural or
2504 urban sending sites, the portion of the parcel(s) not designated as a sending site may
2505 accommodate a lot or lots on the buildable portion of the parcel(s), consistent with the
2506 zoned base density provisions of the density and dimensions table in K.C.C. 21A.12.030,
2507 the allowable dwelling unit calculations in K.C.C. 21A.12.070(~~((;))~~) and other King
2508 County development regulations. (~~((In the case of))~~) For sending sites within the rural
2509 area, the development potential remaining after a density transfer may only be actualized
2510 through a clustered subdivision, short subdivision or binding site plan that creates a
2511 permanent preservation tract as large or larger than the portion of the subdivision set
2512 aside as lots. Within rural forest focus areas (~~((districts, such preservation))~~) resource use
2513 tracts shall be at least fifteen acres in size.

2514 F. A site plan showing unbuildable sensitive areas and buffers as defined in this
2515 section, submerged lands, regional utility corridors, areas required by King County to
2516 remain undeveloped and conservation easements or other similar encumbrances shall be
2517 submitted as part of the sending site certification application.

2518 G. Development credits from one sending site may be allocated to more than one
2519 receiving site and one receiving site may accept development credits from more than one
2520 sending site.

2521 H. Following the transfer of credits from a sending site, deed restrictions
2522 documenting the development credit transfers shall be recorded and notice placed on the
2523 title to the sending site parcel.

2524 I. A conservation easement granted to the county or other appropriate land
2525 management agency shall be required for land contained in the sending site. The
2526 conservation easement shall be documented by a map indicating the portion of the parcel
2527 restricted from future residential development, whether or not ~~((such))~~ the land is
2528 dedicated, as follows:

2529 1. A conservation easement, which contains the easement map, shall be
2530 recorded on the sending site to indicate development limitations on the sending site;

2531 2. For a sending site zoned A-10 or A-35, the conservation easement shall be
2532 consistent in form and substance with the purchase agreements used in the agricultural
2533 land development rights purchase program. The conservation easement shall preclude
2534 subdivision of the subject property but may permit not more than one dwelling per
2535 sending site, and shall permit agricultural uses as provided in the A-10 or A-35 zone;

2536 3. For a sending site located within a rural forest ~~((district))~~ focus area, the
2537 sending site shall be a minimum of twenty acres. ~~((t))~~ The conservation easement shall
2538 ~~((encumber a minimum of fifteen acres, shall allow))~~ require that fifteen acres of the
2539 sending site be restricted to forest management activities and shall include a forest
2540 stewardship plan approved by the county for ongoing forest management practices.
2541 ~~((n))~~ No more than one dwelling unit, calculated at a base density of one dwelling unit per
2542 five acres, is allowed for every ((per)) twenty acres. The dwelling unit is to remain with
2543 the unrestricted portion of the conservation easement or unencumbered portion of the

2544 sending site ~~((and shall include a forest stewardship plan approved by the county for~~
2545 ~~ongoing management practices))~~.

2546 4. For a sending site zoned F, the conservation easement shall encumber the
2547 entire sending site. The conservation easement shall permit forestry uses subject to a
2548 forest stewardship plan approved by the county for ongoing forest management practices,
2549 and shall recognize existing, legally approved dwelling units.

2550 J. Upon submitting an application to the department of development and
2551 environmental services to develop a receiving site under ~~((the provisions of))~~ this chapter,
2552 the receiving site applicant shall provide either a sending site certification letter and
2553 evidence of the option to buy the sending site development credits required for the
2554 receiving site development proposals or evidence of ownership or full legal control of all
2555 sending sites proposed to be used in calculating total residential density on the receiving
2556 site.

2557 K. Development credits from a sending site shall be considered transferred to a
2558 receiving site ~~((when))~~ if a final decision is made on the TDC receiving area development
2559 proposal by the department of development and environmental services, the sending site
2560 is permanently protected by a completed and recorded land dedication or conservation
2561 easement~~((s))~~ and notification has been provided to the King County assessor's office.

2562 L. The determination of the number of residential development credits a sending
2563 site has available for transfer to a receiving site development shall be valid for transfer
2564 purposes only, shall be documented in a TDC certificate letter of intent and be considered
2565 a final determination, not to be revised due to changes to the sending site's zoning.

2566 M. TDC receiving site developments shall comply with dimensional standards of
2567 the zone with a base density most closely comparable to the total approved density of the
2568 TDC receiving site development.

2569 SECTION 62. Ordinance 13274, Section 9, and K.C.C. 21A.55.200 are each
2570 hereby amended to read as follows:

2571 **Transfer of Development Credits (TDC) pilot program — transfer of**
2572 **development credit (TDC) bank — purpose.** The purpose of the TDC bank is to assist
2573 in the implementation of the transfer of development credit program by purchasing and
2574 selling development credits. The TDC bank may purchase development credits only
2575 from sending sites in the rural area or in agricultural or forest production districts as
2576 designated in the King County Comprehensive Plan. Development credits purchased
2577 from the TDC bank may only be used for receiving sites in cities or in the urban
2578 unincorporated area as designated in the King County Comprehensive Plan.

2579 SECTION 63. Severability. If any provision of this ordinance or its application
2580 to any person or circumstance is held invalid, the remainder of the ordinance or the
2581 application of the provision to other persons or circumstances is not affected.

2582 SECTION 64. In accordance with K.C.C. 20.44.080, the metropolitan King
2583 County council finds that the requirements for environmental analysis, protections and
2584 mitigations in those chapters of K.C.C. Title 21A amended by this ordinance provide

2585 adequate analysis of and mitigation for the specific adverse environmental impacts to
2586 which the requirements apply.
2587 NOTE: This ordinance was passed on the 2/12/01 agenda although the final vote was not
2588 taken until 2/20/01.
2589

Ordinance 14045 was introduced on 3/6/00 and passed as amended by the Metropolitan King County Council on 2/12/01, by the following vote:

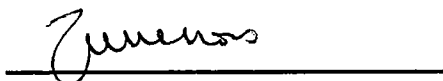
Yes: 7 - Ms. Miller, Ms. Fimia, Mr. Phillips, Mr. Pelz, Ms. Sullivan, Mr. Nickels and Mr. Gossett
No: 6 - Mr. von Reichbauer, Mr. McKenna, Mr. Pullen, Ms. Hague, Mr. Vance and Mr. Irons
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



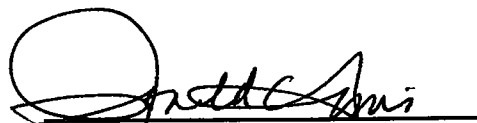
Pete von Reichbauer, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 2 day of MARCH, 2001.



Ron Sims, County Executive

Attachments None