

**Ordinance 14775
Attachment A**

**King County Comprehensive Plan
2003 Amendments
As amended by Council,
October 13, 2003**

- Amendment to Policy E-168
- Amendments to the land use designation, zoning and development conditions for the “Tanner Mill” properties within the North Bend Urban Growth Area

Policy E-168 Amendment

Policy E-168 is amended to read as follows:

E-168 King County shall designate and protect, through measures such as regulations, incentives, capital projects or purchase, the following Fish and Wildlife Habitat Conservation Areas found in King County:

- a. Habitat for federal or state listed Endangered, Threatened or Sensitive species.**
- b. Habitat for Salmonids of Local Importance; kokanee/sockeye/red salmon, chum salmon, coho/silver salmon, pink salmon, coastal resident/searun cutthroat, rainbow trout/steelhead, bull trout, Dolly Varden, and pygmy whitefish, including juvenile feeding and migration corridors in marine waters;**
- c. Habitat for Raptors and Herons of Local Importance: ((red-tailed hawk,)) osprey, black-crowned night heron, and great blue heron;**
- d. Commercial and recreational shellfish areas;**
- e. Kelp and eelgrass beds;**
- f. Herring, sand lance and smelt spawning areas;**
- g. Wildlife habitat networks designated by the County, and**
- h. Riparian corridors.**

King County shall also protect the habitat for the red-tailed hawk and for candidate species, as listed by the Washington Department of Fish and Wildlife, found in King County outside of the Urban Growth Area.

Policy E-168 Amendment Background Information

When King County adopted Policy E-168, the state Department of Fish and Wildlife had been considering placing the red-tailed hawk on the state's Priority Species list.

Since that time, the red-tailed hawk has become the most common raptor in North America and the state is no longer considering its placement on that list.

The proposed amendment would continue to protect habitat for this species in the Rural Area, while providing additional flexibility for growth within the Urban Areas due to the dramatic recovery of the red-tailed hawk.

“Tanner Mill” Amendments

Land Use Map Amendment LU-1

Location: North of I-90 between SE North Bend Way and SE 136th Street, east of 436th Ave SE
Land Use Atlas Map Page 32
Section 14, Township 23, Range 8

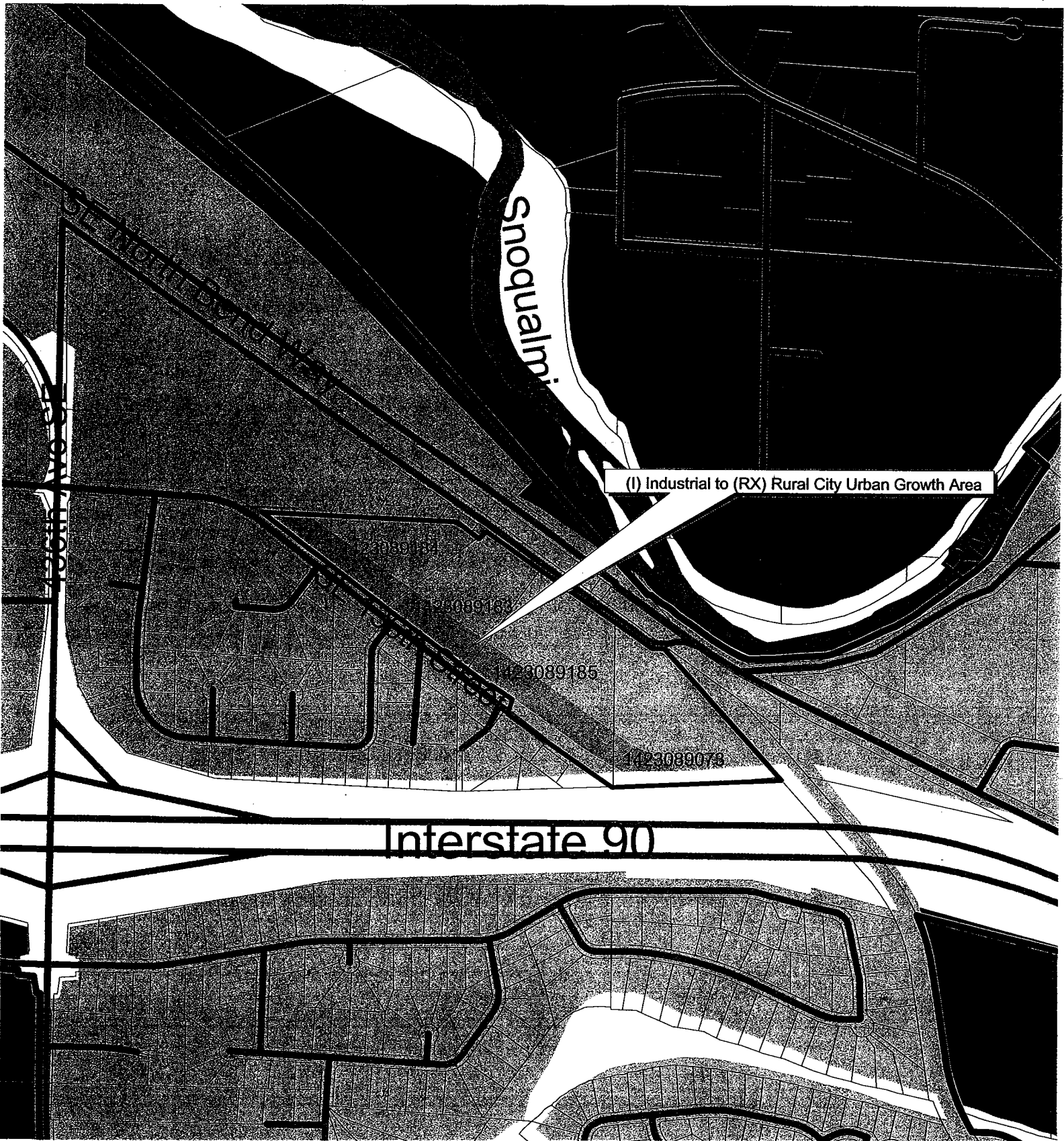
Parcel Numbers: 1423089184 (portion)
1423089183 (portion)
1423089185 (portion)
1423089073 (portion)





Current Land Use Designation: Industrial
Proposed Land Use Designation: Rural City Urban Growth Area

The amendment affects a portion of four parcels are located totally within the North Bend Urban Growth Area, between SE North Bend Way and SE 136th Street, just easterly of 436th Avenue SE. The affected portion of the four properties measures approximately 120' by 2,000' (totaling approximately 5.1 acres).

Surrounding land uses include commercial and industrial development to the west, north and east, Urban Reserve zoned land developed with homes to the southwest and Interstate 90 to the south. The portion of the four properties that are currently zoned Industrial contain a number of industrial uses. Utilities, including: power, telephone, and water are available to the site. Access is available through either SE North bend Way or SE 136th Street. According to the King County Geographic Information System, there are no documented sensitive areas.

NOTE: The proposed land use designation is consistent with the remainder of the four parcels, as well as, all other properties located within the North Bend UGA.



-  RR - Rural Residential
-  RX - Rural City Urban Growth Area
-  I - Industrial
-  Urban Growth Line

Affected Parcels
 142308-9184
 142308-9183
 142308-9185
 142308-9073



North Bend Land Use Amendment LU-1

“Tanner Mill” Amendments

Zoning Map Amendment AZ-1

Location: North of I-90 between SE North Bend Way and SE 136th Street, east of 436th Ave SE
Zoning Atlas Map Page 32
Section 14, Township 23, Range 8

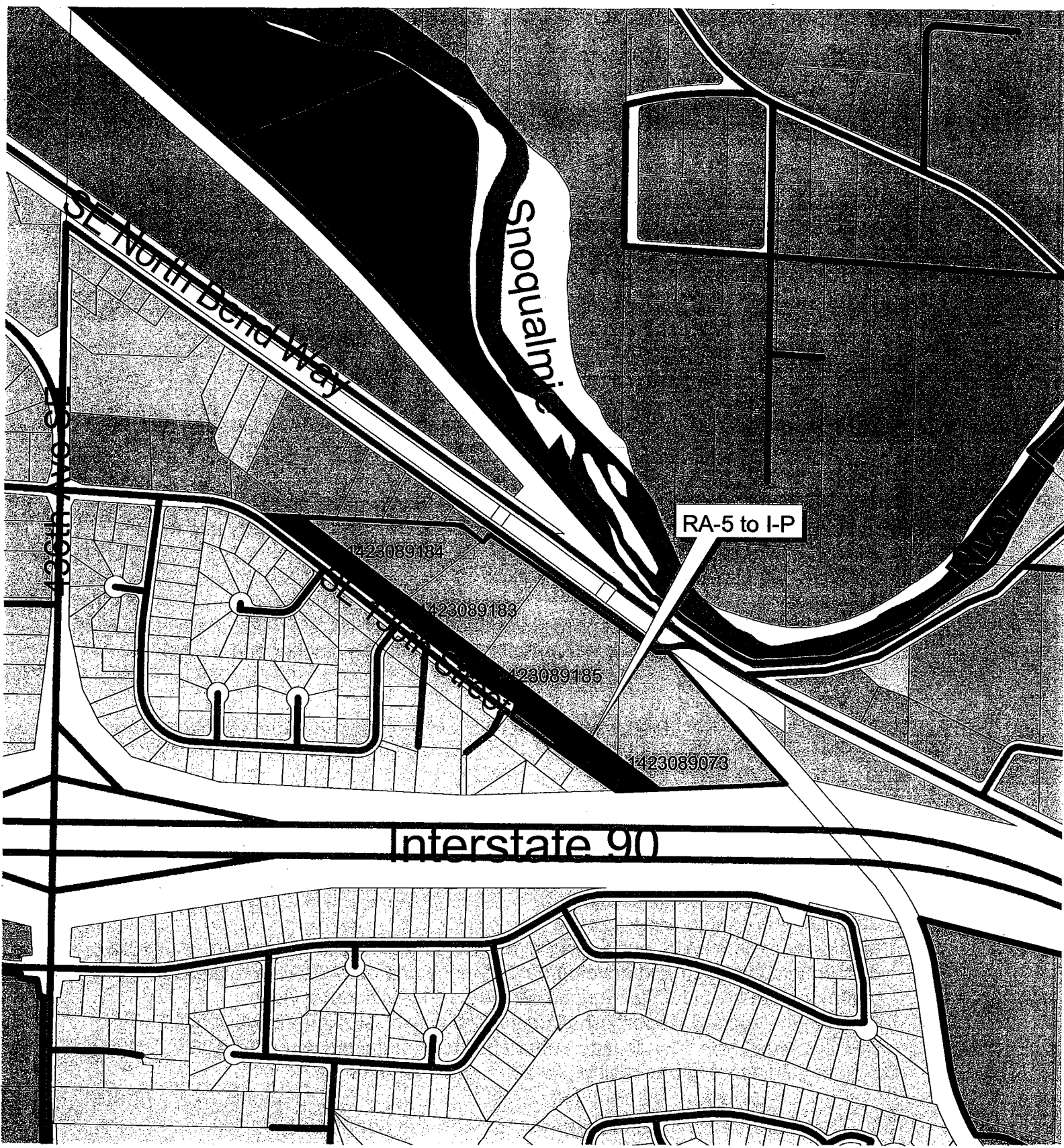
Parcel Numbers: 1423089184 (portion)
1423089183 (portion)
1423089185 (portion)
1423089073 (portion)

Current Land Use Designation: Industrial
Current Zoning: RA-5 (Rural - one dwelling unit per 5 acres)
Proposed Zoning: I-P (Industrial with conditions)

The amendment affects a portion of four parcels are located totally within the North Bend Urban Growth Area, between SE North Bend Way and SE 136th Street, just easterly of 436th Avenue SE. The affected portion of the four properties measures approximately 120' by 2,000' (totaling approximately 5.1 acres).








Surrounding land uses include commercial and industrial development to the west, north and east, Urban Reserve zoned land developed with homes to the southwest and Interstate 90 to the south. The portion of the four properties that are currently zoned Industrial contain a number of industrial uses. Utilities, including: power, telephone, and water are available to the site. Access is available through either SE North bend Way or SE 136th Street. According to the King County Geographic Information System, there are no documented sensitive areas.

NOTE: The proposed zoning is consistent with the remainder of the four parcels.



RA-5 to I-P

Interstate 90

-  Regional Business zone
-  RA 10 zone
-  RA 5 zone
-  RA 2.5 zone
-  Industrial zone
-  Urban Reserve zone
-  Urban Growth Line

Affected Parcels
 142308-9184
 142308-9183
 142308-9185
 142308-9073



North Bend Zoning Amendment AZ-1

“Tanner Mill” Amendments P-Suffix Revision

Location: North of I-90 between SE North Bend Way and SE 136th Street, east of 436th Ave SE.

Parcel Numbers: 1423089184 (all)
1423089183 (all)
1423089185 (all)
1423089073 (all)

Current P-Suffix:

1. The uses on the subject property shall be limited as follows:
 - a. Parcels 1 and 2 to log storage and moorage and saw mills, and shingle mills and lumber mills, wood planing mill (SIC 2421, 2429), and accessory use as follows:
 1. Circle head saw;
 2. Planer;
 3. Log truck deliveries and lumber shipments;
 4. Yard equipment usage such as rubber tire forklift, log stacker and crawler tractor;
 5. Two resaws;
 - b. Parcel 3 to truck repairing and rental (SIC 7359, 7699), and truck parking (limit 12).

Proposed P-Suffix:

1. Uses on the subject property shall be limited to:
 - a. log storage and moorage, saw mills, shingle mills, lumber mills, and accessory uses;
 - b. utility service center; and
 - c. employment park uses, such as light manufacturing, indoor fabrication, distribution, research and development, finance and other service related business. Heavy industrial may be allowed with additional review.
2. Access to the subject property shall only be by way of SE North Bend Way.
3. A 50 foot wide Type 1 landscape buffer shall be maintained along SE 136th Street and adjacent to any residential zone and Interstate 90.

NOTE: The proposed p-suffix is consistent with the conditions recommended as part of the 1994 Snoqualmie Valley Community Plan Area Zoning Study and applied to the former right-of-way portion of the four properties under Ordinance 11665.

“Tanner Mill” Amendments Background Information

The affected parcels are part of an area formerly occupied by the Tanner Mill and an adjacent 100-foot wide right-of-way, which was sold as surplus property by the state Department of Transportation in 1981. In 1981, the Tanner mill properties were zoned MH (Heavy Manufacturing) subject to p-suffix conditions that generally limited uses to a sawmill and related accessory uses (Rezone File No. 112-79 adopted per Ordinance 5744).

When the right-of-way was sold as surplus property to the owners of the Tanner Mill, it was zoned AR-2.5 (Rural residential – 2.5 acres) rather than MH. Other portions of the surplus right-of-way sold to adjacent MH-zoned property were given MH zoning. Timing of the sale of the property seems to have played a part, in that, at the time of the sale the MH zoning for the Tanner Mill had not yet gone into effect.

Zoning the surplus right-of-way consistent with the soon to be effective MH zoning on the Tanner Mill site would have been consistent with the county practice of zoning surplus right-of-way identical to the zoning for the rest of the receiving site and consistent with the MH zoning given to other segments of surplus right-of-way sold to adjacent MH-zoned properties.

In 1994, by Motion 9303, the Council initiated an area zoning study to amend the 1990 Snoqualmie Valley Community Plan relating to the entire Tanner Mill site. The purpose of the study was to rezone the surplus right-of-way portion of the site and to amend the P-suffix conditions for the entire site (Tanner Mill and right-of-way) to allow a broader range of employment park uses, consistent with the city of North Bend Employment Park zone. The council also elected to review the amendments through a quasi-judicial process, rather than the legislative process typical used for area zoning studies, and directed the Hearing Examiner to conduct the hearing as soon as the study was completed and to transmit a recommendation to council within 14 days of the conclusion of the hearing.

Responding to Motion 9303, the Planning and Community Development Division (P&CD) contracted with David Nevens Associates to conduct the area zoning study. This study was completed on December 5, 1994 and recommended that the surplus right-of-way portion of the site be zoned Industrial (I) and that the P-suffix conditions allowing a broader mix of industrial uses be applied to the entire Tanner Mill site.

On December 20, 1994, the Examiner conducted the public hearing. On January 4, 1995, the Examiner issued a report recommending adoption of Industrial zoning for the surplus right-of-way portion of the site and applied the revised p-suffix conditions for the right-of-way consistent with the recommendations of the area zoning study. Interestingly, the Examiner describes the request as only

applying to the right-of-way portion of the site despite the fact that Motion 9303, the area zoning study, the environmental checklist submitted for the hearing and the public notice for the hearing all clearly indicate that P-suffix conditions for the entire Tanner Mill site were intended to be addressed. On January 19, 1995, the council adopted Ordinance 11665 implementing the recommendations contained in the Examiner's January 4th report.

The difference between the intent and action, as relates to the remaining, larger portion of the Tanner Mill site, went unnoticed when the council adopted Ordinance 11665 and remained unnoticed when the Department of Development and Environmental Services issued a permit for a communications center for a portion of the Tanner Mill owned by Puget Sound Energy.

To further complicate matters, the council adopted Ordinance 12824, as part of the county-wide review of p-suffix conditions in 1997. This ordinance was written in such a way that the Industrial zoning and the p-suffix conditions of the right-of-way portion of the site adopted under Ordinance 11665 were inadvertently repealed and the area rezoned RA-5.

Conclusions:

Land Use:

The current land use designation of the former right-of-way portion is Industrial. While this is not inconsistent with the proposed zoning change, it is different that the land use designation of all other properties, including the remaining majority of the Tanner Mill site, contained within the North Bend Rural City UGA.

Zoning:

The current RA-5 zoning is inconsistent with prior council intent per Motion 9303 and Ordinance 11665 (adopted January 1995). The 1997 reinstatement of the RA-5 zoning under Ordinance 12824 appears to be unintended, having occurred during the massive review of all properties in the county with P-suffix conditions.

Furthermore, the current RA-5 zoning is inconsistent with the current Industrial land use designation, the proposed Rural City UGA designation, King County Comprehensive Plan policies and Countywide Planning Policies governing the location of Rural zoning.

P-Suffix Conditions:

The current P-suffix conditions reflect those initially placed on the Tanner Mill properties in 1981. In 1994, circumstances had already so significantly (i.e. passage of the Growth Management Act, inclusion of the entire Tanner Mill site within the North Bend UGA and the intent of the City of North Bend to designate the commercial and industrial area along SE North Bend Way as "Employment Park") that the council adopted a motion for an area zoning study to implement new P-suffix conditions allowing more flexibility of uses, consistent with the city's

Employment Park designation. This intent was also clearly reflected in the area zoning study, as well as, the environmental checklist prepared by PC&D and the public notice sent for the public hearing before the Hearing Examiner.

Despite all the clearly stated intent to address the P-suffix conditions for the entire Tanner Mill properties, the Examiner report was focused solely upon the former right-of-way portion. It is unknown as to why there was such a limited focus and the fact that it was limited to just that portion of the Tanner Mill properties appears to be an oversight, as opposed to a clearly stated intent.



**Metropolitan King County Council
Growth Management and Unincorporated Areas Committee**

Revised Staff Report as reported out of committee

Agenda Item No.:

Proposed Ordinance: 2003-0383

Name

Rick Bautista

Date:

August 19, 2003

COMMITTEE ACTION: PASSED OUT OF COMMITTEE WITHOUT RECOMMENDATION

SUBJECT: Ordinance proposing amendments to the King County Comprehensive Plan for 2003.

BACKGROUND:

The KCCP is adopted by the County in accordance with the State Growth Management Act (GMA) and is to be consistent with the Countywide Planning Policies (CPPs). The KCCP provides the primary legal framework for making land use-related decisions in unincorporated King County. The current KCCP was adopted in 1994.

KCC 20.18.030 allows only minor amendments during annual updates and the executive proposed land use and zoning amendments are limited in their scope. The 2003 KCCP transmittal package is an annual update that includes the following documents (see Attachments 1 and 2 of the staff report):

- **Proposed Ordinance 2003-0383:** Amendment to KCC Title 20 adopting the King County Comprehensive Plan 2003 as an amendment to the 2000 King County Comprehensive Plan.
- **Attachment A to Proposed Ordinance 2003-0383:** Containing policy amendments and land use map, zoning map and p-suffix amendments related to the Tanner Mill properties near North Bend.

SUMMARY:

Proposed Ordinance 2003-0383 amends the 2000 King County Comprehensive Plan as follows:

- Policy E-168 and E-169 are revised to remove the reference to "red-tailed hawks" from Policy E-168 and insert the reference into Policy 169 (see following).

E- 168

King County shall designate and protect, through measures such as regulations, incentives, capital projects or purchase, the following Fish and Wildlife Habitat Conservation Areas found in King County:

- a. **Habitat for federal or state listed Endangered, Threatened or Sensitive species.**
- b. **Habitat for Salmonids of Local Importance: kokanee/sockeye/red salmon, chum salmon, coho/silver salmon, pink salmon, coastal resident/searun cutthroat, rainbow trout/steelhead, bull trout, Dolly Varden, and pygmy whitefish, including juvenile feeding and migration corridors in marine waters;**
- c. **Habitat for Raptors and Herons of Local Importance: ((red-tailed hawk,)) osprey, black-crowned night heron, and great blue heron;**
- d. **Commercial and recreational shellfish areas;**
- e. **Kelp and eelgrass beds;**
- f. **Herring, sand lance and smelt spawning areas;**
- g. **Wildlife habitat networks designated by the County, and**
- h. **Riparian corridors.**

King County shall also protect the habitat for candidate species, as listed by the Washington Department of Fish and Wildlife, found in King County outside of the Urban Growth Area.

King County should protect the following species of local importance, as listed by the Washington Department of Fish and Wildlife and listed by King County, on lands outside of the Urban Growth Area, where they are likely to be most successful. Protection should be accomplished through regulations, incentives or purchase.

Species of local importance are:

- a. mollusks - Geoduck clam and Pacific oyster;
 - b. crustaceans - Dungeness crab and Pandalid shrimp;
 - c. echinoderms- Red urchin;
 - d. fish - white sturgeon, Pacific herring, channel catfish, longfin smelt, surfsmelt, Pacific cod, Pacific whiting, black rockfish, copper rockfish, quillback rockfish, yelloweye rockfish, lingcod, Pacific sand lance, English sole, and rock sole;
 - e. birds - Trumpeter swan, Tundra swan, Snow goose, Band-tailed pigeon, Brant, Harlequin duck, Blue grouse, Mountain quail, red-tailed hawk, and Western bluebird;
 - f. mammals - marten, mink, Columbian black-tailed deer, elk, and mountain goat.
- Amendments for the "Tanner Mill" properties within the North Bend Urban Growth Area would include the following land use and zoning map and p-suffix revisions:
 - Land use re-designation (**for the former right-of-way portion of the Tanner Mill site @ 5 acres**) from "Industrial" to "Rural City Urban Growth Area",
 - Zoning reclassification (**for the former right-of-way portion of the Tanner Mill site @ 5 acres**) from RA-5 (Rural residential, 5 acres) to I (Industrial), and
 - Property-specific (P-suffix) development conditions (**for the entire Tanner Mill site**) would be revised as follows:

Current P-Suffix:

1. The uses on the subject property shall be limited as follows:
 - a. Parcels 1 and 2 to log storage and moorage and saw mills, and shingle mills and lumber mills, wood planing mill (SIC 2421, 2429), and accessory use as follows:
 1. Circle head saw;
 2. Planer;
 3. Log truck deliveries and lumber shipments;
 4. Yard equipment usage such as rubber tire forklift, log stacker and crawler tractor;
 5. Two resaws;
 - b. Parcel 3 to truck repairing and rental (SIC 7359, 7699), and truck parking (limit 12).

Proposed P-Suffix:

1. Uses on the subject property shall be limited to:
 - a. log storage and moorage, saw mills, shingle mills, lumber mills, and accessory uses;
 - b. utility service center; and
 - c. employment park uses, such as light manufacturing, indoor fabrication, distribution, research and development, finance and other service related business. Heavy industrial may be allowed with additional review.
2. Access to the subject property shall only be by way of SE North Bend Way.
3. A 50 foot wide Type 1 landscape buffer shall be maintained along SE 136th Street and adjacent to any residential zone and Interstate 90.

DISCUSSION:

Policy E-168 and E-169 Amendments:

Both policies pertain to the protection of certain types of habitat. Policy E-168 requires the protection of the listed habitats by the use of the word "shall". In the case of the red-tailed hawk, the protection of the habitat is required in both the Urban and Rural Area. Policy E-169 provides for, but does not absolutely require due to the use of the word "should", the protection of species of local importance.

Both policies had their origins in the 1994 Comprehensive Plan, Policies NE-604 and NE-605, respectively. At the time of the adoption of Policies NE-604 and NE-605, populations of the red-tailed hawk were in serious decline throughout much of the nation, as well as, locally. Therefore reference to the required protection of habitat for the red-tailed hawk was included in Policy NE-604.

When the 2000 Comprehensive Plan was adopted and the policies were renumbered, there was no specific discussion about the then-current status of the red-tailed hawk population. Thus, no change was made as regards the red-tailed hawk. However, since 1994, the red-tailed hawk has become the most common raptor in North America.

Staff concludes that the proposed amendments would continue to protect habitat for this species in the Rural Area, where protection of the species is likely to be most successful, while providing additional flexibility for growth within the Urban Areas.

Tanner Mill Amendments:

The affected parcels are part of an area formerly occupied by the Tanner Mill and an adjacent 100-foot wide right-of-way, which was sold as surplus property by the state Department of Transportation in 1981. In 1981, the Tanner mill properties were zoned MH (Heavy Manufacturing) subject to p-suffix conditions that generally limited uses to a sawmill and related accessory uses (Rezone File No. 112-79 adopted per Ordinance 5744).

When the right-of-way was sold as surplus property to the owners of the Tanner Mill, it was zoned AR-2.5 (Rural residential – 2.5 acres) rather than MH. Other portions of the surplus right-of-way sold to adjacent MH-zoned property were given MH zoning. Timing of the sale of the property seems to have played a part, in that, at the time of the sale the MH Zoning for the Tanner Mill had not yet gone into effect.

Zoning the surplus right-of-way consistent with the soon to be effective MH zoning on the Tanner Mill site would have been consistent with the county practice of zoning surplus right-of-way identical to the zoning for the rest of the receiving site and consistent with the MH zoning given to other segments of surplus right-of-way sold to adjacent MH-zoned properties.

On June 1, 1994, by Motion 9303 (Attachment 3), the Council initiated an area zoning study to amend the 1990 Snoqualmie Valley Community Plan relating to the entire Tanner Mill site. The purpose of the study was to rezone the surplus right-of-way portion of the site from RA-5 to Industrial and to amend the p-suffix conditions for the entire site (Tanner Mill and right-of-way) to allow a broader range of employment park uses, consistent with the city of North Bend Employment Park zone.

NOTE: The council also elected to review the amendments through a quasi-judicial process, rather than the legislative process typically used for area zoning studies, and directed the Hearing Examiner to conduct the hearing as soon as the study was completed and to transit a recommendation to council within 14 days of the conclusion of the hearing.

Responding to Motion 9303, the Planning and Community Development Division (P&CD) contracted with David Nevens Associates to conduct the area zoning study. This study (Attachment 4) was completed on December 5, 1994 and recommended that the surplus right-

of-way portion of the site be zoned Industrial (I) and that the p-suffix conditions allowing a broader mix of industrial uses be applied to the entire Tanner Mill site.

In preparation for the Hearing Examiner public hearing, the P&CD staff prepared an environmental checklist (Attachment 5) and issued a SEPA threshold determination of "Mitigated Declaration of Non-Significance" - MDNS (Attachment 6). The text of the environment checklist and the MDNS clearly indicated that the action was to include revisions to the p-suffix conditions for the whole of the Tanner Mill properties, not just the right-of-way portion.

Notice of the public hearing was sent to property owners within 300 feet of the Tanner Mill site and on December 20, 1994, the Examiner conducted the public hearing. On January 4, 1995, the Examiner issued a report (Attachment 7) recommending adoption of Industrial zoning for the surplus right-of-way portion of the site and applied the revised p-suffix conditions for the right-of-way consistent with the recommendations of the area zoning study. Interestingly, the Examiner describes the request as only applying to the right-of-way portion of the site despite the fact that Motion 9303, the area zoning study, the environmental checklist and the MDNS all clearly indicated that the P-suffix conditions for the entire Tanner Mill site were intended to be addressed.

On January 19, 1995, the council adopted Ordinance 11665 (Attachment 8) implementing the recommendations contained in the Examiner's January 4th report. The difference between the intent and action, as relates to the remaining, larger portion of the Tanner Mill site, went unnoticed when the council adopted Ordinance 11665 and remained unnoticed when the Department of Development and Environmental Services issued a permit for a communications center for a portion of the Tanner Mill owned by Puget Sound Energy.

NOTE: As an adoption of a quasi-judicial Hearing Examiner recommendation, which was not subject to an appeal, this matter was not referred to review by a council committee. If the area zoning study had been transmitted as a typical planning document, it would have been referred to committee. The lack of opportunity for committee review contributed to the passage of amendments that clearly did not reflect council intent in Motion 9303.

The reason for not reviewing it in the typical manner may be due to the fact that during the period of January-March 1995, the council was in the midst of the initial conversion to the zoning designations of the Title 21A zoning code for all to properties in unincorporated King County. The number of properties affected by the conversion to the new zoning code exceeded 175,000. In addition, the council considered thousands of requests for rezones as part of the conversion process.

In 1997, to further complicate matters, the council adopted Ordinance 12824 (Attachment 9), as part of the county-wide review of all properties with p-suffix conditions. This ordinance was written in such a way that the Industrial zoning and the p-suffix conditions of the right-of-way portion of the Tanner Mill site adopted under Ordinance 11665 were inadvertently repealed and this portion of the Tanner Mill site was rezoned RA-5.

Based on their understanding of the information outlined above, staff makes the following conclusions:

Land Use:

The current land use designation of the former right-of-way portion is Industrial. While this is not inconsistent with the proposed zoning change, it is different than the land use designation of all other properties, including the remaining majority of the Tanner Mill site, contained within the North Bend Rural City UGA.

Zoning:

The current RA-5 zoning is inconsistent with prior council intent per Motion 9303 and Ordinance 11665 (adopted January 1995). The 1997 reinstatement of the RA-5 zoning under Ordinance 12824 appears to be unintended, having occurred during the massive review of all properties in the county with P-suffix conditions.

Furthermore, the current RA-5 zoning is inconsistent with the current Industrial land use designation, the proposed Rural City UGA designation, as well as, King County Comprehensive Plan policies and Countywide Planning Policies governing the location of Rural zoning.

P-Suffix Conditions:

The current P-suffix conditions reflect those initially placed on the Tanner Mill properties in 1981. In 1994, circumstances had already so significantly changed (i.e. passage of the Growth Management Act, inclusion of the entire Tanner Mill site within the North Bend UGA and the intent of the City of North Bend to designate the commercial and industrial area along SE North Bend Way as "Employment Par") that the council adopted a motion for an area zoning study to implement new P-suffix conditions allowing more flexibility of uses, consistent with the city's Employment Park designation. This intent was also clearly reflected in the area zoning study, as well as, the environmental checklist prepared by PC&D and the MDNS.

Despite all the clearly stated intent to address the p-suffix conditions for the entire Tanner Mill properties, the Examiner report was focused solely upon the former right-of-way portion. It is unknown as to why there was such a limited focus and the fact that it was limited to just that portion of the Tanner Mill properties appears to be an oversight, as opposed to a clearly stated intent.

ATTACHMENTS:

1. Motion 9303
2. 1994 Snoqualmie Community Plan Area Zoning Study
3. Environmental Checklist for the 1994 Snoqualmie Community Plan Area Zoning Study (Hearing Examiner File NPA 9405)
4. SEPA Threshold Determination of Mitigated Determination of Nonsignificance, dated November 29, 1994
5. Hearing Examiner Report and Recommendation (File NPA 9405), dated January 4, 1995
6. Ordinance 11665 (Adoption of Examiner recommendations)
7. Ordinance 12824 (Countywide amendments to p-suffix conditions)

ATTACHMENT 1

RON SIMS
Jane Hague
Cynthia Sullivan
Pete von
Reichbauer,
Greg Nickels,
Larry Phillips,
Maggi Fimia,
Louise Miller,
Kent Pullen,
Chris Vance

June 1, 1994

Introduced By:

94-316.ORD (VN:clt)

Proposed No.:

94 - 316

MOTION NO. 9308

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A MOTION requesting that the property south of North Bend Boulevard near Tanner Road in the North Bend area be set for a public hearing by the Department of Parks, Planning and Resources, pursuant to K.C.C. 21.60.030.

WHEREAS, K.C.C. 21.60 establishes a procedure for a zoning amendment and K.C.C. 21.60.010.B authorizes the initiation of such a procedure by motion of the council, and

WHEREAS, K.C.C. 21.60.010 provides that whenever public necessity, convenience and general welfare require, zoning boundaries established by the county may be amended, and

WHEREAS, the Snoqualmie Community Plan and Zoning Update were adopted in December, 1990, and

WHEREAS, it appears that the 1990 Snoqualmie Community Plan and Area Zoning Update unintentionally created rural area zoning in an area designated heavy manufacturing and "P" suffix conditions were adopted which do not provide for appropriate potential uses, and

WHEREAS, the council intends to provide for both zoning and subdivision examiner and King County council consideration of the area zoning revisions described in this motion by using the quasi-judicial procedures in K.C.C. 20.24;

NOW, THEREFORE BE IT MOVED by the Council of King County:

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FROM: KC ENV DIU

TO: KING COUNTY PCDD

AUG 10, 1994 3:04PM #557 P.

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A. Pursuant to K.C.C. 21.60.030(B), the department of parks, planning and resources is hereby requested to set for public hearing, under the procedures provided for in K.C.C. 20.24, the adoption of an amendment of the zoning map and "P" suffix conditions for King County of properties in the heavy manufacturing area south of North Bend Boulevard at Tanner Road.

B. The examiner shall hold a hearing at the earliest possible time and make a recommendation to the council under K.C.C. 20.24 as follows:

1. The hearing shall be commenced as soon as possible after receipt of the department's report and be heard continuously, to the extent practicable, until testimony is completed.

2. The hearing and decision shall consolidate any SEPA appeal and any proposed area zoning revision for the area described in the motion.

3. The examiner's written recommendation shall be issued within 14 days after conclusion of the hearing.

C. The council shall review the examiner's recommendation and make a final decision under K.C.C. 20.24.210 through .230.

PASSED this 13th day of June, 1994.

Passed by a vote of 11-0;
KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Kent Pullen
Chair

ATTEST:

Gerald A. Peterson
Clerk of the Council

Attachments:

15x 2206

MR 93045

ATTACHMENT 2

To Allison Mass 1/8/03

RBB

**Snoqualmie Valley Community Plan
and Area Zoning Amendment Study**

**For the Tanner Mill Site
in the Vicinity of 44429 SE Tanner Road
East of the City of North Bend**

under contract w KC

David Nemens Associates Inc.
December 5, 1994

Study Outline

- I. BACKGROUND AND ISSUE DESCRIPTION
 - A. Location, Size and Zoning of Study Area
 - B. History and General Information
 - C. Purpose of the Study
- II. ANALYSIS
 - A. Site Analysis
 - 1. Land Use and Zoning
 - 2. Utility Issues
 - 3. Transportation Issues
 - 4. Environmental Constraints
 - B. Policy Analysis
 - 1. Snoqualmie Valley Community Plan
 - 2. King County Comprehensive Plan, 1994
 - 3. Applicable Functional Plans
 - 4. Plans of Other Jurisdictions
- III. OTHER CONSIDERATIONS
 - A. Summary of Comments from Public Meeting
 - B. Letters and Comments Received from Agencies/Public
 - C. SEPA
- IV. CONCLUSIONS
 - A. Plan Amendment
 - 1. Discussion Based on Site and Policy Analysis
 - 2. Discussion of Criteria for Amending KCCP
 - B. Zone Change
 - 1. Discussion Based on Site and Policy Analysis
 - 2. Discussion of How Change Meets Criteria KCC 20.24.190
- V. RECOMMENDATIONS
- VI. ATTACHMENTS
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Snoqualmie Valley Plan and Area Zoning Amendment Study Tanner Mill Site

I. BACKGROUND AND ISSUE DESCRIPTION

A. Location, Size and Zoning of the Study Area

The Tanner Mill site is located in unincorporated King County in the Snoqualmie Valley community planning area, southeast of the City of North Bend and within the City's proposed Urban Growth Area. The site is bounded by Interstate 90 and SE 136th Street on the south, SE Tanner Road to the north, and an abandoned railroad line to the east. (See Vicinity/Location Map, Attachment A). The site is between the Cedar Falls/Tanner and Edgewick interchanges on Interstate 90. This property (and historically the area across SE North Bend Way to the east) was the site of a lumber mill, the Tanner Mill, which shut down in the spring of 1992. The 25.52 acre site includes 20.64 acres in the Heavy Manufacturing zone with a P-suffix (M-H-P) and 4.88 acres zoned Rural Area (A-R 2.5). Under the 1993 King County Zoning Code, these designations will change to Industrial with a P-suffix (I-P) and Rural Area (RA 2.5). Hereafter, they will be referred to by the new designations.

B. History and General Information

P-suffix conditions were added to the parcel when the property was rezoned from General (G) and General Commercial (C-G) to I-P in 1981 at the request of the mill owners. The P-suffix conditions: 1) limit uses on this site to log storage and moorage, saw mills, shingle mills, lumber mills, and wood planing mills with associated accessory uses; 2) require a landscaping buffer and a bond to insure the landscaping is done; and 3) require review of ingress and egress, with possible restrictions on SE Tanner Road and SE 136th Street use. These P-suffix conditions were carried forward and are adopted by reference in the Snoqualmie Valley Community Plan Area Zoning (1990). The Snoqualmie Valley Community Plan also has policies addressing appropriate uses in this area.

In the spring of 1992 the Tanner Mill shut down. Though use of the site is still restricted by the P-suffix conditions and Snoqualmie Valley Community Plan policies (specifically SQP 84), the general downturn in the timber industry has reduced the likelihood of the site being used as a mill. Other, non-mill uses have been proposed for the site. In 1992 the property was purchased by Puget Sound Power and Light Company with the intent to use the former mill site as their North Bend Service Center. The City of North Bend has designated the Tanner/Edgewick industrial area that includes this parcel as an Employment Park in their proposed comprehensive plan. The existing King County P-suffix conditions and policy SQP 84 do not allow the service center or Employment Park as potential uses.

A portion of the site under study is currently zoned RA 2.5, Rural Area. This strip was the northern half of an old right-of-way for a state highway. It was sold by the Washington Department of Transportation as excess right-of-way on September 1981 to the owners of the former Tanner mill. Normally, vacated road right-of-way acquires the zoning classification of the property to which it reverts. This happened to the vacated right-of-way on the south side of the centerline which was designated RA 2.5, and to the surplus right-of-way on the other side of the quarter section line from this strip (also part of the site) which was designated I-P. However, the strip of old right-of-way adjacent to the mill site in the southwest quarter of Section 14 was put in the RA 2.5 zone instead of the I-P zone. Currently this strip of land has a stand of trees along its length. Across S.E. 136th Street is an established residential neighborhood which is also designated RA 2.5. The current stand of trees on the subject parcel in the portion zoned RA 2.5 acts as a buffer between the residential neighborhood and the mill site.

C. Purpose of the Study

This study analyzes a non-project action to amend the Snoqualmie Valley Community Plan land use map from Rural Area to Industrial for a 4.88 acre portion of the old Tanner Mill site and to amend policy SQP 84 to allow for a wider range of appropriate potential uses at the Tanner Mill site. The proposal also includes a Snoqualmie Valley area zoning amendment to rezone the 4.88 acre portion of the Tanner Mill site from Rural Area (RA 2.5) to Industrial (I-P) and to amend the P-suffix conditions which apply to this entire site. The King County Council requested a public hearing on the proposed amendment of the zoning map and P-suffix conditions in their Motion Number 9303, which was passed on June 13, 1994.

On November 18, 1994, King County Council adopted a new King County Comprehensive Plan; it was signed by the County Executive on November 28, 1994. The newly adopted King County Comprehensive Plan designates the entire Tanner Mill site, including the 4.88 acre portion, as Industrial. This designation is consistent with the changes in this proposal. Therefore, this proposal no longer includes any proposed changes to the King County Comprehensive Plan map.

The King County Council will hold a hearing on December 9, 1994 to review county-wide zoning. The purpose of the new zoning will be to bring the zoning classifications into conformance with the newly adopted Comprehensive Plan land use designations. Planning and Community Development Division staff have proposed to zone the whole Tanner Mill site Industrial, which if adopted by Council would accomplish the zone change as proposed here. In that event, the action to be heard on December 20, 1994 by the King County Hearing Examiner would be limited to revisions to the P-suffix conditions affecting the property, and revisions to SQP 84.

II. ANALYSIS

A. Site Analysis

1. Land Use and Zoning

The old Tanner Mill site currently has five buildings on it along SE Tanner Road that were associated with the mill uses. A large area of the site has been gravelled over. The southwest portion of the site along SE 136th Street is covered with mature evergreen trees and shrubs. The adopted land use designation as given in the Snoqualmie Valley Community Plan is Manufacturing/Industrial for the majority of the site, and growth reserve along the 4.88 acre strip by SE 136th Street. (See Attachment C: Southeast North Bend Way, Land Use Map) The newly adopted King County Comprehensive Plan shows the entire site to be within the Urban Growth Area and designated as Industrial on the land use map. The zoning on the majority of the parcel is Industrial with a P-suffix (I-P). The P-suffix conditions are reprinted in Attachment B. The strip of land along the southwest portion of the site is currently zoned Rural Area (RA-2.5). (See Adopted Zoning for Southeast North Bend Way, Attachment D)

The area along SE North Bend Way has a mix of commercial and rural uses. Zoning along this strip includes Industrial with a P-suffix (I-P) and Regional Business (RB-P). The Middle Fork Snoqualmie River is a major landmark, with the river flowing adjacent to SE North Bend Way just where SE Tanner Road meets SE North Bend Way. The land on the north side of the river is zoned Rural Area (RA-2.5 and RA-5). Between SE North Bend Way and the site is the abandoned Burlington Northern Railroad right-of-way and SE Tanner Road.

To the southwest of the parcel is a developed single-family residential neighborhood zoned Rural Area (RA-2.5). To the northwest of the site is an Industrial zone (I-P) which has some industrial structures on it interspersed with residential uses. Directly south of the site is Interstate 90, and to the southeast are more abandoned Burlington Northern railroad lines and a trucking business.

The residential neighborhood to the southwest has long been buffered from the lumber mill by the strip of RA-2.5 zone land on the mill site. In the 1993 King County Zoning Code, Title 21A, industrial uses must be buffered from adjacent properties when these adjacent properties contain residential uses. Also, the Snoqualmie Valley Comprehensive Plan and Area Zoning requires 50 feet of a Type I (full screen) landscaping screen next to residential uses in this area.

2. Utility Issues

The site has the following utilities and services: electricity, water, telephone, police and fire protection. Water is provided by the Sallal Water District. Fire protection is by Snoqualmie/North Bend Fire District #38, which contracts with Issaquah/Carnation Fire District #10 for services. King County provides police protection. These services are adequate for both the existing use and the uses proposed under the P-suffix amendment.

Sewage is currently treated with an on-site septic system. A utility local improvement district has been proposed along SE North Bend Way to provide sewer services to the area. Uses that produce sewage beyond the subject parcel's ability to treat it would not be appropriate until the site is connected to the sewer system.

3. Transportation Issues

The parcel fronts on and currently takes its access from SE Tanner Road. Heading southeast from the existing driveway on the site, SE Tanner Road turns eastward and crosses the abandoned Burlington Northern railroad right-of-way and provides access to SE North Bend Way. SE Tanner Road connects to SE North Bend Way at an angle, making turns to the northwest, towards North Bend, difficult for large trucks. Heading northwest out of the existing driveway, SE Tanner Road runs parallel with SE North Bend Way until it stops at 436th Avenue SE. The nearest interchange with Interstate 90 is 436th Avenue SE, variously known as the Cedar Falls or Tanner interchange. The next closest interchange is the Edgewick Interchange, approximately one mile east of the parcel. The parcel also has frontage along SE 136th Street. This is a residential road which connects several cul-de-sacs with 436th Avenue SE. A proposed condition prohibits access from the industrial site onto this residential road.

Puget Sound Power and Light Company has considered requesting the vacation of SE Tanner Road in the immediate vicinity of the site, which would allow them to take access directly from SE North Bend Way. This would provide a right-angle access to SE North Bend Way, avoid routing truck traffic by the residential neighborhoods on SE Tanner Road, and avoid costly improvements to SE Tanner Road. Puget Power has also done a Traffic Impact Analysis for their proposed North Bend Service Center.

4. Environmental Constraints

The site has three small wetlands on it. These have been documented in a Final Wetland Report and an Addendum by Parametrix, and in a King County Pre-Application Review, File Number T9200096, for the North Bend Service Center proposed by Puget Power for the site. Because the site has been used as a mill and is adjacent to Interstate 90, the wetlands have already been degraded. Any development proposed for the site will be subject to project-level environmental review and compliance with all applicable King County Codes, including the Sensitive Areas Ordinance and the Surface Water Design Manual.

Ground water recharge and quality is another concern with this site. The site is shown on a preliminary map of areas highly susceptible to ground-water contamination in the newly adopted King County Comprehensive Plan. In a one mile radius of the site are 49 wells less than 65 feet in depth, and seven wells greater than 80 feet in depth. The aquifer beneath the site flows towards the residential neighborhood, so contamination of the subject parcel which could degrade ground water quality should be avoided. Proposed conditions to protect ground water quality in the P-

suffix amendment are to restrict the types of uses allowed on the site, and to require all uses to manage their contaminants.

B. Policy Analysis

1. Snoqualmie Valley Community Plan

The Snoqualmie Valley Community Plan addresses the area around the Tanner Mill site. The policies that apply to this proposal are given below.

SQP 57 Until expansion areas are annexed, zoning for the expansion area shall be Growth Reserve at 2.5, or 5 acre densities with the exception of the existing commercial/industrial area in the SE North Bend Way Expansion Area, and the existing industrial area in the Snoqualmie Expansion Area.

Relevance:

This policy acknowledges the existing commercial/industrial uses in the SE North Bend Way expansion area and their right to continue to exist.

SQP 82 Commercial and Light Industrial land uses are appropriate along Southeast North Bend Way subject to special development conditions to mitigate impacts.

Relevance:

The proposed rezone and plan amendment will allow light industrial uses along SE North Bend Way, while providing enhanced P-suffix conditions to mitigate development impacts not currently mitigated by existing regulations.

SQP 84 The area between Tanner and the Edgewick interchange, south of Southeast 140th and north of I-90, is appropriate for non-retail commercial and light industrial land uses. Commercial and light industrial uses shall be limited to uses that do not require sewers, do not impact ground water and are related to resource-based shipping, distributing and trucking-related industrial development.

Relevance:

According to King County Planning and Community Development Division staff, this policy was intended to address all of the Tanner and Edgewick industrial area, including the subject site. If applied to this parcel, it would exclude many potential uses which have been proposed for the site, including the service center and some employment park uses. The proposed amendment would modify this policy and include the Tanner Mill site explicitly.

SQP 97 All land uses along the I-90 corridor should be sited, designed and landscaped to preserve its scenic nature.

Relevance:

A portion of the parcel fronts Interstate 90. Landscaping requirements along I-90 are given in the King County Zoning Code and future development will have to meet these standards. The parcel has some existing development on it that predates this policy.

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SQP 133 New development shall provide all on-site transportation improvements, and may be required to pay a fair-share for off-site improvements which are necessary to mitigate the impacts of the development.

Relevance:

Questions were raised at the public meeting about street improvements, such as a signal and improvements to SE Tanner Road, and who would pay for those. Any new development proposed will be evaluated in a project-level review to determine what improvements are needed.

2. King County Comprehensive Plan, 1994

The King County Comprehensive Plan, prepared in response to the Growth Management Act requirements, was adopted by the King County Council on November 18, 1994 and signed by the County Executive on November 28, 1994. The new plan goes into effect ten days after the County Executive signs it. The subject parcel is within the plan's urban growth area surrounding the City of North Bend. The following Comprehensive Plan policies are applicable to this proposal.

R-301 Rural cities and their agreed-upon Urban Growth Areas shall be considered part of the Urban Growth Area for purposes of planning land uses and facilities needs. King County should work with rural cities to plan for growth consistent with long-term protection of significant historic resources, the surrounding Rural Areas and Natural Resource Lands.

Relevance:

The site is located in the agreed upon urban growth area for the City of North Bend so it is considered as part of the urban growth area for land use planning purposes.

U-612 Within the UGA but outside Unincorporated Activity Centers, properties with existing industrial uses shall be protected. The County may use tools such as special district overlays to identify them for property owners and residents of surrounding neighborhoods.

Relevance:

This site is within the UGA but outside of Unincorporated Activity Centers and has an existing industrial land use. The proposed plan amendment and rezone will protect that use, while allowing for more uses than are currently allowed, including research and development, and finance and other service related businesses.

checklist only

U-614 Industrial development should have direct access from arterials or freeways. Access points should be combined and limited in number to allow smooth traffic flow on arterials. Access through residential areas should be avoided.

Relevance:

The subject parcel has access to SE Tanner Road and from there to SE North Bend Way. A proposed development condition is to restrict vehicular ingress and egress to SE Tanner Road and SE North Bend Way, thereby avoiding industrial traffic in the residential area along SE 136th Street.

- U-631** King County's zoning and other development regulations for commercial, retail and industrial developments should foster community, create enjoyable outdoor areas and balance needs of automobile movement with pedestrian and bicycle mobility and comfort. The commercial/industrial development should provide the following improvements:
- a. Paved streets;
 - b. Sidewalks and bicycle lanes in commercial and retail areas;
 - c. Adequate parking for employees and business users;
 - d. Landscaping along or within streets, sidewalks and parking areas to provide an attractive appearance;
 - e. Adequate storm water control, including curbs, gutters and stormwater retention facilities;
 - f. Public water supply;
 - g. Public sewers, and
 - h. Controlled traffic access to arterials and intersections.

Relevance:

King County zoning and development regulations currently regulate the above aspects of development proposals. Any proposed development will have to meet King County development regulations.

- ED-402** King County should explore the feasibility of using incentives to achieve redevelopment and infill. In industrially zoned areas, policies and incentives should support basic industries, and recognize the need for buffer areas from incompatible adjacent uses.

Relevance:

The proposed plan amendment and rezone would support basic industries and would recognize the need to buffer this use from the adjacent residential uses.

- NE-302** Development should occur in a manner that supports continued ecological and hydrologic functioning of water resources, by preventing unmitigated significant adverse impacts.

- NE-331** In unincorporated King County, areas identified as sole source aquifers or as areas with high susceptibility for ground water contamination where aquifers are used for potable water are designated as Critical Aquifer Recharge Areas as shown on the map, entitled Areas Highly Susceptible to Ground Water Contamination. Since this map focuses primarily on water quality issues, the county shall work in conjunction with cities and ground water purveyors to designate and map recharge areas which address ground water quantity concerns as new information from ground water and wellhead protection studies adopted by county or state agencies becomes available. Updating and refining the map shall be an ongoing process.

- NE-333** King County should protect ground water recharge quantity in the Urban Growth Area by promoting methods that infiltrate runoff where site conditions permit, except where potential ground water contamination

cannot be prevented by pollution source controls and stormwater pretreatment.

NE-334 In making future zoning and land use decisions which are subject to environmental review, King County shall evaluate and monitor ground water policies, their implementation costs, and the impacts upon the quantity and quality of ground water. The depletion or degradation of aquifers needed for potable water supplies should be avoided or mitigated, and the need to plan and develop feasible and equivalent replacement sources to compensate for the potential loss of water supplies should be considered.

Relevance:

This site is designated as an area highly susceptible to ground water contamination in the newly adopted King County Comprehensive Plan. Because uses on the site have the potential to pollute wells in the area which are used for potable water, P-suffix conditions recommended as part of this proposed plan amendment and rezone require uses on the site to be restricted and where existing regulations would not adequately protect ground water, contaminants will have to be monitored to protect ground water quality. Development proposed subsequent to this plan amendment and rezone will be required to meet the requirements of the King County Surface Water Design Manual. The manual addresses disposal of storm water on the site.

3. Applicable Functional Plans

This is a non-project action involving the adoption of an amendment to the Snoqualmie Valley Community Plan and Area Zoning. Any development proposed for the site as a result of approval of the rezone request will be subject to project-level environmental review and compliance with all applicable King County Codes which regulate development.

The King County Surface Water Design Manual addresses disposal of storm water and it will apply to development on this site.

The Sensitive Areas Ordinance addresses wetlands, among other sensitive areas. These regulations are included in Title 21A, the Zoning Code. Any proposed modifications of wetlands on the site will have to address all applicable King County codes.

King County Road Standards cover improvements needed for any development proposals. Any proposed development must comply with the Road Standards provisions.

4. Plans of Other Jurisdictions

This site is within the City of North Bend's urban growth area. The North Bend Area Community Plan, dated 1978, is the most recently adopted plan. This plan included the Tanner Mill site in its study area, but at that point did not anticipate annexation of that area. Several draft comprehensive plans have been prepared since then, but none have been adopted. These all include the Tanner Mill site in the Urban Growth Area. Currently, the proposed land use designation for the Tanner Mill site is Employment Park. As currently envisioned:

The Employment Park designation includes areas where the major future employment growth for North Bend will occur. This designation provides for development of large and small business with support services to meet the 20-year, 2,050 job target identified for North Bend by the Growth Management Planning Council. An important consideration for the new development regulations which follow the adoption of this Plan is the need for parcels of sufficient size, with few contamination issues or limitations from existing development, which can provide

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efficient use of land to meet job targets. Activities promoted in this designation could include indoor fabrication, research and development, finance and other service related businesses, and distribution facilities. Typical heavier industrial uses will be accommodated here as well. Retail sales as a principal use will not be permitted. (from City of North Bend's staff draft comprehensive plan, dated November 17, 1994)

In March 1994, the City of North Bend received a Notice of Intent to Commence Annexation Proceedings from property owners in an area that includes the subject parcel. The annexation petition has not moved further than the North Bend Planning Commission due to concerns that the City's comprehensive plan should be completed before a decision is made on the petition.

III. OTHER CONSIDERATIONS

A. Summary of Comments from Public Meeting

King County Planning and Community Development Division held a community meeting on Monday, November 14, 1994 at 7:00 p.m. at the Mount Si Senior Center in North Bend to present the proposal and solicit comments. The County's consultant made a presentation, and Puget Power representatives were present to answer questions on their proposed service center. The City of North Bend's Community Development Department staff was unable to be represented due to other commitments. Over a dozen members of the public attended this meeting. Their main concerns centered on the uses allowed and the impacts on the surrounding neighborhood. Several people wanted to make sure that Puget Power was indeed going to be the entity to use the property and that they were going to construct their service center as proposed. Meeting participants seemed concerned that the use on the site not be one with excessive noise, traffic, pollution, dust, glare or other adverse impacts. Those expressing an opinion unanimously did not want heavy truck traffic on SE 136th Street, which is currently a residential road. There was also a concern about Puget Power's proposed use increasing traffic and congestion on SE Tanner Road and the area.

The property owners on the south side of SE 136th Street have enjoyed having a buffer of evergreen trees approximately one hundred feet in depth which is actually the private property of Puget Power and the strip currently zoned RA 2.5. Some thought that a fifty foot buffer would not be enough. They were concerned that some buffer be specified. Meeting participants also expressed concern that any storm water from the site be dealt with on the site and not dumped on their property. Several questions came up about the height of both the buildings and the storage of materials and Puget Power's proposed heights seemed to satisfy members of the audience. One participant was concerned about the hours of operation on the site, especially with regard to noise.

B. Letters and Comments received from Agencies/Public

No letters have been received thus far.

Three phone calls have been received from neighbors stating their concern that heavy industrial uses in general would have too many negative impacts, but that perhaps light industrial uses would be acceptable. They were also concerned that the buffer along SE 136th Street be maintained at a minimum of one hundred feet.

Donna Datsko, North Bend's Community Development Director, provided some information about the proposed Employment Park designation at a meeting on November 9, 1994. She also provided a rough draft of the Employment Park land use and zoning designation on November 28, 1994.

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One Party-of-Record response was received from Mr. Jeffrey Fowler, 13614 - 439th Avenue SE, North Bend, Washington 98045.

C. SEPA

The Planning and Community Development Division prepared an environmental checklist and published a Mitigated Determination of Non-Significance on November 29, 1994 (see Attachment E). It concluded that after considering the Mitigation List (see section V.2.a. through e.), the rezone and plan amendment had no probable significant adverse environmental impact.

IV. CONCLUSIONS

A. Plan Amendment

1. Discussion Based on Site and Policy Analysis

The proposed Industrial designation on the 4.88 acre property currently designated Rural in the Snoqualmie Valley Community Plan is supported by site and policy analysis. The Industrial land use designation is appropriate due to this site's physical characteristics, its proximity to Industrial-designated land, and its history. The newly adopted King County Comprehensive Plan has placed the entire Tanner Mill site, including this strip, in an Industrial land use designation. Therefore, this proposed plan amendment would make the Snoqualmie Valley Community Plan consistent with the adopted Comprehensive Plan.

The proposed amendment to policy SQP 84 also is supported by site and policy analysis. The first proposed change to the policy would explicitly include the Tanner Mill site and other industrial properties south of SE North Bend Way in the existing policy SQP 84. The policy was originally intended to include this area, but as currently worded does not clearly do so. The second change is to delete reference to sewers, since the City of North Bend is considering annexation of the area and a local improvement district has been proposed. The third change is to modify the types of uses allowed to delete the reference to resource-based uses and to include uses consistent with the City of North Bend's definition of Employment Park. The area between Tanner and Edgewick interchanges has long been used for distribution and industrial uses, and possesses the physical characteristics, services, utilities, and transportation facilities suitable for these uses. The revision is consistent with a decline in resource-based uses, and a need for employment in the area.

2. Discussion of Criteria for Amending KCCP

No changes are required to the Comprehensive Plan. The newly adopted King County Comprehensive Plan places the site in the City of North Bend's Urban Growth Area and designates the entire site as Industrial.

B. Zone Change

1. Discussion Based on Site and Policy Analysis

The analysis of the site supports the proposed rezone. The strip of property in question was among excess right-of-way properties vacated and sold by the Washington Department of Transportation around 1981. Routinely, such right-of-way is sold to adjacent property owners and is given the zone classifications of these adjacent properties. Although this happened to other excess right-of-way in the vicinity, this one strip was assigned the zone of the property across the street. The vacated right-of-way adjacent to the mill site was purchased by the mill owner just a few weeks prior to the mill site rezone hearing in 1981; because the owner assumed that the parcel

would be zoned like the balance of the mill site, he did not try to delay the hearing process to include this strip of land. This anomaly of zoning appears to have gone unnoticed at the time, and again through the Snoqualmie Valley Community Plan and Area Zoning process. The strip of land is suitable to be zoned like the larger industrial site because of its proximity to the site, and its similar physical characteristics to the larger site. If the zoning is changed, conditions should be considered to mitigate potential impacts on the surrounding residential neighborhood.

The proposed P-suffix condition changes would mitigate potential impacts not already addressed through existing King County codes. The site is level, has been used for heavy industrial (lumber mill) uses, and is served by most services and utilities. Most of the site currently is zoned for Industrial uses. The site has access to a major arterial and is near to Interstate 90. The site also fronts on SE 136th Street, which is inappropriate for industrial traffic, and is addressed in the proposed P-suffix conditions. The site has few sensitive areas, and most of these have already been degraded by the industrial use and the freeway. The site is in an area susceptible to ground water contamination, so the P-suffix conditions limit the types of uses allowed and require the management of contaminants. The site also is adjacent to a residential neighborhood, and a buffer to the residential use is assured by a P-suffix condition.

Project-specific development impacts would be addressed at the time of project-level review by these proposed P-suffix conditions, and by existing King County codes regulating development.

Existing County policies also support the proposed zone change and change in P-suffix conditions. Policies in the King County Comprehensive Plan encourage the protection of industrially-zoned land, and the expansion of industrial uses when appropriate. The newly adopted Comprehensive Plan also designates the property Industrial. The proposed rezone site was purchased to expand the Tanner Mill site; the zone change would give the strip the same zoning as the rest of the site and allow for the logical expansion of the industrially-zoned area. Comprehensive Plan policies also address the need to mitigate impacts that may be caused by adjacent incompatible uses. The proposed P-suffix condition requiring a landscaped buffer adjacent to the residential neighborhood would assure that the industrially-zoned site will continue to be buffered from the residential uses. Restricting access from the industrially-zoned site to SE 136th Street would also protect the residential neighborhood from adverse impacts. The Community Plan acknowledges the existence of commercial and industrial uses along SE North Bend Way, and provides for their continuation provided impacts are mitigated. The proposed zone change with revised P-suffix conditions will allow for the 4.88 acre parcel to be included in the overall site plan prepared by the new owners of the Tanner Mill site, without unduly impacting adjacent residential uses.

2. Discussion of How Change Meets Criteria of KCC 20.24.190

20.24.190 Additional examiner findings - Reclassifications and shoreline redesignations. *When the examiner issues a recommendation regarding an application for a reclassification of property or for a shoreline environment redesignation, the recommendation shall include additional findings which support the conclusion that at least one of the following circumstances applies:*

A. *The property is potentially zoned for the reclassification being requested and conditions have been met which indicate the reclassification is appropriate; or*

B. *An adopted community plan or area zoning specifies that the property shall be subsequently considered through an individual reclassification application; or*

C. *Where a community plan has been adopted but subsequent area zoning has not been adopted, that the proposed reclassification or shoreline redesignation is consistent with the adopted community plan; or*

D. *The applicant has demonstrated with substantial evidence that:*

1. *Since the last previous area zoning or shoreline environment designation of the subject property, authorized public improvements, permitted private development or other conditions or*

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circumstances affecting the subject property have undergone substantial and material change not anticipated or contemplated in the community plan or area zoning;

2. The impacts from the changed conditions or circumstances affect the subject property in a manner and to a degree different than other properties in the vicinity such that area rezoning or redesignation is not appropriate; and

3. The requested reclassification or redesignation is required in the public interest. (Ord. 4461 § 10, 1979).

Circumstance D applies to this site. The subject property was part of an excess right-of-way sale by the Washington Department of Transportation around 1981. Most of the right-of-way was sold to adjacent property owners and given the zoning of those adjacent properties. This one strip of property was treated differently, being given the RA zoning of the property across the street. The right-of-way was purchased just a few weeks prior to the Tanner Mill rezone hearing in 1981 (from G and C-G to I-P); because the mill owner assumed the right-of-way parcel had been assigned the zoning of his larger site, he did not try to delay the hearing process to include this strip of land. This zoning anomaly appears to have gone unnoticed at the time, and again through the Snoqualmie Valley Community Plan and Area Zoning process. Since the Community Plan was adopted, the Tanner Mill site has been sold and the new owners have discovered and questioned this zoning anomaly.

This proposed rezone is applicable only to the strip of the Tanner Mill site zoned RA 2.5, since other vacated right-of-way in the area seems to have taken on the proper adjacent zone classification.

Because the entire Tanner Mill site is held in one ownership and the majority of the property is zoned for Industrial, and the excess state right-of-way was purchased to allow additional space for the industrial use, it is reasonable to rezone the excess state right-of-way to Industrial with the same P-suffix conditions as the larger parcel. This will be in the public interest to allow more room for industrial uses as long as certain conditions restricting the uses, providing for buffers, restricting access on SE 136th Street and others are addressed. It is also consistent with the King County Comprehensive Plan.

V. RECOMMENDATIONS

Based on the preceding history and analysis, the recommended action is to approve the following with conditions as proposed:

1. Amend the Snoqualmie Valley Community Plan and Area Zoning and the King County Code Title 21A, Zoning, to redesignate a strip of the parcel known as the Tanner Mill Site which abuts SE 136th Street and is currently zoned Rural Area, RA 2.5, (see Attachment F, Legal Description of Portion Zoned RA 2.5) from RA 2.5 to I-P, Industrial with P-suffix conditions. (See Proposed Zoning/Land Use Map, Attachment G)
2. Amend the Snoqualmie Valley Community Plan and Area Zoning and the King County Code Title 21A, Zoning, to amend the existing P-suffix conditions on the Tanner Mill site (see Legal Description of the Tanner Mill Site, Attachment H) from those passed by Ordinance Number 5744, Building and Land Development Division Number 112-79-R and listed in Attachment B, to the following:

Post-effective Conditions:

- a. Uses on the subject property shall be limited to:

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i. log storage and moorage, sawmills, shingle mills, lumber mills, and accessory uses;

ii. utility service center; and

iii. Employment Park uses, such as light manufacturing, indoor fabrication, distribution, research and development, finance and other service related business. Heavy industrial uses may be allowed with additional review.

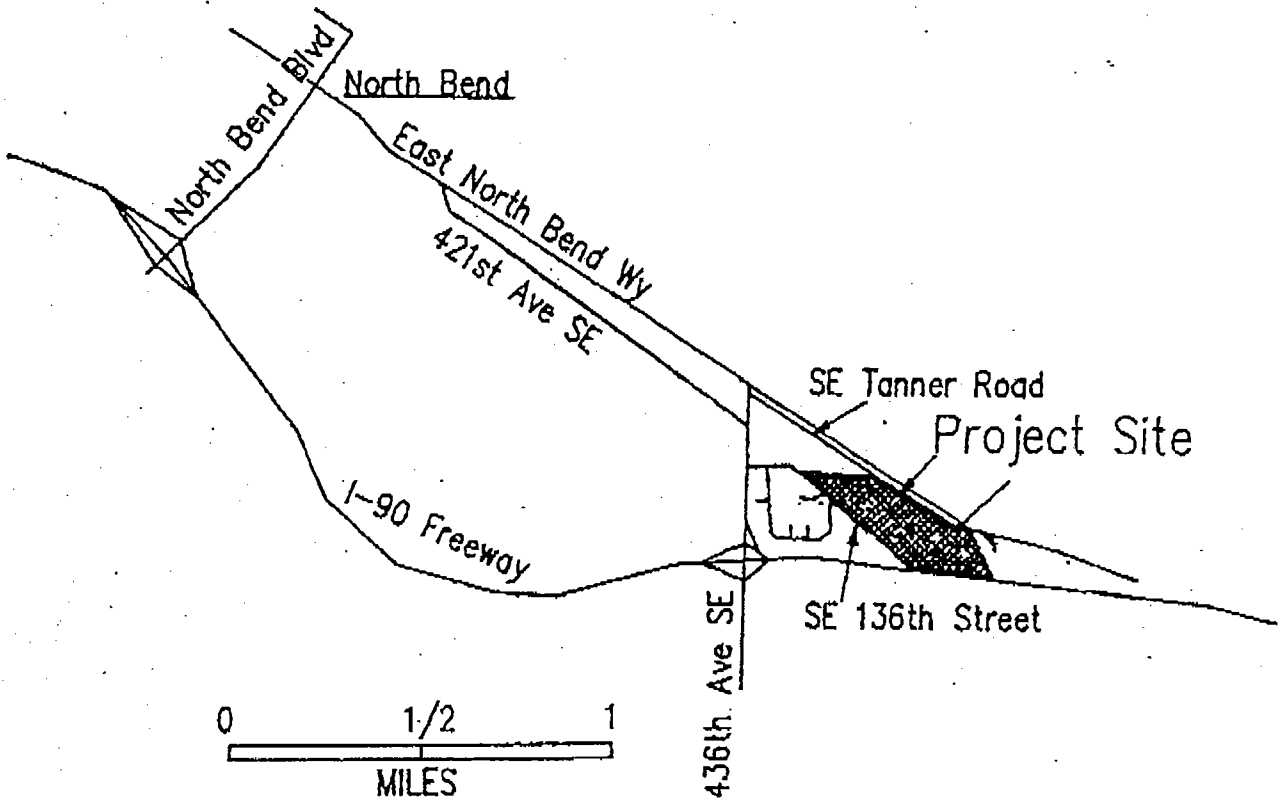
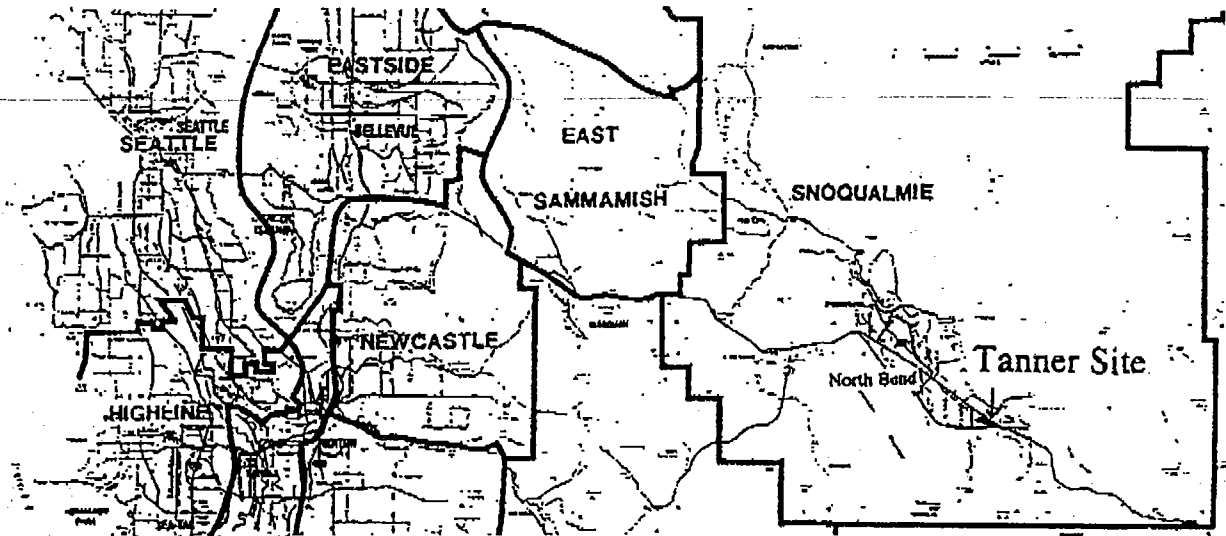
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- b. Ingress and egress to the subject property shall be by way of Southeast Tanner Road and Southeast North Bend Way only.
- c. Consistent with the Snoqualmie Valley Area Zoning for the "existing commercial/industrial area of Southeast North Bend Way" (page 36), there shall be a 50 foot "full screen" type buffer maintained along all portions of the property adjacent to residential uses. Landscaping shall also be required along all county roads and portions of the property abutting State right-of-way.
- d. A bond shall be required to insure landscaping as required in Condition C above. The amount of said bond shall be set by the Department of Development and Environmental Services.
- e. As part of any specific development proposal, particular attention shall be paid to protecting ground water quality around the subject property. Where existing federal, state, and local regulations would not adequately protect ground water quality, specific conditions should be imposed at the time of permit approval requiring management of contaminants to protect ground water quality.
3. Amend the Snoqualmie Valley Community Plan and Area Zoning to modify policy SQP 84 as follows:

SQP 84 The area between Tanner and the Edgewick interchange, south of Southeast 140th and north of I-90, including the Tanner Mill site and other industrial properties south of Southeast North Bend Way, is appropriate for non-retail commercial and light industrial land uses. Commercial and light industrial uses shall be limited to uses that do not require sewers, do not impact ground water, and are related to resource-based shipping, distributing and trucking-related industrial development, or are consistent with the City of North Bend's definition of Employment Park.

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Attachment A



Source: Putnam Architects,
King County Comprehensive Plan

VICINITY/LOCATION MAP
TANNER MILL SITE
PLAN AMENDMENT/REZONE STUDY

Attachment B

Prior

Existing P-Suffix Conditions
King County Ordinance No. 5744
Passed in 1981, File 112-79-R.

Pre-Ordinance:

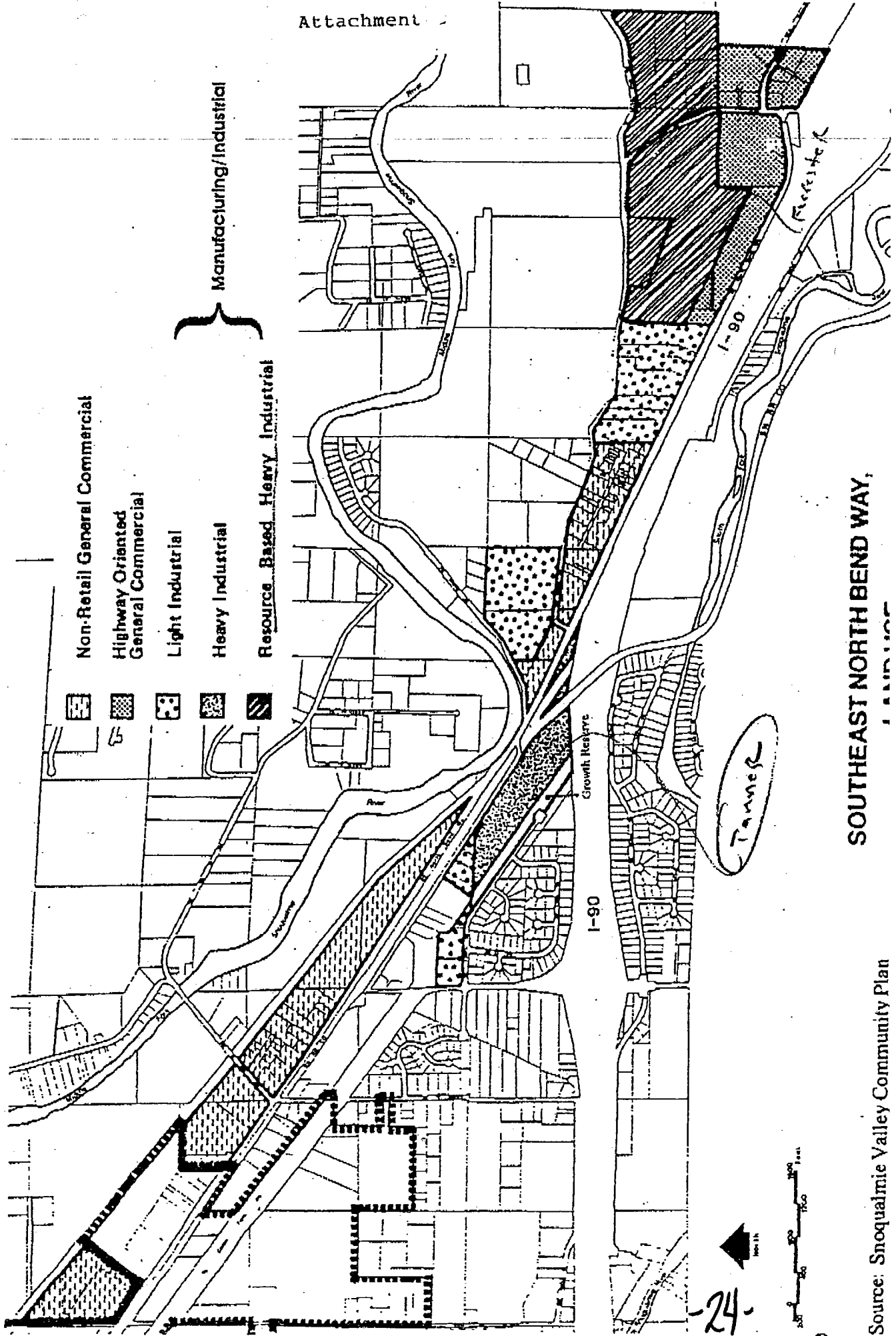
1. The applicant shall provide assurances that adequate water service can be provided to the subject property, in compliance with King County Ordinance 3087, subject to the approval of the Building and Land Development Division. The applicant shall complete this certification within 24 months of Council action on this application.

Post-Ordinance:

2. Site plans shall be submitted in accordance with King County Code Section 21.46.150 - 200 at the time of application for building permits. Landscaping shall be required along all county roads and the portions of the property abutting State right-of-way and residential properties. Careful attention shall be given to landscaping around areas used for log storage as well as other manufacturing activities.
3. The uses on the subject property shall be limited as follows:
 - a. Parcels 1 and 2 to log storage and moorage (King County Code 21.36.020 (43)) and saw mills, and shingle mills and lumber mills (King County Code 21.36.020 (75)), wood planing mill (King County Code Section 21.36.020 (89)) and accessory uses as follows:
 1. Circle head saw.
 2. Planer.
 3. Log truck deliveries and lumber shipments.
 4. Yard equipment usage such as rubber tire forklift, log stacker and crawler tractor.
 5. Two resaws.
 - b. Parcel 3 to truck repairing and rental (King County Code 21.32.030 (55)) and truck parking (limit 12).
4. A bond shall be required to insure landscaping as required in condition No. 1 above. The amount of said bond shall be set by the Building and Land Development Division.
5. Ingress and egress to the subject property shall be reviewed by the Division of Traffic and Planning at the time building permits are applied for, and points of access may be limited. The Division of Traffic and Planning may also restrict the use of Southeast Tanner Road by vehicles exceeding specified weights. Use of Southeast 136th Street for access to and from the subject property may also be restricted.

old

Attachment



- Non-Retail General Commercial
- Highway Oriented General Commercial
- Light Industrial
- Heavy Industrial
- Resource Based Heavy Industrial
- Manufacturing/Industrial

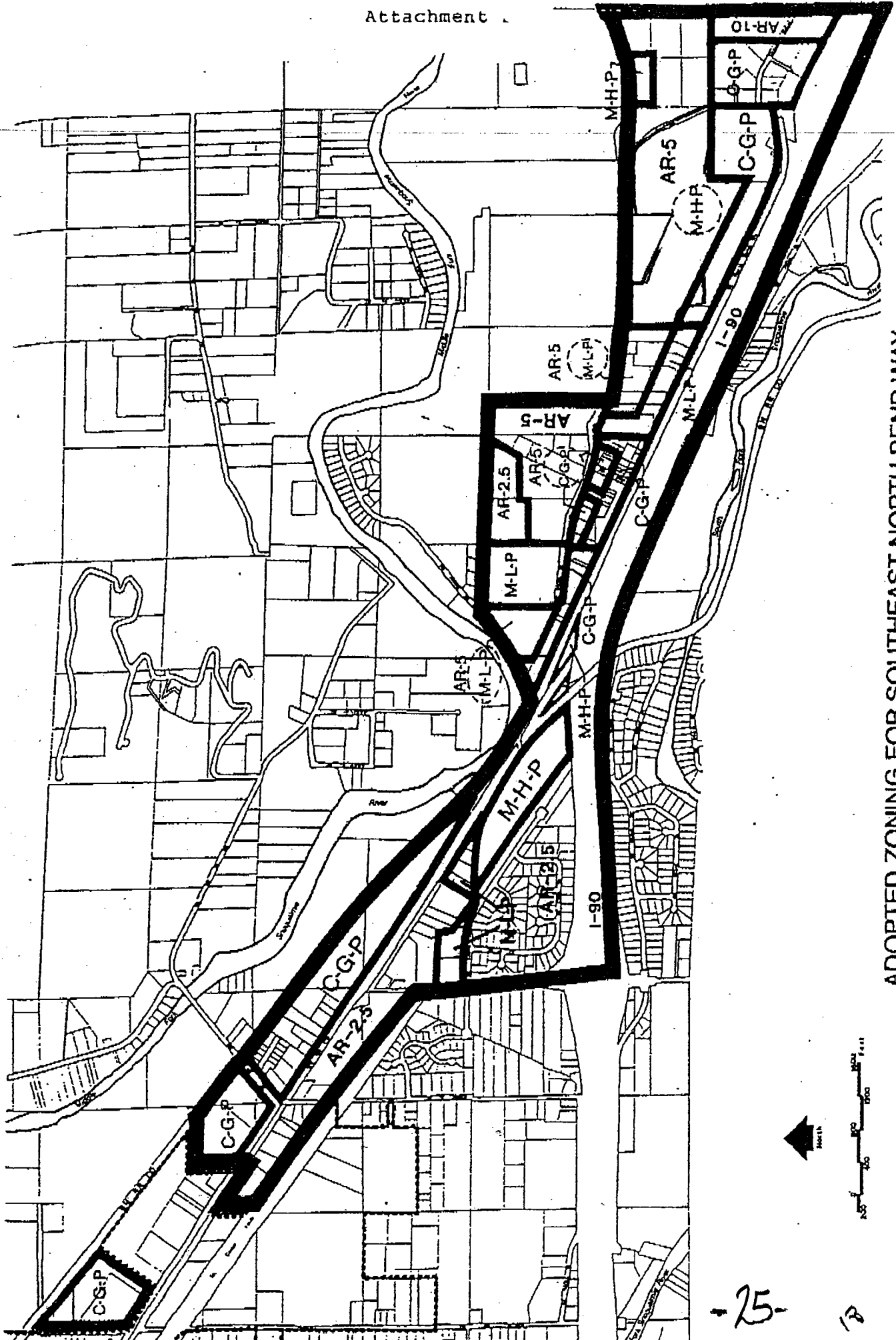
SOUTHEAST NORTH BEND WAY, TANNER

Source: Snoqualmie Valley Community Plan

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Attachment



ADOPTED ZONING FOR SOUTHEAST NORTH BEND WAY

Source: Snoqualmie Valley Community Plan Area Zoning

ATTACHMENT 3

KING COUNTY
ENVIRONMENTAL CHECKLIST

A. Background:

1. Name of proposed project, if applicable:

Snoqualmie Valley Community Plan and Area Zoning Amendment
(Tanner Mill Site)

2. Name of Applicant:

King County Planning and Community Development Division

3. Address and phone number of applicant and contact person:

Jan Briggs
King County Planning and Community Development Division
707 Smith Tower Building
506 - 2nd Avenue
Seattle, Washington 98104
Telephone: (206) 296-8608

4. Date checklist prepared:

November 15, 1994

5. Agency requesting checklist:

King County

6. Proposed timing or schedule:

Public hearing before the King County Zoning and Subdivision
Examiner on December 20, 1994

7. Do you have any plans for future additions, expansions, or further activity related to or connected with this proposal? If yes, explain:

If the P-suffix conditions are amended to allow uses other than
lumber mills, then the property owner, Puget Sound Power & Light
Company (Puget Power), has plans to use the site as a service
center. The service center use would include business and
engineering offices, a pole yard, indoor/outdoor equipment
storage space, and a communications tower.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal:

The following environmental information has been prepared in
connection with Puget Power's plans to build a service center on
the site:

- Final Wetland Report, Parametrix, March 1992 (Attachment A)
- Wetland Report Addendum, Parametrix, November 1992 (Attachment B)

Snoqualmie Valley Community Plan and Area Zoning Amendment Environmental Checklist
page 2

- King County Pre-Application Wetland Review, File No. T9200096, August 28, 1992 (Attachment C)
- Report of Geoenvironmental Services, Environmental Site Assessment, GeoEngineers, March 20, 1992 (Attachment D)
- North Bend Service Center Traffic Impact Analysis, Transportation Solutions Inc., March 11, 1994

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain:

Puget Power has submitted a commercial building permit application, King County file number B93C0231, an associated environmental checklist, and other requests in connection with their North Bend Service Center.

The City of North Bend is currently preparing an updated comprehensive plan in compliance with the requirements of the Washington State Growth Management Act (GMA). The property covered by this proposal is within the urban growth area jointly established by the City and King County for North Bend.

The City of North Bend has also received a Notice of Intent to Commence Annexation Proceedings from property owners in an area which includes the property covered by this proposal.

10. List any governmental approvals or permits that will be needed for your proposal, if known:

Adoption of an amendment to the Snoqualmie Valley Community Plan and Area Zoning and the King County Comprehensive Plan Map and Area Zoning and an amendment to the King County Comprehensive Plan by the King County Council.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. (There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.)

The proposal is to amend the King County Comprehensive Plan Map for a portion of the site from Rural to Industrial and amend the Snoqualmie Valley Community Plan and Area Zoning and the King County Code Title 21, Zoning, to amend the P-Suffix conditions attached to this site which currently restrict use of the site to a lumber mill and related uses. The site has not been used as a lumber mill for several years. The proposal also includes rezoning a small portion of the site, adjacent to the southwest property line, from its current designation of AR-2.5, to match the zoning on the remainder of the site (currently I-P).

Puget Power has purchased the property with the intent to develop a service center on the site. This use would include offices, a pole yard, indoor/outdoor storage and a communications tower.

The site is within the City of North Bend's Urban Growth Area and the City's draft comprehensive plan designates the site as

Snoqualmie Valley Community Plan and Area Zoning Amendment Environmental Checklist
page 3

an Employment Park. This use would provide employment with a minimum of adverse impacts.

Note that the three actions listed above, this proposal, Puget Power's proposed service center, and North Bend's comprehensive plan all have separate SEPA reviews.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The project site is located at 44429 SE Tanner Road, east of the City of North Bend, in unincorporated King County (southwest 1/4 of Section 14, Township 23N, Range 8E). A complete legal description of the site is attached (Attachment E).

B. Environmental Elements:

1. Earth

a. General description of site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

b. What is the steepest slope on the site (approximate percent slope)?

Slopes on the site are typically between one and five percent.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

The Soil Conservation Service has mapped most of the site as Everett Gravelly Sandy Loam and a small area along the southern property boundary as Si Silt Loam.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

There are no indications or known history of unstable soils at the project site.

e. Describe the purpose, type and approximate quantities of any filling or grading proposed. Indicate source of fill:

This question is not applicable. The plan amendment and rezone do not propose any filling or grading. Any proposed filling or grading of the site will be reviewed on a project level. Currently, Puget Power has proposed to use this site as their North Bend Service Center, pending this change. The impacts of their proposal are being considered under their commercial building permit, King County file number B93C0231, and the associated SEPA review.

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f. Could erosion occur as a result of clearing, construction or use? If so, generally describe.

Not applicable, see item 1.e. above.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Not applicable, see item 1.e. above.

h. Proposed measures to reduce or control erosion or other impacts to the earth, if any:

Not applicable, see item 1.e. above.

2. Air

a. What type of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial, wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

This question is not applicable. The plan amendment and rezone would not result directly in emissions to the air. Project-related emissions will be evaluated with specific project proposals.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

There are no known sources of emissions or odor that may affect the proposal.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Not applicable, see item 2.a. above.

3. Water

a. Surface:

1. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

According to the Final Wetland Report (Attachment A), the Wetland Report Addendum (Attachment B), and the King County Pre-Application Wetland Review (Attachment C), a Class 3 wetland approximately 1/4-acre in size has been delineated along the east property boundary. Approximately 500 square feet of the wetland lies on the subject property. There are also two small isolated Class 3 wetlands located in and adjacent to the proposed outdoor storage area. These two isolated wetlands have areas of 2,208 square feet and 2,334 square feet respectively.

At its closest point, the Middle Fork of the Snoqualmie River is approximately 160 feet north of the site. At its closest point, the South Fork of the Snoqualmie River is approximately 1030 feet south of the site.

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ground. Any proposed project following this amendment will have its waste material disposal method evaluated.

Improper waste disposal on the site could impact groundwater quality. The Report of Geoenvironmental Services, Environmental Site Assessment, prepared for Puget Power notes that 49 wells under 65 feet in depth and seven deeper wells are located within a one-mile radius of the site. They conclude that "The ground water aquifer beneath the site flows toward a residential area with a substantial number of private water supply wells. Future development of the site would have to take into consideration that there is a heavily used drinking water supply aquifer beneath the site:" (page 13, Attachment D) Where existing federal, state, and local regulations would not adequately protect groundwater quality, specific conditions should be imposed at the time of permit approval requiring management of contaminants to protect ground water quality.

c. Water Runoff (including storm water):

1. Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

This question is not applicable. The plan amendment and rezone would not affect runoff. Any proposed runoff impacts will be evaluated under subsequent project review.

2. Could waste materials enter ground or surface waters? If so, generally describe.

This question is not applicable. The plan amendment and rezone would not result in waste materials entering ground or surface waters. Any proposed ground or surface water impacts will be evaluated under subsequent project review.

d. Proposed measures to reduce or control surface, ground or runoff water impacts, if any:

This question is not applicable, see items under 3.b. and c. above. However, where existing regulations would not adequately protect groundwater quality, a groundwater plan, monitoring and remediation should be required.

4. Plants

a. Check the types of vegetation found on the site:

deciduous tree: ~~alder~~, maple, aspen, other: cottonwood, willow

evergreen tree: fir, cedar, pine, other

shrubs

grass

pasture

crop or grain

wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other

water plants: water lily, eelgrass, milfoil, other

other types of vegetation

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2. Will the project require any work over, in or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

This question is not applicable. The plan amendment and rezone would not require any work over, in or adjacent to the described waters. Any proposed work around the described waters will be evaluated as part of subsequent project appraisals.

3. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

This question is not applicable. The plan amendment and rezone would not place any fill or dredge materials in or remove them from surface waters or wetlands. Any proposed work will be evaluated under subsequent project review.

4. Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

This question is not applicable. The plan amendment and rezone would not require any surface water withdrawals or diversions.

5. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

Most of the site lies outside of the detailed study area of the federal Flood Insurance Rate Maps. The portion of the site shown on those maps is not located in the 100-year floodplain.

6. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

This question is not applicable. The plan amendment and rezone would not involve any discharge of waste materials to surface waters. Any proposed discharges would be evaluated under subsequent project review.

b. Ground

1. Will groundwater be withdrawn or will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

This question is not applicable. The plan amendment and rezone would not result in groundwater being withdrawn or water being discharged into groundwater. Any proposed groundwater impacts will be evaluated under subsequent project review.

2. Describe waste material that will be discharged into the ground for septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

This question is not applicable. The plan amendment and rezone would not result in waste materials being discharged into the

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b. What kind and amount of vegetation will be removed or altered?

No vegetation will be removed or altered directly as a result of this plan amendment and zone change. Landscaping is addressed under the current regulations for the portion of the site zoned M-R and covered by the P-suffix conditions. These existing P-suffix conditions require landscaping along all county roads and the portions of the property abutting State right-of-way and residential properties. Careful attention is to be given to landscaping around areas used for log storage as well as other manufacturing activities. A bond to insure landscaping is also required. No such restrictions apply to the portion of the site currently zoned A-R 2.5.

c. List threatened or endangered species known to be on or near the site:

No threatened or endangered species are known to be on the site.

d. Proposed landscaping, use of native plants or other measures to preserve or enhance vegetation on the site, if any:

Current zoning regulations require a landscape buffer on property zoned M adjacent to a freeway. The zoning code requires no landscaping between M-zoned property and Rural-zoned property. The property to the southwest of this site is zoned Rural, but is built as residential. Where existing regulations would not require adequate buffers, such buffers should be required.

5. Animals

a. Circle any birds and animals that have been observed on or near the site or are known to be on or near the site:

- birds: hawk, heron, eagle, songbirds, other:
- mammals: deer, bear, elk, beaver, other:
- fish: bass, salmon, trout, herring, shellfish, other:

b. List any threatened or endangered species known to be on or near the site.

No threatened or endangered species are known to be on or near the site.

c. Is the site part of a migration route? If so, explain.

No.

d. Proposed measures to preserve or enhance wildlife, if any:

This question is not applicable. The plan amendment and rezone do not impact wildlife. Any measures to preserve or enhance wildlife will be reviewed under subsequent project evaluation.

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6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing etc.

This question is not applicable. The plan amendment and rezone will not generate additional need for energy. Any proposed energy requirements will be evaluated under subsequent project review.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

This question is not applicable. The plan amendment and rezone will not affect the potential use of solar energy by adjacent properties. Any impacts to nearby solar energy use will be evaluated under subsequent project review.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

This question is not applicable, see item 6.a. above.

7. Environmental Health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

The additional uses that would be allowed on the site under the proposed P-suffix conditions could include the storage of wood preservatives used on power poles and the short-term storage of transformers which contained PCBs on the site. These transformers would only be on the site between their being taken out of use in the service center area and being picked up weekly to be transferred to a central disposal area. Specific hazards will be evaluated under subsequent project review.

1. Describe special emergency services that might be required.

None.

2. Proposed measures to reduce or control environmental health hazards, if any:

Run-off from the site should be treated to reduce any hazard to environmental health. Specific proposals will be evaluated under subsequent project review.

b. Noise

1. What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

None.

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2. What types and levels of noise would be created by or associated with the project on a short term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

This question is not applicable. The plan amendment and rezone will not result in noise disturbances. Any proposed noise impacts will be evaluated under subsequent project review.

3. Proposed measures to reduce or control noise impacts, if any:

This question is not applicable, see item 7.b.2. above.

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties?

Currently the site is vacant; it was used as a lumber mill for many years. To the north, the site fronts on SE Tanner Road. Running parallel to SE Tanner Road is an abandoned railroad right-of-way and just north of that is SE North Bend Way, with the Middle Fork Snoqualmie River beyond. To the west the property fronts a light manufacturing district with residential uses beyond. To the east is Interstate 90 and more abandoned railroad right-of-ways, and a log truck business. To the south the property fronts SE 136th Street. Across this street is a single-family residential area (zoned AR-2.5).

b. Has the site been used for agriculture? If so, describe.

No.

c. Describe any structures on the site.

There are five existing buildings on the site. The office and shop building contains 2,335 square feet (including 1,962 square feet of office on two floors), and two storage/warehouse buildings contain 9,650 square feet. In addition, there are two other buildings, totaling 2,465 square feet.

d. Will any structures be demolished? If so, what?

This question is not applicable. The plan amendment and rezone will not result in structures being demolished. Any proposed demolition will be evaluated under subsequent project review.

e. What is the current zoning classification of the site?

Current King County zoning of the majority of the site is M-H-P, Heavy Manufacturing with P suffix conditions. A strip of property (ranging from 70 to 100 feet in width) along the southwest edge of the site is zoned A-R 2.5, Rural Area with a two and one-half acre minimum lot size.

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f. What is current comprehensive plan designation of the site?

The 1985 King County Comprehensive Plan designation of the site is Rural City Expansion Area. The King County Snoqualmie Valley Community Plan has several designations for the site; the "Adopted Land Use" map in that plan (page 9) designates the site as Commercial/Industrial, while the "Southeast North Bend Way Adopted Land Use" map designates the majority of the site as Heavy Industrial. The Executive Proposed King County Comprehensive Plan, dated June 1994, places this site in the Urban Growth Area on their proposed land use map.

The site is within the City of North Bend's Urban Growth Area. The proposed land use designation for the site given in the City's draft Comprehensive Plan is Employment Park.

g. If applicable, what is the current shoreline master program designation of the site?

A portion of the site is within two hundred feet of the Middle Fork Snoqualmie River and is designated as Conservancy.

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

No parts of the site have appeared in any County inventories of known sensitive areas. Preliminary site investigation has established the presence of a small portion of a Class 3 wetland along the east property line, and two isolated Class 3 wetlands, along the existing tree line in the south central portion of the site. The locations of these wetlands are illustrated in Attachments A and C.

i. Approximately how many people would reside or work in the completed project?

This question is not applicable. The plan amendment and rezone will not result in people residing on the site or substantially change the number of people who could be employed on the site. Any proposed residential development or employment will be evaluated under subsequent project review.

j. Approximately how many people would the completed project displace?

This question is not applicable, see item 8.i. above.

k. Proposed measures to avoid or reduce displacement impacts, if any:

This question is not applicable, see item 8.i. above.

l. Proposed measures to ensure the proposal is compatible with existing and proposed land uses and plans, if any:

This question is not applicable, see item 8.i. above.

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9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

None. This proposal would keep the bulk of the parcel in the heavy manufacturing zone and rezone the existing residential zone to heavy manufacturing.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

None. No housing units currently exist on the site.

c. Proposed measures to reduce or control housing impacts, if any:

None.

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principle exterior building material(s) proposed?

This question is not applicable. The plan amendment and rezone will not result in any structures being built. Any proposed structures will be evaluated under subsequent project review.

b. What views in the immediate vicinity would be altered or obstructed?

This question is not applicable, see item 10.a. above.

c. Proposed measures to reduce or control aesthetic impacts, if any:

This question is not applicable, see item 10.a. above.

11. Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

This question is not applicable. The plan amendment and rezone will not result in the production of light or glare. Any proposed light and glare impacts will be evaluated under subsequent project review.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

This question is not applicable, see item 11.a. above.

c. What existing off-site sources of light or glare may affect your proposal?

None are known.

d. Proposed measures to reduce or control light and glare impacts, if any:

This question is not applicable, see item 11.a. above.

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12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

Two proposed trails are adjacent to the site. The King County Snoqualmie Valley Community Plan states that a proposed Regional Trail, the Cedar Falls Tanner Trail, is planned to run along the former BN railroad right-of-way adjacent to the project site. The City of North Bend has attempted to purchase the railroad right-of-way just south of SE North Bend Way for their Tanner Trail.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

This question is not applicable. The plan amendment and rezone will not result in displacing any existing recreational uses. Any proposed recreational impacts will be evaluated under subsequent project review.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

This question is not applicable, see item 12.b. above.

13. Historical and Cultural Preservation

- a. Are there any places or objects listed on, or proposed for national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

None are known to be on or next to the site.

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site?

None are known to be on or next to the site.

- c. Proposed measures to reduce or control impacts, if any:

This question is not applicable. The plan amendment and rezone will not result in any impact to historical or cultural places or objects. Any proposed impacts will be evaluated under subsequent project review.

14. Transportation

- a. Identify public streets and highways serving the site, and describe the proposed access to the existing street system. Show on site plans, if any.

The site fronts SE Tanner Road in unincorporated King County. This road provides the existing access to the site. The site also abuts SE 136th Street on the southwest of the property. Currently there is no vehicular access from SE 136th Street.

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b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

No, the property is approximately two miles from the terminus of the nearest Metro transit route, in downtown North Bend.

c. How many parking spaces would the completed project have? How many would the project eliminate?

This question is not applicable. The plan amendment and rezone will not create parking spaces. Any proposed parking impacts will be evaluated under subsequent project review.

d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

This question is not applicable. The plan amendment and rezone will not require any new roads or streets, or improvements to existing roads or streets. Any proposed improvements or new roads will be evaluated under subsequent project review.

e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No.

f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

This question is not applicable. The plan amendment and rezone will not generate additional vehicular trips. Most of the new uses proposed will generate similar numbers of trips as the currently allowed uses. Some potential uses may generate more vehicular trips per day. Any additional vehicular trips will be evaluated under subsequent project review.

g. Proposed measures to reduce or control transportation impacts, if any:

Any proposed vehicular trip generation will be evaluated under subsequent project review and any adverse impacts will be mitigated. The P-suffix condition requiring review of access will be kept.

15. Public Services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

No. The proposed plan amendment and rezone will result in land uses with similar needs for public services as those currently allowed.

b. Proposed measures to reduce or control direct impacts on public services, if any.

None.

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16. Utilities

a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed:

This question is not applicable. The plan amendment and rezone will not require additional utilities to be installed. Any utilities needed for subsequent projects will be reviewed during the project analysis.

C. Signature:

The above answers are true and complete to the best of my knowledge. I understand the lead agency is relying on them to make its decision.

Signature: *Jim Paul*

Date Submitted: 11/18/94
11/18/94

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D. SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering the questions, be aware of the extent of the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The plan amendment and rezone would allow some uses not currently allowed on the site. Lumber mill uses have a range of discharges to water, emissions to air, use of hazardous substances and production of noise. The additional uses allowed would not be likely to increase discharges to water, emissions to air, production or release of toxic or hazardous substances, or production of noise. Short-term storage of PCB-containing transformers on their way from the field to their eventual disposal at Puget Power's central disposal area is anticipated, as is some storage of wood preservatives.

Proposed measures to avoid or reduce such increases are:

Environmental review of specific project proposals through SEPA and the sensitive area ordinances will require mitigation of any potential increase.

2. How would the proposal be likely to affect plants, animals, fish or marine life?

Some of the vegetation currently in the A-R 2.5 zone could be removed if the plan amendment and rezone are approved. Animals and fish are not likely to be affected since the site has been used as a mill for quite awhile.

Proposed measures to avoid or reduce such increases are:

Review each proposed project under SEPA and require appropriate mitigation.

3. How would the proposal be likely to deplete energy or natural resources?

The plan amendment and rezone is not likely to cause any more depletion of energy or natural resources than the existing plan and zoning.

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4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened, or endangered species, habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The only environmentally sensitive or protected areas identified on the site are several small wetlands. Because the site has been used as a lumber mill and is alongside Interstate 90, these wetlands have already been heavily impacted. Because of the location of the wetlands, it is likely that future uses would request to fill some of the wetlands.

Proposed measures to protect such resources or to avoid or reduce impacts are:

Review each proposed land use under SEPA and King County sensitive areas ordinances and require appropriate mitigation. Where existing federal, state, and local regulations would not adequately protect groundwater quality, specific conditions should be imposed at the time of permit approval requiring management of contaminants to protect ground water quality.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land and shoreline uses incompatible with existing plans?

The existing land use designation for the majority of the site is heavy industrial, which has been restricted to lumber mill uses. Since this is a heavy manufacturing use, the proposal seems compatible. The strip of land currently in the A-R 2.5 zone was formerly a proposed highway right-of-way. The current zoning would only allow one residence for every 2.5 acres. Since the lot is only 4.88 acres, only one house would be allowed.

A very small portion of the site is within the shoreline boundary. Between the site and the river are SE Tanner Road, an abandoned railroad right-of-way, and SE North Bend Way. The portion of the site within the shoreline boundary is currently zoned M-H-P, so the proposed plan amendment is not expected to be incompatible with existing plans.

Proposed measures to avoid or reduce shoreline and land use impacts are:

Where existing regulations would not provide adequate buffers, require a vegetative buffer similar to the evergreen stand that currently exists along the southeast boundary of the site (SE 136th Street side) to buffer the adjacent A-R 2.5 zone, which is primarily a residential zone.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposed uses allowable under the plan amendment and rezone are similar in demands on transportation, public services and

Snoqualmie Valley Community Plan and Area Zoning Amendment Environmental Checklist
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utilities to the uses allowed under the existing P-suffix conditions. Only a minor increase in demand is anticipated.

Proposed measures to reduce or respond to such demands are:

Where existing regulations would not provide adequate control over access or road improvements, require adequate review and mitigation.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The plan amendment and rezone would not conflict with local, state or federal laws of requirements for the protection of the environment.

Attachment E

ATTACHMENT 4

MITIGATED DETERMINATION OF NONSIGNIFICANCE
for
SNOQUALMIE VALLEY COMMUNITY PLAN AMENDMENT (TANNER MILL SITE)

Threshold Determination: Mitigated Determination of Nonsignificance
 Date of Issuance: November 29, 1994
 File No: NPA 94-05
 File Name: Snoqualmie Valley Community Plan And Area Zoning Amendment
 (Tanner Mill Site)
 Proposal Contact: Jim Reid, Manager
 Planning and Community Development
 Division
 707 Smith Tower, 506 Second Avenue
 Seattle, WA 98104
 (206)296-7600

Proposal Description: This is a non-project action to amend the King County Comprehensive Plan Map and the Snoqualmie Valley land use map from Rural to Industrial for a 4.88 acre portion of the old Tanner Mill site. Also adopt a Snoqualmie Valley area zoning amendment to rezone that portion of the old Tanner Mill site from Rural Residential (AR-2.5) to Industrial with P-suffix conditions (I-P); and to amend the P-suffix condition limiting uses on the entire site to mill use only.

Location: In the Snoqualmie Valley community planning area of unincorporated King County, 44429 Southeast Tanner Road. The subject parcels are generally bounded by Southeast 136th Street (extended) to the north and west, Interstate 90 to the south, and Southeast Tanner Road to the East.

Community Planning Area: Snoqualmie Valley
 Drainage Subbasin: North Fork Snoqualmie
 STR: 14-23-8

PUBLIC PROCESS

In addition to providing comments on this threshold determination, interested persons may comment on the proposal during a public hearing before the Zoning and Subdivision Examiner scheduled for December 20, 1994 at 9:15 a.m. in Hearing Room #1, King County Department of Developmental Services, 3600 136th Place Southeast, Bellevue, WA. The Examiner's recommendation will be forwarded to the King County Council for final action.

NOTES

- A. Issuance of this threshold determination does not constitute approval of this proposal.
- B. This is a non-project action involving the adoption of an amendment to the Snoqualmie Valley Community Plan. Any development proposed for the site as a result of approval of the rezoning request will be subject to project-level environmental review and compliance with all applicable King County Codes which regulate development, including the Road Standards, Surface Water Design Manual, and the Sensitive Areas Ordinance.
- C. Any appeal of this threshold determination shall be filed with the King County Planning and Community Development Division before 4:30 p.m. on Wednesday, December 14, 1994 and accompanied by a nonrefundable filing fee of \$125 in the form of a check made out to the King County Office of Finance. Any appeal shall state with specificity the reason or reasons why the threshold determination should be reversed.

MITIGATION LIST:

1. Uses on the subject property shall be limited to log storage and moorage, lumber mill, utility service center, or employment park as defined in the City of North Bend's Comprehensive Plan and accessory uses.
2. Ingress and egress to the subject property shall be by way of Southeast Tanner Road and Southeast North Bend Way only.
3. Consistent with the Snoqualmie Valley Area Zoning for the "existing commercial/industrial area of Southeast North Bend Way" (page 36), there shall be a 50' "full screen" type buffer maintained along all portions of the property adjacent to residential uses. Landscaping shall also be required along all county roads and portions of the property abutting State right-of-way.
4. A bond shall

be required to insure landscaping as required in Condition No. 3 above. The amount of said bond shall be set by the Department of Development and Environmental Services. 5. Where existing federal, state and local regulations would not adequately protect groundwater quality, specific conditions should be imposed at the time of permit approval requiring management of contaminants to protect groundwater quality.

THRESHOLD DETERMINATION

In making this threshold determination the Responsible Official, pursuant to WAC 197-11-330, has reviewed the environmental checklist. As required by WAC 197-11-335, the Responsible Official finds this information reasonably sufficient to evaluate the environmental impact of this proposal and concludes that it does not pose a probable significant adverse impact on the environment.

COMMENTS AND APPEALS

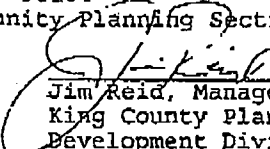
Any person, affected tribe, or agency may submit comments to the lead agency before 4:30 p.m. on Wednesday, December 14, 1994.

Any appeal of this threshold determination shall be filed with the King County Planning and Community Development Division before 4:30 p.m. on Wednesday, December 14, 1994 and accompanied by a nonrefundable filing fee of \$125 in the form of a check made out to the King County Office of Finance. Any appeal shall state with specificity the reasons or reasons why the threshold determination should be reversed.

Written comments or appeals must be received in the King County Planning and Community Development Division before 4:30 p.m. on Wednesday, December 14, 1994. Please reference the file name and file number when corresponding. Comments or appeals should be addressed to:

King County Planning and Community Development Division
707 Smith Tower, 506 Second Avenue
Seattle, WA 98104
ATTN: Community Planning Section (296-7600)

Responsible Official:



Jim Reid, Manager
King County Planning and Community
Development Division

Date: November 17, 1994.

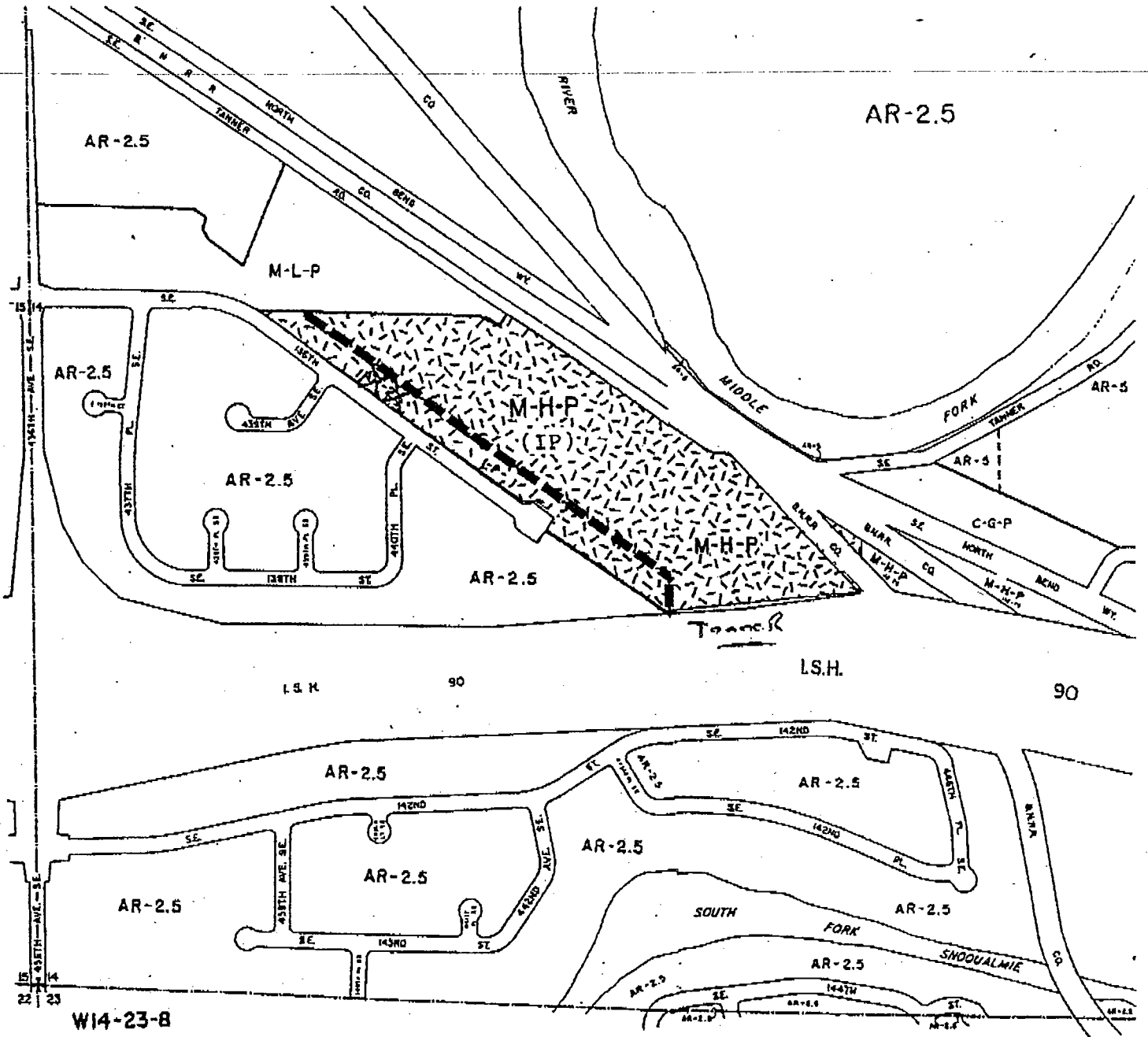
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Attachment F
Legal Description of Portion
Zoned RA 2.5

That portion of the north half of the southwest quarter of Section 14, Township 23 North, Range 8 East, W.M., described as follows:

Beginning at the intersection of the north line of said southwest quarter with that right of way line drawn parallel with and 30 feet northeasterly, when measured at right angles and/or radially, from the Frontage Road Line survey of State Highway Route No. 90, Echo Lake Interchange to Tanner; thence South $32^{\circ}24'05''$ East, along said right of way line, to a point opposite Highway Engineer's Station (hereinafter referred to as HES) Frontage Rd. 32+30 on said Frontage Road Line survey; thence easterly, along the right of way line of said Frontage Road, to a point opposite HES Frontage Rd. 32+60 on said Frontage Road survey and 60 feet northeasterly therefrom; thence South $27^{\circ}24'05''$ East, parallel with said Frontage Road Line survey, along said right of way line, to a point opposite HES End Frontage Road 33+60 P.O.T.; thence South $37^{\circ}24'55''$ West, along said right of way line, 60 feet to said HES; thence southeasterly, parallel with the survey line of Primary State Highway No. 2, North Bend to Tanner, according to the plan thereof now of record and on file in the office of the Secretary of Transportation at Olympia, Washington, bearing date of approval March 1, 1955, to intersect that right of way line extending from a point opposite HES LL 1640+00 on the LL Line survey of said State Highway Route No. 90 and 140 feet northerly therefrom easterly to a point opposite HES LL 1639+00 on said LL Line survey and 180 feet northerly therefrom; thence easterly, along said right of way line, to the east line of said southwest quarter; thence north, along said east line, to intersect a line drawn parallel with and 100 feet northeasterly, when measured at right angles and/or radially, from the survey line of said Primary State Highway No. 2; thence northwesterly, along said parallel line, to the north line of said southwest quarter; thence west to the point of beginning.

Attachment G



W14-23-B



Source: Snoqualmie Valley Community Plan Area
Zoning

PROPOSED ZONING/LAND USE MAP
TANNER MILL SITE
PLAN AMENDMENT/REZONE STUDY

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Attachment H
Legal Description of the
Tanner Mill Site

PARCEL A:

THAT PORTION OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 AND OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 14, TOWNSHIP 23 NORTH, RANGE 8 EAST W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST 1/4 CORNER OF SAID SECTION;
 THENCE SOUTH 87°03'20" EAST ALONG THE 1/4 SECTION LINE 1,097.66 FEET, MORE OR LESS, TO THE NORTHEASTERLY LINE OF A STRIP OF LAND DEEDED TO THE STATE OF WASHINGTON FOR PRIMARY STATE HIGHWAY NO. 2, BY DEED RECORDED UNDER RECORDING NO. 4853426, RECORDS OF KING COUNTY, AND TRUE POINT OF BEGINNING;
 THENCE CONTINUING SOUTH 87°03'20" EAST ALONG SAID 1/4 SECTION LINE TO A POINT 1,804.00 FEET EASTERLY OF THE WEST 1/4 CORNER OF SAID SECTION;
 THENCE SOUTH 65°33'20" EAST 97.89 FEET;
 THENCE NORTH 36°05'40" EAST 52 FEET, TO THE SOUTHWESTERLY LINE OF COUNTY ROAD;
 THENCE SOUTH 55°17'30" EAST ALONG SAID SOUTHWESTERLY LINE TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION, DISTANT 1,933.17 FEET EASTERLY OF SAID WEST 1/4 CORNER;
 THENCE SOUTH 55°17'30" EAST ALONG THE SOUTHWESTERLY LINE OF SAID COUNTY ROAD A DISTANCE OF 12.74 FEET;
 THENCE SOUTH 36°42'30" WEST 60.78 FEET;
 THENCE SOUTH 52°03'30" EAST 68.51 FEET;
 THENCE NORTH 36°42'30" EAST 64.64 FEET TO THE SOUTHWESTERLY LINE OF SAID COUNTY ROAD;
 THENCE SOUTHEASTERLY ALONG SAID SOUTHWESTERLY LINE TO THE EAST LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION;
 THENCE SOUTHERLY ALONG SAID EAST LINE TO THE NORTHEASTERLY LINE OF SAID STATE HIGHWAY NO. 2;
 THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY LINE TO THE TRUE POINT OF BEGINNING;

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON,

PARCEL B:

THAT PORTION OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 23 NORTH, RANGE 8 EAST W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST 1/4 CORNER OF SECTION 14, TOWNSHIP 23 NORTH, RANGE 8 EAST W.M. ;
 THENCE SOUTH 87°03'20" EAST 1,933.17 FEET TO THE COUNTY ROAD;
 THENCE SOUTH 55°17'30" EAST 12.74 FEET TO THE TRUE POINT OF BEGINNING;
 THENCE SOUTH 36°42'30" WEST 60 FEET;
 THENCE SOUTH 52°03'30" EAST 68.51 FEET;
 THENCE NORTH 36°42'30" EAST 64.64 FEET;
 THENCE NORTH 55°17'30" WEST 68.53 FEET TO THE TRUE POINT OF BEGINNING;

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

PARCEL C

THAT PORTION OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 23 NORTH, RANGE 8 EAST W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID SOUTHWEST 1/4 WITH THAT RIGHT-OF-WAY LINE DRAWN PARALLEL WITH AND 30 FEET NORTHEASTERLY, WHEN MEASURED AT RIGHT ANGLES AND/OR RADially, FROM THE FRONTAGE ROAD LINE SURVEY OF STATE HIGHWAY ROUTE NO. 90, ECHO LAKE INTERCHANGE TO TANNER;
 THENCE SOUTH 52°24'05" EAST, ALONG SAID RIGHT-OF-WAY LINE, TO A POINT OPPOSITE HIGHWAY ENGINEER'S STATION (HEREINAFTER REFERRED TO AS HES) FRONTAGE ROAD 32+30 ON SAID FRONTAGE ROAD LINE SURVEY;
 THENCE EASTERLY, ALONG THE RIGHT-OF-WAY LINE OF SAID FRONTAGE ROAD, TO A POINT OPPOSITE HES FRONTAGE ROAD 32+60 ON SAID FRONTAGE ROAD SURVEY AND 60 FEET NORTHEASTERLY THEREFROM;
 THENCE SOUTH 52°24'05" EAST, PARALLEL WITH SAID FRONTAGE ROAD LINE SURVEY, ALONG SAID RIGHT-OF-WAY LINE, TO A POINT OPPOSITE HES END FRONTAGE ROAD 33+60 P.O.T.;
 THENCE SOUTH 37°35'55" WEST, ALONG SAID RIGHT-OF-WAY LINE, 60 FEET TO SAID HES;
 THENCE SOUTHEASTERLY, PARALLEL WITH THE SURVEY LINE OF PRIMARY STATE HIGHWAY NO. 2, NORTH BEND TO TANNER, ACCORDING TO THE PLAN THEREOF NOW OF RECORD AND ON FILE IN THE OFFICE OF THE SECRETARY OF TRANSPORTATION AT OLYMPIA, WASHINGTON BEARING DATE OF APPROVAL MARCH 1, 1955, TO INTERSECT THAT RIGHT-OF-WAY LINE EXTENDING FROM A POINT OPPOSITE HES LL 1640+00 ON THE LL LINE SURVEY OF SAID STATE HIGHWAY ROUTE NO. 90 AND 140 FEET NORTHERLY THEREFROM EASTERLY TO A POINT OPPOSITE HES LL 1650+00 ON SAID LL LINE SURVEY AND 180 FEET NORTHERLY THEREFROM;
 THENCE EASTERLY, ALONG SAID RIGHT-OF-WAY LINE, TO THE EAST LINE OF SAID SOUTHWEST 1/4;
 THENCE NORTH, ALONG SAID EAST LINE, TO INTERSECT A LINE DRAWN PARALLEL WITH AND 100 FEET NORTHEASTERLY, WHEN MEASURED AT RIGHT ANGLES AND/OR RADially, FROM THE SURVEY LINE OF SAID PRIMARY STATE HIGHWAY NO. 2;
 THENCE NORTHWESTERLY, ALONG SAID PARALLEL LINE, TO THE NORTH LINE OF SAID SOUTHWEST 1/4;
 THENCE WEST TO THE POINT OF BEGINNING;

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

PARCEL D:

THAT PORTION OF THE WEST 750 FEET OF THE SOUTHEAST 1/4 OF SECTION 14, TOWNSHIP 23 NORTH, RANGE 8 EAST W.M., LYING SOUTHERLY OF THE SUNSET HIGHWAY (U.S. HIGHWAY 10) AND NORTHERLY OF STATE HIGHWAY 90 (TEMPORARY 1-90);

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

PARCEL E:

THAT PORTION OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 14, TOWNSHIP 23 NORTH, RANGE 8 EAST W.M., BEING SOUTHWESTERLY OF THAT LINE DRAWN PARALLEL WITH AND 100 FEET NORTHEASTERLY, WHEN MEASURED RADially, FROM THE SURVEY LINE OF STATE HIGHWAY ROUTE NO. 90, FORMERLY PRIMARY STATE HIGHWAY NO. 2, NORTH BEND TO TANNER, ACCORDING TO THE PLAN THEREOF NOW OF RECORD AND ON FILE IN THE OFFICE OF THE SECRETARY OF TRANSPORTATION AT OLYMPIA, WASHINGTON, BEARING DATE OF APPROVAL MARCH 1, 1955, AND LYING NORTHERLY OF THAT RIGHT-OF-WAY LINE EXTENDING FROM A POINT OPPOSITE HIGHWAY ENGINEER'S STATION LL 1640+00 ON THE LL LINE SURVEY OF STATE HIGHWAY ROUTE NO. 90, ECHO LAKE INTERCHANGE TO TANNER, AND 140 FEET NORTHERLY THEREFROM, EASTERLY TO A POINT OPPOSITE HIGHWAY ENGINEER'S STATION LL 1650+00 ON SAID LL LINE SURVEY AND 180 FEET NORTHERLY THEREFROM;

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

January 4, 1995

OFFICE OF THE ZONING AND SUBDIVISION EXAMINER
KING COUNTY, WASHINGTON
700 Central Building
810 Third Avenue
Seattle, Washington 98104

REPORT AND RECOMMENDATION TO THE KING COUNTY COUNCIL.

SUBJECT: Department of Development and Environmental Services
File No. NPA9405
Proposed Ordinance No. 94-769

SNOQUALMIE VALLEY COMMUNITY PLAN AND AREA ZONING AMENDMENT
STUDY FOR THE TANNER MILL SITE

Site is bounded by Interstate 90 and Southeast 136th Street on the south, Southeast Tanner Road to the north, and an abandoned railway line to the east. The property is located generally between Cedar Falls/Tanner and Edgewick Interchanges on Interstate 90.

SUMMARY OF RECOMMENDATIONS:

Division's Preliminary: Approve, subject to conditions
Division's Final: Approve, subject to conditions
(modified)
Examiner: Approve, subject to conditions
(modified)

PRELIMINARY REPORT:

The Planning and Community Development Division's Preliminary Report on Item No. NPA9405 was received by the Examiner on December 6, 1994.

PUBLIC HEARING:

After reviewing the Planning and Community Development Division's Report and examining available information on file with the application, the Examiner conducted a public hearing on the subject as follows:

The hearing on Item No. NPA9405 was opened by the Examiner at 9:15 a.m., December 20, 1994, in Hearing Room No. 2, Department

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of Development and Environmental Services, 3600 - 136th Place S.E., Suite A, Bellevue, Washington, and adjourned at 10:15 a.m., continued administratively until 4:30 p.m., on January 3, 1995. Participants at the public hearing and the exhibits offered and entered are listed in the attached minutes. A verbatim recording of the hearing is available in the office of the Zoning and Subdivision Examiner.

FINDINGS, CONCLUSIONS & RECOMMENDATION: Having reviewed the record in this matter, the Examiner now makes and enters the following:

FINDINGS:

1. General Information:

STR:14-23-8

Location:

Site is bounded by Interstate 90 and Southeast 136th Street on the south, Southeast Tanner Road to the north, and an abandoned railway line to the east. The property is located generally between Cedar Falls/Tanner and Edgewick Interchanges on Interstate 90.

Community Planning Area:

Snoqualmie Valley

Property Owner:

Puget Sound Power and Light

Property Size:

4.88 acres

Existing Zoning:

AR 2.5 (rural residential; minimum lot size, 2.5 acres) and MH (heavy manufacturing).

Recommended Zoning:

I-P (industrial, site plan approval required).

2. On June 1, 1994, the Metropolitan King County Council unanimously adopted Motion 9303, requesting that the subject property be set for public hearing by the Department of Parks, Planning and Resources, whereupon the Planning and Community Development Division ("the Division") undertook the Snoqualmie Valley Community Plan and Area Zoning Amendment Study entered in this hearing record as Exhibit No. 1. The report was issued on December 5, 1994.

Motion No. 9303 further directed the Examiner to hold a hearing at the earliest possible time and make a recommendation to the Council. As noted above this hearing was initiated and concluded on December 20, 1994 following required public notice.

3. An environmental impact statement is not required. On November 29, 1994 the Planning and Community Development Division issued a mitigated determination of nonsignificance (MDNS). That is, the Division published its determination and declaration that an EIS would not be required provided that certain mitigating measures were enacted. Those mitigating measures identified by the Division are the same as the P-suffix site plan approval conditions identified by the Division in its recommendation to approve the classification of the subject property. These conditions are restated on pages 4 and 5 of this Examiner's report and recommendation to the King County Council. No party appealed the MDNS.
4. Having completed the review contained in the Snoqualmie Valley Community Plan and Area Zoning Amendment Study (Exhibit No. 1) the Division recommends reclassifying the subject property to I-P (industrial, with site plan approval conditions required). In public hearing, the Division has revised its preliminary recommendation as stated in Exhibit No. 1 in the following ways:
- A. Landscaping Assurance. In its report the Division recommends requiring a bond to insure a "full screen" type of landscaping buffer along portions of the property adjacent to residential uses. In response to concerns raised by the property owner, the Division now agrees that the landscaping performance assurance provisions contained in KCC 21A.16.190 make an acceptable additional condition. KCC 21A.16.190 provides:
- Performance bonds or other appropriate security including letters of credit and set aside letters) shall be required for a period of two years after the planting or transplanting of vegetation to insure proper installation, establishment and maintenance.
- B. Permitted Uses. As initially recommended by the Division, use of the property would be limited consistent with a list of permitted uses obtained in the "P-suffix" site plan approval criteria. Among those listed uses is "Utility Service Center." Responding to concern raised by the property owner, the Division now recommends rephrasing that permitted use to read:

"Utility Service Center, including but not limited to outdoor storage and minor communications tower(s)."

5. The property owner accepts the Division's report with the amendments described in Finding No. 4, above.
6. No party appeared to oppose or express concern regarding the recommended Community Plan Area Zoning Amendment.
7. The subject property was part of an excess right of way sale by the Washington Department of Transportation around 1981. Most of the right of way was sold to adjacent property owners and given the zoning of those adjacent properties. This one strip of property was treated differently, being given the RA zoning of the property across the street. The right of way was purchased only a few weeks before the Tanner Mill rezone hearing in 1981, in which the property was reclassified from G and C-G to I-P. Because the Mill owner assumed the right of way had been assigned the zoning of his larger site, he did not try to delay the hearing process to include this strip of land. This zoning anomaly appears to have gone unnoticed at the time and again through the Snoqualmie Valley Community Plan and Area Zoning process. Since the Community plan was adopted the Tanner Mill site has been sold. The new owners have discovered and questioned this zoning anomaly. The reclassification recommended by the Division is the only strip of the Tanner Mill site classified RA 2.5 because other vacated right of way in the area appears to have taken the proper adjacent zone classification.
8. Except as noted above, the facts and analysis contained in the December 5, 1994 Snoqualmie Valley Community Valley and Area Zoning Amendment Study, prepared by David Nemens Associates Inc. (Exhibit No. 1), are uncontested, confirmed as accurate and are incorporated in these findings by this reference. A copy of this report will be attached to those copies of this Examiner's report which are submitted to the King County Council for their consideration of proposed ordinance No. 94-769.
9. The newly adopted King County comprehensive plan places the site within the City of North Bend's designated "urban growth area" and designates the entire site as "industrial."

CONCLUSIONS:

1. The amendment study includes a recommendation to modify Snoqualmie Valley Community Plan policy SQP 84, regarding the siting and review criteria for certain nonretail commercial and light industrial land uses. This Examiner's report does not adopt that recommendation for the following reasons:

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- A. The Examiner has no jurisdiction or authority to amend community plan policy. KCC 20.24.070-.080.
- B. There is no eminent necessity to amend the Snoqualmie Valley Community plan nonretail, commercial and light industrial policies to accommodate the recommended zone reclassification. Ordinance No. 11575, adopting the 1994 comprehensive plan states at Section 2.D, in part, . . . where conflicts exist between community plans and the comprehensive plan, the comprehensive plan shall prevail.

Specifically regarding zone reclassifications, Ordinance 11575, repeats this rule at Section 2.D.2 which states,

For aspects of proposals where both the comprehensive plan and a previously adopted community plan have applicable policies or plan map designations which conflict, the comprehensive plan shall govern.

This principle is expected to govern interpretation of the Snoqualmie Valley Community plan until that plan is "revised to be consistent with and adopted as part of the comprehensive plan (Ordinance 11575, Section 2.B)."

2. Reclassification of the subject property as recommended by the Division will be consistent with KCC 20.24.190 which sets forth required Examiner's findings with respect to reclassification, for the reasons indicated in Finding NO. 7, above.

Because the entire Tanner Mill site is held in one ownership and the majority of the property is zoned for industrial, and the excess State right of way was purchased to allow additional area for the industrial use, it is reasonable to reclassify the excess State right of way to industrial with P-suffix site plan approval conditions generally the same as the larger parcel. This reclassification will further the public interest by allowing more room for industrial uses and by providing protection of the public interest though such use restrictions as requiring landscape buffering, prohibiting access on Southeast 136th Street, and the other controls contained in the recommendations set forth below.

3. Reclassification of the subject property is consistent with the King County comprehensive plan for the reasons indicated in Finding No.9, above. See also Conclusion No.1.b, above.

RECOMMENDATION:

RECLASSIFY the subject property as described in Attachments G and F of the Snoqualmie Valley Community Plan and Area Zoning Amendment Study dated December 5, 1994 (Exhibit No. 1) from AR 2.5 to I-P (industrial; site plan approval required), subject to the following site plan approval ("P-suffix") additions:

- A. Uses on the subject property shall be limited to:
 1. Log storage and moorage, saw mills, shingle mills, lumber mills, and accessory uses;
 2. Utility service center, including but not limited to outdoor storage, minor communications tower(s) and other ancillary uses; and,
 3. Employment park uses, such as light manufacturing, indoor fabrication, distribution, research and development, finance and other service related business. Heavy industrial uses may be permitted with additional review.
- B. Ingress and egress to the subject property shall be by way of Southeast Tanner Road and Southeast North Bend Way only. Access via South East 136th Street is specifically prohibited.
- C. There shall be a fifty foot wide "full screen" type buffer maintained along all portions of the property adjacent to residentially classified property. Landscaping shall also be required along all County roads and portions of the property abutting State right of way.
- D. A performance bond or other appropriate security including letters of credit and set aside letters) shall be required for a period of two years after the planting or transplanting of vegetation to insure proper installation, establishment and maintenance. KCC 21A.16.190. The amount of the bond or other assurance shall be set by the Department of Development and Environmental Services.
- E. The site plan review of any specific development proposal shall pay particular attention to ground water quality protection in the vicinity of the subject property. Where existing Federal, State and local regulations would not adequately protect ground water quality, specific conditions should be imposed at the time of permit approval requiring management of contaminants to protect ground water quality.

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RECOMMENDED this 4th day of January, 1995.

R. S. Titus, Deputy
Zoning and Subdivision Examiner

TRANSMITTED this 4th day of January, 1995, to the following parties of record:

Jeff Fowler
David Nemens

Meg Gruwell
Gerry Prior

TRANSMITTED this 4th day of January 1995, to the following:

Jan Briggs, Community Planning
Vaughan Norris, Metro King County Council
Jim Reid, Community Planning
Paul Reitenbach, Community Planning

NOTICE OF
RIGHT TO APPEAL AND ADDITIONAL ACTION REQUIRED

In order to appeal the recommendation of the Examiner, written notice of appeal must be filed with the Clerk of the King County Council with a fee of \$125.00 (check payable to King County Office of Finance) on or before January 18, 1995. If a notice of appeal is filed, the original and 6 copies of a written appeal statement specifying the basis for the appeal and argument in support of the appeal must be filed with the Clerk of the King County Council on or before January 25, 1995. Appeal statements may refer only to facts contained in the hearing record; new facts may not be presented on appeal.

Filing requires actual delivery to the Office of the Clerk of the Council, Room 403, King County Courthouse, prior to the close of business (4:30 p.m.) on the date due. Prior mailing is not sufficient if actual receipt by the Clerk does not occur within the applicable time period. The Examiner does not have authority to extend the time period unless the Office of the Clerk is not open on the specified closing date, in which event delivery prior to the close of business on the next business day is sufficient to meet the filing requirement.

If a written notice of appeal and filing fee are not filed within 14 days calendar days of the date of this report, or if a written appeal statement and argument are not filed within 21 calendar

NPA9405 - Snoqualmie Valley Community Plan

Page 8

days of the date of this report, the Clerk of the Council shall place a proposed ordinance which implements the Examiner's recommended action on the agenda of the next available Council meeting. At that meeting, the Council may adopt the Examiner's recommendation, may defer action, may refer the matter to a Council committee, or may remand to the Examiner for further hearing or further consideration.

Action of the Council Final. The action of the Council approving or adopting a recommendation of the Examiner shall be final and conclusive unless within twenty (20) days from the date of the action an aggrieved party or person applies for a writ of certiorari from the Superior Court in and for the County of King, State of Washington, for the purpose of review of the action taken.

MINUTES OF THE DECEMBER 20, 1994 PUBLIC HEARING ON PLANNING AND COMMUNITY DEVELOPMENT DIVISION FILE NO. NPA9405:

R.S. Titus was the Hearing Examiner in this matter. Participating in the hearing were Jan Briggs, Meg Gruwell, Gerry Prior.

The following exhibits were offered and entered into the record:

Exhibit No. 1	Amendment Study Report
Exhibit No. 2	Vicinity Map
Exhibit No. 3	Site Map
Exhibit No. 4	SEPA Threshold Determination
Exhibit No. 5	SEPA Checklist
Exhibit No. 6	Motion No. 9303 - Initiation Motion
Exhibit No. 7	Comprehensive Plan Map Amendment Issue Paper
Exhibit No. 8	Affidavit of Publication - <u>Valley Record</u>

RST:var
\misc\npa9405.rpt

January 19, 1995
Ord95.1

Introduced by Kent Pullen
Proposed No. 94-769

11665

ORDINANCE NO.

AN ORDINANCE amending King County Title 21A, as amended, by amending the Zoning Map thereof reclassifying the Snoqualmie Valley Community Plan Study Area for Tanner Mill site as recommended by Planning and Community Development Division and designated Planning and Community Development Division File No. NPA 94-05.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

This ordinance does hereby adopt and incorporate herein as its findings and conclusions the findings and conclusions contained in the report of the zoning and subdivision examiner dated December 2, 1994, which was filed with the clerk of the council on January 4, 1995, to amend King County Title 21A, as amended, by amending the maps thereof redesignating certain property generally located between Cedar Falls/Tanner and Edgewick Interchanges on Interstate 90 as recommended by King County planning and community development division and designated planning and community development division file no. NPA 94-05 and the council does hereby adopt as its action the recommendation(s) contained in said report

INTRODUCED AND READ for the first time this 28th day of

November, 1994.

PASSED this 23rd day of January, 1995.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Passed by a vote of 13-0.

Kent Pullen
Chair

ATTEST:

Gerald A. Peterson
Clerk of the Council

ATTACHMENT 7

July 29, 1997

Introduced by:

Pete von Reichbauer
Christopher Vance

kn:ac 96-263.sub
7/31/97 clerk

Proposed No.:

96-263

ORDINANCE NO.

12824

AN ORDINANCE relating to comprehensive planning and zoning; completing the zoning code conversion process from Title 21 to Title 21A by repealing all p-suffix conditions adopted pursuant to Title 21 and adopting property specific development standards (p-suffix conditions) pursuant to Title 21A; amending Ordinance 263, Section 1, and K.C.C. 20.12.010; Ordinance 11653, Section 6, and K.C.C. 20.12.017; Ordinance 8846 and K.C.C. 20.12.170; Ordinance 7746 and K.C.C. 20.12.180; Ordinance 10703 and K.C.C. 20.12.210; Ordinance 2883, Section 1, and K.C.C. 20.12.240; Ordinance 10197 Sections 1, 3, and K.C.C. 20.12.270; Ordinance 5080, Sections 1, 2, and K.C.C. 20.12.300; Ordinance 7837, and K.C.C. 20.12.320; Ordinance 11166, Section 2, and K.C.C. 20.12.337; Ordinance 10847, and K.C.C. 20.12.340; Ordinance 9110, and K.C.C. 20.12.345; Ordinance 6422 and K.C.C. 20.12.350; Ordinance 6986, and K.C.C. 20.12.360; Ordinance 9499, and K.C.C. 20.12.440; Ordinance 10870, Section 4, and K.C.C. 21A.01.040; Ordinance 10870, Section 36, and K.C.C. 21A.04.150; Ordinance 10870, Section 576, and K.C.C. 21A.38.030; amending p-suffix conditions established in Ordinance 11349, Ordinance 11389, Ordinance 11568, Ordinance 11653, Ordinance 11694, Attachment A to Ordinance 11747, Ordinance 11774, Ordinance 11898, Ordinance 11935, Appendix A to Ordinance 12061, Ordinance 12065, Attachment A to Ordinance 12093, Attachment A to Ordinance 12170; repealing Resolution 25789 and Title 21, Chapter 21.02 through Chapter 21.80; repealing Ordinance 8848, Sections 1, 6-8, and K.C.C. 20.12.390; repealing Resolutions, 31072, 32219, 33877, 33999, 34493, 34639, 35137, and 37156; repealing Ordinances 43, 118, 148, 255, 633, 1483, 1543, 1582, 1584, 1728, 1788, 2487, 2508, 2548, 2608, 2677, 2701, 2703, 2765, 2781, 2840, 2884, 2940, 2958, 2965, 2997, 3239, 3262, 3313, 3360, 3424, 3494, 3496, 3501, 3557, 3561, 3641, 3643, 3744, 3779, 3901, 3905, 3953, 3988, 4008, 4043, 4051, 4053, 4082, 4094, 4137, 4289, 4290, 4418, 4560, 4589, 4703, 4706, 4764, 4767, 4867, 4812, 4885, 4888,

1 4890, 4915, 4933, 4956, 4970, 4978, 5087, 5114, 5144,
 2 5148, 5171, 5184, 5242, 5346, 5353, 5378, 5453, 5663,
 3 5664, 5689, 5744, 5752, 5755, 5765, 5854, 5984, 5985,
 4 5986, 6059, 6074, 6113, 6151, 6275, 6468, 6497, 6618,
 5 6671, 6698, 6832, 6885, 6916, 6966, 6993, 7008, 7087,
 6 7115, 7207, 7328, 7375, 7382, 7396, 7583, 7653, 7677,
 7 7694, 7705, 7757, 7758, 7821, 7831, 7868, 7944, 7972,
 8 8158, 8307, 8361, 8375, 8427, 8452, 8465, 8571, 8573,
 9 8603, 8718, 8733, 8786, 8796, 8825, 8858, 8863, 8865,
 10 8866, 9030, 9095, 9189, 9276, 9295, 9476, 9622, 9656,
 11 9823, 9991, 10033, 10194, 10287, 10419, 10598, 10668,
 12 10781, 10813, 10970, 11024, 11025, 11271, 11651, and
 13 any other reclassification amending Resolution 25789
 14 prior to February 2, 1995; repealing Ordinance 3530
 15 (part), Appendix B to Ordinance 5080, Appendix B to
 16 Ordinance 6422, Appendix B to Ordinance 6986,
 17 Ordinance 7746 (part), Appendix B to Ordinance 7837,
 18 Appendix B to Ordinance 8846, Ordinance 8848,
 19 Ordinance 9118 (part), Ordinance 9499 (part), Appendix
 20 B to Ordinance 10197, Appendices B and E to Ordinance
 21 10703, Appendix B to Ordinance 10847, and Ordinance
 22 11116 (part); all as amended.

23 PREAMBLE:

24 For purposes of effective land use planning and regulation, efficient and
 25 effective administration of development regulations, and compliance with the
 26 King County Comprehensive Plan (KCCP), King County adopted a new
 27 zoning code in 1993 (Title 21A) and converted zoning designations for
 28 specific parcels to the new zoning in February, 1995 (Ordinance 11653).

29 As a part of this conversion process, all site plan review (p-suffix) conditions
 30 adopted under the previous zoning code (Title 21) were carried-forward
 31 pending further review pursuant to K.C.C. 21A.01.070 (F) and (G) and
 32 KCCP Policy I-406.

33 This ordinance is a result of review pursuant to Ordinance 10870, Section 5,
 34 and K.C.C. 21A.01.070 and represents the completion of the zoning
 35 conversion to Title 21A. This ordinance completes the zoning conversion by
 36 retaining or converting those p-suffix conditions meeting the criteria under
 37 Title 21A for property specific development standards and repealing or
 38 replacing all others.

39 The conversion criteria for all p-suffix actions in this ordinance, whether
 40 retaining, repealing, converting or replacing p-suffix conditions, are as
 41 follows:

- 42 1) p-suffix conditions applicable to an individual property or a limited
- 43 number of neighboring properties that exceed the development
- 44 regulation standards of Title 21A are retained or converted pursuant to

1 the new standards for property specific development standards in K.C.C.
2 21A.38 and are contained in Appendix A;

3 2) p-suffix conditions applicable on an area-wide basis, to an entire
4 community planning area or a drainage basin, for example, and that
5 exceed the development regulation standards of Title 21A, are replaced
6 by Special District Overlays in Proposed Ordinance 96-261, or general
7 code language or Special Requirements in Proposed Ordinance 96-260;

8 3) p-suffix conditions that are redundant to existing code standards or
9 conflict with the 1994 King County Comprehensive Plan or other policy
10 direction are repealed and not converted or replaced.

11 All individual reclassifications effective prior to the zoning conversion on
12 February 2, 1995 are repealed as part of this legislative action. The zoning
13 contained in these ordinances was converted to Title 21A by Ordinance
14 11653. This action thereby repeals all p-suffix conditions established by
15 individual reclassification prior to the zoning conversion and converts those
16 p-suffix conditions meeting the conversion criteria.

17 Property specific development standards adopted by an individual
18 reclassification effective after February 2, 1995 or still pending completion of
19 pre-effective conditions are retained, repealed or amended and included in
20 Appendix A. This consolidates, and makes consistent with Title 21A, these
21 property specific development standards.

22 All area zoning adopted as part of a community planning process prior to
23 February 2, 1995 and using Title 21 zoning is repealed. The zoning
24 contained in these ordinances was converted to Title 21A zoning by
25 Ordinance 11653. This action repeals all p-suffix conditions established
26 through the community plan area zoning process prior to the zoning
27 conversion and converts those p-suffix conditions meeting the conversion
28 criteria.

29 All property specific development standards established in plan amendments
30 or other area zoning actions using Title 21A zoning not converted by
31 Ordinance 11653 are retained, repealed or amended and included in
32 Appendix A. This consolidates, and makes consistent with Title 21A, these
33 property specific development standards.

34 With the conversion to Title 21A of all previously adopted p-suffix
35 conditions upon adoption of this ordinance, no further Title 21 zoning will be
36 applicable in King County and Resolution 25789 and Title 21 are repealed.

37 The intent of this ordinance is to complete the administrative transition to the
38 new zoning code by repealing, or converting and consolidating, p-suffix
39 conditions pursuant to K.C.C. Title 21A with minimal substantive
40 modification to development standards. However, modifications were made
41 for clarity and consistency, particularly in cases where differences between
42 similar p-suffix conditions or conflicts between policy direction existed.

1 The implementation of K.C.C. Title 21A through this ordinance will
 2 eliminate redundant development standards, consolidate remaining
 3 development standards, and thereby simplify regulation while maintaining
 4 environmental protection and quality of life for King County residents. These
 5 actions will lower the effort and cost required to develop in King County and
 6 will result in more efficient, effective and consistent administration of land
 7 use in unincorporated King County.

8 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

9 SECTION 1: Ordinance 263, Section 1 and K.C.C. 20.12.010 are each amended to read as
 10 follows:

11 Comprehensive plan adopted. A. Under the provisions of the King County Charter, King
 12 County's constitutional authority and pursuant to the Washington State Growth Management
 13 Act, RCW 36.70A, the 1994 King County Comprehensive Plan is adopted and declared to be
 14 the Comprehensive Plan for King County until amended, repealed or superseded. The
 15 comprehensive plan shall be the principal planning document for the orderly physical
 16 development of the county and shall be used to guide subarea plans, functional plans, provision
 17 of public facilities and services, review of proposed incorporations and annexations,
 18 development regulations and land development decisions.

19 B. The amendments to the 1994 King County Comprehensive Plan(~~, and the 1995 area~~
 20 ~~zoning amendments~~) contained in King County Comprehensive Plan 1995 Amendments
 21 attached as Appendix A to Ordinance 12061 are hereby adopted. (~~as amendments to the King~~
 22 ~~County Comprehensive Plan and adopted as the official zoning control for those portions of~~
 23 ~~unincorporated King County defined therein.))~~

24 C. The amendments to the 1994 King County Comprehensive Plan contained in
 25 Attachment A to (~~this o~~) Ordinance 12170 are hereby adopted to comply with the Central Puget

1 Sound Growth Management Hearings Board Decision and Order in Vashon-Maury Island, et. al.
2 v. King County, Case No. 95-3-0008.

3 D. The Vashon Town Plan, attached to Ordinance 12395 as Attachment 1, is adopted as
4 a subarea plan of the King County Comprehensive Plan and, as such, constitutes official
5 County policy for the geographic area of unincorporated King County defined therein and
6 amending the 1994 King County Comprehensive Plan Land Use Map.

7 E. The amendments to the 1994 King County Comprehensive contained in King County
8 Comprehensive Plan 1996 Amendments attached as Appendix A to Ordinance 12531 are
9 hereby adopted as amendments to the King County Comprehensive Plan.

10 F. The Black Diamond Urban Growth Area attached as Appendix A to Ordinance
11 12533 is hereby adopted as an amendment to the King County Comprehensive Plan.

12 G. The 1994 King County Comprehensive Plan and Comprehensive Plan Land Use
13 Map are amended to include the area shown in Appendix A as Rural City Urban Growth Area.
14 The language from Section 1.D of Ordinance 12535 shall be placed on Comprehensive Plan
15 Land Use Map page #32 with a reference marker on the area affected by Ordinance 12535.

16 SECTION 2. Ordinance 11653, Section 6, as amended, and K.C.C. 20.12.017 are each
17 hereby amended to read as follows:

18 ~~((Adoption of area zoning to implement the 1994 King County Comprehensive Plan and
19 conversion to K.C.C. Title 21A.))~~ Conversion and Consolidation of Zoning. The following
20 provisions complete the zoning conversion from Title 21 to Title 21A pursuant to Ordinance
21 10870, Section 5, as amended:

1 A. Ordinance 11653 adopts area zoning to implement the 1994 King County
2 Comprehensive Plan pursuant to the Washington State Growth Management Act RCW
3 36.760A. Ordinance 11653 also converts existing zoning in unincorporated King County to the
4 new zoning classifications in the 1993 Zoning Code, codified in Title 21A, pursuant to the area
5 zoning conversion guidelines in K.C.C. 21A.01.070. The following are adopted as attachments
6 to Ordinance 11653:

7 Appendix A: 1994 Zoning Atlas, dated November 1994, as amended December 19, 1994.

8 Appendix B: Amendments to Bear Creek Community Plan P-Suffix Conditions.

9 Appendix C: Amendments to Federal Way Community Plan P-Suffix Conditions.

10 Appendix D: Amendments to Northshore Community Plan P-Suffix Conditions.

11 Appendix E: Amendments to Highline Community Plan P-Suffix Conditions.

12 Appendix F: Amendments to Soos Creek Community Plan P-Suffix Conditions.

13 Appendix G: Amendments to Vashon Community Plan P-Suffix Conditions.

14 Appendix H: Amendments to East Sammamish Community Plan P-Suffix Conditions.

15 Appendix I: Amendments to Snoqualmie Valley Community Plan P-Suffix Conditions.

16 Appendix J: Amendments to Newcastle Community Plan P-Suffix Conditions.

17 Appendix K: Amendments to Tahoma/Raven Heights Community Plan P-Suffix
18 Conditions.

19 Appendix L: Amendments to Enumclaw Community Plan P-Suffix Conditions.

20 Appendix M: Amendments to West Hill Community Plan P-Suffix Conditions.

21 Appendix N: Amendments to Resource Lands Community Plan P-Suffix Conditions.

1 Appendix O: 1994 Parcel List, as amended December 19, 1994.

2 Appendix P: Amendments considered by the Council January 9, 1995.

3 B. Area zoning adopted by Ordinance 11653, including potential zoning is contained in
4 Appendices A and O. Amendments to area-wide P-suffix conditions adopted as part of
5 community plan area zoning are contained in Appendices B through ((N)) P. Existing P-suffix
6 conditions whether adopted through reclassifications or community plan area zoning are retained
7 by Ordinance 11653 except as amended in Appendices B through ((N)) P.

8 C. The department is hereby directed to correct the official zoning map in accordance
9 with Appendices A through P of Ordinance 11653.

10 D. The 1995 area zoning amendments attached to Ordinance 12061 in Appendix A are
11 adopted as the official zoning control for those portions of unincorporated King County
12 defined therein.

13 E. Amendments to the 1994 King County Comprehensive Plan area zoning, Ordinance
14 11653 Appendices A, O and P, as contained in Attachment A to Ordinance 12170 are hereby
15 adopted to comply with the Decision and Order of the Central Puget Sound Growth
16 Management Hearings Board in Vashon-Maury Island, et. al. v. King County, Case No. 95-3-
17 0008.

18 F. The Vashon Town Plan Area Zoning, attached to Ordinance 12395 as Attachment
19 2, is adopted as the official zoning control for that portion of unincorporated King County
20 defined therein.

21 G. The 1996 area zoning amendments attached to Ordinance 12531 in Appendix A
22 are adopted as the official zoning control for those portions of unincorporated King County

1 defined therein. Existing p-suffix conditions whether adopted through reclassifications or
2 area zoning are retained by Ordinance 12531.

3 H. The Black Diamond Urban Growth Area Zoning Map attached as Appendix B is
4 adopted as the official zoning control for those portions of unincorporated King County
5 defined therein. Existing p-suffix conditions whether adopted through reclassifications or
6 area zoning are retained by Ordinance 12533.

7 I. The King County Zoning Atlas is amended to include the area shown in Appendix
8 B as UR - Urban Reserve, one DU per 5 acres. Existing p-suffix conditions whether adopted
9 through reclassifications or area zoning are retained by Ordinance 12535. The language from
10 Section 1. D of Ordinance 12535 shall be placed on the King County Zoning Atlas page #32
11 with a reference marker on the area affected by Ordinance 12535.

12 J. The White Center Community Plan Area Zoning, as revised in the Attachments to
13 Ordinance 11568, is the official zoning for those portions of White Center in unincorporated
14 King County defined therein.

15 ((G))K. This ordinance completes the zoning conversion process begun in Ordinance
16 11653, as set forth in K.C.C. 21A.01.070, by retaining, repealing, replacing or amending,
17 previously adopted p-suffix conditions or property-specific development standards pursuant to
18 K.C.C. 21A.38.020 and K.C.C. 21A.38.030 as follows:

19 1. Resolutions 31072, 32219, 33877, 33999, 34493, 34639, 35137, and 37156
20 adopting individual zone reclassifications are hereby repealed and p-suffix conditions are
21 replaced by the property specific development standards as set forth in Appendix A to this
22 ordinance.

1 2. All ordinances adopting individual zone reclassifications effective prior to February
2 2, 1995, including but not limited to ordinances 43, 118, 148, 255, 633, 1483, 1543, 1582,
3 1584, 1728, 1788, 2487, 2508, 2548, 2608, 2677, 2701, 2703, 2765, 2781, 2840, 2884, 2940,
4 2958, 2965, 2997, 3239, 3262, 3313, 3360, 3424, 3494, 3496, 3501, 3557, 3561, 3641, 3643,
5 3744, 3779, 3901, 3905, 3953, 3988, 4008, 4043, 4051, 4053, 4082, 4094, 4137, 4289, 4290,
6 4418, 4560, 4589, 4703, 4706, 4764, 4767, 4867, 4812, 4885, 4888, 4890, 4915, 4933, 4956,
7 4970, 4978, 5087, 5114, 5144, 5148, 5171, 5184, 5242, 5346, 5353, 5378, 5453, 5663, 5664,
8 5689, 5744, 5752, 5755, 5765, 5854, 5984, 5985, 5986, 6059, 6074, 6113, 6151, 6275, 6468,
9 6497, 6618, 6671, 6698, 6832, 6885, 6916, 6966, 6993, 7008, 7087, 7115, 7207, 7328, 7375,
10 7382, 7396, 7583, 7653, 7677, 7694, 7705, 7757, 7758, 7821, 7831, 7868, 7944, 7972, 8158,
11 8307, 8361, 8375, 8427, 8452, 8465, 8571, 8573, 8603, 8718, 8733, 8786, 8796, 8825, 8858,
12 8863, 8865, 8866, 9030, 9095, 9189, 9276, 9295, 9476, 9622, 9656, 9823, 9991, 10033,
13 10194, 10287, 10419, 10598, 10668, 10781, 10813, 10970, 11024, 11025, 11271, and 11651,
14 are hereby repealed and p-suffix conditions are replaced by the property specific development
15 standards as set forth in Appendix A to this ordinance.

16 3. All ordinances establishing individual reclassifications effective after February 2,
17 1995, are hereby amended, as set forth in Appendix C to this ordinance, to retain, repeal or
18 amend the property specific development standards (p-suffix conditions) contained therein.

19 4. All ordinances adopting area zoning pursuant to Resolution 25789 or converted by
20 Ordinance 11653 are repealed as set forth in subsections a through n. All p-suffix conditions
21 contained therein are repealed or replaced by adopting the property specific development
22 standards as set forth in Appendix A to this ordinance, the special district overlays as

1 designated in Appendix B to this ordinance or the special requirements as designated in
2 Appendix A to Proposed Ordinance 96-260.

3 a. The Highline Area Zoning attached to Ordinance 3530, as amended, is hereby
4 repealed.

5 b. The Shoreline Community Plan Area Zoning, attached to Ordinance 5080 as
6 Appendix B, as amended, is hereby repealed.

7 c. The Newcastle Community Plan Area Zoning, attached to Ordinance 6422 as
8 Appendix B, as amended is hereby repealed.

9 d. The Tahoma/Raven Heights Community Plan Area Zoning, attached to Ordinance
10 6986 as Appendix B, as amended, is hereby repealed.

11 e. The Revised Federal Way area zoning, adopted by Ordinance 7746, as amended, is
12 hereby repealed.

13 f. The Revised Vashon Community Plan Area Zoning, attached to Ordinance 7837 as
14 Appendix B, as amended, is hereby repealed.

15 g. The Bear Creek Community Plan Area Zoning, attached to Ordinance 8846 as
16 Appendix B, as amended, is hereby repealed.

17 h. The Resource Lands Area Zoning, adopted by Ordinance 8848, as amended, is
18 hereby repealed.

19 i. The Snoqualmie Valley Community Plan Area Zoning, as adopted by Ordinance 9118,
20 is hereby repealed.

21 j. The Enumclaw Community Plan Area Zoning attached to Ordinance 9499, as
22 amended, is hereby repealed.

1 k. The Soos Creek Community Plan Update Area Zoning, adopted by Ordinance 10197,
2 Appendix B, as amended, is hereby repealed.

3 l. The Northshore Area Zoning adopted by Ordinance 10703 as Appendices B and E, as
4 amended, is hereby repealed.

5 m. The East Sammamish Community Plan Update Area Zoning, as revised in Appendix
6 B attached to Ordinance 10847, as amended, is hereby repealed.

7 n. The West Hill Community Plan Area Zoning adopted in Ordinance 11116, as
8 amended, is hereby repealed.

9 5. All ordinances adopting area zoning pursuant to Title 21A and not converted by
10 Ordinance 11653, including community or comprehensive plan area zoning and all
11 subsequent amendments thereto, are amended as set forth in subsections a through f. All
12 property specific development standards (p-suffix conditions) are retained, repealed, amended
13 or replaced by the property specific development standards as set forth in Appendix A to this
14 ordinance, the special district overlays as designated in Appendix B to this ordinance or the
15 special requirements as designated in Appendix A to Proposed Ordinance 96-260.

16 a. The White Center Community Plan Area Zoning, contained in the Attachments to
17 Ordinance 11568, as subsequently amended, is hereby further amended as set forth in
18 Appendix D.

19 b. All property specific development standards established in Ordinance 11653, as
20 amended, are hereby amended as set forth in Appendix E.

21 c. All property specific development standards established in Attachment A to
22 Ordinance 11747 as amended, are hereby amended as set forth in Appendix F.

1 d. All property specific development standards established in Ordinance 12061, as
2 amended, are hereby amended as set forth in Appendix G.

3 e. All property specific development standards established in Ordinance 12065, as
4 amended, are hereby amended as set forth in Section 4 of this ordinance.

5 f. All property specific development standards established in Attachment A to
6 Ordinance 12170, as amended, are hereby amended as set forth in Appendix H.

7 NEW SECTION. SECTION 3. There is hereby added to K.C.C. 20.12 a new section to
8 read as follows:

9 Zoning, Potential Zoning, Property-Specific Development Standards, Special District
10 Overlays, Regional Use Designations and Interim Zoning. Zoning adopted pursuant to this
11 section shall constitute official zoning for all of unincorporated King County.

12 A. Official zoning, including but not limited to p-suffix, so-suffix and potential zoning, is
13 contained in the SITUS file and is depicted on the official zoning maps, as maintained by the
14 department of development and environmental services.

15 B. Appendix A of this ordinance is hereby adopted to constitute and contain all
16 property-specific development standards (p-suffix conditions) applicable in unincorporated
17 King County. The property specific development standards (p-suffix conditions) in effect or
18 hereinafter amended shall be maintained by the department of development and environmental
19 services in the Property Specific Development Conditions notebook. Any adoption, amendment
20 or repeal of property-specific development standards shall amend, pursuant to this section,
21 Appendix A of this ordinance as currently in effect or hereinafter amended.

1 C. Appendix B of this ordinance is hereby adopted to constitute and contain special
2 district overlays applied through this ordinance. The special district overlays in effect or
3 hereinafter amended shall be maintained by the department of development and environmental
4 services in the Special District Overlay Application Maps notebook. Any adoption, amendment
5 or repeal of special district overlays shall amend, pursuant to this section, Appendix B of this
6 ordinance as currently in effect or hereinafter amended.

7 SECTION 4. Ordinance 8846, as amended, and K.C.C. 20.12.170 are each hereby
8 amended to read as follows:

9 Bear Creek Community Plan. A. The Bear Creek Community Plan, attached to
10 Ordinance 8846 as Appendix A, is adopted as an amplification and augmentation of the
11 comprehensive plan for King County and as such constitutes official county policy for the
12 geographic area defined therein.

13 ~~B. ((The Bear Creek Community Plan Area Zoning, attached to Ordinance 8846 as~~
14 ~~Appendix B, is adopted as the official zoning control for that portion of unincorporated King~~
15 ~~County defined therein.~~

16 ~~C.)~~ Ordinance 4035, previously adopting the King County sewerage general plan, is
17 hereby amended in accordance with 20.12.170A.

18 ~~((D. The Bear Creek Community Area Zoning, attached to Ordinance 8846 as~~
19 ~~Appendix B, is hereby amended by Ordinance 11653 and Ordinance 12015 (proposed~~
20 ~~Ordinance 92-614) as follows: Existing zoning and potential zoning are replaced by the~~
21 ~~zoning and potential zoning contained in Appendices A and O of Ordinance 11653. Existing~~
22 ~~P-suffix conditions are retained except as amended by Appendix B of Ordinance 11653 and~~

1 Appendix A of Ordinance 12015, (Proposed Ordinance #92-614) as further amended by
2 Attachment A of Ordinance 12016 (Proposed Ordinance #95-568).))

3 ((E))C. The Bear Creek Community Plan, attached to Ordinance 8846 as Appendix A
4 is hereby amended as provided in Attachment A to ((this e))Ordinance 11954.

5 SECTION 5. Ordinance 7746, as amended, and K.C.C. 20.12.180 are each hereby
6 amended to read as follows:

7 Federal Way Community Plan. A. The Federal Way community plan update, attached to
8 Ordinance 7746, as Appendix A, is adopted as an amplification and augmentation of the
9 Comprehensive Plan for King County.

10 B. ((The Revised Federal Way community plan area zoning, attached to Ordinance 7746
11 as Appendix B, is adopted as the official zoning control for that portion of unincorporated King
12 County defined therein.

13 C.) The Federal Way Plan Amendment Study at Redondo Beach, attached as Appendix A
14 to Ordinance 10426 is adopted as an amendment to the Federal Way Community Plan. ((and to
15 the Federal Way area zoning as the official zoning control for that portion of unincorporated
16 King County defined therein.))

17 ((D. The Revised Federal Way area zoning, adopted by Ordinance 7746, as amended by
18 Ordinance 10426 is hereby amended by Ordinance 11653 as follows: Existing zoning and
19 potential zoning are replaced by the zoning and potential zoning contained in Appendices A and
20 O of Ordinance 11653. Existing P-suffix conditions are retained except as amended by
21 Appendix C of Ordinance 11653.))

1 SECTION 6. Ordinance 10703, as amended, and K.C.C. 20.12.210 are each amended to
2 read as follows:

3 Northshore community plan. A. The Northshore Community Plan Update attached to
4 Ordinance 10703 as Appendix A as amended by the Northshore Community Plan Update
5 Review Panel's amendments dated September 30, 1992 and attached hereto as Appendix E, is
6 adopted in its entirety as an amplification and augmentation of the comprehensive plan for King
7 County and as such constitutes official county policy for the geographic area defined therein.

8 B. ~~((The Northshore Community Plan Update Area Zoning, attached to Ordinance 10703~~
9 ~~as Appendix B as amended by the Northshore Community Plan Update Review Panel's~~
10 ~~amendments dated September 30, 1992 and attached hereto as Appendix E, is adopted as the~~
11 ~~official zoning control for that portion of unincorporated King County defined therein with the~~
12 ~~following Northshore Community Plan Update Area Zoning recommended changes~~
13 ~~(Attachment A to Ordinance 11109).~~

14 C). Ordinance No. 4035, previously adopting the King County Sewerage General Plan, is
15 hereby amended in accordance with Subsection A.

16 ~~((D))~~C. The King County Comprehensive Plan Map, adopted by Ordinance 7178, is
17 amended within the Northshore community planning area to redesignate the transitional area, to
18 redesignate portions of resource lands, and to redesignate portions of urban areas, as indicated
19 on the map attached hereto as Appendix C. Justification for the amendments are contained in an
20 issue paper attached hereto as Appendix D. These designations shall be implemented by the
21 adoption of the Northshore Community Plan Update and Area Zoning.

1 ~~((E. The Northshore area zoning adopted by Ordinance 10703 as Appendices B and E is~~
2 ~~hereby repealed in part as follows: The text and P suffix conditions of the Northshore area~~
3 ~~zoning document area hereby amended by Appendix D of Ordinance 11653. The potential~~
4 ~~zoning and P suffix designations are hereby amended by Appendix O of Ordinance 11653. The~~
5 ~~zoning map of the Northshore area zoning document is hereby repealed and replaced by~~
6 ~~Appendix A of Ordinance 11653, in accordance with K.C.C. Title 21A. The department is~~
7 ~~hereby directed to correct the official zoning map in accordance with Appendices A and D of~~
8 ~~Ordinance 11653.))~~

9 SECTION 7. Ordinance 2883, Section 1, as amended, and K.C.C. 20.12.240 are each
10 hereby amended to read as follows:

11 Highline communities plan. A. The "Highline communities plan," attached to Ordinance
12 3530, is adopted as an addendum to the comprehensive plan for King County. The Highline
13 communities plan is amended by ~~((those changes identified in the "Highline area zoning," to~~
14 ~~Ordinance 5453 as inconsistent with the plan pursuant to))~~ Ordinance 5401. As an amplification
15 and augmentation of the comprehensive plan and the Sea-Tac communities plan, it constitutes
16 official county policy for the Highline area.

17 B. Any further changes and amendments to the plan initiated by King County which relate
18 to the Sea-Tac Airport and its vicinity shall correspondingly change and amend the Sea-Tac
19 communities plan. All proposed changes and amendments shall be transmitted to the Port of
20 Seattle for review and official consideration by the Port of Seattle Commission prior to council
21 approval.

1 C. In adopting the Highline communities plan, the council recognizes that cooperation and
 2 action by others, including but not limited to citizens, state and local agencies, is essential for
 3 proper implementation.

4 D. The land use plan amendment attached to Ordinance 7291 as Appendix A, is adopted as
 5 an amendment to the Highline communities plan.

6 ~~((E. An amendment to the Highline area zoning, attached to Ordinance 7291 as Appendix
 7 B is adopted as the official zoning control for that portion of unincorporated King County
 8 defined therein.))~~

9 ~~((F))E. The Highline Plan Revision Study - Olde Burien attached to Ordinance 8251 as
 10 Appendix A, is adopted as an amendment to the Highline Plan.~~

11 ~~((G. An amendment to the Highline Area Zoning, attached to Ordinance 8251 as Appendix
 12 B is adopted as the official zoning control for that portion of unincorporated King County
 13 defined therein.))~~

14 ~~((H))F. The "Sea-Tac communities plan," attached to Ordinance 2883, is adopted as an
 15 addendum to the comprehensive plan for King County.~~

16 ~~((I))G. The Highline Plan Revision Study - Beverly Park, attached to Ordinance 8822 as
 17 Appendix A, is adopted as an amendment to the Highline Plan. ~~((and to the Highline area zoning
 18 as the official zoning control for that portion of unincorporated King County defined therein.))~~~~

19 ~~((J))H. The Sea-Tac Area Update~~((and Area Zoning))~~, attached to Ordinance 8996 as
 20 Attachment A is adopted as an amplification and augmentation of the Comprehensive Plan.~~

21 ~~((K))I. The Burien Activity Center update policies list, attached to Ordinance 10430 as
 22 Appendix A, will provide future guidance to the new City of Burien government and is~~

1 recognized as a detailed local land use plan predating the 1994 Comprehensive Plan for King
 2 County and as such provides historical context for zoning decisions implementing the 1994
 3 comprehensive plan.

4 ~~((L. The Burien Activity Center Area Zoning attached to Ordinance 10430 as Appendix B,
 5 is adopted as the official zoning control for that portion of unincorporated King County defined
 6 therein.))~~

7 1. Amend Highline Community Plan Land use map by designating the south 360 feet of
 8 tax lot 70 from Community Facilities to Neighborhood Business.

9 ~~((2. Amend Highline Plan Area zoning by reclassifying the south 360 feet of Tax lot 70
 10 from Single Family Residential, RS-7200 to Neighborhood Business BN-P.))~~

11 ~~((3))~~2. Amend Highline Community Plan Land use map by designating the northern
 12 portion of the Puget Sound Jr. High School site from Community Facility to Park and
 13 Recreation.

14 ~~((4. Amend Highline Plan Area zoning by reclassifying the northern portion of the Puget
 15 Sound Jr. High School site from RS-7200 and RM-900 to RS-7200-P.))~~

16 ~~((5. Both portions of Puget Sound Jr. High School site are subject to the following P,
 17 suffix conditions:))~~

18 ~~((a. The existing structure on the site (the abandoned school) shall be demolished before
 19 final approval for redevelopment of any portion of the site may be granted; for the purposes of
 20 this provision "final approval" shall mean prior to commencement of construction of any
 21 commercial structure, or final plat or short plat approval for any plat or short plat for residential
 22 or commercial purposes.))~~

1 ~~((b. Landscaping adjacent to existing residential areas shall meet the Type II (Visual~~
2 ~~buffer) standards of the zoning code. On street frontages, landscaping shall meet Type IV (Open~~
3 ~~Area Landscaping) standards.))~~

4 ~~((c. Enclosed/roofed truck loading bays;))~~

5 ~~((d. No more than four access points to the site (two for auto, two for service/delivery);))~~

6 ~~((e. A transit information station on the site;))~~

7 ~~((f. Bicycle racks to be provided on the site;))~~

8 ~~((g. Exterior lights should be directed away from and shrouded from residential areas to~~
9 ~~minimize glare.))~~

10 ~~((M))J. The White Center Community Action Plan ~~((and Area Zoning))~~, a bound and
11 published document (Attachment I), as revised in the Attachments to Ordinance 11568
12 ~~((enumerated below))~~ is adopted as an amplification and augmentation of the Comprehensive
13 Plan for King County and as such constitutes official county policy for the geographic area of
14 unincorporated King County defined therein~~((:))~~.~~

15 ~~((Attachment II))~~

16 ~~((White Center Community Action Plan tentatively approved Panel Amendments (August~~
17 ~~29, 1994.))~~

18 ~~((Attachment III))~~

19 ~~((White Center Action Plan Technical Corrections dated October 28, 1994, adopted by the~~
20 ~~council on November 7, 1994.))~~

21 ~~((Attachment IV))~~

1 ((Other amendments adopted by the council on November 7, 1994.))

2 ((N. The Highline Area Zoning attached to Ordinance 3530, as amended by, Ordinance
3 5453, Appendix B of Ordinance 7291, Appendix B of Ordinance 8251, Appendix A of
4 Ordinance 8822, Attachment A of Ordinance 8996, Appendix B of Ordinance 10430 is repealed
5 in part as follows: The text and P-suffix conditions of the Highline area zoning and its
6 amendments are hereby amended by Appendix E of Ordinance 11653. The potential zoning and
7 P-suffix designations are hereby amended by Appendix O of Ordinance 11653. The zoning map
8 of the Highline area zoning and its amendments is hereby repealed and replaced by Appendix A
9 of Ordinance 11653, in accordance with K.C.C. Title 21A. The department is hereby directed to
10 correct the official zoning map in accordance with Appendices A and E of Ordinance 11653.))

11 SECTION 8. Ordinance 10197, Sections 1, 3, as amended, and K.C.C. 20.12.270 are each
12 hereby amended to read as follows:

13 Soos Creek Plateau communities plan. A. The Soos Creek Community Plan Update
14 attached to Ordinance 10197 as Appendix A, is adopted in its entirety as an amplification and
15 augmentation of the Comprehensive Plan for King County and as such constitutes official
16 county policy for the geographic area defined therein.

17 B. ((The Soos Creek Community Plan Update Area Zoning, attached to Ordinance No.
18 10197 as Appendix B, is adopted as the official zoning control for that portion of unincorporated
19 King County defined therein with the following Soos Creek Community Plan Update and Area
20 Zoning recommended changes: (Attachment A to Ordinance 10336), with an additional P-suffix
21 condition to be applied in the Covington Master Drainage Plan area prohibiting any land uses
22 involving hazardous waste recycling or treatment, solid waste landfills, petroleum pipelines,

1 businesses maintaining open storage of toxic substances, and all new businesses that use or
2 propose to use septic tank drainfield systems.

3 C.)) The King County Comprehensive Plan Map, adopted by Ordinance 7178, is amended
4 within the Soos Creek community planning area to redesignate the transitional area, to
5 redesignate portions of rural lands, and to redesignate portions of urban areas, as indicated on
6 Map A attached to Ordinance 10198, as implemented by the Soos Creek Community Plan
7 Update and Area Zoning adopted by Ordinance 10197.

8 ~~((D. The Soos Creek Community Plan Update Area Zoning, adopted by Ordinance 10197,~~
9 ~~Appendix B, as amended, is hereby amended by Ordinance 11653 as follows: Existing zoning~~
10 ~~and potential zoning are replaced by the zoning and potential zoning contained in Appendices A~~
11 ~~and O of Ordinance 11653. Existing P-suffix conditions are retained except as amended by~~
12 ~~Appendix F of Ordinance 11653.))~~

13 SECTION 9. Ordinance 5080, Sections 1, 2, as amended, and K.C.C. 20.12.300 are each
14 hereby amended to read as follows:

15 Shoreline community plan. A. The Shoreline community plan, attached to Ordinance
16 5080 as Appendix A, is adopted as an amplification and augmentation of the comprehensive
17 plan for King County and as such constitutes official county policy for the geographic area
18 defined therein.

19 ~~((The Shoreline community plan area zoning, attached to Ordinance 5080 as Appendix B,~~
20 ~~is adopted as the official zoning control for that portion of unincorporated King County defined~~
21 ~~therein.))~~

1 B. The North City business district development guide, attached to Ordinance 6337, is
2 adopted as an amplification of the Shoreline community plan. The purpose of the North City
3 business district development guide is to provide recommendations for capital improvement
4 projects and development guidelines to aid in improving the function and appearance of the
5 North City business district.

6 C. The land use plan amendment attached to Ordinance 7804 as Appendix A, is adopted as
7 an amendment to the Shoreline community plan. ~~((An amendment to the Shoreline community
8 plan area zoning, attached to Ordinance 7804 as Appendix B, is adopted as the official zoning
9 control for that portion of unincorporated King County defined therein.))~~

10 ~~((D. The Shoreline community plan area zoning, attached to Ordinance 5080 as Appendix
11 B, as amended by Appendix B of Ordinance 7804, is hereby amended by Ordinance 11653 as
12 follows: Existing zoning and potential zoning are replaced by the zoning and potential zoning
13 contained in Appendices A and O of Ordinance 11653. Existing P-suffix conditions are retained
14 by Ordinance 11653.))~~

15 SECTION 10. Ordinance 7837, as amended, and K.C.C. 20.12.320 are each amended to
16 read as follows:

17 Vashon community plan. A. The Vashon community plan update, together with revised
18 local service area boundaries for sewer service, attached to Ordinance 7837 as Appendix A, is
19 adopted as an amplification and augmentation of the comprehensive plan for King County.

20 B. ~~((The revised Vashon community plan area zoning, attached to Ordinance 7837 as
21 Appendix B, as amended, is adopted as the official zoning control for that portion of
22 unincorporated King County defined herein.~~

1 C.) Ordinance No. 4035, previously adopting the King County sewerage general plan, is
 2 hereby amended in accordance with Subsection A. The town of Vashon business district
 3 development guide, attached to Ordinance 6386, is adopted as an amplification of the Vashon
 4 community plan.

5 ~~((D. The revised Vashon community plan area zoning, attached to Ordinance 7837 as
 6 Appendix B, as amended, is hereby amended by Ordinance 11653 as follows: Existing zoning
 7 and potential zoning are replaced by the zoning and potential zoning contained in Appendices A
 8 and O of Ordinance 11653. Existing P-suffix conditions are retained except as amended in
 9 Appendix G of Ordinance 11653.))~~

10 C. The Vashon community plan update, attached to Ordinance 7837 as Appendix A, is
 11 amended by the Vashon Town Plan, attached to Ordinance 12395 as Attachment 1.

12 SECTION 11. Ordinance 11116, Section 2, as amended, and K.C.C. 20.12.337 are each
 13 hereby amended to read as follows:

14 West Hill community plan. A. The West Hill Community Plan(~~(and Area Zoning)~~), a
 15 bound and published document(~~((Attachment I))~~), as revised in the Attachments to Ordinance
 16 11166 (~~(enumerated below)~~) is adopted as an amplification and augmentation of the
 17 Comprehensive Plan for King County and as such constitutes official county policy for the
 18 geographic area of unincorporated King County defined therein(~~(:)~~).

19 ~~((Attachment II. West Hill Community Plan and Area Zoning Matrix (November 2, 1993).~~

20 ~~Attachment III. Amendment to West Hill Policy #21 (October 29, 1993).~~

21 ~~Attachment IV. Revised Chapters X (Implementation) XI (Proposed Area Zoning) with~~
 22 ~~Revised Area Zoning Map (October 29, 1993.))~~

1 ((B. ~~The West Hill Community Plan Area Zoning adopted in Ordinance 11116 is amended~~
2 ~~by Ordinance 11653 as follows: Zoning and potential zoning are amended by the zoning and~~
3 ~~potential zoning contained in Appendices A and O of Ordinance 11653. Existing P-suffix~~
4 ~~conditions are retained except as amended by Appendix M of Ordinance 11653.))~~

5 ((C. ~~The 1995 area zoning amendments attached to Ordinance 12061 in Appendix A are~~
6 ~~adopted as the official zoning control for those portions of White Center in unincorporated King~~
7 ~~County defined therein.))~~

8 SECTION 12. Ordinance 10847, as amended, and K.C.C. 20.12.340 are each hereby
9 amended to read as follows:

10 East Sammamish community plan. A. The East Sammamish Community Plan Update, as
11 revised in Appendix A attached to Ordinance 10847, is adopted as an amplification and
12 augmentation of the Comprehensive Plan for King County and as such constitutes official
13 county policy for the geographic area defined therein.

14 B. ~~((The East Sammamish Community Plan Update Area Zoning, as revised in Appendix~~
15 ~~B attached to Ordinance 10847, is adopted as the official zoning control for that portion of~~
16 ~~unincorporated King County defined therein with the following East Sammamish Community~~
17 ~~Plan Update Area Zoning recommended change (Attachment A to Ordinance 11456).~~

18 C.) Ordinance 4035, previously adopting the King County Sewerage General Plan, is
19 hereby amended in accordance with Subsection A.

20 ((D))C. Should any section, subsection, paragraph, sentence, clause or phrase of this
21 section be declared unconstitutional or invalid for any reason, such decision shall not affect the
22 validity of the remaining portion of this section.

1 ((E))D. The King County Comprehensive Plan Map, adopted by Ordinance 7178, is
2 amended within the East Sammamish community planning area to redesignate the transitional
3 areas, to redesignate portions of rural areas, and to redesignate portions of urban areas, as
4 indicated on the map attached to Ordinance 10847 as Map A. These designations shall be
5 implemented by the adoption of the East Sammamish Community Plan Update and Area
6 Zoning.

7 ~~((F. The East Sammamish Community Plan Update Area Zoning, as revised in Appendix~~
8 ~~B attached to Ordinance 10847, is hereby amended by Ordinance 11653 as follows: Existing~~
9 ~~zoning and potential zoning are replaced by the zoning and potential zoning contained in~~
10 ~~Appendices A and O of Ordinance 11653. Existing P suffix conditions are retained except as~~
11 ~~amended in Appendix H of Ordinance 11653.))~~

12 ((G))E. Attachment((s)) ~~((A and))~~ B in Ordinance 11747 ~~((are))~~ is hereby adopted as a
13 technical amendment((s)) to the East Sammamish Community Plan~~((and Area Zoning))~~ as
14 adopted in Ordinance 10847.

15 SECTION 13. Ordinance 9110 as amended, and K.C.C. 20.12.345 are each hereby
16 amended to read as follows:

17 Snoqualmie Valley Community Plan. A. The Snoqualmie Valley Community Plan~~((and~~
18 ~~Area Zoning))~~, a bound and published document attached to Ordinance 9118 as Appendix A, is
19 adopted as an amplification and augmentation of the King County Comprehensive Plan and as
20 such constitutes official county policy ~~((and zoning))~~ for the geographic area defined therein.

1 B. Pursuant to Ordinance 7178, Section 3(D) and King County Comprehensive Plan
2 policy PI-105; the King County Comprehensive Plan map is hereby amended as shown in
3 Appendix A.

4 C. The King County Sewerage General Plan attached as an addendum to Ordinance 4035
5 is hereby amended as shown in Appendix A attached to Ordinance 9118.

6 ~~((D. Ordinance 1913, Ordinance 1992 and Ordinance 3503 which previously adopted
7 zoning for the Snoqualmie Valley planning area are each hereby repealed.))~~

8 ~~((E. The zoning and "P" suffix conditions contained in the executive proposed Snoqualmie
9 Community Plan and area zoning for the properties shown on Attachment A to Ordinance 9110
10 and as further amended by Attachment B to Ordinance 9110 are hereby adopted.))~~

11 ~~((F. The Snoqualmie Community Plan area zoning, Attachment A and as amended by
12 Attachment B of Ordinance 9118 are hereby amended by Ordinance 11653 as follows: Existing
13 zoning and potential zoning are replaced by the zoning and potential zoning contained in
14 Appendices A and O of Ordinance 11653. Existing P-suffix conditions are retained except as
15 amended by Appendix I of Ordinance 11653.))~~

16 SECTION 14. Ordinance 6422, as amended, and K.C.C. 20.12.350 are each amended to
17 read as follows:

18 Newcastle Community Plan. A. The Newcastle Community Plan, attached to Ordinance
19 6422 as Appendix A, is adopted as an amplification and augmentation of the Comprehensive
20 Plan for King County and as such constitutes official county policy for the geographic area
21 defined therein.

1 B. ~~((The Newcastle Community Plan Area Zoning, attached to Ordinance 6422 as~~
2 ~~Appendix B, is adopted as the official zoning control for that portion of unincorporated King~~
3 ~~County defined therein.~~

4 C.) Ordinance No. 4035, previously adopting the King County Sewerage General Plan, is
5 hereby amended in accordance with K.C.C. 20.12.350A.

6 ~~((D. Resolution No. 31816, previously adopting area zoning for Newcastle on May 9,~~
7 ~~1966, is hereby amended in accordance with K.C.C. 20.12.350B.))~~

8 ~~((E))C. Amendment to the Newcastle Community Plan, attached to Ordinance 7845 as~~
9 ~~Attachment A, is adopted as an amplification of the Comprehensive Plan for King County. ((An~~
10 ~~amendment to the Newcastle Community Plan Area Zoning, attached to Ordinance 7845 as~~
11 ~~Attachment B, is adopted as the official zoning control for that portion of unincorporated King~~
12 ~~County defined therein.))~~

13 ~~((F))D. The Newcastle Plan Revision Study - Primark, attached to Ordinance 10191 as~~
14 ~~Appendix A, is adopted as an amendment to the Newcastle Community Plan. ((and to the~~
15 ~~Newcastle area zoning as the official zoning control for that portion of unincorporated King~~
16 ~~County defined therein.))~~

17 ~~((G. The Newcastle Community Plan Area Zoning, attached to Ordinance 6422 as~~
18 ~~Appendix B, as amended by Attachment B to Ordinance 7845 is hereby amended by Ordinance~~
19 ~~11653 as follows: Existing zoning and potential zoning are replaced by the zoning and potential~~
20 ~~zoning contained in Appendices A and P of Ordinance 11653. Existing P suffix conditions are~~
21 ~~retained except as amended by Appendix J of Ordinance 11653.))~~

1 SECTION 15. Ordinance 6986, as amended, and K.C.C. 20.12.360 are each hereby
2 amended to read as follows:

3 Tahoma/Raven Heights Community Plan. A. The Tahoma/Raven Heights Community
4 Plan, attached to Ordinance 6986 as Appendix A, is adopted as an amplification and
5 augmentation of the Comprehensive Plan for King County and as such constitutes official
6 county policy for the geographic area defined therein

7 ~~B. ((The Tahoma/Raven Heights Community Plan Area Zoning, attached to Ordinance
8 6986 as Appendix B, is adopted as the official zoning control for that portion of unincorporated
9 King County defined therein.~~

10 ~~C.)~~ Ordinance 4035, previously adopting the King County Sewerage General Plan, is
11 hereby corrected in accordance with subsection A.

12 ~~((D. Ordinance 1913, previously adopting area zoning for Tahoma/Raven Heights on
13 February 4, 1974, is hereby corrected in accordance with subsection B.))~~

14 ~~((E. The King County planning division, as directed by Motion 7121, has studied the Lake
15 Webster area of the Tahoma/Raven Heights Community Plan and Area Zoning pursuant to
16 K.C.C. 20.12.070 - 20.12.080 and determined the need to amend the area zoning. The
17 amendment to the area zoning as described in the Lake Webster Plan Amendment Report,
18 attached to Ordinance 8732 as Appendix A, is consistent with the intent of the Tahoma/Raven
19 Heights Community Plan and King County Comprehensive Plan policies. The amendment to
20 the Tahoma/Raven Heights Area Zoning, attached to Ordinance 8732 as Appendix B, is adopted
21 as the official zoning control for that portion of unincorporated King County defined therein.))~~

1 ((F))C. The King County Comprehensive Plan map as adopted by Ordinance 7178 is
2 hereby amended in accordance with K.C.C. 20.12.030, subsection C as follows:

3 The Lake Webster area as described in the Lake Webster Plan Amendment Report,
4 attached to Ordinance 8738 as Appendix A, is designated Rural consistent with the intent of
5 King County Comprehensive Plan policies.

6 ((G))D. The Tahoma/Raven Heights Communities Plan Amendment ((and Area Zoning))
7 attached to Ordinance 10200 as Appendix A ((are))is adopted as an amendment to the
8 Tahoma/Raven Heights Communities Plan. ((and to the Tahoma/Raven Heights Area Zoning as
9 official zoning control for that portion of unincorporated King County defined therein.))

10 ((H))E. The King County Comprehensive Plan Map, adopted by Ordinance 7178, is
11 amended within the Tahoma/Raven Heights community planning area to redesignate portions of
12 urban areas to rural, as indicated on the map attached to Ordinance 10201 as Map A. These
13 designations shall be implemented by the adoption of the Executive Proposed Tahoma/Raven
14 Heights Communities Plan Amendment and Area Zoning.

15 ((I. The Tahoma/Raven Heights Community Plan Area Zoning, attached to Ordinance
16 6986 as Appendix B, as amended by Appendix B to Ordinance 8732 and by Map A and
17 Appendix A to Ordinance 10200 is hereby amended by Ordinance 11653 as follows: Existing
18 zoning and potential zoning are replaced by the zoning and potential zoning contained in
19 Appendices A and O of Ordinance 11653. Existing P-suffix conditions are retained except as
20 amended by Appendix K of Ordinance 11653.))

21 SECTION 16. Ordinance 8848, Sections I, 6-8 as amended, and K.C.C. 20.12.390 are
22 hereby repealed.

1 SECTION 17. Ordinance 9499, as amended, and K.C.C. 20.12.440 are each hereby
2 amended to read as follows:

3 Enumclaw community plan. A. The Enumclaw community plan(~~(-and area zoning)~~)
4 attached to Ordinance 9499 is adopted as an augmentation and implementation of the
5 comprehensive plan and as such constitute official county policy, for the geographic area
6 defined therein. (~~((The Enumclaw Area Zoning text and maps constitute an official control for~~
7 ~~the geographic area defined herein.))~~)

8 B. The King County Comprehensive Plan map, adopted by Ordinance 7178 is amended
9 within the Enumclaw community planning area to redesignate portions of the forest production
10 district as rural area, as discussed in Exhibit A to Ordinance 9499 and as indicated on the map
11 attached as Exhibit B to Ordinance 9499. These designations shall be implemented by the
12 adoption of the Enumclaw Community Plan and Area Zoning.

13 C. The King County Comprehensive Plan map, adopted by Ordinance 7178 is amended
14 within the Enumclaw community planning area to redesignate portions of the rural area as forest
15 production district, as discussed in Exhibit A and as indicated on the map attached hereto as
16 Exhibit B. These designations shall be implemented by the adoption of the Enumclaw
17 Community Plan and Area Zoning.

18 (~~(D. The Enumclaw Community Plan Area Zoning attached to Ordinance 9499 is hereby~~
19 ~~amended by Ordinance 11653 as follows: Existing zoning and potential zoning are replaced by~~
20 ~~the zoning and potential zoning contained in Appendices A and P of Ordinance 11653. Existing~~
21 ~~P-suffix conditions are retained except as amended by Appendix L of Ordinance 11653.))~~)

1 SECTION 18. Resolution 25789 and Title 21, Chapters 21.02 through 21.80, as
2 amended, are each repealed.

3 SECTION 19. Ordinance 10870, Section 4, as amended, and K.C.C. 21A.01.040 are
4 each hereby amended to read as follows:

5 Transition to new code. A. ~~((During the time that a zoning map or parts thereof are
6 being developed and adopted pursuant to this section, Resolution No. 25789 as amended shall
7 remain in full force and effect with regard to a specific piece of property until such time as a
8 zoning map or parts thereof applying the zone designations established in the 1993 Zoning
9 Code to the property in question are adopted.~~

10 B. ~~Upon the adoption of a zoning map or parts thereof pursuant to the 1993 Zoning
11 Code, Resolution 25789 and all other zoning resolutions, amendments and zoning maps
12 adopted pursuant thereto are deemed to be no longer in effect for the subject property, except
13 as specified in K.C.C. 21A.01.060(F) & (G), and with the exception listed in part C of this
14 section; provided, however, that the repeal shall be limited to the area within the boundaries of
15 the map or parts thereof adopted pursuant to this title and provided further that project
16 approval conditions applied through administrative or quasi-judicial development review,
17 processes under Resolution 25789 shall continue in effect.~~

18 C.)) Complete applications for conditional use permits, planned unit developments,
19 binding site plans, right-of-way use permits, commercial site development permits, variances,
20 unclassified use permits, or public agency and utility exceptions ~~((which are filed prior to
21 October 1, 1994 and))~~ which ~~((are))~~ were pending at the time Title 21A ~~((takes))~~ took effect
22 shall continue to be processed under those applicable zoning regulations governing review

1 prior to implementation of Title 21A; except when a conditional use permit application has
2 been submitted for a use that under Title 21A no longer requires a conditional use permit, that
3 conditional use permit shall not be a requirement for the vested development proposal.

4 Notwithstanding any contrary provisions in this title, where approved, these permits shall
5 continue to establish allowable uses on the property until permit expiration. A variance to
6 Title 21((A)) standards which has been approved and has not expired shall be deemed to also
7 vary like standards set forth in Title 21A relating to the same subject matter and development
8 proposal. Planned unit development applications pending on October 1, 1994 shall be
9 deemed to have vested at the time a complete application was filed. Nothing in this subsection
10 is intended to restrict otherwise applicable vested applicant rights.

11 ((D))B. Except for the requirements of K.C.C. 21A.43, any lot created by subdivision or
12 short subdivision for which a complete subdivision or short subdivision application was
13 submitted prior to February 2, 1995, may be developed pursuant to the standards of
14 Resolution 25789, as amended (former K.C.C. Title 21), including any applicable p-suffix
15 conditions in adopted community plans and area zoning in effect on February 1, 1995 for a
16 period of six years from the date of recording of the applicable final plat or short plat.

17 SECTION 20. Ordinance 10870, Section 36, as amended, and K.C.C. 21A.04.150 are
18 each hereby amended to read as follows:

19 Map designation - Property-specific development or P-suffix standards. The purpose of
20 the property-specific development standards designation (-P suffix to zone's map symbol)
21 ~~((which shall be shown on an official zoning map, area zoning document or zoning and~~
22 ~~subdivision examiner's report, or as a notation on the SITUS file for an individual property~~

1 ~~maintained by the department)))~~ is to indicate that conditions beyond the minimum
2 requirements of this title have been applied to development on the property, including but not
3 limited to increased development standards, limits on permitted uses or special conditions of
4 approval. Property-specific development standards are adopted in either a reclassification or
5 area zoning ordinance and are shown in the SITUS file for an individual property maintained
6 by the department. Regardless of the form in which a property-specific development standard
7 is adopted, the P-suffix shall be shown on the official zoning map maintained by the
8 department and as a notation on the SITUS file, which ~~((map))~~ shall be updated as soon as
9 possible after the effective date of the adopting ordinance adopting a P-suffix standard.

10 SECTION 21. Ordinance 10870, Section 576, as amended, and K.C.C. 21A.38.030 are
11 each hereby amended to read as follows:

12 Property-specific development standards - general provisions. A. Property-specific
13 development standards, denoted by the zoning map symbol -P after the zone's map symbol or
14 a notation in the SITUS File, shall be established on individual properties through either
15 reclassifications or area zoning. All property-specific development standards are contained in
16 Appendix A of this ordinance as currently in effect or hereinafter amended and shall be
17 maintained by the department of development and environmental services in the Property
18 Specific Development Conditions notebook. Upon the effective date of reclassification of a
19 property to a zone with a -P suffix, the property-specific development standards adopted
20 thereby shall apply to any development proposal on the subject property subject to county
21 review, including, but not limited to, a building permit, grading permit, subdivision, short

1 subdivision, subsequent reclassification to a potential zone, urban planned development,
2 conditional use permit, variance, and special use permit.

3 B. Property-specific development standards shall address problems unique to
4 individual properties or (~~specifically defined geographic areas~~) a limited number of
5 neighboring properties that are not addressed or anticipated by general minimum requirements
6 of this title or other regulations.

7 C. Property-specific development standards shall cite the provisions of this title, if any,
8 that are to be augmented, limited, or increased, shall be supported by documentation that
9 addresses the need for such condition(s), and shall include street addresses, tax lot numbers or
10 other clear means of identifying the properties subject to the additional standards. Property-
11 specific development standards are limited to:

- 12 1. Limiting the range of permitted land uses;
- 13 2. Requiring special development standards for property with physical constraints
14 (e.g. environmental hazards, view corridors);
- 15 3. Requiring specific site design features (e.g. building orientation, lot layout,
16 clustering, trails or access location);
- 17 4. Specifying the phasing of the development of a site;
- 18 5. Requiring public facility site dedications or improvements (e.g. roads, utilities,
19 parks, open space, trails, school sites); or
- 20 6. Designating sending and receiving sites for transferring density credits as provided
21 in K.C.C. 21A.36.

22 D. Property-specific development standards shall not be used to expand permitted uses
23 or reduce minimum requirements of this title.

1 SECTION 22. The amendment or repeal of any P-suffix conditions (property specific
2 development standards) pursuant to the provisions of this ordinance may apply to a
3 development application filed before the effective date of this ordinance if the director
4 determines that the development regulations to which the application is vested provide
5 equivalent development standards or conditions, or the applicant agrees to be bound by
6 existing development regulations.

7 INTRODUCED AND READ for the first time this 3rd day of
8 September, 19 96.

9 PASSED by a vote of 11 to 2 this 28th day of July, 19 97.

10 KING COUNTY COUNCIL
11 KING COUNTY, WASHINGTON

12 Ruise Miller
13 VICE Chair

14 ATTEST:

15 Zenevici
16 Clerk of the Council

17 APPROVED this 8 day of August, 1997.

18 Paulo An
19 King County Executive

20 Attachments:

- 21 Appendix A - Property Specific Development Standards (P-suffix Conditions)
- 22 Appendix B - Special District Overlay Application Maps

- 1 Appendix C - Post Zoning Conversion Individual Reclassification P-suffix Conditions
- 2 Appendix D - White Center Community Action Plan Area Zoning P-suffix Conditions
- 3 Appendix E - Zoning Code Conversion P-suffix Conditions
- 4 Appendix F - Technical Amendments to the East Sammamish Community Plan
- 5 Update and Area Zoning P-suffix Conditions (Aldarra Property)
- 6 Appendix G - 1995 King County Comprehensive Plan Amendment Package P-suffix
- 7 Conditions
- 8 Appendix H - Growth Management Hearings Board Remand Ordinance P-suffix
- 9 Conditions

Appendix B to Proposed Substitute Ordinance 96-263

Special District Overlay Application Maps (-SO)

Pursuant to proposed ordinance 96-263, Section 3, the following special district overlay applications, as designated on the attached maps, are hereby adopted in accordance with K.C.C. 21A.38.020 and K.C.C. 21A.38.040, as amended. The attached maps designate application of special district overlay zoning. Each map designates an application of one of the overlays adopted in Sections 8 through 17 of Ordinance 96-261, or a new application of a previously adopted SDO in Section 4 of Ordinance 96-261, by showing the affected area, the underlying zoning and the -SO designation. These maps do not reflect p-suffix designations or potential zoning which may apply within the overlay.

This adoption and all future adoptions of special district overlays shall be included in the Special District Overlay Application Maps notebook as maintained by the Department of Development and Environmental Services. This notebook will include the name, the adopting ordinance, the code section of the applicable development conditions and the map for each special district overlay.

<i>Name</i>	<i>Ordinance Number</i>	<i>Code section containing development conditions</i>
Pedestrian-oriented commercial development	96-263	K.C.C. 21A.38.050
Agricultural buffer area	96-263	K.C.C. 21A.38.120
Residential infill	96-263	K.C.C. 21A.38.130
Ground water protection	96-263	K.C.C. 21A.38.140
Aviation facilities	96-263	K.C.C. 21A.38.150
Urban aquifer protection	96-263	K.C.C. 21A.38.160
Highway oriented development	96-263	K.C.C. 21A.38.170
Wetland management areas	96-263	K.C.C. 21A.38.180
Erosion hazards near sensitive water bodies	96-263	K.C.C. 21A.38.190
Heron habitat protection area	96-263	K.C.C. 21A.38.200
Urban stream protection area	96-263	K.C.C. 21A.38.210
Significant tree retention	96-263	K.C.C. 21A.38.220
Floodplain density	96-263	K.C.C. 21A.38.230

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SV-P25. 112-79R (Ordinance 5744)

- 1. The uses on the subject property shall be limited as follows:
 - a. Parcels 1 and 2 to log storage and moorage and saw mills, and shingle mills and lumber mills, wood planing mill (SIC 2421, 2429), and accessory use as follows:
 - 1. Circle head saw;
 - 2. Planer;
 - 3. Log truck deliveries and lumber shipments;
 - 4. Yard equipment usage such as rubber tire forklift, log stacker and crawler tractor;
 - 5. Two resaws;
 - b. Parcel 3 to truck repairing and rental (SIC 7359, 7699), and truck parking (limit 12).

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