

5/14/24  
SP Striker

[E. Auzins, J. Ngo, J. Tracy] Sponsor: Perry  
Proposed No.: 2023-0440

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

2 **1**

3 On page 13, beginning on line 287, strike everything through page 553, line 11490, and  
4 insert:

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

6 **SECTION 1. Findings:**

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

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

12 C. The GMA requires King County to take action not later than December 31,  
13 2024, to review and, if needed, revise its comprehensive plan and development  
14 regulations to ensure the plan and regulations comply with the requirements of the GMA.  
15 This ordinance adopts the 2024 King County Comprehensive Plan ("2024 update"),  
16 which is compliant with the GMA and completes this statutorily required review and  
17 update.

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

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

28 F. The Shoreline Management Act of 1971, chapter 90.58 RCW, requires King  
29 County to develop and administer a shoreline master program. Ordinance 16985 and  
30 Ordinance 17485 adopted a comprehensive update of King County's shoreline master  
31 program as required by RCW 90.58.080(2). Ordinance 19034 adopted a periodic review  
32 of King County's shoreline master program as required by RCW 90.58.080(4).

33 G. The changes included in this ordinance for the shoreline master program  
34 constitute a locally initiated amendment allowed under WAC 173-26-090. Changes  
35 include updates to shoreline policies and development regulations. Those changes are  
36 required to be approved by the Washington state Department of Ecology before they  
37 become effective.

38 H. The 2024 update was developed using early and continuous public  
39 engagement, as required by the GMA and consistent with the scope of work for the  
40 update, approved in 2022 via Motion 16142.

41 I. Ordinance 19384 directed the King County Growth Management Planning  
42 Council ("the GMPC") to review the Four-to-One program in the Countywide Planning  
43 Policies ("the CPPs"), Comprehensive Plan, and King County Code. The Four-to-One  
44 program, Comprehensive Plan, and King County Code amendments adopted in the 2024  
45 update are substantially consistent with the GMPC recommendations for the program and  
46 the related changes in the CPPs.

47 J. Motion 16287 directed the executive to complete a code study related to  
48 expanded multiunit housing types in low- and medium-density urban residential zones,  
49 also known as "middle housing." As required by the motion, a draft of the code study  
50 was issued in June 2023 as part of the Public Review Draft of the 2024 update, and a  
51 final report and associated recommended King County Code changes were included in  
52 the transmittal of the 2024 update.

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

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

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

71 N. Vashon-Maury Island Subarea Plan Workplan Action 1 adopted in Ordinance  
72 18623, as amended, directs the executive to comprehensively review and update the  
73 property specific development conditions, which are also known as P-Suffixes, and  
74 special district overlays, which are also known as SDOs, on Vashon-Maury Island.  
75 Workplan Action 1 required a report and a proposed ordinance to implement the  
76 recommendations in the report be transmitted to the Council for consideration by June 30,  
77 2022. Due to the COVID-19 pandemic, the timeline for completing the final evaluation  
78 was delayed beyond the required date. In 2022, the scope of work for the 2024 update  
79 directed inclusion of the report and King County Code changes as part of the 2024  
80 update. As required by the subarea plan and scope of work, the report and associated  
81 recommended King County Code changes were included in the transmittal of the 2024  
82 update.

83 O. Ordinance 18623 adopted the Vashon Rural Town Affordable Housing  
84 Special District Overlay ("the Vashon affordable housing overlay") and directed the

85 executive to complete a series of written evaluations assessing the efficacy of the scope  
86 and standards of the Vashon affordable housing overlay. As required by Ordinance  
87 18623, preliminary evaluations were issued in 2018, 2019, and 2020. A draft of the  
88 fourth and final required evaluation of the Vashon affordable housing overlay was  
89 required to be completed within ninety days of the occurrence of one the following,  
90 whichever comes first: issuance of the first permit necessary for construction that would  
91 result in a cumulative total of one hundred twenty affordable housing units within the  
92 overlay; or four years after the effective date of Ordinance 18623. No permits have been  
93 issued up to now utilizing the Vashon affordable housing overlay. Due to the COVID-19  
94 pandemic, the timeline for completing the draft final evaluation was delayed beyond four  
95 years and ninety days of the effective date of Ordinance 18623, which would have been  
96 March 24, 2022. In 2022, the scope of work for the 2024 update directed inclusion of a  
97 report on the fourth and final evaluation and any recommended implementing zoning and  
98 King County Code changes as part of the 2024 update. As required by Ordinance 18623  
99 and the scope of work, the report and implementing zoning and King County Code  
100 changes were included in the transmittal of the 2024 update.

101 P. The 2016 King County Comprehensive Plan, as amended, included Work Plan  
102 Action 17, which directed the executive to update the residential density incentive  
103 program in K.C.C. chapter 21A.34 in the 2024 update, as recommended by the related  
104 code study included in the transmittal of the 2020 update to the 2016 King County  
105 Comprehensive Plan. As required by Work Plan Action 17, this ordinance adopts  
106 updates to the residential density incentive program regulations, which repeals the

107 program and replaces it with updated regulations in the voluntary inclusionary housing  
108 program in K.C.C. chapter 21A.48.

109 Q. As part of the 2024 Comprehensive Plan update, the land use designation and  
110 zoning classifications were reviewed on parcel 1522049162 and the surrounding area in  
111 urban unincorporated King County near Kent. The site is the location of a pet cemetery,  
112 which was designated as a historic landmark in 2022. The current Industrial land use  
113 designation and zoning classification on the parcel does not allow the cemetery uses on  
114 the site as permitted or conditional uses. Urban residential zoning, and a corresponding  
115 land use designation, would allow the cemetery uses on the site to become legal  
116 conforming uses. The zoning of other cemeteries in unincorporated urban King County  
117 was also analyzed, based on a survey of cemeteries completed by the King County  
118 historic preservation program. The survey identified two cemeteries in the Potential  
119 Annexation Areas for Carnation and Duvall; however, because those are Cities in the  
120 Rural Area, they have different zoning considerations not applicable to this site within the  
121 contiguous Urban Growth Area. The survey identified one other currently operating  
122 urban unincorporated cemetery, which is also near Kent and has a R-1 zone  
123 classification; this was found to be a good model for the zoning of the pet cemetery site.  
124 A R-1 zone classification also best supports the historic designation by not imposing  
125 zoning that would allow for and incentivize more intensive uses or densities on the site;  
126 the R-1 zone is the least intensive zone classification allowed in the continuous Urban  
127 Growth Area. This zoning is supported by Comprehensive Plan policies P-221 and P-  
128 222.

129 R. The King County Comprehensive Plan and King County strategic climate  
130 action plan call on the county to act with urgency in addressing the climate crisis.  
131 Increasing the generation of renewable energy and reducing greenhouse gas emissions  
132 associated with waste are both critical to this effort. Specifically, the Comprehensive  
133 Plan calls on King County to:

- 134 1. Reduce greenhouse gas emissions from its operations and actions to meet  
135 ambitious emissions reduction targets (E-202, E-203);
- 136 2. Achieve carbon neutrality within its solid waste division (E-205);
- 137 3. Encourage the use of renewable energy and support its expansion through  
138 development regulations and incentive programs (E-209);
- 139 4. Make properties it owns available for renewable energy production (F-304);
- 140 5. Maximize the capture, use, and marketing of renewable energy at the Cedar  
141 Hills landfill (F-505);
- 142 6. Provide leadership in, and foster the development and increased use of, clean,  
143 renewable, and alternative fuel and energy technologies, such as anaerobic digestion and  
144 co-digestion of organic material, with a particular emphasis on creating renewable natural  
145 gas (F-506);
- 146 7. Work with industry partners to reduce energy and fossil fuel use and  
147 greenhouse gas emissions while promoting green jobs, products, and services (E-241);
- 148 8. Encourage development of markets for reusable and recyclable materials (F-  
149 441);
- 150 9. Allow for renewable energy technologies in the rural area (R-329);

151           10. Allow for infrastructure in the rural area that requires a rural location or that  
152 provides or supports infrastructure for nearby residents (R-321);

153           11. Allow for siting of green energy and distributed energy resources, while  
154 considering appropriate use of land and associate impacts, including protection of  
155 designated Natural Resource Lands and open spaces (F-515); and

156           12. Make land use decisions that consider the impacts of renewable energy  
157 siting with open space, agriculture, and housing needs (F-508).

158           S. The creation of a green energy overlay contributes to all of these goals by  
159 reducing permitting barriers to generating renewable energy and reducing greenhouse gas  
160 emissions from waste. The green energy overlay is appropriate for this chosen area  
161 because it is:

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

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

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

169           SECTION 2.

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



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

175 C. The elements of the King County Shoreline Master Program in sections 47,  
176 186, 187, 188, 189, 190, 191, 192, and 193 of this ordinance and in King County  
177 Comprehensive Plan chapter six of Attachment A to this ordinance are hereby amended  
178 to read as set forth in this ordinance and are incorporated herein by this reference.

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

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

184 Comprehensive Plan. F. The land use and zoning amendments in sections 238  
185 through 249 of this ordinance, sections 262 through 263 of this ordinance, section 277 of  
186 this ordinance, and Attachment I to this ordinance are hereby adopted as amendments to  
187 Appendix A to Ordinance 12824, as amended, and as the official land use and zoning  
188 controls for those portions of unincorporated King County defined in those sections of  
189 this ordinance and attachments to this ordinance.

190 G. The King County department of local services, permitting division, shall  
191 update the geographic information system data layers accordingly to reflect adoption of  
192 this ordinance.

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

196 I. "Appendix H Natural Resources" in Technical Appendices Volume 2 to the  
197 1994 King County Comprehensive Plan is hereby readopted as "Appendix E 1994  
198 Natural Resource Lands."

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

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

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

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

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

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

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

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

222 c. improving the delivery, responsiveness, and quality of local services to the  
223 people, businesses, and communities of unincorporated King County through unified  
224 accountability;

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

227 e. strengthening unincorporated communities by supporting local planning and  
228 community initiatives; and

229 f. pursuing innovative funding strategies.

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

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

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

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

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

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

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

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

250 d. use the tools and resources developed by the office of equity and racial and  
251 social justice to develop the scope of work and to develop, review, amend, adopt, and  
252 implement the subarea plan, including, but not limited to, community engagement,  
253 language access, and equity impact review tools. The county shall use, at minimum, the  
254 ~~((“County engages in dialogue” and))~~ “County and community work together” levels of  
255 engagement as outlined in the office of equity and racial and social justice's Community  
256 Engagement Guide for the scoping, development, review, amendment, adoption, and  
257 implementation of the subarea plan. The county shall include as an appendix to the  
258 subarea plan information detailing the community engagement completed during the  
259 development of the subarea plan and how the community engagement meets the  
260 requirements of this subsection B.2.d.;

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

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

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

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

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

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

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

284 community, shall be responsible for monitoring the implementation of the community  
285 needs list.

286 2. Each community needs list shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

326           d. For each request from the initial catalog that is not advanced to the  
327 community needs list, the executive shall state why the request was not advanced. The  
328 county shall clearly communicate why the request was not advanced to the community.

329 For items that cannot be accomplished by the county because they are outside of the  
330 scope of county operations, the county shall provide information on how noncounty  
331 entities may be able to accomplish the item, including consideration of potential  
332 partnerships with noncounty entities; and

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

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

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

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

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

345 a. for subarea plans scheduled to be adopted in years where there is only a  
346 mid-biennium review of the budget under K.C.C. 4A.100.010, concurrent with the  
347 transmittal of the applicable subarea plan as required in subsection B. of this section;

348 b. for subarea plans scheduled to be adopted the same year as the biennial  
349 budget adoption, concurrent with the executive's biennial budget transmittal(:



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

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

356           c. when identified by either the community service area work programs and  
357 associated community engagement outlined in subsection D. of this section or the  
358 services partnership agreements outlined in subsection ~~((E.))~~ F. of this section, or both.

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

365           D.1. The department shall also manage the community service area framework  
366 adopted by Ordinance 17139, which shall be called the community service area program.  
367 The community service area program shall develop and implement programs and services  
368 to help all residents of unincorporated King County be more knowledgeable of, better  
369 served by, and heard by King County departments and agencies. The community service  
370 area program shall work with all county departments and agencies whose services,  
371 programs, and projects are of interest to unincorporated area residents, to promote  
372 successful public engagement.

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

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

378           b. address the required elements in Ordinance 17139;

379           c. list potential action items for the area;

380           d. list known planning activities for the area;

381           e. identify public meetings for the area;

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

384           g. establish an ongoing communications and community engagement plan  
385 using tools and resources developed by the office of equity and racial and social justice,  
386 including, but not limited to, community engagement, language access, and equity impact  
387 review tools. The county shall use, at minimum, the (~~"County engages in dialogue"~~  
388 ~~and~~) "County and community work together" level(~~(s)~~) of engagement as outlined in the  
389 office of equity and racial and social justice's Community Engagement Guide for the  
390 development, review, amendment, adoption, and implementation of the community needs  
391 list; and

392           h. establish performance metrics to monitor the implementation of the work  
393 program.

394           3. The community service area program shall provide regular updates to the  
395 councilmember or councilmembers who represent the subarea geography on the progress

396 of the work program throughout the year and shall publish regular reports on the work  
397 program to its website(~~(5)~~) at least once per quarter.

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

399 E. The department of local services shall monitor and report on performance  
400 metrics for subarea plans described in subsection B. of this section, for community needs  
401 lists described in subsection C. of this section, and for the work program described in this  
402 subsection D. of this section.

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

404 a. for transmitting a report to the council:

405 (1) for subarea geographies that have a subarea plan adopted as of December  
406 2022, reviewed and jointly reported on by December 30, 2024, and every two years  
407 thereafter; and

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

411 b. for reporting outside of the timeframe in subsection D.5.a.(1), reporting is  
412 required every year by the last business day of December, by posting the performance  
413 metrics and monitoring information on the department's website.

414 2. Performance monitoring shall be informed and monitored by the community  
415 and the council.

416 ~~((E-))~~F.1. The department shall also establish service partnership agreements with  
417 each executive branch agency that provides programs, services, or facilities in the  
418 unincorporated area, including those agencies that provide regional services to

419 unincorporated area residents and businesses. The service partnership agreements shall  
420 inform budget development for programs, services<sub>2</sub> or facilities in the unincorporated  
421 area.

422 2. Service partnerships agreements shall:

423 a. be consistent with and implement the subarea plans in subsection B. of this  
424 section, the community needs lists in subsection C. of this section, the community service  
425 area work programs in subsection D. of this section<sub>2</sub> and other county plans;

426 b. use tools and resources developed by the office of equity and racial and  
427 social justice by the partner agency to deliver the programs, services<sub>2</sub> and facilities  
428 described in the service partnership agreements((;)).

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

430 a. roles and responsibilities for the department of local services and the partner  
431 agency;

432 b. a general description of the programs, services<sub>2</sub> or facilities provided by the  
433 partner agency for unincorporated area residents and businesses and, where applicable, in  
434 the subarea geographies;

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

437 (1) the desired outcomes for provision of each program, service<sub>2</sub> or facility;

438 and

439 (2) service level goals for each program, service<sub>2</sub> or facility;

440 d. performance metrics to monitor progress of implementing the outcomes and  
441 service level goals for each program, service<sub>2</sub> or facility;

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

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

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

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

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

465 environmental review, those decisions or actions shall be performed by the permitting  
466 division.

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

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

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

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

478 d. effective processing and timely review of land development proposals,  
479 including zoning variances, ~~((and))~~ zoning reclassification, master drainage plans,  
480 variances from the surface water design manual and the King County road standards,  
481 critical area, subdivision, right-of-way use, ~~((urban-planned development,))~~ clearing and  
482 grading, shoreline, special use, and conditional use applications;

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

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

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

494 2. The permitting division manager shall be the:

495 a. county planning director;

496 b. zoning adjuster;

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

498 Environmental Policy Act;

499 d. county building official; and

500 e. county fire marshal.

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

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

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

- 510           2. Designing, installing, and maintaining county traffic signs, markings, and  
511 signals;
- 512           3. Designing, installing, and maintaining (~~(bicycle and pedestrian)~~) roadway  
513 active transportation facilities;
- 514           4. Managing intergovernmental contracts or agreements for services related to  
515 road maintenance and construction and to other transportation programs supporting the  
516 transportation plan;
- 517           5. Inspecting utilities during construction and upon completion for compliance  
518 with standards and specifications(~~(- assuring)~~), and ensuring that public facilities  
519 disturbed due to construction are restored;
- 520           6. Performing detailed project development of roads capital improvement  
521 projects that are consistent with the transportation element of the county's Comprehensive  
522 Plan, and coordinating such programming with other county departments and divisions  
523 assigned responsibilities for Comprehensive Plan implementation;
- 524           7. Incorporating into the roads capital improvement program those projects  
525 identified in the transportation needs report, (~~(community plans,)~~) related functional  
526 plans, and elsewhere consistent with the county's Comprehensive Plan;
- 527           8. Preparing, maintaining, and administering the county road standards;
- 528           9. Preparing and administering multiyear roads maintenance and capital  
529 construction plans and periodic updates;
- 530           10. Administering the transportation concurrency and mitigation payment  
531 programs; and



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

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

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

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

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

555           1. King County recognizes that arts and heritage institutions and organizations,  
556 and professional artists, heritage specialists, and historic preservationists, working in  
557 partnership with the region’s tourism industry, attract visitors and enhance the county’s  
558 national and international reputation as a cultural center.

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

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

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

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

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

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

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

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

581           C. The county is committed to ensuring the success of cultural programs and  
582 facilitating strong partnerships between the county, cultural development authority, and  
583 cultural community. The executive shall ensure county departments and agencies  
584 perform their duties related to cultural programs and fully cooperate with the cultural  
585 development authority in its performance of its responsibilities.

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

588           SECTION 5. Sections 6 through 10 of this ordinance should constitute a new  
589 chapter in K.C.C. Title 2.

590           NEW SECTION. SECTION 6.

591           The Rural Area Advisory Commission is hereby established and shall be referred  
592 to as "the commission" throughout this chapter.

593           NEW SECTION. SECTION 7.

594           A. The commission shall advise the executive and the council on matters relating  
595 to rural land use and zoning, including but not limited to:

- 596           1. Existing and proposed legislation affecting rural area land use or zoning;
- 597           2. Land use issues that impact the rural area;
- 598           3. Proposed policies, programs, or actions affecting rural area land use or  
599 zoning; and

600           4. Supporting robust community engagement with rural residents on rural area  
601 issues.

602           B. Where the commission's duties overlap with those of the King County  
603 agriculture commission, King County rural forest commission, or water resource  
604 inventory area forums, the rural area advisory commission shall provide support and  
605 advice to those other commissions but shall give deference to the recommendations of  
606 those other commissions.

607           NEW SECTION. SECTION 8.

608           A. The commission shall consist of the following membership:

609           1. For council districts containing rural area, two members who live or work in  
610 the rural area of each district, with no more than one member from any given subarea,  
611 unless that subarea is the only one in the district. Members shall be nominated by the  
612 councilmember from each district; and

613           2. Three at-large members nominated by the executive who live or work in the  
614 rural area or represent rural area interests.

615           B. Members should represent a broad range of rural interests and should reflect a  
616 diverse range of ethnicities, cultures, professional backgrounds, socioeconomic status,  
617 and place of origin.

618           C. Members shall serve for terms of three years and shall serve without  
619 compensation. Members shall not serve more than two consecutive terms.

620           D. The director of the department of local services and the director of the King  
621 Conservation District, or their designees, may serve as nonvoting ex officio members of  
622 the commission.

623 NEW SECTION. SECTION 9.

624 A. The commission shall elect a chair and a vice chair annually, who shall each  
625 serve a one-year term.

626 B. The commission may adopt bylaws and other rules for its own conduct.

627 C. The commission shall convene as necessary, but at least biannually, to  
628 perform the duties outlined in section 7 of this ordinance.

629 D. The commission shall provide an annual briefing to the local services and land  
630 use committee or successor.

631 NEW SECTION. SECTION 10.

632 The commission shall be staffed by the department of local services.

633 SECTION 11. Ordinance 18326, Section 3, and K.C.C. 6.70.010 are hereby  
634 amended to read as follows:

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

640 SECTION 12. Ordinance 18326, Section 4, and K.C.C. 6.70.020 are hereby  
641 amended to read as follows:

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

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

647 SECTION 13. Ordinance 18326, Section 5, and K.C.C. 6.70.030 are hereby  
648 amended to read as follows:

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

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

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

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

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

669 SECTION 14. Ordinance 18326, Section 6, as amended, and K.C.C. 6.70.040 are  
670 hereby amended to read as follows:

671 An applicant for a retail ((~~marijuana~~)) cannabis business license or renewal under  
672 this chapter shall pay an application fee at the time of application submittal. The  
673 nonrefundable application fee for a retail ((~~marijuana~~)) cannabis business license or  
674 renewal is one thousand dollars. The nonrefundable application fee for a retail  
675 ((~~marijuana~~)) cannabis business license or renewal shall be reduced by fifty percent if, at  
676 the time of application, the applicant shows proof of a current medical ((~~marijuana~~))  
677 cannabis endorsement issued by the Washington state Liquor and Cannabis Board.

678 SECTION 15. Ordinance 18326, Section 8, as amended, and K.C.C. 6.70.060 are  
679 hereby amended to read as follows:

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

686 SECTION 16. Ordinance 18326, Section 9, and K.C.C. 6.70.070 are hereby  
687 amended to read as follows:

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

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

692 SECTION 17. Ordinance 9163, Section 2, as amended, and K.C.C. 9.04.020 are  
693 hereby amended to read as follows:

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

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

700 B. "Applicant" means a property owner or a public agency or public or private  
701 utility that owns a right-of-way or other easement or has been adjudicated the right to  
702 such an easement under RCW 8.12.090, or any person or entity designated or named in  
703 writing by the property or easement owner to be the applicant, in an application for a  
704 development proposal, permit, or approval.

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

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



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

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

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

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

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

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

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

738 J. "Department" means the department of natural resources and parks or its  
739 successor.

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

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

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

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

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

756 "Drainage facility" includes, but is not limited to, a constructed or engineered stream,  
757 lake, wetland or closed depression, or a pipe, channel, ditch, gutter, flow control facility,

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

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

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

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

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

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

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

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

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

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

797 2. Would result in seven thousand square feet or more of land disturbing  
798 activity.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

842 DD. "Large project drainage review" means the evaluation required by K.C.C.  
843 9.04.030 for any proposed project that:

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

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

849            ~~((3-))~~ 2. Has a project site of fifty acres or more within a critical aquifer  
850 recharge area, as defined in K.C.C. Title 21A.

851            EE. "Licensed civil engineer" means a person registered with the State of  
852 Washington as a professional engineer in civil engineering.

853            FF. "Maintenance" means those usual activities taken to prevent a decline, lapse,  
854 or cessation in the use of currently serviceable structures, facilities, equipment, or  
855 systems, if there is no expansion of the structure, facilities, equipment, or system and  
856 there are no significant hydrologic impacts. "Maintenance" includes the repair or  
857 replacement of nonfunctional facilities or the replacement of existing structures with  
858 different types of structures, if the repair or replacement is required by one or more  
859 environmental permits or to meet current engineering standards and the functioning  
860 characteristics of the original facility or structure are not changed.

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

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

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

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

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

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

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



894 NN. "Pollution-generating pervious surface" means a non((-))impervious surface  
895 considered to be a significant source of pollutants in stormwater runoff. "Pollution-  
896 generating pervious surfaces" include: surfaces subject to vehicular use, industrial  
897 activities, storage of erodible or leachable materials, wastes or chemicals, and that receive  
898 direct rainfall or the run-on or blow-in of rainfall; or surfaces subject to the use of  
899 pesticides and fertilizers to the loss of soil. "Pollution-generating pervious surface"  
900 includes, but is not limited to, the lawn and landscaped areas of a residential, commercial,  
901 or industrial site or land use, golf course, park, sports field, and county-standard grassed  
902 modular grid pavement.

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

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

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

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

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

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

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

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

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

- 932 1. Would result in impervious and new pervious surface insufficient to require a  
933 flow control or water quality facility as specified in K.C.C. 9.04.050 and the Surface  
934 Water Design Manual; and
- 935 2. Meets the simplified drainage requirements and BMPs specified in the  
936 Surface Water Design Manual, including flow control BMPs, construction stormwater  
937 pollution prevention BMPs, and drainage plan submittal requirements.

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

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

945 WW. "Stormwater" means the water produced during precipitation or snowmelt,  
946 ~~((which))~~ that runs off, soaks into the ground, or is dissipated into the atmosphere.  
947 Stormwater that runs off or soaks into the ground ultimately becomes surface water or  
948 groundwater.

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

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

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

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

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

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

966           BBB. "Surface Water Design Manual" means the manual, and supporting  
967 documentation referenced or incorporated in the manual, describing surface and  
968 stormwater design and analysis requirements, procedures, and guidance. The "Surface  
969 Water Design Manual" is formally adopted by rule under the procedures of K.C.C.  
970 chapter 2.98 and is available from the department of local services, permitting division,  
971 or the department of natural resources and parks, water and land resources division, or  
972 their successors.

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

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

982           SECTION 18. Ordinance 13625, Section 22, as amended, and K.C.C. 13.24.035  
983 are hereby amended to read as follows:

984           A. All development within the urban growth area shall be served by public sewer  
985 service except on-site sewage systems may be allowed temporarily in some parts of the  
986 urban growth area in accordance with K.C.C. 13.24.136.

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

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

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

997           C. Public sewer service shall not be provided outside the urban growth area or  
998 any rural town designated to receive the service, except as described in K.C.C. 13.24.134.

999           D. Sewer extensions under subsections A. and C. of this section shall be  
1000 approved by the council, if it is determined that the extension meets the criteria in this  
1001 section and is consistent with all other adopted King County policies and regulations.  
1002 Decisions on sewer extensions in rural or resource areas shall be made by the council in  
1003 the form of a sewer comprehensive plan or an amendment to a sewer comprehensive  
1004 plan.

1005 E. The required elements of a sewerage general plan in RCW 36.94.010(3) are  
1006 included in the 1994 King County Comprehensive Plan and its technical appendix, as  
1007 adopted in K.C.C. Title 20.

1008 SECTION 19. Ordinance 1709, Section 7, as amended, and K.C.C. 13.24.090 are  
1009 hereby amended to read as follows:

1010 A. The utilities technical review committee shall ensure that the provisions of  
1011 K.C.C. 13.24.005 regarding the purposes of this chapter are carried out, and shall be  
1012 responsible for providing the notification to tribal governments provided for in K.C.C.  
1013 13.20.020 for actions under that section that fall within the authority of the committee.

1014 B. The utilities technical review committee shall:

1015 1. Review and make recommendations to the King County executive and the  
1016 King County council on the adequacy of all sewer and water system comprehensive plans  
1017 and related matters, and determine their consistency with the King County  
1018 Comprehensive Plan;

1019 2. Have the authority to approve additions and betterments to council-approved  
1020 sewer and water comprehensive plans without referral to the council in order to serve  
1021 developments that have received preliminary approval from the King County council;

1022 3.a. Serve as the appeal body to hear all issues relating to the creation of new  
1023 public water systems and the extension of existing public water service within the  
1024 boundaries of a critical water supply service area (~~as provided for in the utility service  
1025 review procedures contained in the coordinated water system plans~~), based on whether  
1026 an existing water purveyor can provide service in a timely and reasonable manner (WAC  
1027 246-293-190).

1028           b. An appeal under subsection B.3.a. of this section is subject to all of the  
1029 following:

1030           (1) A notice of appeal or request to find that water service is or is not  
1031 available in a timely and reasonable manner shall be filed with the utilities technical  
1032 review committee and shall be accompanied by a nonrefundable fee as prescribed in  
1033 K.C.C. 4A.710.100;

1034           (2) Written materials from the appellant and the water purveyor and any  
1035 interested parties may be submitted on forms developed by the utilities technical review  
1036 committee. The committee shall evaluate such submittals and any other submitted  
1037 written materials in light of applicable state laws, regulations, and policies. The  
1038 committee shall issue a final written determination, including findings and conclusions,  
1039 within thirty days of the date that the written record is complete;

1040           (3) The utilities technical review committee shall provide its written  
1041 determination together with the procedures for administrative appeals, to the appellant, to  
1042 the water purveyor, and to any person, who, before the determination, has requested  
1043 notice of the determination; and

1044           (4) The written determination by the utilities technical review committee shall  
1045 be the final county action, unless further appeal is made to the office of the hearing  
1046 examiner, in accordance with K.C.C. 20.22.040 and 20.22.080. In such an appeal to the  
1047 hearing examiner, the written determination shall constitute the department report for the  
1048 purposes of K.C.C. 20.22.130.

1049 c. The utilities technical review committee is authorized to establish by rule the  
1050 procedures and timeframes for submittal to the committee of any requests for an appeal  
1051 as provided for under this chapter and K.C.C. chapter 13.28; and

1052 4. Issue the findings required under K.C.C. 13.24.132, 13.24.134, and 13.24.136  
1053 relative to sewer expansion in rural and resource areas. The determination that sewer  
1054 expansion in rural and resource areas is necessary shall be based on information  
1055 concerning the feasibility of alternative treatment technologies as provided by ~~((the))~~  
1056 public health – Seattle((-) & King County ~~((department of public health))~~.

1057 NEW SECTION. SECTION 20. There is hereby added to K.C.C. chapter 13.28  
1058 a new section to read as follows:

1059 In case of conflict or inconsistency between an adopted coordinated water system  
1060 plan and the King County Comprehensive Plan, the King County Comprehensive Plan  
1061 shall govern.

1062 NEW SECTION. SECTION 21. There is hereby added to K.C.C. chapter 14.01  
1063 a new section to read as follows:

1064 "Active transportation" means pedestrian, bicycle, and equestrian travel including,  
1065 but not limited to, the use of wheelchairs and personal assistive mobility devices powered  
1066 by electricity that are used by persons with physical impairments; skateboards and  
1067 scooters; and micromobility devices, such as motorized foot scooters and electric assisted  
1068 bicycles. Any moped, motorcycle, or, except as otherwise provided for in this definition,  
1069 personal assistive mobility device, is considered motorized transportation.

1070 SECTION 22. Ordinance 18420, Section 37, and K.C.C. 14.01.360 are hereby  
1071 amended to read as follows:



1072 “Transportation facilities” means principal, minor, and collector arterial roads and  
1073 state highways, as well as associated sidewalks, bike lanes, and other facilities supporting  
1074 ~~((nonmotorized travel))~~ one or more forms of active transportation.

1075 SECTION 23. Ordinance 18420, Section 61, as amended, and K.C.C. 14.40.0104  
1076 are hereby amended to read as follows:

1077 A. Upon receipt of a petition, the county road engineer shall determine whether  
1078 owners of the majority of the lineal footage of the frontage of the ~~((right-of-way))~~ right-  
1079 of-way proposed for vacation have signed the petition. If the county road engineer  
1080 determines the signatories of the petition own less than the majority of the lineal footage  
1081 of the frontage of the ~~((right-of-way))~~ right-of-way proposed for vacation, the county road  
1082 engineer shall notify the petitioners that the petition does not have sufficient signatories.  
1083 The petitioners shall have thirty days from the date of that notice to supplement the  
1084 petition by filing with the department of local services, road services division, a sufficient  
1085 number of additional petition signatures to establish that a majority of owners of the  
1086 lineal footage of the frontage of the ~~((right-of-way))~~ right-of-way proposed for vacation  
1087 support the petition. Failure to include the signature of a majority of the owners of the  
1088 lineal footage of the frontage of the ~~((right-of-way))~~ right-of-way proposed for vacation is  
1089 grounds for the county road engineer to find that the petition is deficient. In that event,  
1090 no further action will be taken on the petition and the county road engineer shall inform  
1091 the petitioners of the determination.

1092 B. If either directed by the council in accordance with K.C.C. 14.40.010.A., or if  
1093 under subsection A. of this section the county road engineer determines that a petition is  
1094 valid, then the county road engineer shall examine the ~~((right-of-way))~~ right-of-way

1095 proposed to be vacated and abandoned and complete a report that complies with the  
1096 requirements in RCW 36.87.040, including the county road engineer's opinion of whether  
1097 the ~~((right-of-way))~~ right-of-way should be vacated. The report should address:

1098 1. Whether the county ~~((right-of-way))~~ right-of-way should be vacated and  
1099 abandoned;

1100 2. Whether the county ~~((right-of-way))~~ right-of-way is in use or has been in use;

1101 3. The condition of the ~~((right-of-way))~~ right-of-way;

1102 4. Whether it is advisable to preserve all or a portion of the ~~((right-of-way))~~  
1103 right-of-way for the county transportation system of the future, including use as a public  
1104 trail;

1105 5. Whether the public will be benefited by the vacation of the county ~~((right-of~~  
1106 ~~way))~~ right-of-way;

1107 6. The appraised value of the county ~~((right-of-way))~~ right-of-way or portion  
1108 thereof proposed for vacation as well as the county road engineer's recommendation for  
1109 compensation to be determined in accordance with the factors listed in K.C.C.  
1110 14.40.020.A.;

1111 7.a. Whether the proposed county ~~((right-of-way))~~ right-of-way to be vacated  
1112 serves as access to property abutting the county ~~((right-of-way))~~ right-of-way that is  
1113 subject of the vacation request; and

1114 b. a recommendation for requiring access easements for all abutting properties  
1115 as a condition of granting the vacation;

1116 8.a. Whether the proposed county ~~((right-of-way))~~ right-of-way to be vacated  
1117 contains utilities; and

1118           b. a recommendation for retaining an easement for the construction, repair, and  
1119 maintenance of public utilities and services that are authorized at the time the ordinance  
1120 is adopted or are physically located on a portion of the (~~right-of-way~~) right-of-way  
1121 being vacated;

1122           9. Other matters that may be of interest, including any fees charged under  
1123 K.C.C. 14.40.0106.B.;

1124           10. Whether the proposed area to be vacated abuts a body of salt or fresh water  
1125 as (~~set forth~~) established in RCW 36.87.130;

1126           11. A list of the property owners whose property abuts the county (~~right-of~~  
1127 ~~way~~) right-of-way or any portion thereof proposed for vacation who are not petitioners;  
1128 and

1129           12. If not waived in accordance with K.C.C. 14.40.106.C. a list of all costs  
1130 incurred in preparing the report.

1131           C. Upon completion of the report by the county road engineer, the executive shall  
1132 transmit the report, any petition, and a proposed ordinance to the council. The hearing  
1133 examiner is appointed by the council to conduct the public hearing of any proposed  
1134 vacation of a county (~~right-of-way~~) right-of-way.

1135           SECTION 24. Ordinance 8421, Section 3, as amended, and K.C.C. 14.56.020 are  
1136 hereby amended to read as follows:

1137           There is established an an (~~nonmotorized~~) active transportation program. The  
1138 program shall consist of:

1139           A. ~~((†))~~The ~~((nonmotorized))~~ active transportation policies in the King County  
1140 Comprehensive Plan and the respective functional plans of the responsible county  
1141 agencies~~((;))~~;

1142           B. ~~((nonmotorized))~~ Active transportation project needs contained in agency  
1143 capital improvement programs; and

1144           C. ~~((ø))~~Operational activities that:

1145           ~~((A))~~1. Identify and document the ~~((nonmotorized))~~ active transportation needs in  
1146 the county ~~((for bicyclists, pedestrians, equestrians and))~~, emphasizing special  
1147 populations such as school children or people with limited mobility and wheelchair users;

1148           ~~((B))~~2. Determine ways that ~~((nonmotorized))~~ active transportation can be  
1149 integrated into the current and future county transportation network and services,  
1150 including transit;

1151           ~~((C))~~3. Inform and educate the public on issues relating to ~~((nonmotorized))~~  
1152 active transportation, including compliance with traffic laws; ~~((and))~~ or

1153           ~~((D))~~4. Consider ~~((nonmotorized))~~ active transportation safety and other needs in  
1154 all related county programs, and encourage the same consideration on an interlocal and  
1155 regional basis.

1156           SECTION 25. Ordinance 8421, Section 4, as amended, and K.C.C. 14.56.030 are  
1157 hereby amended to read as follows:

1158           The department of local services, in consultation with the department of natural  
1159 resources of parks, shall:

1160           A. Implement the ~~((nonmotorized))~~ active transportation program;

1161 B. Provide support to any ad hoc (~~(nonmotorized)~~) active transportation advisory  
1162 committee; and

1163 C. Work with other (~~(jurisdictions)~~) authorities and nongovernmental  
1164 organizations to identify, develop, and promote programs that encourage the use of  
1165 (~~(nonmotorized)~~) active modes of transportation.

1166 SECTION 26. Ordinance 1488, Section 5, as amended, and K.C.C. 16.82.020 are  
1167 hereby amended to read as follows:

1168 (~~(Certain words and phrases used in this chapter, unless otherwise clearly~~  
1169 ~~indicated by their context, mean as follows:)) The definitions in this section apply  
1170 throughout this chapter unless the context clearly requires otherwise.~~

1171 A. "Applicant" means a property owner or a public agency or public or private  
1172 utility that owns a right-of-way or other easement or has been adjudicated the right to  
1173 such an easement in accordance with RCW 8.12.090, or any person or entity designated  
1174 or named in writing by the property or easement owner to be the applicant, in an  
1175 application for a development proposal, permit, or approval.

1176 B. "Bench" means a relatively level step excavated or constructed on the face of a  
1177 graded slope surface for drainage and maintenance purposes.

1178 C. "Civil engineer" means an engineer who is licensed as a professional engineer  
1179 in the branch of civil engineering by the state of Washington.

1180 D. "Clearing and grading permit" means the permit required by this chapter for  
1181 grading and clearing activities, including temporary permits.

1182 E. "Clearing" means the cutting, killing, grubbing, or removing of vegetation or  
1183 other organic material by physical, mechanical, chemical, or any other similar means.

1184            (~~E.~~) F. "Compaction" means the densification of a fill by mechanical means.

1185            (~~F.~~) G. "Cutting" means the severing of the main trunk or stem of woody  
1186 vegetation at any point.

1187            (~~G.~~) H. "Department" means the department of local services or its successor.

1188            (~~H.~~) I. "Director" means the department of local services permitting division  
1189 manager or designee.

1190            (~~I.~~) J. "Earth material" means any rock(~~(s)~~) or natural soil<sub>1</sub> or any combination  
1191 thereof.

1192            (~~J.~~) K. "Erosion" means the wearing away of the ground surface as the result of  
1193 the movement of wind, water<sub>2</sub> or ice.

1194            (~~K.~~) L. "Excavation" means the removal of earth material.

1195            (~~L.~~) M. "Fill" means a deposit of earth material or recycled or reprocessed  
1196 waste material consisting primarily of organic or earthen materials, or any combination  
1197 thereof, placed by mechanical means.

1198            (~~M.~~) N. "Geotechnical engineer" means an engineer who is licensed as a  
1199 professional engineer by the state of Washington and who has at least four years of  
1200 relevant professional employment.

1201            (~~N.~~) O.1. "Grade" means the elevation of the ground surface.

1202            (~~1.~~) 2. "Existing grade" means the grade before grading.

1203            (~~2.~~) 3. "Finish grade" means the final grade of the site that conforms to the  
1204 approved plan as required in K.C.C. 16.82.060.

1205            (~~3.~~) 4. "Rough grade" means the stage at which the grade approximately  
1206 conforms to the approved plan as required in K.C.C. 16.82.060.

1207            ~~((O-))~~ P. "Grading" means any excavating, filling, or land-disturbing activity, or  
1208 combination thereof.

1209            ~~((P. "Grading and clearing permit" means the permit required by this chapter for  
1210 grading and clearing activities, including temporary permits.))~~

1211            Q. "Habitable space" means a space in a building for living, sleeping, eating, or  
1212 cooking. Bathrooms, toilet rooms, closets, halls, storage, or utility spaces, and similar  
1213 areas are not "habitable spaces."

1214            R. "Land disturbing activity" means an activity that results in a change in the  
1215 existing soil cover, both vegetative and nonvegetative, or to the existing soil topography.

1216            ~~((R-))~~ S. "Pruning" means cutting or removal of branches and leaving at least  
1217 two-thirds of the existing tree branch structure.

1218            T. "Reclamation" means the final grading and restoration of a site to establish the  
1219 vegetative cover, soil surface water, and groundwater conditions appropriate to  
1220 accommodate and sustain all ~~((permitted))~~ allowed uses of the proposed zone appropriate  
1221 for the site.

1222            ~~((S-))~~ U. "Shorelines" means those lands defined as shorelines in the state  
1223 Shoreline~~((s))~~ Management Act of 1971, chapter 90.58 RCW.

1224            ~~((T-))~~ V. "Site" means a single lot or parcel of land two or more contiguous lots  
1225 that are under common ownership or documented legal control, used as a single parcel  
1226 for a development proposal in order to calculate compliance with the standards and  
1227 regulations of this chapter. For purposes of this definition:

1228           1. "Documented legal control" includes fee simple or leasehold rights, or an  
1229 easement, or any combination thereof, that allows uses associated with the overall  
1230 development proposal; and

1231           2. Lots that are separated only by a public road right-of-way shall be considered  
1232 to be contiguous.

1233           ~~((U.))~~ W. "Slope" means inclined ground surface, the inclination of which is  
1234 expressed as a ratio of horizontal distance to vertical distance.

1235           ~~((V.))~~ X. "Structural engineer" means an engineer who is licensed as a  
1236 professional engineer in the branch of structural engineering by the state of Washington.

1237           ~~((W.))~~ Y. "Structure" means that which is built or constructed, an edifice or  
1238 building of any kind, or any piece of work artificially built up or composed of parts  
1239 jointed together in some definite manner.

1240           ~~((X.))~~ Z. "Tree" means a large woody perennial plant usually with a single main  
1241 stem or trunk and generally over twelve feet tall at maturity.

1242           ~~((Y.))~~ AA. "Tree crown" means the primary and secondary branches growing out  
1243 from the main stem, together with twigs and foliage.

1244           BB. "Understory" means the vegetation layer of a forest that includes shrubs,  
1245 herbs, grasses, and grass-like plants, but excludes native trees.

1246           ~~((Z.))~~ CC. "Vegetation" means any organic plant life growing at, below, or above  
1247 the soil surface.

1248           DD. "Wildfire risk assessment certification" means completion of a National Fire  
1249 Protection Association Assessing Structure Ignition Potential training, a National Fire  
1250 Protection Association Certified Wildfire Mitigation Specialist certification program, or a



1251 National Wildfire Coordinating Group S-215 training on Fire Operations in the Wildland  
1252 Urban Interface.

1253 SECTION 27. Ordinance 15053, Section 3, as amended, and K.C.C. 16.82.051  
1254 are hereby amended to read as follows:

1255 A. For the purposes of this section, the definitions in K.C.C. chapter 21A.06  
1256 apply to the activities described in this section, if the terms are not defined in K.C.C.  
1257 16.82.020.

1258 B. The ~~((following))~~ activities in subsection D. of this section are ~~((excepted))~~  
1259 exempted from the requirement of obtaining a clearing or grading permit before  
1260 undertaking forest practices or clearing or grading activities, as long as those activities  
1261 conducted in critical areas are in compliance with the standards in this chapter and in  
1262 K.C.C. chapter 21A.24. Activities not requiring a clearing and grading permit may  
1263 require other permits, including, but not limited to, a floodplain development permit.

1264 C. Clearing and grading permit requirement exemptions shall be interpreted as  
1265 follows:

1266 1. The use of "NP" in a cell means that no clearing or grading permit is required  
1267 if the listed conditions are met;

1268 2. A number in a cell means the numbered condition in subsection E. of this  
1269 section applies, and:

1270 a. where a series of numbers separated by commas are in a cell, each of the  
1271 numbered conditions for that activity applies; and

1272 b. if more than one letter-number combination appears in a cell, at least one  
1273 letter-number combinations shall be met for a given exemption to apply;

1274 3. In cases where an activity may be included in more than one activity  
 1275 category, the most-specific description of the activity shall govern whether a permit is  
 1276 required((-));

1277 4. For activities involving more than one critical area, compliance with the  
 1278 conditions applicable to each critical area is required((-); and

1279 5. Clearing and grading permits are required when a cell in this table is empty  
 1280 and for activities not listed on the table. (~~(Activities not requiring a clearing and grading~~  
 1281 ~~permit may require other permits, including, but not limited to, a floodplain development~~  
 1282 ~~permit.))~~

1283 D. Clearing and grading permit requirement exemptions.

<p><del>(("NP" in a cell means no clearing or grading permit required if conditions are met. A number in a cell means the Numbered condition in subsection C applies.))</del> "Wildlife area and network" column applies to both Wildlife Habitat Conservation Area and Wildlife Habitat Network</p>	<p>Out of Critical Area ((Land)) <u>and</u> Buffer</p>	<p>Coal Mine Hazard</p>	<p>Erosion Hazard</p>	<p>Flood Hazard</p>	<p>Channel Migration</p>	<p>Landslide Hazard and Buffer</p>	<p>Seismic Hazard</p>	<p>Volcanic Hazard</p>	<p>Steep Slope Hazard and Buffer</p>	<p>Critical Area Aquifer Recharge Area</p>	<p>Wetland and Buffer</p>	<p>Aquatic Area and Buffer</p>	<p>Wildlife Area and Buffer</p>
<p><b>ACTIVITY</b></p>													

<b>Grading and Clearing</b>													
Grading	NP 1, 2	NP 1, 2	NP 1, 2				NP 1, 2	NP 1, 2		NP 1, 2			
Clearing	NP 3 <u>NP</u> <u>23</u> NP 24	NP 3	NP 3	NP 3			NP 3	NP 3		NP 3	NP 4 NP 23	NP 4 NP 23	
Covering of garbage	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5
Emergency tree removal	NP	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6
Hazard tree removal	NP 25	NP 25	NP 25	NP 25			NP 25	NP 25		NP 25			
Removal of noxious weeds	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Removal of invasive vegetation	NP 7	NP 7	NP 7	NP 7	NP 7		NP 7	NP 7		NP 7	NP 8	NP 8	NP 8
Forest management activity	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9
Emergency action	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10
<b>Roads</b>													
Grading within the roadway	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11			NP 11

Clearing within the roadway	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
		12	12	12	12	12	12	12	12		12	12	12
Maintenance of driveway or private access road	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
	13	13	13	13	13	13	13	13	13	13	13	13	13
Maintenance of bridge or culvert	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
	13,	13,	13,	13,	13,	13,	13,	13,	13,	13,	13,	13,	13,
	14,	14,	14,	14,	14,	14,	14,	14,	14,	14,	14,	14,	14,
	15	15	15	15	15	15	15	15	15	15	15	15	15
Construction of farm field access drive	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
	16	16	16	16	16	16	16	16	16	16	16	16	16
Maintenance of farm field access drive	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
	17	17	17	17	17	17	17	17	17	17	17	17	17
<b>Utilities</b>													
Construction or maintenance of utility corridors or facility within the right-of-way	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
	18	19	19	19	19	19	19	19	19	18	19	19	19
Construction or maintenance of utility corridors or facility outside of the right-of-way	NP		NP				NP	NP		NP			
	1, 2,		1, 2,				1, 2,	1, 2,		1, 2,			
	3		3				3	3		3			
	<u>NP</u>												
	<u>27</u>												
	<u>NP</u>												
	<u>28</u>												

Maintenance of existing surface water conveyance system	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11
Maintenance of existing surface water flow control and surface water quality treatment facility	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11
Maintenance or repair of flood protection facility	NP 20	NP 20	NP 20	NP 20	NP 20	NP 20	NP 20	NP 20	NP 20	NP 20	NP 20	NP 20	NP 20
Maintenance or repair of existing instream structure	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP 11	NP 11	NP
<b>Recreation areas</b>													
Maintenance of outdoor public park facility, trail, or publicly improved recreation area	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13
<b>Habitat and science projects</b>													
Habitat restoration or enhancement project	NP	NP 21	NP 21	NP 21	NP 21	NP 21	NP 21	NP 21	NP 21	NP	NP 21	NP 21	NP 21
Drilling and testing for critical areas report	NP 1, 2	NP 1, 2	NP 1, 2	NP 22	NP 22	NP 22	NP 1, 2	NP 1, 2	NP 22	NP 1, 2	NP 22	NP 22	NP 22
<b>Agriculture</b>													

Horticulture activity including tilling, discing, planting, seeding, harvesting, preparing soil, rotating crops, and related activity	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Grazing livestock	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Construction and maintenance of livestock manure storage facility	NP 16	NP 16	NP 16	NP 16	NP 16		NP 16	NP 16		NP 16	NP 16	NP 16	
Maintenance or replacement of agricultural drainage	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15
Maintenance of agricultural waterway	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26
Maintenance of farm pond, fish pond, livestock watering pond	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15
<b>Other</b>													
Excavation of cemetery grave in established and approved cemetery	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP

Maintenance of cemetery grave	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
		13	13		13	13			13		13	13	13
Maintenance of lawn, landscaping, and gardening for personal consumption	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
		13	13		13	13			13		13	13	13
Maintenance of golf course	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
	13	13	13	13	13	13			13	13	13	13	13

1284 ((C-)) E. The following conditions apply:

1285 1. Excavation less than five feet in vertical depth, or fill less than three feet in  
1286 vertical depth that, cumulatively (~~(over time)~~) on a single site since January 1, 2005, does  
1287 not involve more than one hundred cubic yards on a single site.

1288 2. Grading that produces less than two thousand square feet of new impervious  
1289 surface on a single site added after January 1, 2005, or that produces less than two  
1290 thousand square feet of replaced impervious surface or less than two thousand square feet  
1291 of new plus replaced impervious surface after October 30, 2008. For purposes of this  
1292 subsection ((C-))E.2., "new impervious surface" and "replaced impervious surface" are  
1293 defined in K.C.C. 9.04.020.

1294 3. Cumulative clearing of less than seven thousand square feet on a single site  
1295 since January 1, 2005, including, but not limited to, collection of firewood and removal  
1296 of vegetation for fire safety. This exception shall not apply to development proposals:

- 1297 a. regulated as a Class IV forest practice under chapter 76.09 RCW;
- 1298 b. in a critical drainage areas established by administrative rules;
- 1299 c. subject to clearing limits included in property-specific development

1300 standards and special district overlays under K.C.C. chapter 21A.38; or

1301 d. subject to urban growth area significant tree retention standards under  
1302 K.C.C. 16.82.156 and K.C.C. Title 21A~~((38.230))~~.

1303 4. Cutting firewood for personal use in accordance with a forest management  
1304 plan or rural stewardship plan approved under K.C.C. Title 21A. For the purpose of this  
1305 condition, personal use shall not include the sale or other commercial use of the firewood.

1306 5. Limited to material at any solid waste facility operated by King County.

1307 6. Allowed to prevent imminent danger to persons or structures.

1308 7. Cumulative clearing of less than seven thousand square feet annually or  
1309 conducted in accordance with an approved farm management plan, forest management  
1310 plan, or rural stewardship plan.

1311 8. Cumulative clearing on a single site since January 1, 2005, of less than seven  
1312 thousand square feet and either:

1313 a. conducted in accordance with a farm management plan, forest management  
1314 plan, or a rural stewardship plan; or

1315 b. limited to removal with hand labor.

1316 9. When ~~((conducted))~~ conducted as a Class I, II, III or IV-S forest practice as  
1317 defined in chapter 76.09 RCW and Title 222 WAC.

1318 10. If done in compliance with K.C.C. 16.82.065.

1319 11. Only when conducted by or at the direction of a government agency in  
1320 accordance with the regional road maintenance guidelines and K.C.C. 9.04.050, creates  
1321 less than two thousand square feet of new impervious surface on a single site added after  
1322 January 1, 2005, and is not within or does not directly discharge to an aquatic area or



1323 wetland. For purposes of this subsection (~~(C)~~)E.11., "new impervious surface" is  
1324 defined in K.C.C. 9.04.020.

1325           12. Limited to clearing conducted by or at the direction of a government agency  
1326 or by a private utility that does not involve:

- 1327           a. slope stabilization or vegetation removal on slopes; or
- 1328           b. ditches that are used by salmonids.

1329           13. In conjunction with normal and routine maintenance activities, if:

- 1330           a. there is no alteration of a ditch or aquatic area that is used by salmonids:
- 1331           b. the structure, condition, or site maintained was constructed or created in  
1332 accordance with law; and
- 1333           c. the maintenance does not expand the roadway, lawn, landscaping, ditch,  
1334 culvert, or other improved area being maintained.

1335           14. If a culvert is used by salmonids or conveys water used by salmonids and  
1336 there is no adopted farm management plan, the maintenance is limited to removal of  
1337 sediment and debris from the culvert and its inlet, invert, and outlet and the stabilization  
1338 of the area within three feet of the culvert where the maintenance disturbed or damaged  
1339 the bank or bed and does not involve the excavation of a new sediment trap adjacent to  
1340 the inlet.

1341           15. If used by salmonids, only in compliance with an adopted farm plan in  
1342 accordance with K.C.C. Title 21A and only if the maintenance activity is inspected by:

- 1343           a. The King Conservation District;
- 1344           b. King County department of natural resources and parks;
- 1345           c. King County department of local services, permitting division; or

- 1346 d. Washington state Department of Fish and Wildlife.
- 1347 16. Only if consistent with an adopted farm plan in accordance with K.C.C.
- 1348 Title 21A.
- 1349 17. Only if consistent with a farm plan.
- 1350 18. In accordance with a ((~~franchise~~)) right-of-way construction permit.
- 1351 19. Only within the roadway in accordance with a ((~~franchise~~)) right-of-way
- 1352 construction permit.
- 1353 20. When:
- 1354 a. conducted by a public agency;
- 1355 b. the height of the facility is not increased;
- 1356 c. the linear length of the facility is not increased;
- 1357 d. the footprint of the facility is not expanded waterward;
- 1358 e. done in accordance with the Regional Road Maintenance Guidelines;
- 1359 f. done in accordance with the adopted King County Flood Hazard
- 1360 Management Plan and the Integrated Streambank Protection Guidelines (Washington
- 1361 State Aquatic Habitat Guidelines Program, 2002); and
- 1362 ((~~f~~))g. monitoring is conducted for three years following maintenance or repair
- 1363 and an annual report is submitted to the department.
- 1364 21. Only if:
- 1365 a. the activity is not part of a mitigation plan associated with another
- 1366 development proposal or is not corrective action associated with a violation; and

1367           b. the activity is sponsored or (~~co-sponsored~~) cosponsored by a (~~public~~)  
1368 government agency that has natural resource management as its primary function (~~or a~~  
1369 ~~federally recognized tribe,~~) and the activity is limited to:

1370           (1) revegetation of the critical area and its buffer with native vegetation or the  
1371 removal of noxious weeds or invasive vegetation;

1372           (2) placement of weirs, log controls, spawning gravel, woody debris, and  
1373 other specific salmonid habitat improvements;

1374           (3) hand labor except:

1375           (a) the use of riding mower or light mechanical cultivating equipment and  
1376 herbicides or biological control methods when prescribed by the King County noxious  
1377 weed control board for the removal of noxious weeds or invasive vegetation; or

1378           (b) the use of helicopters or cranes if they have no contact with or otherwise  
1379 disturb the critical area or its buffer.

1380           22. If done with hand equipment and does not involve any clearing.

1381           23. Limited to (~~removal of vegetation for forest fire prevention purposes in~~  
1382 ~~accordance with best management practices approved by the King County fire marshal~~)  
1383 tree and vegetation clearing for the purposes of wildfire preparedness, except tree and  
1384 vegetation clearing subject to K.C.C. 16.82.156 or K.C.C. Title 21A or otherwise  
1385 requiring a permit, including, but not limited to, alterations within critical areas, as  
1386 follows:

1387           a. Within thirty feet of a residential structure containing habitable space, the  
1388 following is allowed:

1389           (1) vegetation removal:

1390                   (a) within fifteen feet of the furthest attached exterior point of a residential  
1391 structure containing habitable space or a deck;

1392                   (b) within ten feet of an installed above ground propane or liquefied  
1393 petroleum gas tank; and

1394                   (c) underneath a tree crown to provide up to ten feet of clearance from the  
1395 ground to remove ladder fuels; and

1396                   (2) removal and pruning of trees to provide:

1397                   (a) ten feet of clearance from the ground to remove ladder fuels, as long as  
1398 pruning does not exceed one-third of tree height;

1399                   (b) fifteen feet of clearance over driveways for emergency vehicle access;

1400                   (c) eighteen feet between tree crowns; and

1401                   (d) ten feet between tree crowns and decks, chimneys, propane tanks,  
1402 liquefied petroleum gas tanks, overhead communication cables, overhead electrical wires,  
1403 or other structures; and

1404                   b. All activities in subsection E.23.a. of this section are also allowed up to one  
1405 hundred feet from a residential structure containing habitable space if such clearing is  
1406 advised in a wildfire risk assessment conducted by a professional holding a wildfire risk  
1407 assessment certification, or the activity is advised in a forest stewardship plan approved  
1408 by the department of natural resources and parks that includes best management practices  
1409 to reduce wildfire risk, except as follows:

1410                   (1) removal and pruning of trees to provide clearance between tree crowns is  
1411 limited to providing:

1412                    (a) twelve feet between tree crowns, when more than thirty feet and up to  
1413 sixty feet of a residential structure containing habitable space; and

1414                    (b) six feet between tree crowns, when more than sixty feet and up to one  
1415 hundred feet of a residential structure containing habitable space.

1416                    24. Limited to the removal of downed trees.

1417                    25. Except on properties that are:

1418                    a. subject to clearing limits included in property-specific development  
1419 standards and special district overlays under K.C.C. chapter 21A.38; or

1420                    b. subject to urban growth area significant tree retention standards under  
1421 K.C.C. 16.82.156.

1422                    26. Only if allowed under K.C.C. 21A.24.045.D.69. and if the maintenance  
1423 activity is inspected by the:

1424                    a. King Conservation District;

1425                    b. department of natural resources and parks;

1426                    c. department of local services, permitting division; or

1427                    d. Washington state Department of Fish and Wildlife.

1428                    27. Pruning of trees to provide up to ten feet of clearance from overhead

1429 communication cables and electrical wire components of utility facilities, if:

1430                    a. no debris is left following the pruning activity;

1431                    b. authorized by a right-of-way construction permit;

1432                    c. pruning activities around overhead electrical facilities do not extend fifteen  
1433 feet beyond the right-of-way; and

1434                    d. any work is approved by the property owner.

1435           28. Tree and vegetation clearing, except for overhead facilities in subsection  
1436 E.27. of this section, and except for tree and vegetation clearing subject to K.C.C.  
1437 16.82.156 or K.C.C. Title 21A or otherwise requiring a permit, as follows:

1438           a. Up to thirty feet measured horizontally from the utility facility structure, the  
1439 following is allowed:

1440           (1) vegetation removal:

1441           (a) within fifteen feet of the furthest attached exterior point of a structure;  
1442 and

1443           (b) underneath a tree crown to provide up to ten feet of clearance from the  
1444 ground to remove ladder fuels;

1445           (2) removal and pruning of trees to provide:

1446           (a) ten feet of clearance from the ground to remove ladder fuels, as long as  
1447 pruning does not exceed one-third of tree height;

1448           (b) fifteen feet of clearance over driveways for emergency vehicle access;  
1449           (c) eighteen feet between tree crowns; and  
1450           (d) ten feet between tree crowns and structures; and

1451           (3) the screening function of any landscaping planted to provide screening in  
1452 K.C.C. chapter 21A.16 is maintained; and

1453           b. All of the activities in subsection E.28.a. of this section are also allowed up  
1454 to one hundred feet measured horizontally from the utility facility structure if such  
1455 clearing activity is advised in a wildfire risk assessment conducted by a professional  
1456 holding a wildfire risk assessment certification, or the activity is advised in a forest  
1457 stewardship plan approved by the department of natural resources and parks and that

1458 includes best management practices to reduce wildfire risks, except that removal and  
1459 pruning of trees to provide clearance between tree crowns is limited to providing:

1460 (1) twelve feet between tree crowns, when more than thirty feet and up to  
1461 sixty feet measured horizontally from a utility facility structure; and

1462 (2) six feet between tree crowns, when more than sixty feet and up to one  
1463 hundred feet measured horizontally from a utility facility structure.

1464 SECTION 28. Ordinance 1488, Section 7, as amended, and K.C.C. 16.82.060 are  
1465 hereby amended to read as follows:

1466 A. To obtain a permit, the applicant shall first file an application in writing on a  
1467 form prescribed by the department that, in addition to the requirements of K.C.C.  
1468 20.20.040, shall include, at a minimum:

1469 1. Identification and description of the work to be covered by the permit for  
1470 which application is made;

1471 2. An estimate of the quantities of work involved by volume and the total area  
1472 cleared or graded as a percentage of the total site area;

1473 3. An identification and description of:

1474 a. all critical areas on the site or visible from the boundaries of the site; and

1475 b. ~~((all clearing restrictions applicable to the site in K.C.C. 16.82.150,))~~ critical  
1476 drainage areas requirements established by administrative rules or property-specific

1477 development standards and special district overlays under K.C.C. chapter 21A.38;

1478 4. Location of any open space tracts or conservation easements if required

1479 under:

1480 a. ~~((K.C.C. 16.82.152;~~

1481 ~~b.))~~ K.C.C. chapter 21A.14;  
1482 ~~((e-))~~ b. K.C.C. chapter 21A.37;  
1483 ~~((d-))~~ c. critical drainage areas; or  
1484 ~~((e-))~~ d. property-specific development standards or special district overlays  
1485 under K.C.C. chapter 21A.38;

1486 5. Plans and specifications that, at a minimum, include:  
1487 a. property boundaries, easements, and setbacks;  
1488 b. a 1:2000 scale vicinity map with a north arrow;  
1489 c. horizontal and vertical scale;  
1490 d. size and location of existing improvements on and within fifty feet of the  
1491 project, indicating which will remain and which will be removed;  
1492 e. location of all proposed cleared areas;  
1493 f. existing and proposed contours at maximum five foot intervals, and  
1494 extending for one hundred feet beyond the project edge;  
1495 g. at least two cross sections, one in each direction, showing existing and  
1496 proposed contours and horizontal and vertical scales; and  
1497 h. a proposed erosion and sediment control plan as required by K.C.C.

1498 16.82.095.

1499 B. Materials in addition to those required in subsection A. of this section may be  
1500 necessary for the department to complete the review. The following materials shall be  
1501 submitted when required by the department~~((-))~~:



1502           1. Higher accuracy contours and more details of existing terrain and area  
1503 drainage, limiting dimensions, elevations or finished contours to be achieved by the  
1504 grading, and proposed drainage channels and related construction;

1505           2. If applicable, all drainage plans and documentation consistent with King  
1506 County Surface Water Design Manual;

1507           3. Restoration plan if required under K.C.C. (~~16.82.110~~) 21A.22.081; and

1508           4. Studies prepared by qualified specialists, as necessary to substantiate any  
1509 submitted materials and compliance with this chapter or other law, particularly if clearing  
1510 or grading is proposed to take place in or adjacent to a critical area.

1511           C. Plans and specifications shall be prepared and signed by a civil engineer if  
1512 they are prepared in conjunction with the proposed construction or placement of a  
1513 structure, include permanent drainage facilities or, if required by the department, propose  
1514 alterations in steep slope or landslide hazard areas.

1515           D. The department shall determine the number of copies of the required plans,  
1516 specifications, and supporting materials necessary to expedite review and may require  
1517 submittal of materials in alternative formats.

1518           E. The director may waive specific submittal requirements if they are determined  
1519 to be unnecessary for the acceptance and subsequent review of an application.

1520           F. Any plans, specifications, or supporting materials that are returned as a result  
1521 of permit denial or any other reason shall be returned to the applicant.

1522           SECTION 29. Ordinance 12560, Section 148, as amended, and K.C.C. 17.04.200  
1523 are hereby amended to read as follows:

1524 Section 104.1 of the International Fire Code is not adopted and the following is  
1525 substituted:

1526 **General (IFC 104.1).** The fire marshal is authorized to render interpretations of  
1527 this code and make and enforce such rules and regulations, in accordance with K.C.C.  
1528 chapters 2.98 and 2.100, for the prevention and control of fires and fire hazards as  
1529 necessary to execute the application and the intent of this code, including but not limited  
1530 to:

1531 1. Procedures to ensure that building permits for structures shall conform to the  
1532 requirements of this code.

1533 2. Procedures to ensure that applicable standards of this code shall be reviewed as  
1534 part of the subdivision, short subdivision, (~~urban planned development,~~) rezone,  
1535 conditional use, special use, site development permit, binding site plan, and building  
1536 permit processes.

1537 3. Procedures to assure that the standard known as NFPA 13R shall be applied as  
1538 a minimum standard to all R occupancies.

1539 4. Procedures to allow for relaxation of the hydrant spacing requirements by as  
1540 much as 50 percent, except when such allowances would unreasonably reduce fire  
1541 protection to the area or structures served.

1542 SECTION 30. Ordinance 12560, Section 149, as amended, and K.C.C. 17.04.280  
1543 are hereby amended to read as follows:

1544 Section 104 of the International Fire Code is supplemented with the following:

1545 Notice to fire districts (IFC 104.12).

1546 A. ~~((Prior to))~~ Before submitting an application for a commercial building permit,  
1547 site development permit, binding site plan, a preliminary subdivision or short subdivision  
1548 approval, final subdivision or short subdivision, ~~((urban planned development,))~~ zoning  
1549 reclassification, conditional use, and special use permits to the department:

1550 1. the applicant shall submit a copy of the application to the fire district  
1551 providing fire protection services to the proposed development;

1552 2. subdivisions and short subdivisions applied for and/or recorded before  
1553 February 1, 1989, shall be submitted once to the applicable fire district for review at the  
1554 time of the first building permit by the applicant for that building permit;

1555 3. it shall be the responsibility of the fire district to issue a receipt to the  
1556 applicant the same day it receives a copy of a permit application. The receipt shall  
1557 constitute proof to the director of the notification;

1558 4. the applicant shall include the fire district receipt with the permit application  
1559 to the department;

1560 5. it shall be the responsibility of the fire district to notify the fire marshal of any  
1561 comments within seven days of the receipt of an applied for permit.

1562 SECTION 31. Ordinance 16147, Section 2, as amended, and K.C.C. 18.17.010  
1563 are hereby amended to read as follows:

1564 The definitions in this section apply throughout this chapter unless the context  
1565 clearly requires otherwise.

1566 A. "Alternative green building rating system" means a third-party green building  
1567 certification other than LEED or the King County Sustainable Infrastructure Scorecard.

1568 The following are accepted alternative green building rating systems, but the executive

1569 may also accept certification through other rating systems as appropriate:

1570 1. Built Green Four-Star, Built Green Five-Star, or Built Green Emerald Star, or

1571 any combination thereof;

1572 2. Envision;

1573 3. Evergreen Sustainable Development Standard;

1574 4. Fitwel;

1575 5. Greenroads;

1576 6. Living Building Challenge;

1577 7. Passive House;

1578 8. Salmon Safe;

1579 9. SITES; and

1580 10. WELL.

1581 B. "Built Green Four-Star," "Built Green Five-Star," and "Built Green Emerald

1582 Star" mean a third-party residential green building certification((s)) developed and

1583 administered by the Master Builders Association of King and Snohomish Counties.

1584 C. "Capital project" means capital project as defined in K.C.C. 4A.10.100.

1585 D. "Energy Star" means the energy certification rating system developed by the

1586 United States Environmental Protection Agency that focuses on energy efficiency.

1587 E. "Envision" means a voluntary sustainable infrastructure rating system

1588 administered by the Institute for Sustainable Infrastructure and developed by the Harvard

1589 University Graduate School of Design, American Public Works Association, American

1590 Society of Civil Engineers, and the American Council of Engineering Companies for

1591 assessing sustainability and resilience in infrastructure.

1592 F. "Equity" means equity as defined in K.C.C. 2.10.210.

1593 G. "Equity and social justice credits" means credits awarded through the  
1594 Sustainable Infrastructure Scorecard for actions that identify and account for equity and  
1595 social justice practices and outcomes throughout the capital project development  
1596 lifecycle. The credits recognize project team efforts to advance process, distributional  
1597 and cross-generational equity.

1598 H. "Evergreen Sustainable Development Standard" means a sustainable building  
1599 program for affordable housing projects that receive housing trust funds, administered by  
1600 the Washington state Department of Commerce according to RCW 39.35D.080.

1601 I. "Facility" means all or any portion of buildings, structures, infrastructure, sites,  
1602 complexes, equipment, utilities, and conveyance lines.

1603 J. "Fitwel" means a third-party green building rating system administered by the  
1604 Center for Active Design that provides a standard that supports health-promoting  
1605 strategies in the built environment.

1606 K. "Green building team" means a group that includes representatives from  
1607 county agencies with capital project or building management staff including, but not  
1608 limited to, the Metro transit department, the department of natural resources and parks,  
1609 the department of executive services, the department of local services, permitting and  
1610 road services divisions, ~~((the department of))~~ public health – Seattle & King County, the  
1611 historic preservation program, and the department of community and human services.  
1612 The members represent staff with expertise in project management, construction  
1613 management, architecture, landscape architecture, environmental planning, design,  
1614 engineering, historic preservation and resource conservation, public health, building

1615 energy systems, building management, budget analysis, equity and racial and social  
1616 justice, procurement, and other skills as needed. The green building team provides  
1617 assistance and helps to disseminate information to project managers in all county  
1618 agencies.

1619 L. "Greenroads" means the third-party green building rating system administered  
1620 by the Greenroads International nonprofit organization to measure and manage  
1621 sustainability on transportation projects.

1622 M. "GreenTools program" means the support team located within the solid waste  
1623 division of the department of natural resources and parks that provides green building  
1624 technical assistance to county divisions, cities, and the general public within the county.

1625 N. "Integrative process" means an approach to project design that seeks to  
1626 achieve high performance on a wide variety of well-defined environmental and social  
1627 goals while staying within budgetary and scheduling constraints. It relies on a  
1628 multidisciplinary and collaborative team whose members make decisions together based  
1629 on a shared vision and a holistic understanding of the project. It is an iterative process  
1630 that follows the design through the entire project life, from predesign through operation.

1631 O. "Leadership in Energy and Environmental Design" or "LEED" means a  
1632 voluntary, consensus-based national standard for developing high-performance,  
1633 sustainable buildings, created by the United States Green Building Council.

1634 P. "LEED-eligible building" means any new construction or major remodel or  
1635 renovation capital project with one thousand gross square feet or more of new,  
1636 remodeled, or renovated floor area that is occupied or conditioned and that meets the  
1637 minimum program requirements for LEED certifications.

1638 Q. "Living Building Challenge" means a voluntary green building rating system  
1639 administered by the International Living Future Institute. The certification options are  
1640 Full Living, Petal, CORE, Zero Energy<sub>2</sub> and Zero Carbon.

1641 R. "Major remodel or renovation" means work that demolishes space down to the  
1642 shell structure and rebuilds it with new interior walls, ceilings, floor coverings<sub>2</sub> and  
1643 systems, when the work affects more than twenty-five percent of a building's square  
1644 footage and the affected space is one thousand square feet or larger.

1645 S. "Minor remodel or renovation" means any type of remodel or renovation that  
1646 does not qualify as a major remodel or renovation.

1647 T. "New construction" means a new building or structure.

1648 U. "Passive House" means a voluntary passive building energy standard  
1649 certification program through either the PHIUS+ certification administered by Passive  
1650 House Institute United States or the Passive House certification administered by Passive  
1651 House Institute.

1652 V. "Regional code collaboration" means interested jurisdictions across the Puget  
1653 Sound region working together to develop building, energy, fire, residential, plumbing,  
1654 mechanical<sub>2</sub> and zoning codes supporting the advancement of green building practices.

1655 W. "Retrocommissioning" means a detailed, systematic process for investigating  
1656 an existing building's operations and identifying ways to improve performance. The  
1657 primary focus is to identify operational improvements to obtain comfort and energy  
1658 savings.

1659 X. "Salmon Safe" means a voluntary peer-reviewed certification program, linking  
1660 site development land management practices with the protection of agricultural and urban

1661 watersheds, founded by the Stewardship Partners.

1662 Y. "SITES" means a voluntary sustainability-focused framework program  
1663 administered by the Sustainable SITES Initiative and developed by the American Society  
1664 of Landscape Architects, the Lady Bird Johnson Wildflower Center, and the United  
1665 States Botanical Garden.

1666 Z. "Social cost of carbon" means social cost of carbon as defined in K.C.C.  
1667 18.20.015.

1668 AA. "Social justice" means social justice as defined in K.C.C. 2.10.210.

1669 ~~((AA.))~~ BB. "Strategic Climate Action Plan" means the King County Strategic  
1670 Climate Action Plan adopted by Motion 15866, or any subsequent Strategic Climate  
1671 Action Plan developed under K.C.C. chapter 18.25 and adopted by the council.

1672 ~~((BB.))~~ CC. "Sustainable development practices" are also known as green  
1673 building and means whole system approaches to the design, construction, and operation  
1674 of buildings and infrastructure that help to mitigate the negative environmental,  
1675 economic, health, and social impacts of construction, demolition, operation, and  
1676 renovation while maximizing the facilities' positive fiscal, environmental, health, and  
1677 functional contribution. Sustainable development practices recognize the relationship  
1678 between natural and built environments and seek to minimize the use of energy, water,  
1679 and other natural resources while providing maximum benefits and contribution to  
1680 service levels to the system and the connecting infrastructures.

1681 ~~((CC.))~~ DD. "Sustainable Infrastructure Scorecard" means a green building and  
1682 sustainable development rating system developed by the green building team for capital  
1683 projects that are not eligible for the LEED rating system.



1684           ~~((DD-))~~ EE. "Transit-oriented development" means a capital project on King  
1685 County-owned property that includes the development of housing, commercial space,  
1686 services, or job opportunities in direct proximity to frequent public transportation and that  
1687 is wholly or partially planned or wholly or partially financed by the Metro transit  
1688 department.

1689           ~~((EE-))~~ FF. "WELL" means a third-party green building rating system  
1690 administered by the International WELL Building Institute's collaboration with Green  
1691 Business Certification, Inc.

1692           SECTION 32. Ordinance 19402, Section 8, and K.C.C. 18.17.050 are hereby  
1693 amended to read as follows:

1694           A. Capital projects shall be subject to the following applicable green building  
1695 standards and corresponding requirements; capital projects shall register with the  
1696 applicable third-party rating system and achieve the appropriate certification. Small,  
1697 related capital projects that are part of a program may be certified as a program rather  
1698 than at the individual-project level:

1699           1. Affordable housing capital projects subject to RCW 39.35D.080 that receive  
1700 moneys from the King County ~~((D))~~department of ~~((C))~~community and ~~((H))~~human  
1701 ~~((S))~~services or that are part of transit-oriented development shall achieve either  
1702 Evergreen Sustainable Development Standard requirements or the highest rating in an  
1703 applicable alternative green building rating system certification, or both;

1704           2. Buildings owned or lease-to-own by King County, excluding those to which  
1705 subsection A.1. of this section applies, shall achieve certification levels as follows:

1706           a. New construction of a LEED-eligible building shall achieve either LEED

1707 platinum certification or the Living Building Challenge certification, or both; and

1708           b. A major remodel or renovation of a LEED-eligible building shall achieve  
1709 either LEED gold certification or the Living Building Challenge certification, or both;  
1710 and

1711           3. Capital projects owned or lease-to-own by King County that are not subject  
1712 to subsection A.1. or 2. of this section shall either achieve a platinum rating according to  
1713 a King County or division-specific Sustainable Infrastructure Scorecard or achieve the  
1714 highest certification through an applicable alternative green building rating system, or  
1715 both.

1716           B. All capital projects to which subsection A. of this section applies:

1717           1. Shall meet King County Surface Water Design Manual requirements,  
1718 regardless of jurisdiction location. If a project is located in a jurisdiction where the  
1719 surface water design manual standards and requirements are different than King  
1720 County's, the project shall implement the more stringent requirement;

1721           2. Shall achieve a minimum diversion rate of eighty percent for construction and  
1722 demolition materials, achieve an eighty-five percent diversion rate beginning in 2025 and  
1723 shall achieve zero waste of resources with economic value beginning in 2030;

1724           3. Shall achieve applicable King County equity and social justice credits for  
1725 capital projects regardless of the rating system used; (~~and~~)

1726           4. Should use the practice of integrative process to maximize green building,  
1727 sustainable development, community benefit, and financial investment opportunities over  
1728 the life of the asset; and

1729           5. Should use the social cost of carbon in life-cycle assessments and decision

1730 making related to facility construction and resource efficiency projects.

1731 C.1. For leases by a King County agency for King County operations at non-  
1732 King-County-owned facilities, the agency shall seek to incorporate the latest green  
1733 building and sustainable development practices in the county-occupied space.

1734 2. For new leases of King County-employee-occupied-space of longer than five  
1735 years, including lease-to-own projects, King County shall lease buildings that are  
1736 certified through the LEED rating system at silver level or higher, are Energy Star  
1737 Certified, or are certified through an alternative green building rating system, but only  
1738 when those ratings are consistent with the operational needs of the function. Buildings  
1739 that do not meet these standards can be leased by the county if plans and financing are in  
1740 place at the time of signing that will enable the building to meet this standard within  
1741 twenty-four months of lease signing.

1742 D. As part of the county's green building program, the county shall preserve and  
1743 restore the historic landmarks and properties eligible for landmark designation that are  
1744 owned by the county, except in cases where a certificate of appropriateness is granted by  
1745 the King County landmarks commission.

1746 SECTION 33. Ordinance 17270, Section 2, as amended, and K.C.C. 18.25.010  
1747 are hereby amended to read as follows:

1748 A.1. ~~((The county developed a strategic climate action plan in 2012 to establish  
1749 long term targets and guide actions within county services and operations to reduce  
1750 greenhouse gas emissions and adapt to a changing climate. In accordance with this  
1751 chapter, the executive updates the strategic climate action plan.))~~ In order to guide the  
1752 county's climate-related objectives and strategies, the executive shall develop an updated

1753 strategic climate action plan at least every five years. Each update to the strategic climate  
1754 action plan shall be developed with an environmental justice framework in partnership  
1755 with those communities disproportionately impacted by climate change and in a manner  
1756 consistent with (~~Ordinance 16948, which establishes the county's fair and just principle~~)  
1757 K.C.C. 2.10.200 through 2.10.230. The strategic climate action plan shall include the  
1758 following:

1759 a. the identification of specific goals, strategies, measures, targets, and priority  
1760 actions for county services and operations to reduce emissions consistent with the  
1761 countywide goal of reducing greenhouse gas emissions (~~(twenty-five percent by 2020,)~~)  
1762 fifty percent by 2030, seventy-five percent by 2040, and (~~eighty~~) ninety-five percent by  
1763 2050, with net-zero emissions through carbon sequestration and other strategies by that  
1764 year, compared to a 2007 baseline. The strategic climate action plan should address five  
1765 goal areas for reducing greenhouse gas emissions: transportation and land use; building  
1766 and facilities energy; green building; consumption and materials management, including  
1767 the environmental purchasing program; and forestry and agriculture. Each goal area shall  
1768 address environmental justice and ensure that the strategies promote an equitable  
1769 distribution of any environmental benefit. The strategic climate action plan should  
1770 establish explicit and, whenever possible, quantifiable connections between the  
1771 overarching climate goals and specific strategies and actions;

1772 b.(1) a green jobs strategy. For purposes of this subsection A., a "green job"  
1773 means (~~(one that generates an income large enough to support a household in King~~  
1774 ~~County and provides a benefit to the environment)~~) a living wage position providing  
1775 environmental benefits, such as clean energy deployment, in high-demand industry

1776 sectors such as construction, manufacturing, transportation, and professional services.

1777 The intent of the green jobs strategy is to encourage the development of green jobs along  
1778 the career spectrum.

1779 (2) the green jobs strategy shall be developed in consultation with members  
1780 of the King County climate and equity community taskforce identified in subsection  
1781 A.1.b.(2)(f) of this section, labor and workforce development organizations directed in  
1782 subsection A.7. of this section, and representatives of an environmental justice and  
1783 climate equity organization, education, business, building managers, utilities, scientists  
1784 with knowledge of the latest research on strategies to reduce emissions, tribes, local  
1785 governments, and regional groups such as the King County-Cities Climate Collaboration  
1786 and the Puget Sound Regional Council, and shall include:

1787 (a) specific actions King County and its partners can take to increase the  
1788 number of green jobs and apprenticeships throughout the region, including jobs in energy  
1789 efficiency, renewable energy, green vehicles, and carbon sequestration, and King County  
1790 administrative, executive, policy, and technical jobs;

1791 (b) a proposal for and budget to develop a green job pipeline that focuses  
1792 especially on communities that have historically been underserved, and is informed by  
1793 recommendations of the climate and equity community task force;

1794 (c) identification of the industry sectors and job types with high-demand  
1795 green jobs in King County; and

1796 (d) actions King County can take to develop the green energy skills of King  
1797 County's own workforce, such as collaboration on development of apprenticeship and  
1798 pre-apprenticeship programs in sectors including energy efficiency, electrification,

1799 electric vehicle maintenance, the maintenance of electric vehicle infrastructure, and  
1800 carbon sequestration technologies;~~(and~~  
1801 ~~(e) an initial green jobs strategy in the 2020 Strategic Climate Action Plan~~  
1802 ~~update, with findings and recommendations along with recommended next steps for~~  
1803 ~~refining the green jobs strategy as part of plan implementation, biennial budgets and~~  
1804 ~~future plan updates; and~~  
1805 ~~(f))~~c. a community-driven strategy to achieve sustainable and resilient  
1806 communities. In order to achieve a community driven strategy, the executive shall  
1807 convene and partner with the King County climate and equity community task force to  
1808 develop the sustainable and resilient community strategy. The King County climate and  
1809 equity community task force shall be a racially and ethnically diverse group representing  
1810 various communities in King County that are on the frontline of climate change. The task  
1811 force shall develop goals and guide priority areas for climate action based on community  
1812 values and concerns. The sustainable and resilient community strategy shall:  
1813 ~~((i))~~(1) identify how climate change will impact communities of color, low-  
1814 income communities, and those disproportionately impacted by climate change;  
1815 ~~((ii))~~(2) identify opportunities to take actions to address those impacts that  
1816 could include increasing the number of affordable housing units, developing pathways to  
1817 green jobs, preventing neighborhood displacement, increasing access to green spaces,  
1818 providing access to zero emissions mobility options, improving food security, reducing  
1819 pollution, and addressing health disparities; and  
1820 ~~((iii))~~(3) based on assessment of climate impacts and extreme weather events  
1821 like heat waves on vulnerable communities, make recommendations for preparedness

1822 strategies and actions to include in county emergency response plans, the flood hazard  
1823 management plan, and the regional hazard mitigation plan;

1824 ((e))d. the current assessment of climate change impacts in King County and  
1825 identification of goals, strategies, measures, targets, and priority actions within county  
1826 services and county operations to address climate change impacts. Each goal and  
1827 strategy shall address environmental justice and ensure that the strategies promote an  
1828 equitable distribution of any environmental benefit;

1829 ((e))e. performance measures and related targets for both operational  
1830 emissions and implementation of priority strategies, including the green job strategy, that  
1831 advance the strategic climate action plan and provide for assessment of progress relative  
1832 to overarching climate goals at the community scale; and

1833 ((e))f. an assessment of cost effectiveness for key county services and  
1834 operations building on the pilot cost effectiveness assessment in the 2015 strategic  
1835 climate action plan update.

1836 2. ~~((Consistent with the county's strategic planning cycle, updates will occur at  
1837 least every five years, unless more frequent updates are needed to respond to changing  
1838 information about emissions sources, performance relative to targets, new technologies,  
1839 or a changing regulatory context.))~~ The executive shall transmit the 2025 update((s)) to  
1840 the strategic climate action plan to the council for adoption by motion. All subsequent  
1841 updates shall be transmitted to the council for adoption by ordinance.

1842 3. In developing future updates to the strategic climate action plan, the  
1843 executive shall continue to review climate change-related plans being developed by other  
1844 municipalities, including the city of Seattle's climate action plan, and identify

1845 opportunities and strengthen recommendations for partnership with cities, businesses, and  
1846 nonprofit organizations to advance actions to reduce greenhouse gas emissions and  
1847 prepare for and respond to climate change impacts.

1848 4. ~~((The council recognizes that science related to climate change and successful  
1849 climate solutions is evolving, and each update to the strategic climate action plan should  
1850 build upon and refine the strategies, activities and performance targets in accordance with  
1851 best available science, practices and progress toward emissions reductions targets.~~

1852 5. ~~Future updates shall include the requirements of subsection A.1. of this  
1853 section.~~

1854 6)). Progress in achieving strategic climate action plan performance measure  
1855 targets and accomplishment of priority actions identified in subsection A.1. of this  
1856 section, as well as findings outlining recommendations for changes in policies, priorities,  
1857 and capital investments, shall be reported and transmitted to council ~~((biennially))~~ with  
1858 the update of the strategic climate action plan and at the midpoint between updates. The  
1859 progress report shall be included as part of the report required in K.C.C. 18.50.010.

1860 ~~((7))~~5. The executive shall convene a strategic climate action plan labor  
1861 advisory council ~~((or))~~ and seek input from county labor and workforce development  
1862 organizations, including the Martin Luther King, Jr. County Labor Council of  
1863 Washington, the Seattle Building and Construction Trades Council, and the Workforce  
1864 Development Council of Seattle-King County, on recommendations for policies,  
1865 programs, and partnerships to strengthen pathways to local green jobs and to provide  
1866 guidance on each update.



1867           6. The executive shall collaborate with Indian tribes, and with cities in King  
1868 County through the King County-Cities Climate Collaboration, on each update to the  
1869 strategic climate action plan.

1870           B. Future updates to climate-related objectives and strategies should be informed  
1871 by the most recently adopted strategic climate action plan.

1872           C. The executive (~~((must transmit))~~) shall electronically file the legislation and  
1873 reports required (~~((to be submitted))~~) by this section (~~((in the form of a paper original and an~~  
1874 ~~electronic copy))~~) with the clerk of the council, who shall retain (~~((the original))~~) an  
1875 electronic copy and provide an electronic copy to all councilmembers, the council chief  
1876 of staff, and the lead staff for the transportation, economy, and environment committee or  
1877 its successor.

1878           SECTION 34. The following should constitute a new chapter in K.C.C. Title 18,  
1879 to follow K.C.C. chapter 18.35:

1880           A. K.C.C. 28.30.010, as recodified by this ordinance;

1881           B. K.C.C. 28.30.020, as recodified by this ordinance; and

1882           C. K.C.C. 28.30.030, as recodified by this ordinance.

1883           SECTION 35. The following are hereby recodified as new sections in K.C.C.  
1884 chapter 18.xx (the new chapter created in section 34 of this ordinance):

1885           A. K.C.C. 28.30.010;

1886           B. K.C.C. 28.30.020; and

1887           C. K.C.C. 28.30.030, as amended by this ordinance.

1888           SECTION 36. Ordinance 17971, Section 4, as amended, and K.C.C. 28.30.030  
1889 are hereby amended to read as follows:

1890           A. The King County Metro transit carbon offset and environmental attributes  
1891 program is hereby created and shall be administered by the Metro transit department.

1892           B. Transit carbon offsets shall be reviewed by an ~~((an))~~ independent third-party  
1893 organization with proven experience in emission mitigation activities to ensure that  
1894 transit carbon offsets meet the requirements of RCW 36.01.250.

1895           C. The Metro transit department shall make carbon offsets or environmental  
1896 attributes available for purchase by individuals or public or private entities, if doing so is  
1897 likely to be financially beneficial to the department.

1898           D. The wastewater treatment division and the solid waste division shall evaluate  
1899 the purchase of Metro transit department carbon offsets, as necessary, to achieve the  
1900 requirements of this chapter.

1901           E. When purchasing carbon offsets, the wastewater treatment division and the  
1902 solid waste division shall ensure the offsets meet the requirements of RCW 36.01.250. In  
1903 purchasing offsets, the wastewater treatment division and the solid waste divisions shall  
1904 purchase offsets from the Metro transit department before purchasing carbon offsets from  
1905 outside of the county if Metro transit department offsets are comparably priced.

1906           F. Revenue from the sale of carbon offsets or environmental attributes shall be  
1907 used by the Metro transit department solely for the purposes of reducing greenhouse gas  
1908 emissions through ~~((providing additional transit service hours))~~ mobility services or  
1909 investments that reduce the greenhouse gas emissions from transit operations beyond  
1910 standard operations, thereby achieving additionality.

1911 G. The executive shall ensure that transit carbon offsets or other environmental  
1912 attributes are not double counted in calculating the greenhouse gas emissions for King  
1913 County.

1914 SECTION 37. Ordinance 13694, Section 42, as amended, and K.C.C.

1915 19A.08.070 are hereby amended to read as follows:

1916 A. A property owner may request that the department determine whether a lot  
1917 was legally created. The property owner shall demonstrate to the satisfaction of the  
1918 department that a lot was created in compliance with applicable state and local land  
1919 segregation statutes or codes in effect at the time the lot was created.

1920 B. A lot shall be recognized as a legal lot:

1921 1. If before October 1, 1972, it was:

1922 a. conveyed as an individually described parcel to separate, noncontiguous  
1923 ownerships through a fee simple transfer or purchase; or

1924 b. recognized as a separate tax lot by the county assessor;

1925 2. If created by a recorded subdivision before June 9, 1937, and it was served by  
1926 one of the following before January 1, 2000:

1927 a. an approved sewage disposal; or

1928 b. an approved water system; ~~(or~~

1929 ~~e. a road that was:~~

1930 ~~(1) accepted for maintenance by the King County department of~~

1931 ~~transportation; or~~

1932 ~~(2) located within an access easement for residential use or in a road right-of-~~

1933 ~~way and consists of a smooth driving surface, including, but not limited to, asphalt,~~

1934 concrete, or compact gravel, that complied with the King County road standards in effect  
1935 at the time the road was constructed;))

1936 3. If created by an approved short subdivision, including engineers subdivisions;

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

1938 5. If created through the following alternative means of lot segregation provided  
1939 for by state statute or county code:

1940 a. at a size five acres or greater, created by a record of survey recorded  
1941 between August 11, 1969, and October 1, 1972, and that did not contain a dedication;

1942 b. at a size twenty acres or greater, created by a record of survey recorded  
1943 before January 1, 2000, and not subsequently merged into a larger lot;

1944 c. at a size forty acres or greater created through a larger lot segregation made  
1945 in accordance with RCW 58.18.010, approved by King County and not subsequently  
1946 merged into a larger lot. Within the F zone, each lot of tract shall be of a size that meets  
1947 the minimum lot size requirements of K.C.C. 21A.12.040.A;

1948 d. through testamentary provisions or the laws of descent after August 10,  
1949 1969; or

1950 e. as a result of deeding land to a public body after April 3, 1977.

1951 C. In requesting a determination, the property owner shall submit evidence,  
1952 deemed acceptable to the department, such as:

1953 1. Recorded subdivisions or division of land into four lots or less;

1954 2. King County documents indicating approval of a short subdivision;

1955 3. Recorded deeds or contracts describing the lot or lots either individually or as  
1956 part of a conjunctive legal description (~~((e.g.)),~~ such as Lot 1 and Lot 2(~~(+)~~)); or

1957           4. Historic tax records or other similar evidence, describing the lot as an  
1958 individual parcel. The department shall give great weight to the existence of historic tax  
1959 records or tax parcels in making its determination.

1960           D. Once the department has determined that the lot was legally created, the  
1961 department shall continue to acknowledge the lot as such, unless the property owner  
1962 reaggregates or merges the lot with another lot or lots in order to:

- 1963           1. Create a parcel of land that would qualify as a building site, or  
1964           2. Implement a deed restriction or condition, a covenant, or court decision.

1965           E. The department's determination shall not be construed as a guarantee that the  
1966 lot constitutes a building site as defined in K.C.C. 19A.04.060. Testamentary lots created  
1967 after December 31, 1999, and before January 1, 2019, are exempt from meeting the  
1968 minimum lot area requirements in K.C.C. 21A.12.030 and 21A.12.040 for the applicable  
1969 zoning district, if all other federal, state, and local statutes and regulations are met. All  
1970 other testamentary lots shall be required to meet all federal, state, and local statutes and  
1971 regulations, including minimum lot area requirements in K.C.C. 21A.12.030 and  
1972 21A.12.040.

1973           F. Reaggregation of lots after January 1, 2000, shall only be the result of a  
1974 deliberate action by a property owner expressly requesting the department for a  
1975 permanent merger of two or more lots through a boundary line adjustment under K.C.C.  
1976 chapter 19A.28.

1977           SECTION 38. Ordinance 13694, Section 56, as amended, and K.C.C.  
1978 19A.12.020 are hereby amended to read as follows:

1979           A. Preliminary subdivision approval shall be effective for a period of sixty  
1980 months.

1981           B. Preliminary subdivision approval shall be considered the basis upon which the  
1982 applicant may proceed toward development of the subdivision and preparation of the  
1983 final plat subject to all the conditions of the preliminary approval.

1984           C. If the final plat is being developed in divisions, and final plats for all of the  
1985 divisions have not been recorded within the time limits provided in this section,  
1986 preliminary subdivision approval for all unrecorded divisions shall become void. The  
1987 preliminary subdivision for any unrecorded divisions (~~((must again))~~) shall be submitted  
1988 again to the department with a new application, subject to the fees and regulations  
1989 applicable at the time of submittal.

1990           D. ~~((An urban planned development permit, fully contained community permit,  
1991 or development agreement approved pursuant to K.C.C. chapter 21A.39 may extend the  
1992 preliminary approval period beyond sixty months for any preliminary subdivision  
1993 approved simultaneous or subsequent to the urban planned development permit or fully  
1994 contained community permit. Such extensions may be made contingent upon satisfying  
1995 conditions set forth in the urban planned development permit, fully contained community  
1996 permit or development agreement. In no case shall the extended preliminary approval  
1997 period exceed the expected buildout time period of the urban planned development or  
1998 fully contained community as provided in the urban planned development permit, fully  
1999 contained community permit or development agreement. This section shall apply to any  
2000 approved urban planned development permit, fully contained community permit or~~

2001 development agreement in existence on January 1, 2000, or approved subsequent to  
2002 January 1, 2000.

2003 E. For any plat with more than four hundred lots that is also part of the county's  
2004 four to one program, the preliminary subdivision approval shall be effective for eighty-  
2005 four months. This subsection applies to any preliminary plat approved by either the  
2006 council or the hearing examiner, or both, on or after January 1, 1998, that relates to a four  
2007 to one program with proposed plats containing more than four hundred lots.

2008 F. For any plat with more than fifty lots where fifty percent or more of those lots  
2009 will constitute affordable housing which is housing for those that have incomes of less  
2010 than eighty percent of median income for King County as periodically published by the  
2011 United States Department of Housing and Urban Development, or its successor agency,  
2012 and at least a portion of the funding for the project has been provided by federal, state or  
2013 county housing funds, the preliminary subdivision shall be effective for seventy two  
2014 months. This subsection applies to any plat that has received preliminary approval on or  
2015 after January 1, 1998.

2016 G.1. For any plat that has received preliminary approval on or after December 1,  
2017 2003, the preliminary subdivision approval shall be valid for a period of eighty four  
2018 months. The department may make revisions to the fee estimate issued by the  
2019 department under K.C.C. 27.02.065.

2020 2. For any plat that received preliminary approval on or after December 1, 2003,  
2021 pursuant to K.C.C. 21A.55.060, the preliminary subdivision approval shall be valid for a  
2022 period of one hundred and eight months. The department may make revisions to the fee  
2023 estimate issued by the department under K.C.C. 27.02.065.

2024           3. ~~This subsection shall retroactively apply to any plat that has received~~  
2025 ~~preliminary approval on or after December 1, 2003. This subsection expires December~~  
2026 ~~31, 2014.)~~ An applicant for a preliminary plat approved on or after January 1, 2015,  
2027 who files a written request for extension with the director at least thirty days before the  
2028 expiration of the preliminary subdivision, shall be granted a one-time, one-year  
2029 extension, dated from the original preliminary approval date. Any subdivision not  
2030 recorded within the period of time set forth in this subsection is null and void and the  
2031 applicant is required to resubmit a new preliminary subdivision for approval, subject to  
2032 all current regulations.

2033           SECTION 39. Ordinance 13694, Section 80, as amended, and K.C.C.

2034 19A.28.020 are hereby amended to read as follows:

2035           Adjustment of boundary lines between adjacent lots shall be consistent with the  
2036 following review procedures and limitations:

2037           A. Applications for boundary line adjustments shall be reviewed as a Type 1  
2038 permit as provided in K.C.C. chapter 20.20. The review shall include examination for  
2039 consistency with the King County zoning code, K.C.C. Title 21A., shoreline master  
2040 program, K.C.C. chapter 21A.25, applicable board of health regulations, and, for  
2041 developed lots, fire and building codes;

2042           B. A lot created through a large lot segregation shall be consistent with the  
2043 underlying zoning and shall not be reduced to less than twenty acres within ten years of  
2044 the large lot segregation approval unless it is subdivided in accordance with K.C.C.  
2045 chapter 19A.12;



2046 C. ~~((Any adjustment of boundary lines must be approved by the department~~  
2047 ~~before the))~~ No transfer of property ownership between adjacent legal lots may occur  
2048 until the boundary line adjustment is approved;

2049 D. A boundary line adjustment proposal shall not:

2050 1. Result in the creation of an additional lot; ~~((or))~~

2051 2. Result in the creation of more than one additional building site in the rural  
2052 area and natural resource lands or two additional building sites in the urban area;

2053 ~~((2.))~~ 3. Result in a lot that does not qualify as a building site ~~((pursuant to))~~  
2054 under this title;

2055 ~~((3.))~~ 4. Relocate an entire lot from one parent parcel into another parent parcel;

2056 ~~((4.))~~ 5. Reduce the overall area in a plat or short plat devoted to open space;

2057 ~~((5.))~~ 6. Be inconsistent with any restrictions or conditions of approval for a  
2058 recorded plat or short plat;

2059 ~~((6.))~~ 7. Involve lots ~~((which))~~ that do not have a common boundary; ~~((or))~~

2060 ~~((7.))~~ 8. Circumvent the subdivision or short subdivision procedures ~~((set forth))~~

2061 in this title. Factors ~~((which))~~ that indicate that the boundary line adjustment process is

2062 being used in a manner inconsistent with statutory intent include: numerous and frequent

2063 adjustments to the existing lot boundary, a proposal to move a lot or building site to a

2064 different location, and a large number of lots being proposed for a boundary line

2065 adjustment; or

2066 9. Circumvent standards or procedures in K.C.C. Title 21A;

2067 E. The elimination of lines between two or more lots shall, in all cases, ~~((shall))~~

2068 be considered a minor adjustment of boundary lines and shall not be subject to the

2069 subdivision and short subdivision provisions of this title or to K.C.C. 19A.28.030. The  
2070 format and requirements of a minor adjustment under this subsection shall be specified  
2071 by the department;

2072 F. Recognized lots in an approved site plan for a conditional use permit, special  
2073 use permit, (~~urban planned development,~~) or commercial site development permit shall  
2074 be considered a single site and no lot lines on the site may be altered by a boundary line  
2075 adjustment to transfer density or separate lots to another property not included in the  
2076 original site plan of the subject development; and

2077 G. Lots that have been subject to a boundary line adjustment process that resulted  
2078 in the qualification of an additional building site shall not be (~~permitted~~) allowed to  
2079 utilize the boundary line adjustment process again for five years to create an additional  
2080 building site.

2081 SECTION 40. Ordinance 18810, Section 3, and K.C.C. 20.08.037 are hereby  
2082 amended to read as follows:

2083 "Area zoning and land use study" means a study that reviews the land use  
2084 designations and zoning classifications for a specified set of properties. "Area zoning  
2085 and land use studies" are typically focused on a (~~broader set of policies than a subarea~~  
2086 ~~study~~) specific set of possible zoning and land use changes, and do not look at the larger  
2087 range of issues that a subarea plan would include. "Area zoning and land use studies"  
2088 consider specific potential changes to land use or zoning, or both, and analyze such  
2089 requests based on surrounding land use and zoning, current infrastructure and potential  
2090 future needs, and consistency with the King County Comprehensive Plan,

2091 ~~((e))~~Countywide ~~((p))~~Planning ~~((p))~~Policies, and the Growth Management Act, chapter  
2092 36.70A RCW.

2093 SECTION 41. Ordinance 263, Art. 3 (part), and K.C.C. 20.08.060 are hereby  
2094 amended to read as follows:

2095 "Subarea plan" means a detailed local land use plan that implements, is consistent  
2096 with, and is an element of the Comprehensive Plan, containing specific policies,  
2097 guidelines, and criteria adopted by the council to guide development and capital  
2098 improvement decisions within specific subareas of the county. ~~((Subareas are))~~ Subarea  
2099 plans are used for distinct communities, specific geographic areas, community service  
2100 areas, or other types of districts having unified interests or similar characteristics within  
2101 the county. ~~((Subarea plans may include community plans, community service area~~  
2102 ~~subarea plans, neighborhood plans, basin plans and plans addressing multiple areas~~  
2103 ~~having common interests. The relationship between the 1994 King County~~  
2104 ~~Comprehensive Plan and subarea plans is established by K.C.C. 20.12.015.))~~

2105 SECTION 42. Ordinance 263, Article 2, Section 1, as amended, and K.C.C.  
2106 20.12.010 are hereby amended to read as follows:

2107 Under the King County Charter, the state Constitution, and the ~~((Washington~~  
2108 ~~state))~~ Growth Management Act, chapter 36.70A RCW, King County adopted the 1994  
2109 King County Comprehensive Plan via Ordinance 11575 and declared it to be the  
2110 Comprehensive Plan for King County until amended, repealed, or superseded. The  
2111 Comprehensive Plan has been reviewed and amended multiple times since its adoption in  
2112 1994. Amendments to the 1994 Comprehensive Plan to-date are currently reflected in the  
2113 ~~((2016))~~ 2024 King County Comprehensive Plan, as adopted in ~~((Ordinance 18427 and as~~

2114 amended by Ordinance 18623, Ordinance 18810, Ordinance 19034, Ordinance 19146 and  
2115 Ordinance 19555)) this ordinance. The Comprehensive Plan shall be the principal  
2116 planning document for the orderly physical development of the county and shall be used  
2117 to guide subarea plans, functional plans, provision of public facilities and services,  
2118 review of proposed incorporations and annexations, development regulations, and land  
2119 development decisions.

2120 SECTION 43. Ordinance 3692, Section 2, as amended, and K.C.C. 20.12.200 are  
2121 hereby amended to read as follows:

2122 A. The King County shoreline master program consists of the following  
2123 elements, enacted on or before ((~~March 25, 2021~~)) the date of enactment of this  
2124 ordinance:

- 2125 1. The King county Comprehensive Plan chapter six;
- 2126 2. K.C.C. chapter 21A.25;
- 2127 3. The following sections of K.C.C. chapter 21A.24:
  - 2128 a. K.C.C. 21A.24.045;
  - 2129 b. K.C.C. 21A.24.051;
  - 2130 c. K.C.C. 21A.24.055;
  - 2131 d. K.C.C. 21A.24.070.A., B.2., C.2., D., and E.;
  - 2132 e. K.C.C. 21A.24.125;
  - 2133 f. K.C.C. 21A.24.130;
  - 2134 g. K.C.C. 21A.24.133;
  - 2135 h. K.C.C. 21A.24.200;
  - 2136 i. K.C.C. 21A.24.210;

- 2137 j. K.C.C. 21A.24.220;
- 2138 k. K.C.C. 21A.24.275;
- 2139 l. K.C.C. 21A.24.280;
- 2140 m. K.C.C. 21A.24.290;
- 2141 n. K.C.C. 21A.24.300;
- 2142 o. K.C.C. 21A.24.310;
- 2143 p. K.C.C. 21A.24.316;
- 2144 q. K.C.C. 21A.24.318;
- 2145 r. K.C.C. 21A.24.325;
- 2146 s. K.C.C. 21A.24.335;
- 2147 t. K.C.C. 21A.24.340;
- 2148 u. K.C.C. 21A.24.355;
- 2149 v. K.C.C. 21A.24.358;
- 2150 w. K.C.C. 21A.24.365;
- 2151 x. K.C.C. 21A.24.380;
- 2152 y. K.C.C. 21A.24.382;
- 2153 z. K.C.C. 21A.24.386; and
- 2154 aa. K.C.C. 21A.24.388;
- 2155 4. The following:
- 2156 a. (~~K.C.C. 20.18.040;~~
- 2157 ~~b.~~) K.C.C. 20.18.050;
- 2158 (~~e.~~) b. K.C.C. 20.18.056;
- 2159 (~~f.~~) c. K.C.C. 20.18.057;

2160            ~~((e-))~~ d. K.C.C. 20.18.058;  
2161            ~~((f-))~~ e. K.C.C. 20.22.160;  
2162            ~~((g-))~~ f. K.C.C. 21A.32.045;  
2163            ~~((h-))~~ g. K.C.C. 21A.44.090;  
2164            ~~((i-))~~ h. K.C.C. 21A.44.100; and  
2165            ~~((j-))~~ i. K.C.C. 21A.50.030.

2166            B. The shoreline management goals and policies constitute the official policy of  
2167 King County regarding areas of the county subject to shoreline ~~((management))~~  
2168 jurisdiction under chapter 90.58 RCW. As provided by WAC 173-26-191(2)(a), King  
2169 County's local administrative, enforcement, and permit review procedures shall conform  
2170 to chapter 90.58 RCW but shall not be a part of the master program.

2171            C. Amendments to the shoreline master program do not apply to the shoreline  
2172 jurisdiction until approved by the Washington state Department of Ecology as provided  
2173 in RCW 90.58.090. The department of local services, permitting division, shall, within  
2174 ten days after the date of the Department of Ecology's approval, file a copy of the  
2175 Department of Ecology's approval, in the form of an electronic copy, with the clerk of the  
2176 council, who shall retain the original and provide electronic copies to all  
2177 councilmembers, the chief of staff, and the lead staff of the local services and land use  
2178 committee, or its successor.

2179            NEW SECTION. SECTION 44. There is hereby added to K.C.C. chapter 20.12  
2180 a new section to read as follows:

2181            The Snoqualmie Valley/Northeast King County Subarea Plan, dated June 2024,  
2182 contained in Attachment J to this ordinance is adopted as an element of the King County

2183 Comprehensive Plan and, as such, constitutes official county policy for the geographic  
2184 area of unincorporated King County defined in the plan.

2185 SECTION 45. Ordinance 13147, Section 19, as amended, and K.C.C. 20.18.030  
2186 are hereby amended to read as follows:

2187 A. The King County Comprehensive Plan shall be amended in accordance with  
2188 this chapter, which, in compliance with RCW 36.70A.130(2), establishes a public  
2189 participation program whereby amendments are considered by the council no more  
2190 frequently than once a year as part of the update schedule established in this chapter,  
2191 except that the council may consider amendments more frequently to address:

2192 1. Emergencies, if, after public notice, and an opportunity for public testimony,  
2193 commensurate with the nature of the emergency, in the same manner as an emergency  
2194 ordinance under Section 230.30 of the charter;

2195 2. An appeal of the plan filed with the Central Puget Sound Growth  
2196 Management Hearings Board or with the court;

2197 3. The initial adoption of a subarea plan, which may amend the urban growth  
2198 area boundary only to redesignate land within a joint planning area;

2199 4. An amendment of the capital facilities element of the Comprehensive Plan  
2200 that occurs in conjunction with the adoption of the county budget under K.C.C.  
2201 4A.100.010; or

2202 5. The adoption or amendment of a shoreline master program under chapter  
2203 90.58 RCW.

2204 B. Every year the Comprehensive Plan may be updated to address technical  
2205 updates and corrections, to adopt ((community service area)) subarea plans, and to

2206 consider amendments that do not require substantive changes to the Comprehensive Plan  
2207 or subarea plan policy language or do not require changes to the urban growth area  
2208 boundary, except as ~~((permitted in subsection B.9. and 11. Of this section))~~ allowed in  
2209 Comprehensive Plan chapter 12. The review may be referred to as the annual update.  
2210 ~~((The Comprehensive Plan, including subarea plans, may be amended in the annual~~  
2211 ~~update only to consider the following:~~

- 2212 1. ~~Technical amendments to policy, text, maps or shoreline environment~~  
2213 ~~designations;~~
- 2214 2. ~~The annual capital improvement plan;~~
- 2215 3. ~~The transportation needs report;~~
- 2216 4. ~~School capital facility plans;~~
- 2217 5. ~~Changes required by existing Comprehensive Plan policies;~~
- 2218 6. ~~Changes to the technical appendices and any amendments required thereby;~~
- 2219 7. ~~Comprehensive updates of subarea plans initiated by motion;~~
- 2220 8. ~~Changes required by amendments to the Countywide Planning Policies or~~  
2221 ~~state law;~~
- 2222 9. ~~Redesignation proposals under the four to one program as provided for in~~  
2223 ~~this chapter;~~
- 2224 10. ~~Amendments necessary for the conservation of threatened and endangered~~  
2225 ~~species;~~
- 2226 11. ~~Site specific land use map amendments that do not require substantive~~  
2227 ~~change to Comprehensive Plan policy language and that do not alter the urban growth~~  
2228 ~~area boundary, except to correct mapping errors;~~



2229 ~~12. Amendments resulting from subarea studies required by Comprehensive~~  
2230 ~~Plan policy that do not require substantive change to Comprehensive Plan policy~~  
2231 ~~language and that do not alter the urban growth area boundary, except to correct mapping~~  
2232 ~~errors;~~

2233 ~~13. Changes required to implement a study regarding the provision of~~  
2234 ~~wastewater services to a Rural Town. The amendments shall be limited to policy~~  
2235 ~~amendments and adjustment to the boundaries of the Rural Town as needed to implement~~  
2236 ~~the preferred option identified in the study;~~

2237 ~~14. Adoption of community service area subarea plans;~~

2238 ~~15. Amendments to the Comprehensive Plan update schedule that respond to~~  
2239 ~~adopted ordinances and improve alignment with the timing requirements in the~~  
2240 ~~Washington state Growth Management Act, chapter 36.70A RCW ("the GMA"), and~~  
2241 ~~alignment with multicounty and countywide planning activities; or~~

2242 ~~16. Amendments to the Comprehensive Plan Workplan to change deadlines.))~~

2243 C. Every ~~((eighth))~~ tenth year beginning in 2024, the county shall complete a  
2244 comprehensive review of the Comprehensive Plan in order to update it as appropriate and  
2245 to ensure continued compliance with the GMA. This review may provide for a  
2246 cumulative analysis of the twenty-year plan based upon official population growth  
2247 forecasts, benchmarks, and other relevant data in order to consider substantive changes to  
2248 the Comprehensive Plan and changes to the urban growth area boundary. The  
2249 comprehensive review shall ~~((begin one year in advance of the transmittal))~~ follow the  
2250 schedule established in K.C.C. 20.18.060 and may be referred to as the ~~((eight))~~ ten-year  
2251 update. The urban growth area boundaries shall be reviewed in the context of the

2252 ((~~eight~~)) ten-year update and in accordance with countywide planning policy ((~~G-1~~)) FW-  
2253 1 and RCW 36.70A.130.

2254 D.1. At the midpoint of the ((~~eight~~)) ten-year update process, a limited update to  
2255 the Comprehensive Plan to address time-sensitive issues before to the next ((~~eight~~)) ten-  
2256 year update, may be authorized by motion. The update may be referred to as the  
2257 midpoint update. The midpoint update may include those substantive changes to the  
2258 Comprehensive Plan and amendments to the urban growth area boundary that are  
2259 identified in the scope of work. The midpoint update may also include additions or  
2260 amendments to the Comprehensive Plan Workplan related to a topic identified in the  
2261 scope of work.

2262 2. The motion shall specify the scope of the midpoint update, and identify that  
2263 the resources necessary to accomplish the work are available. A fiscal note for the scope  
2264 of the midpoint update shall be provided to the council by the executive within fifteen  
2265 business days of introduction of the proposed motion. If the executive determines an  
2266 additional appropriation is necessary to complete the midpoint update, the executive may  
2267 transmit an ordinance requesting the additional appropriation.

2268 3. If the executive proposes a midpoint update, the executive shall transmit to  
2269 the council by the last business day in ((~~June~~)) March two years before the midpoint year  
2270 of the ((~~eight~~)) ten-year update schedule a proposed motion specifying the scope of work  
2271 for the midpoint update. The council shall have until ((~~September 15~~)) June 30 of that  
2272 year, to adopt a motion specifying the scope of work initiating a midpoint update, either  
2273 as transmitted or amended, or as introduced or amended. If the motion is approved by  
2274 ((~~September 15~~)) June 30, the scope shall proceed as established by the approved motion.

2275 In the absence of council approval by ~~((September 15))~~ June 30, the executive shall  
2276 proceed to implement the scope as transmitted. If such a motion is adopted, the  
2277 executive shall transmit a midpoint update by the last business day of June of the  
2278 following year after adoption of the motion. The council shall have until June 30 of the  
2279 following year after transmittal to adopt a midpoint update.

2280 ~~((4. Before initiation of the first eight year update in 2024, substantive changes  
2281 to the Comprehensive Plan and amendments to the urban growth area boundary may be  
2282 considered. The amendments shall be considered in the 2020 Comprehensive Plan  
2283 update and shall be subject to the midpoint update process and requirements. The  
2284 executive shall transmit to the council by the first business day of January 2019 a  
2285 proposed motion specifying the scope of work for the proposed update consistent with  
2286 K.C.C. 20.18.030.D.1. The council shall have until the last business day of February  
2287 2019, to adopt the motion, either as transmitted or amended. In the absence of council  
2288 approval by the last business day of February 2019, the executive shall proceed to  
2289 implement the scope as proposed. If the motion is approved the last business day of  
2290 February 2019, the scope shall proceed as established by the approved motion. The  
2291 executive shall transmit to the council any proposed amendments for the 2020  
2292 Comprehensive Plan update the by the last business day of September 2019. The council  
2293 shall have until the last business day of July 2020 to adopt the 2020 Comprehensive Plan  
2294 update.))~~

2295 E. The executive shall seek public comment on the Comprehensive Plan and any  
2296 proposed Comprehensive Plan update in accordance with the procedures in K.C.C.  
2297 20.18.160 before making a recommendation, which shall include publishing a public

2298 review draft of the proposed Comprehensive Plan update, in addition to conducting the  
2299 public review and comment procedures required by SEPA. The public shall be afforded  
2300 at least one official opportunity to record public comment before the transmittal of a  
2301 recommendation by the executive to the council. County-sponsored councils and  
2302 commissions may submit written position statements that shall be considered by the  
2303 executive before transmittal and by the council before adoption, if they are received in a  
2304 timely manner. The executive's recommendations for changes to policies (~~(, text and~~  
2305 ~~maps))~~) shall include the elements listed in Comprehensive Plan policy (~~(I-207 and~~  
2306 ~~analysis of their financial costs and public benefits, any of which may be included in~~  
2307 ~~environmental review documents))~~) I-108. Proposed amendments to the Comprehensive  
2308 Plan shall be accompanied by any development regulations or amendments to  
2309 development regulations, including area zoning, necessary to implement the proposed  
2310 amendments.

2311 SECTION 46. Ordinance 13147, Section 20, as amended, and K.C.C. 20.18.040  
2312 are hereby amended to read as follows:

2313 A. Site-specific land use map (~~(or shoreline master program map))~~) amendments  
2314 may be considered during the annual (~~(update)~~), midpoint, (~~(update)~~) or (~~(eight)~~) ten-year  
2315 update, depending on the degree of change proposed.

2316 B. (~~(The following categories of s))~~) Site-specific land use map amendments (~~(or~~  
2317 ~~shoreline master program map))~~) that do not require substantive change to Comprehensive  
2318 Plan or subarea plan language and that do not alter the urban growth area boundary,  
2319 except to correct mapping errors, may be initiated by either the county or a property  
2320 owner for consideration in the annual update(~~(:~~

2321 1. ~~Amendments that do not require substantive change to Comprehensive Plan~~  
2322 ~~policy language and that do not alter the urban growth area boundary, except to correct~~  
2323 ~~mapping errors; and~~

2324 ~~2. Four to one proposals).~~

2325 C. The following categories of site-specific land use map (~~and shoreline master~~  
2326 ~~program~~) amendments may be initiated by either the county or a property owner for  
2327 consideration in the ~~((eight))~~ ten-year update or midpoint update:

2328 1. Amendments that could be considered in the annual update;

2329 2. Amendments that require substantive change to Comprehensive Plan policy  
2330 language; and

2331 3. Amendments to the urban growth area boundary.

2332 SECTION 47. Ordinance 3688, Section 813, as amended, and K.C.C. 20.18.056  
2333 are hereby amended to read as follows:

2334 A. Shoreline environments designated by the master program may be considered  
2335 for redesignation during the annual, midpoint, or ~~((eight))~~ ten-year update (~~or midpoint~~  
2336 ~~update~~).

2337 B. A redesignation shall follow the process in K.C.C. 20.18.050.

2338 SECTION 48. Ordinance 13147, Section 22, as amended, and K.C.C. 20.18.060  
2339 are hereby amended to read as follows:

2340 A. Beginning in ~~((2022))~~ 2030, and every ~~((eight))~~ ten years thereafter, the  
2341 executive shall initiate the ten-year update to the Comprehensive Plan required by K.C.C.  
2342 20.18.030.C. The ten-year update process shall occur as follows:

2343 1.a. By September 15, 2031, and every ten years thereafter, the executive shall  
2344 transmit to the council a proposed motion specifying the scope of work for the proposed  
2345 ten-year update to the Comprehensive Plan ((that will occur in the following year under))  
2346 in subsection ((B-)) A.2. of this section.

2347 ((+)) The scoping motion shall include as an attachment to the motion the  
2348 following:

2349 ((a-)) (1) topical areas relating to amendments to policies, the land use map,  
2350 implementing development regulations, or any combination of those amendments that the  
2351 executive intends to consider for recommendation to the council; and

2352 ((b- an attachment to the motion advising the council of)) (2) the work  
2353 program the executive intends to follow to accomplish State Environmental Policy Act  
2354 review and public participation.

2355 ((2.a. For the eight year update required by RCW 36.70A.130 to be completed  
2356 in 2024, the executive shall transmit to the council the scoping motion required in  
2357 subsection A. of this section by March 31, 2022. The council shall have until June 15,  
2358 2022, to approve the motion.

2359 ~~b. Beginning in 2030 and every eight years thereafter, the executive shall~~  
2360 ~~transmit to the council the scoping motion required in subsection A. of this section by the~~  
2361 ~~last business day of June.)~~

2362 b. The council shall have until ((September 15)) December 31 of that year to  
2363 approve the motion.

2364 ((3-)) In the absence of council approval, the executive shall proceed to  
2365 implement the scope of work as proposed in the motion transmitted by the executive. If

2366 the motion is approved, the scope of work shall proceed as established by the approved  
2367 motion.

2368 ~~((B-))~~ 2. Except as otherwise provided in subsection ~~((C-))~~ B. of this section:

2369 ~~((1. For the eight year update required by RCW 36.70A.130 to be completed in~~  
2370 ~~2024, the executive shall transmit to the council by December 29, 2023, a proposed~~  
2371 ~~ordinance updating the Comprehensive Plan. The transmittal shall be accompanied by a~~  
2372 ~~public participation note, identifying the methods used by the executive to ensure early~~  
2373 ~~and continuous public participation in the preparation of amendments. The council shall~~  
2374 ~~have until December 31, 2024, to adopt the update to the Comprehensive Plan, in~~  
2375 ~~accordance with RCW 36.70A.130; and~~

2376 ~~2. Beginning in 2030))~~ a. By June 30, 2033, and every ~~((eighth))~~ ten years  
2377 thereafter, the executive shall transmit to the council ~~((by the last business day of June))~~ a  
2378 proposed ordinance ~~((updating))~~ for the ten-year Comprehensive Plan update. All  
2379 transmittals shall be accompanied by a public participation ~~((note))~~ summary, identifying  
2380 the methods used by the executive to ensure early and continuous public participation in  
2381 the preparation of amendments.

2382 b. The council shall have until June 30 ~~((of the following year)), 2034, and~~  
2383 every ten years thereafter to adopt ~~((an))~~ the ten-year update to the Comprehensive Plan,  
2384 in accordance with RCW 36.70A.130.

2385 ~~((C-))~~ B. Separate from ~~((the eight))~~ ten-year Comprehensive Plan updates  
2386 required in subsection ~~((B-))~~ A. of this section:

2387 1. Except as otherwise provided in subsection B.2. of this section, ~~((F))~~ in years  
2388 ~~((where there is a biennial budget proposed))~~ when the fiscal period is biennial, the

2389 capital improvement program, an update or addendum where appropriate to the  
2390 transportation needs report, and the school capital facility plans shall be:

2391 a. transmitted by the executive to the council no later than transmittal of the  
2392 biennial budget; and

2393 b. adopted by the council in conjunction with the biennial budget; ~~((and))~~

2394 2. Subsection B.1. of this section shall not apply to the transportation needs  
2395 report in years when a transmitted ten-year Comprehensive Plan update is being reviewed  
2396 by the council as required in subsection A.2. of this section; and

2397 3. In years when there is only a mid-biennium review of the budget under  
2398 K.C.C. 4A.100.010 or, under K.C.C. 4A.100.010.B., the fiscal period for some or all of  
2399 the county funds is on an annual basis, the capital improvement program and the school  
2400 capital facility plans shall be:

2401 a. transmitted by the executive to the council by October 1; and

2402 b. adopted by the council no later than adoption of the mid-biennium review or  
2403 in conjunction with the annual budget.

2404 SECTION 49. Ordinance 13147, Section 23, as amended, and K.C.C. 20.18.070  
2405 are hereby amended to read as follows:

2406 A. The executive shall transmit to the council the annual update by the last  
2407 business day of June, except that the capital improvement program ~~((and the ordinances~~  
2408 ~~adopting updates to the))~~, transportation needs report, and the school capital facility plans  
2409 shall be transmitted ~~((no later than the biennial budget transmittal and shall be adopted in~~  
2410 ~~conjunction with the budget. However, in those years when there is only a midbiennium~~  
2411 ~~review of the budget, the ordinances adopting the capital improvement plan and the~~



2412 ~~school capital facility plans shall be transmitted by October 1, and adopted no later than~~  
2413 ~~the midbiennium review under K.C.C. 4A.100.010))~~ and adopted in accordance with the  
2414 schedules in K.C.C. 20.18.060.B.

2415 B. All transmittals shall be accompanied by a public participation ~~((note))~~  
2416 summary, identifying the methods used by the executive to assure early and continuous  
2417 public participation in the preparation of updates.

2418 C. Proposed amendments, including site-specific land use map amendments, that  
2419 are found to require preparation of an environmental impact statement, shall be  
2420 considered for inclusion in the next annual, midpoint, or ~~((eight))~~ ten-year update  
2421 following completion of the appropriate environmental documents.

2422 SECTION 50. Ordinance 13147, Section 27, and K.C.C. 20.18.110 are hereby  
2423 amended to read as follows:

2424 A. Notice of the time, place, and purpose of a public hearing before the council to  
2425 consider amendments to the ~~((e))~~ Comprehensive ~~((p))~~ Plan or development regulations ~~((;~~  
2426 ~~other than area zoning;))~~ shall at a minimum be given at least thirty days before the  
2427 hearing by the following methods:

2428 1. ~~((o))~~ One publication in a newspaper of general circulation in the county ~~((at~~  
2429 ~~least thirty days before the hearing))~~.

2430 2. For land use designation and zoning classification proposals only:

2431 a. one additional publication in the area for which the area zoning is proposed,  
2432 if available;

2433 b. mailed to affected property owners, appropriate to the scope of the proposal,  
2434 whose names appear on the rolls of the King County assessor and shall at a minimum

2435 include owners of properties within five hundred feet of affected property, at least twenty  
2436 property owners in the vicinity of the property, and to any individuals or organizations  
2437 that have formally requested to the department of local services, permitting division,  
2438 department of performance, strategy and budget, regional planning section, or council, to  
2439 be kept informed of applications in an identified area. If the additional publication  
2440 referenced in subsection A.2.a. of this section is not available, the mailing radius shall be  
2441 extended to one thousand feet, and at least forty property owners in the vicinity of the  
2442 property. The mail shall be postmarked at least thirty days before the hearing. If the  
2443 county sends the mailed notice by bulk mail, the certificate of mailing shall qualify as a  
2444 postmark. Failure to notify any specific property owner shall not invalidate an area  
2445 zoning proceeding or any resulting reclassification of land; and

2446 c. posted on the county website.

2447 B. Notice for site-specific land use map amendments ((will)) shall also be  
2448 provided ((pursuant)) in accordance with K.C.C. 20.18.050.

2449 C. The county shall endeavor to provide ((such)) notices required by this section  
2450 in nontechnical language. The notice shall indicate how the detailed description of the  
2451 ordinance required by K.C.C. 20.18.100 can be obtained by a member of the public.

2452 SECTION 51. Ordinance 13147, Section 30, as amended, and K.C.C. 20.18.140  
2453 are hereby amended to read as follows:

2454 A. In accordance with RCW 36.70A.470, a docket containing written  
2455 ((~~comments on~~)) requests for suggested Comprehensive ((~~p~~))Plan or development  
2456 regulation amendments shall be coordinated by the department. The docket is the means  
2457 either to suggest a change or to identify a deficiency, or both, in the Comprehensive Plan

2458 or development regulation. For the purposes of this section, "deficiency" refers to the  
2459 absence of required or potentially desirable contents of the Comprehensive Plan or  
2460 development regulation and does not refer to whether a development regulation  
2461 addressed a project's probable specific adverse environmental impacts that could be  
2462 mitigated in the project review process. Any interested party, including permit  
2463 applicants, ~~((citizens))~~ members of the public, and government agencies, may submit  
2464 items to the docket.

2465 B. ~~((All agencies of county government having responsibility for elements of the~~  
2466 ~~Comprehensive Plan or implementing development regulations))~~ 1. The department shall  
2467 provide a means by which ~~((citizens))~~ members of the public may docket written  
2468 comments on the plan or on development regulations. The department ~~((shall))~~ should  
2469 use public participation methods identified in K.C.C. 20.18.160 to ~~((solicit public use of))~~  
2470 publicize the docket. The department shall provide a mechanism for docketing  
2471 amendments ~~((through))~~ on the ~~((Internet))~~ county's website.

2472 ~~((1.))~~ 2. All docketed comments relating to the Comprehensive Plan shall be  
2473 reviewed by the department and considered for an amendment to the Comprehensive  
2474 Plan.

2475 ~~((2.))~~ 3. Docketed comments relating to development regulations shall be  
2476 reviewed by the appropriate county agency. Those requiring a Comprehensive Plan  
2477 amendment shall be forwarded to the department and considered for an amendment to the  
2478 Comprehensive Plan. Those not requiring a Comprehensive Plan amendment shall be  
2479 considered by the responsible county agency for amendments to the development  
2480 regulations.

2481           4. The deadline for submitting docketed comments is December 31 for  
2482 consideration in the update process for the following year.

2483           ~~((3-))~~ 5. Except as provided in subsection B.7. of this section:

2484           a. By the last business day of April, the department shall issue an executive  
2485 response to all docketed comments. Responses shall include: a classification of the  
2486 recommended changes as appropriate for the annual update, midpoint update ~~((or eight))~~,  
2487 ten-year update, or stand-alone development regulations update; and an executive  
2488 recommendation indicating whether ~~((or not))~~ the docketed items are to be included in  
2489 the next executive-recommended Comprehensive Plan update or a future stand-alone  
2490 development regulations update. If the docketed changes will not be included in the next  
2491 executive transmittal, the department shall indicate the reasons why, and shall inform the  
2492 proponent that they may petition the council during the legislative review process.

2493           ~~((4-))~~ b. By the last business day of April, the department shall forward to the  
2494 council a report including all docketed amendments and comments with an executive  
2495 response. The report shall include a statement indicating that the department has  
2496 complied with the notification requirements in this section. The executive shall attach to  
2497 the report copies of the docket requests and supporting materials submitted by the  
2498 proponents and copies of the executive response that was issued to the proponents.

2499           6. The docket report shall be made available on the county's website.

2500           7.a For docket requests received between scoping and transmittal of midpoint  
2501 and ten-year updates, the executive shall include, as a supplemental document with  
2502 transmittal of the update, an analysis and recommendation for docket requests received;  
2503 and

2504            b. For docket requests received between transmittal and adoption of midpoint  
2505 and ten-year updates, that are not addressed in the update, the executive shall include  
2506 those requests in the next year's docket report.

2507            ~~((5-))~~ 8. ((Upon)) After receipt of the docket report, during the next available  
2508 Comprehensive Plan update, the council shall include all proponents of docketed requests  
2509 in the mailing list for agendas to all committee meetings in which the Comprehensive  
2510 Plan will be reviewed ~~((during the next available update))~~. At the beginning of the  
2511 committee review process, the council shall develop a committee review schedule with  
2512 dates for committee meetings and any other opportunities for public testimony and for  
2513 proponents to petition the council to consider docket changes that were not recommended  
2514 by the executive and shall attach the review schedule to the agenda whenever the  
2515 Comprehensive Plan is to be reviewed.

2516            ~~((6 Docketed comments relating to development regulations shall be reviewed~~  
2517 ~~by the appropriate county agency. Those requiring a Comprehensive Plan amendment~~  
2518 ~~shall be forwarded to the department and considered for an amendment to the~~  
2519 ~~Comprehensive Plan. Those not requiring a Comprehensive Plan amendment shall be~~  
2520 ~~considered by the responsible county agency for amendments to the development~~  
2521 ~~regulations.~~

2522            ~~7. The docket report shall be made available through the Internet. The~~  
2523 ~~department shall endeavor to make the docket report available within one week of~~  
2524 ~~transmittal to the council.))~~

2525            C. In addition to the docket, the department shall provide opportunities for  
2526 receiving general public comments ~~((both before the docketing deadline each year, and~~

2527 during the executive's review periods before transmittal to the council. The opportunities  
2528 may include, but are not limited to, the use of the following: comment cards, electronic  
2529 or posted mail, Internet, public meetings with opportunities for discussion and feedback,  
2530 printed summaries of comments received and twenty-four-hour telephone hotlines. The  
2531 executive shall assure that the opportunities for public comment are provided as early as  
2532 possible for each stage of the process, to assure timely opportunity for public input.) at  
2533 any time, including as provided in K.C.C. 20.18.160.

2534 SECTION 52. Ordinance 13147, Section 32, and K.C.C. 20.18.160 are hereby  
2535 amended to read as follows:

2536 A. ~~((Pursuant to))~~ In accordance with RCW 36.70A.140, the county shall provide  
2537 for early and continuous public participation in the development and amendment of the  
2538 ~~((e))~~Comprehensive ~~((p))~~Plan and any implementing development regulations.

2539 B. The county's ~~((P))~~public participation program shall at a minimum include the  
2540 following elements:

2541 1. ~~((Annual))~~ Broad dissemination of ~~((a schedule))~~ upcoming opportunities for  
2542 public participation, as they are available;

2543 2. ~~((Issuance of a citizen's guide to the comprehensive plan process that~~  
2544 ~~provides i))~~Information on ~~((citizen))~~ public participation in the ~~((e))~~Comprehensive  
2545 ~~((p))~~Plan process, a description of the procedure and schedule for amending the  
2546 ~~((e))~~Comprehensive ~~((p))~~Plan ~~((and/))~~ or implementing development regulation~~((s))~~s,  
2547 and ~~((a guide))~~ information on how to use the docket;

2548 3. Provision for broad dissemination of the proposal and alternatives appropriate  
2549 to the scope and significance of the proposal. The county shall make available to the

2550 public printed and electronic information (~~((which))~~) that clearly defines and visually  
2551 portrays, when possible, the range of options under consideration by the county. (~~((This))~~)  
2552 The information shall also include a description of any policy considerations, the  
2553 schedule for deliberation, opportunities for public participation, information on the  
2554 submittal and review procedures for written comments, and the name, email address, and  
2555 telephone number of the responsible official(~~((s))~~)s. The methods employed to provide  
2556 the information may include, but are not limited to, the use of the following: published  
2557 notice in (~~((the official county newspaper))~~) a newspaper of general circulation and other  
2558 appropriate publications(~~((, news media notification))~~); press releases;~~((, mailed))~~ notice to  
2559 property owners and to (~~((citizens))~~) members of the public or groups with a known  
2560 interest in the proposal(~~((;))~~); public (~~((education and government channel electronic kiosks~~  
2561 ~~and))~~) television; the internet(~~((;))~~); transit advertising(~~((;))~~); telephone (~~((and fax))~~)  
2562 information or comment lines(~~((;))~~); public review documents (~~((and displays in public~~  
2563 ~~facilities, speakers bureau, and printed or computerized graphics depicting the effect of~~  
2564 ~~the proposal))~~); posters; agency newsletters and mailing list; and social media. The  
2565 county shall endeavor to provide such notices in nontechnical language;

2566 4. Hosting, speaking at, or attending (~~((P))~~)public meetings to obtain comments  
2567 from the public or other agencies on a proposed plan, amendment to the  
2568 (~~((e))~~)Comprehensive (~~((p))~~)Plan, or implementing development regulation. Public meeting  
2569 means an informal meeting, hearing, workshop, or other public gathering of people for  
2570 the purpose of obtaining public comments and providing opportunities for open  
2571 discussion. (~~((All public meetings associated with review of the comprehensive plan or~~  
2572 ~~development regulations shall provide a means for the public to submit items for the~~

2573 ~~docket.))~~ County-hosted public meetings shall be appropriately noticed to the public and  
2574 should be broadly disseminated at least one week advance, except that noticing of  
2575 meetings held by the King County council are subject to council rules in K.C.C. chapter  
2576 1.24. A ((public)) publicly available record of each county-hosted public meeting should  
2577 be maintained to include ((documentation of)) information about attendance, record of  
2578 any mailed notice, and a ((record)) recording of the meeting or a summary of public  
2579 comments ((not incorporated in the docket));

2580 5. Other methods of public engagement to solicit feedback about the proposal,  
2581 appropriate to the scope and significance of the proposal, such as surveys, focus groups,  
2582 partnering with community-based organizations, and online engagement portals; and

2583 6. ~~((The county shall provide))~~ County-provided mechanisms to enable public  
2584 access to additional information. The county shall provide for publicly accessible ((and  
2585 complete)) records of all ((applications,)) docketed amendment requests((,)) and related  
2586 background information during normal business hours. The public may seek assistance  
2587 from the office of ((citizen complaints)) the ombuds to obtain time sensitive information.  
2588 ~~((Methods of disseminating information may include, but are not limited to, the~~  
2589 ~~following: published notice of location of public review documents, use of the public~~  
2590 ~~education and government channel, use of electronic kiosks and the internet, telephone~~  
2591 ~~information lines with or without fax options, placement of documents in public libraries~~  
2592 ~~and community centers, speakers bureau and public displays.))~~

2593 C. ~~((When technical matters are considered with regard to docketed issues, or to~~  
2594 ~~evaluate public testimony, due consideration shall be given to technical testimony from~~  
2595 ~~the public and third party analysis may be sought when appropriate.))~~ Along with the



2596 executive's proposed Comprehensive Plan, the executive shall transmit to the council, as  
2597 supplementary material, a summary of the proposal in non-technical language and  
2598 translated into the top six languages other than English.

2599 D. Errors in exact compliance with the established procedures do not render the  
2600 Comprehensive Plan or development regulations invalid if the intent of the procedures is  
2601 met.

2602 E. Emergency Comprehensive Plan amendments, as authorized by K.C.C.  
2603 20.18.030, are exempt from the requirements of this section but still require some public  
2604 notice and an opportunity public testimony before adoption of the amendments.

2605 SECTION 53. Ordinance 14047, Section 9, and K.C.C. 20.18.170 are hereby  
2606 amended to read as follows:

2607 A. The purpose of the four-to-one program is to create a contiguous band of  
2608 natural area to the regional open space system adjacent to the original urban growth area  
2609 boundary, which was adopted in the 1994 King County Comprehensive Plan. ((The total  
2610 area added to the urban growth area as a result of this program shall not exceed four  
2611 thousand acres. The department shall keep a cumulative total for all parcels added under  
2612 this section. The total shall be updated annually through the plan amendment process.))

2613 B. Proposals under the four-to-one program:

2614 1. ((s))Shall be proposed via the docket process in K.C.C. 20.18.140, a scoping  
2615 motion for a midpoint or ten-year Comprehensive Plan update, or an area zoning and land  
2616 use study included in the public review draft of a Comprehensive Plan update; and

2617 2. ((p))Processed as land use amendments to the Comprehensive Plan. ((and  
2618 may be considered in the annual update, midpoint update or eight-year update. Site

2619 ~~suitability and development conditions for both the urban and rural portions of the~~  
2620 ~~proposal shall be established through the preliminary formal plat approval process.))~~

2621 C. A triparty agreement between the county, property owner, and city or town  
2622 affiliated for future annexation shall be required for all proposals. The triparty agreement  
2623 shall:

2624 1. Be approved by ordinance by the legislative bodies of the county and the city  
2625 or town;

2626 2. For county approval, be transmitted concurrent with transmittal of the  
2627 executive's proposed land use amendment and approved concurrent with council adoption  
2628 of the land use map amendment;

2629 3. Require the city or town to add the area proposed to be urban to the city's or  
2630 town's potential annexation area in the city's or town's comprehensive plan following  
2631 ratification of the Growth Management Planning Council's motion that makes a  
2632 recommendation on the proposal. The approval of the proposal shall be reflected in the  
2633 Countywide Planning Policies, on both the generalized land use categories map and the  
2634 potential annexation area map; and

2635 4. Specify conditions including, but not limited to, restrictions on residential  
2636 uses, required minimum density, timing and sequencing of development, annexation  
2637 requirements, or requirements regarding the conservation easement;

2638 D. If the countywide planning policy amendment that approves the proposal is  
2639 not ratified, the triparty agreement and four-to-one proposal shall be void and not take  
2640 effect, and the urban properties shall be redesignated to the rural area land use  
2641 designation and associated previous zoning during the next Comprehensive Plan update;

2642 E. A term conservation easement shall be placed on the ~~((open space))~~ natural  
2643 area ~~((at the time))~~ before the four-to-one proposal is approved by the council. ~~((Upon~~  
2644 ~~final plat approval,))~~ The triparty agreement shall require the permanent dedication of the  
2645 ~~((open space shall be permanently dedicated in fee simple))~~ natural area to King County  
2646 before final plat approval. Dedication shall take the form of on-site or off-site fee simple,  
2647 off-site conservation easement, or on-site subdivision tract.

2648 ~~((D:))~~ F. Before taking legislative action on the land use map amendment,  
2649 ~~((P))~~ proposals adjacent to incorporated area or potential annexation areas shall be  
2650 referred to the following entities for recommendations: the affected city ~~((and))~~ or town;  
2651 Indian tribes; special purpose districts ~~((for recommendations))~~, such as sewer, water, and  
2652 school districts, as applicable; and state agencies, as applicable.

2653 G. For proposals adjacent to an incorporated area, conditions on the land use map  
2654 amendment and triparty agreement shall prohibit development proposals or activities  
2655 until the land is annexed into the adjacent city or town.

2656 SECTION 54. Ordinance 14047, Section 10, and K.C.C. 20.18.180 are hereby  
2657 amended to read as follows:

2658 Rural area land may be added to the urban growth area in accordance with the  
2659 following criteria:

2660 A. A proposal to add land to the urban growth area under this program shall meet  
2661 the following criteria:

- 2662 1. ~~((A permanent dedication to the King County open space system of four acres~~  
2663 ~~of open space is required for every one acre of land added to the urban growth area;~~
- 2664 2. ~~The land shall not be zoned agriculture (A);~~

2665           3. ~~The 1))~~ Land added to the urban growth area shall ~~((: a. be physically~~  
2666   contiguous to urban growth area as adopted in 1994 , unless the director determines that  
2667   the land directly adjacent to the urban growth area contains critical areas that would be  
2668   substantially harmed by development directly adjacent to the urban growth area and that  
2669   all other criteria can be met; and

2670           b.)) not ~~((be in an area where))~~ interrupt an existing contiguous band of public  
2671   open space, parks, or watersheds ~~((already exists))~~ along the urban growth area boundary;

2672           ~~((4. The land added to the urban growth area shall be able to be served by~~  
2673   sewers and other urban services;

2674           5.)) 2. A road serving the land added to the urban area shall not be counted as  
2675   part of the required ~~((open space))~~ natural area;

2676           ~~((6.))~~ 3. Land added to the urban growth area for drainage facilities in support of  
2677   its development shall not require dedication of natural area; ((All urban facilities shall be  
2678   provided directly from the urban area and shall not cross the open space or rural area and  
2679   be located in the urban area except as permitted in subsection E of this section;

2680           ~~7~~ Open space areas shall retain a rural designation;

2681           8.)) 4. The minimum depth of the ~~((open space buffer))~~ natural area shall be  
2682   ~~((one half of the property width, unless the director determines that a smaller buffer of));~~

2683           a.   no less than two hundred feet, unless the county determines that a smaller  
2684   depth is warranted due to the topography and critical areas on the site~~((, shall));~~

2685           b.   generally parallel the urban growth area boundary; and

2686           c.   ~~((shall be))~~ configured in such a way as to connect with open space on  
2687   adjacent properties~~((;))~~.

2688           5. The on-site natural area shall include a fifty-foot landscaped buffer to  
2689 surround the new urban area. The buffer shall include a mix of trees, shrubs, and  
2690 groundcover that are native to the area and that create a visual barrier or separator to the  
2691 new urban area. The county may determine that a larger buffer or different vegetation is  
2692 warranted in order to restore the natural area or habitat or would better protect natural  
2693 resources and functions and land use compatibility in the area;

2694           ~~((9-))~~ 6. The minimum size of the property to be considered is twenty acres.  
2695 Smaller parcels may be combined to meet the twenty-acre minimum;

2696           ~~((10. Urban development under this section shall be limited to residential~~  
2697 ~~development and shall be at a minimum density of four dwelling units per acre;))~~ and

2698           ~~((11-))~~ 7. The land to be retained ~~((in open space))~~ as natural area is not needed  
2699 for any facilities necessary to support the urban development; and

2700           B. ~~((A proposal that adds two hundred acres or more to the urban growth area~~  
2701 ~~shall also meet the following criteria:~~

2702           ~~1. The proposal shall include a mix of housing types including thirty percent~~  
2703 ~~below-market-rate units affordable to low, moderate and median income households;~~

2704           ~~2. In a proposal in which the thirty percent requirement in subsection B.1 of this~~  
2705 ~~section is exceeded, the required open space dedication shall be reduced to three and one-~~  
2706 ~~half acres of open space for every one acre added to the urban growth area;~~

2707           C. ~~A proposal that adds less than two hundred acres to the urban growth area and~~  
2708 ~~that meets the affordable housing criteria in subsection B.1. of this section shall be~~  
2709 ~~subject to a reduced open space dedication requirement of three and one-half acres of~~  
2710 ~~open space for every one acre added to the urban growth area;~~

2711 ~~D. Requests for redesignation~~) Proposals shall be evaluated to determine those  
2712 that are the highest quality, including, but not limited to, consideration of the following:

2713 1. Preservation of fish and wildlife habitat, including wildlife habitat networks,  
2714 and habitat for endangered and threatened species;

2715 2. Provision of regional open space connections;

2716 3. Protection of wetlands, stream corridors, ground water, and water bodies;

2717 4. Preservation of unique natural, biological, cultural, historical, or  
2718 archeological resources;

2719 5. The size of ~~((open space))~~ natural area dedication and connection to other  
2720 open space ~~((dedications))~~ along the urban growth area boundary; and

2721 6. The ability to provide extensions of urban services to the redesignated urban  
2722 areas; and

2723 ~~((E.))~~ C. The ~~((open space acquired))~~ land dedicated through ~~((this))~~ the four-to-  
2724 one program shall be preserved primarily as natural areas. ~~((P))~~ Passive recreation, ~~((sites~~  
2725 ~~or resource lands for))~~ or forestry may also be allowed as an alternative  
2726 to natural area. The following additional uses may be allowed only if located on a small  
2727 portion of the ~~((open space))~~ natural area and provided that these uses are found to be  
2728 compatible with the site's ~~((natural open space))~~ values and functions:

2729 1. Trails;

2730 2. Compensatory mitigation of wetland losses on the urban ~~((designated))~~

2731 portion of the ~~((project))~~ proposal, consistent with the ~~((King County))~~ Comprehensive  
2732 Plan and K.C.C. chapter 21A.24; and

2733 3. Active recreation uses not to exceed five percent of the total (~~open space~~)  
2734 natural area, including any off-site natural area dedicated for the proposal. (~~The~~  
2735 ~~s~~)Support services and facilities for the active recreation uses may only locate within the  
2736 active recreation area (~~only~~) and shall not exceed five percent of the total acreage of the  
2737 active recreation area. The entire (~~open space~~) natural area, including any active  
2738 recreation site, is a regional resource. It shall not be used to satisfy the on-site active  
2739 recreation space requirements in K.C.C. 21A.14.180 for the urban portion of the four-to-  
2740 one property.

2741 NEW SECTION. SECTION 55. There is hereby added to K.C.C. chapter 20.18  
2742 a new section to read as follows:

2743 For a four-to-one proposal that adds TBD or more dwelling units:

2744 A.1. TBD percent of the total number of dwelling units shall be affordable units.

2745 2. For proposals that include only owner-occupied market rate dwelling units,  
2746 all affordable dwelling units shall be:

2747 a. Owner-occupied dwelling units;

2748 b. Affordable to residents earning up to TBD percent of area median income;

2749 and

2750 c. Affordable for at least fifty years from the date of initial occupancy.

2751 3. For proposals that include only rental dwelling units, all affordable dwelling  
2752 units shall be:

2753 a. rental dwelling units;

2754 b. affordable to residents earning up to TBD percent of area median income;

2755 and

2756 c. Affordable for the life of the project.

2757 4. For proposals that include both homeownership and rental dwelling units:

2758 a. The proportion of affordable rental dwelling units to affordable owner-

2759 occupied dwelling units shall be identical to the proportion of market rate rental dwelling

2760 units to market rate owner-occupied dwelling units; and

2761 b. Meet the applicable affordability levels in subsections A.2. and A.3. of this

2762 section.

2763 B. Affordable dwelling units shall be developed consistent with K.C.C.

2764 21A.48.050.A.

2765 C. The number of required affordable dwelling units shall be calculated

2766 consistent with K.C.C. (~~21A.47.040.A~~) 21A.48.040.A. Accessory dwelling units shall

2767 not be used to meet the requirements of this section.

2768 D. Developments subject to this section shall be subject to K.C.C. 21A.48.060

2769 and K.C.C. 21A.48.080.

2770 NEW SECTION. SECTION 56. There is hereby added to K.C.C. chapter 20.18

2771 a new section to read as follows:

2772 A. The effective date of an amendment that adds land to the urban growth area,

2773 removes land from the agricultural production district or forest production district, or

2774 removes land from the mineral resources map shall be after the following:

2775 1. Sixty days after the date of publication of notice of adoption of the

2776 Comprehensive Plan; and

2777 2. If a petition for review to the growth management hearings board is timely

2778 filed, upon issuance of the board's final order.



2779 B. The effective date required in subsection A. of this section shall be specified  
2780 in the ordinance adopting the amendments.

2781 SECTION 57. Ordinance 12196, Section 9, as amended, and K.C.C. 20.20.020  
2782 are hereby amended to read as follows:

2783 A. Land use permit decisions are classified into four types, based on who makes  
2784 the decision, whether public notice is required, whether a public hearing is required  
2785 before a decision is made, and whether administrative appeals are provided. The types of  
2786 land use decisions are listed in subsection E. of this section.

2787 1. Type 1 decisions are made by the permitting division manager or designee  
2788 ("the director") of the department of local services ("the department"). Type 1 decisions  
2789 are nonappealable administrative decisions.

2790 2. Type 2 decisions are made by the director. Type 2 decisions are discretionary  
2791 decisions that are subject to administrative appeal.

2792 3. Type 3 decisions are quasi-judicial decisions made by the hearing examiner  
2793 following an open record hearing.

2794 4. Type 4 decisions are quasi-judicial decisions made by the council based on  
2795 the record established by the hearing examiner.

2796 B. Except as provided in K.C.C. 20.44.120.A.7. and K.C.C. 25.32.080, or unless  
2797 otherwise agreed to by the applicant, all Type 2, 3, and 4 decisions included in  
2798 consolidated permit applications that would require more than one type of land use  
2799 decision process may be processed and decided together, including any administrative  
2800 appeals, using the highest-numbered land use decision type applicable to the project  
2801 application.

2802 C. Certain development proposals are subject to additional procedural  
 2803 requirements beyond the standard procedures established in this chapter.

2804 D. Land use permits that are categorically exempt from review under SEPA do  
 2805 not require a threshold determination (determination of nonsignificance ["DNS"] or  
 2806 determination of significance ["DS"]). For all other projects, the SEPA review  
 2807 procedures in K.C.C. chapter 20.44 are supplemental to the procedures in this chapter.

2808 E. Land use decision types are classified as follows:

TYPE 1	<p>((<del>F</del>))Decision by director, no administrative appeal(<del>(+)</del>)</p>	<ul style="list-style-type: none"> <li>- (<del>(F)</del>)temporary use permit for a homeless encampment under K.C.C. chapter 21A.45, <u>except as required by K.C.C. 21A.45.100</u>;</li> <li>- building permit, site development permit, or clearing and grading permit that is not subject to SEPA, that is categorically exempt from SEPA as provided in K.C.C. 20.20.040, or for which the department has issued a determination of nonsignificance or mitigated determination of nonsignificance;</li> <li>- boundary line adjustment;</li> <li>- (<del>(right of way)</del>) <u>right-of-way permit</u>;</li> <li>- variance from K.C.C. chapter 9.04;</li> <li>- shoreline exemption;</li> <li>- decisions to require studies or to approve, condition, or deny a development proposal based</li> </ul>
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		<p>on K.C.C. chapter 21A.24, except for decisions to approve, condition, or deny alteration exceptions;</p> <ul style="list-style-type: none"> <li>- decisions to approve, condition, or deny nonresidential elevation and dry floodproofing variances for agricultural buildings that do not equal or exceed a maximum assessed value of sixty-five thousand dollars under K.C.C. chapter 21A.24;</li> <li>- approval of a conversion-option harvest plan;</li> <li>- a binding site plan for a condominium that is based on a recorded final planned unit development, a building permit, an as-built site plan for developed sites, a site development permit for the entire site;</li> <li>- approvals for agricultural activities and agricultural support services authorized under K.C.C. 21A.42.300;</li> <li>- final short plat;</li> <li>- final plat;</li> <li>- critical area determination.</li> </ul>
<p>TYPE 2<sup>1,2</sup></p>	<p>((<del>€</del>))Decision by director appealable to hearing examiner, no</p>	<ul style="list-style-type: none"> <li>- (<del>(S)</del>)short plat;</li> <li>- short plat revision;</li> <li>- short plat alteration;</li> </ul>

	<p>further administrative appeal((+))</p>	<ul style="list-style-type: none"> <li>- short plat vacation;</li> <li>- zoning variance;</li> <li>- conditional use permit;</li> <li>- temporary use permit under K.C.C. chapter 21A.32;</li> <li>- temporary use permit for a homeless encampment under K.C.C. 21A.45.100;</li> <li>- shoreline substantial development permit<sup>3</sup>;</li> <li>- building permit, site development permit, or clearing and grading permit for which the department has issued a determination of significance;</li> <li>- reuse of public schools;</li> <li>- reasonable use exceptions under K.C.C. 21A.24.070.B<sub>2</sub>;</li> <li>- preliminary determinations under K.C.C. 20.20.030.B<sub>2</sub>;</li> <li>- decisions to approve, condition, or deny alteration exceptions or variances to floodplain development regulations under K.C.C. chapter 21A.24;</li> <li>- extractive operations under K.C.C. 21A.22.050;</li> <li>- binding site plan;</li> </ul>
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		<ul style="list-style-type: none"> <li>⊖ waivers from the moratorium provisions of K.C.C. 16.82.140 based upon a finding of special circumstances;</li> <li>⊖ sea level rise risk area variance adopted in K.C.C. chapter 21A.23.</li> </ul>
TYPE 3 <sup>1</sup>	<p>((<del>Ⓣ</del>))Recommendation by director, hearing and decision by hearing examiner, no further administrative appeal(<del>(Ⓣ)</del>)</p>	<ul style="list-style-type: none"> <li>⊖ (<del>(Ⓟ)</del>)preliminary plat;</li> <li>⊖ plat alterations;</li> <li>⊖ preliminary plat revisions;</li> <li>⊖ plat vacations;</li> <li>⊖ special use.</li> </ul>
TYPE 4 <sup>1,4</sup>	<p>((<del>Ⓣ</del>))Recommendation by director, hearing and recommendation by hearing examiner, decision by county council on the record(<del>(Ⓣ)</del>)</p>	<ul style="list-style-type: none"> <li>⊖ (<del>(Z)</del>)zone reclassifications;</li> <li>⊖ shoreline environment redesignation;</li> <li>⊖ (<del>(urban planned development;)</del>) amendment or deletion of P suffix conditions;</li> <li>⊖ deletion of special district overlay.</li> </ul>

2809 <sup>1</sup> See K.C.C. 20.44.120.C. for provisions governing procedural and substantive SEPA  
2810 appeals and appeals of Type 2, 3, and 4 decisions.

2811 <sup>2</sup> When an application for a Type 2 decision is combined with other permits requiring  
2812 Type 3 or 4 land use decisions under this chapter, the examiner, not the director, makes  
2813 the decision.

2814 <sup>3</sup> A shoreline permit, including a shoreline variance or conditional use, is appealable to  
2815 the state Shorelines Hearings Board and not to the hearing examiner.

2816 <sup>4</sup> Approvals that are consistent with the Comprehensive Plan may be considered by the  
2817 council at any time. Zone reclassifications that are not consistent with the  
2818 Comprehensive Plan require a site-specific land use map amendment and the council's  
2819 hearing and consideration shall be scheduled with the amendment to the Comprehensive  
2820 Plan under K.C.C. 20.18.040 and 20.18.060.

2821 F. The definitions in K.C.C. 21A.45.020 apply to this section.

2822 SECTION 58. Ordinance 16950, Section 10, as amended, and K.C.C. 20.20.035  
2823 are hereby amended to read as follows:

2824 When an applicant is required by K.C.C. ((chapter)) Title 21A((-08)) to conduct a  
2825 community meeting, under this section, before filing of an application, notice of the  
2826 meeting shall be given and the meeting shall be conducted as follows:

2827 A. At least two weeks in advance, the applicant shall:

2828 1. Publish notice of the meeting in the local paper and mail and email to the  
2829 department; and

2830 2. Mail notice of the meeting to all property owners within five hundred feet or  
2831 at least twenty of the nearest property owners, whichever is greater, as provided in  
2832 K.C.C. 21A.26.170 of any potential sites, identified by the applicant for possible  
2833 development, to be discussed at the community meeting. The mailed notice shall, at a  
2834 minimum, contain a brief description and purpose of the proposal, approximate location  
2835 noted on an assessor map with address and parcel number, photograph or sketch of any  
2836 existing or proposed structures, a statement that alternative sites proposed by ((citizens))

2837 the public can be presented at the meeting that will be considered by the applicant, a  
2838 contact name and telephone number to obtain additional information, and other  
2839 information deemed necessary by the department of local services, permitting division.  
2840 Because the purpose of the community meeting is to promote early discussion, applicants  
2841 shall ~~((tø))~~ note any changes to the conceptual information presented in the mailed  
2842 notices when they submit ~~((an))~~ applications;

2843 B. At the community meeting at which at least one employee of the department  
2844 of local services, permitting division, assigned by the permitting division manager or  
2845 designee, shall be in attendance, the applicant shall provide information relative to the  
2846 proposal and any modifications proposed to existing structures or any new structures and  
2847 how the proposal is compatible with the character of the surrounding neighborhood.

2848 C. ~~((An))~~ At time of application, the applicant shall ~~((also))~~ provide ~~((with the~~  
2849 ~~applicant's application))~~ a list of meeting attendees~~((s))~~ and those receiving mailed notice  
2850 of the meeting and a record of the published meeting notice; and

2851 ~~((C))~~D. The applicant shall, in the notice required under subsection A.2. of this  
2852 section, and at the community meeting required under subsection B. of this section,  
2853 advise that persons interested in the applicant's proposal may monitor the progress of the  
2854 permitting of that proposal by contacting the department or by viewing the department's  
2855 website, the address of which will be provided in the notice and at the community  
2856 meeting.

2857 SECTION 59. Ordinance 12196, Section 16, as amended, and K.C.C. 20.20.090  
2858 are hereby amended to read as follows:

2859 A. In accordance with K.C.C. 20.20.100, the department shall provide notice of:

2860 1. ~~((Its-f))~~Final Type 1 decisions subject to SEPA, including the threshold  
2861 determination, if any;

2862 2. ~~((Its))~~ Type 2 decisions; and

2863 3. ~~((Its))~~ Type 3 and 4 recommendations.

2864 B. The notice shall include the applicable procedures for either an administrative  
2865 appeal to, or further consideration by, the examiner.

2866 C. The notice shall be provided to:

2867 1. The applicant;

2868 2. If required by SEPA, the Department of Ecology and to agencies with  
2869 jurisdiction as defined in chapter 197-11 WAC;

2870 3. If required by chapter 90.58 RCW, the Department of Ecology and the  
2871 Attorney General;

2872 4. Any person who, before the decision or recommendation, had requested  
2873 notice of the decision or recommendation from, or submitted comments to, the  
2874 department; and

2875 5. Owners of record of property in an area within five hundred feet of the site.  
2876 The area shall be expanded when the department determines it is necessary to send  
2877 mailed notices to at least twenty different property owners.

2878 D. Except for decisions regarding shoreline substantial development permits,  
2879 shoreline variances and shoreline conditional uses, which are only appealable to the state  
2880 Shorelines Hearings Board, any administrative appeal or further consideration by the  
2881 examiner is subject to K.C.C. chapter 20.22.





2894 C. The following periods shall be excluded from the times specified in  
2895 subsections A., B., and H. of this section:

2896 1.a. Any period during which the applicant has been requested by the  
2897 department, the examiner, or the council to correct plans, perform required studies, or  
2898 provide additional information, including road variances and ~~((variances))~~ adjustments  
2899 required under K.C.C. chapter 9.04. The period shall be calculated from the date of  
2900 notice to the applicant of the need for additional information until the earlier of the date  
2901 the county advises the applicant that the additional information satisfies the county's  
2902 request or fourteen days after the date the information has been provided. If the county  
2903 determines that corrections, studies, or other information submitted by the applicant is  
2904 insufficient, it shall notify the applicant of the deficiencies and the procedures of this  
2905 section shall apply as if a new request for information had been made.

2906 ~~((a-))~~ b. The department shall set a reasonable deadline for the submittal of  
2907 corrections, studies, or other information, and shall provide written notification to the  
2908 applicant. The department may extend the deadline upon receipt of a written request  
2909 from an applicant providing satisfactory justification for an extension.

2910 ~~((b-))~~ c. When granting a request for a deadline extension, the department shall  
2911 give consideration to the number of days between the department receiving the request  
2912 for a deadline extension and the department ~~((mailing))~~ providing electronic notice of its  
2913 decision regarding that request;

2914 2. The period during which an environmental impact statement is being  
2915 prepared following a determination of significance under chapter 43.21C RCW, as ~~((set~~  
2916 ~~forth))~~ established in K.C.C. 20.44.050;

2917           3. The period during which an appeal is pending that prohibits issuing the  
2918 permit;

2919           4. Any period during which an applicant fails to post the property, if required by  
2920 this chapter, following the date notice is required until an affidavit of posting is provided  
2921 to the department by the applicant;

2922           5. Any time extension mutually agreed upon by the applicant and the  
2923 department; and

2924           6. Any time during which there is an outstanding fee balance that is sixty days  
2925 or more past due.

2926           D. Failure by the applicant to submit corrections, studies, or other information  
2927 acceptable to the department after two written requests under subsection C. of this section  
2928 shall be cause for the department to cancel or deny the application.

2929           E. The time limits established in this section shall not apply if a proposed  
2930 development:

2931           1. Requires either: an amendment to the Comprehensive Plan or a development  
2932 regulation; or modification or waiver of a development regulation as part of a  
2933 demonstration project;

2934           2. ~~((Requires approval of a new fully contained community as provided in RCW~~  
2935 ~~36.70A.350, master planned resort as provided in RCW 36.70A.360, or the siting of)) Is~~  
2936 an essential public facility as provided in RCW 36.70A.200; or

2937           3. Is revised by the applicant, when the revisions will result in a substantial  
2938 change in a project's review requirements, as determined by the department, in which

2939 case the period shall start from the date at which the revised project application is  
2940 determined to be complete.

2941 F. The time limits established in this section may be exceeded on more complex  
2942 projects. If the department is unable to issue its Type 1 or Type 2 decision or its Type 3  
2943 or Type 4 recommendation within the time limits established by this section, it shall  
2944 provide written notice of this fact to the applicant. The notice shall include a statement of  
2945 reasons why the time limits have not been met and an estimated date for issuance of the  
2946 notice of a Type 1 or Type 2 decision or a Type 3 or Type 4 recommendation.

2947 G. The department shall require that all plats, short plats, building permits,  
2948 clearing and grading permits, conditional use permits, special use permits, site  
2949 development permits, shoreline substantial development permits, or binding site plans(~~(~~  
2950 ~~urban planned development permits, or fully contained community permits~~)), issued for  
2951 development activities on or within five hundred feet of designated agricultural lands,  
2952 forest lands, or mineral resource lands, contain a notice that the subject property is within  
2953 or near designated agricultural lands, forest lands, or mineral resource lands, on which a  
2954 variety of commercial activities may occur that are not compatible with residential  
2955 development for certain periods of limited duration.

2956 H. To the greatest extent practicable, the department shall make a final  
2957 determination on all permits required for a Washington state Department of  
2958 Transportation project on a state highway as defined in RCW 46.04.560 with an  
2959 estimated cost of less than five hundred million dollars no later than ninety days after  
2960 receipt of a complete permit application.

2961            SECTION 61. Ordinance 12196, Section 19, as amended, and K.C.C. 20.20.120  
2962 are hereby amended to read as follows:

2963            The ~~((director))~~ department shall ~~((issue a citizens guide to))~~ produce guides  
2964 describing permit processing, including making an appeal or participating in a hearing.  
2965 The department shall make them available to the public and shall post them to its website.

2966            SECTION 62. Ordinance 4461, Section 10, as amended, and K.C.C. 20.22.150  
2967 are hereby amended to read as follows:

2968            Examiner recommendations on an application for a zone reclassification shall  
2969 include findings on whether the application meets ~~((both of))~~ the following:

2970            A. The proposed rezone is consistent with the King County Comprehensive Plan,  
2971 including, but not limited to, policies, narrative, maps, and land use designations; ~~((and))~~

2972            B.1.a. The property is potentially zoned under K.C.C. 21A.04.170 for the  
2973 reclassification being requested; or

2974            ~~((2-))~~ b. An adopted subarea plan~~((, subarea study,))~~ or an area zoning and land  
2975 use study specifies that the property shall be subsequently considered through an  
2976 individual reclassification application; or

2977            ~~((3-))~~ 2. The requested reclassification is based on ~~((changed))~~ a substantial  
2978 change in unincorporated area conditions, including but not limited to:

2979            a. the availability of public facilities or infrastructure;

2980            b. development patterns on surrounding parcels; or

2981            c. the quantity or quality of critical areas, not caused by actions of the  
2982 applicant; and

2983            C. That the classification would not harm or diminish the surrounding area.

2984            SECTION 63. Ordinance 9544, Section 16, as amended, and K.C.C. 20.22.180

2985 are hereby amended to read as follows:

2986            For a proposed preliminary plat, the examiner decision shall include findings as to  
2987 whether:

2988            A. Appropriate provisions are made for the public health, safety, and general  
2989 welfare and for such open spaces, drainage ways, streets or roads, alleys, other public  
2990 ways, transit stops, potable water supplies, sanitary wastes, parks and recreation,  
2991 playgrounds, schools, and school grounds, and all other relevant facts, including  
2992 sidewalks and other planning features that assure safe walking conditions for students  
2993 who walk to and from school; ~~((and))~~

2994            B. The public use and interest will be served by platting the subdivision and  
2995 dedication; and

2996            C. When a subdivision uses transfer of development rights to exceed base  
2997 density, the additional density does not create unmitigated impacts beyond those created  
2998 by development at base density.

2999            SECTION 64. Ordinance 10511, Section 7, as amended, and K.C.C. 20.36.100

3000 are hereby amended to read as follows:

3001            A. The definitions in this section apply throughout this section, as well as in  
3002 K.C.C. 20.36.040 and K.C.C. ~~((20.30.190))~~ 20.36.190, unless the context clearly requires  
3003 otherwise.

3004            B. To be eligible for open space classification under the public benefit rating  
3005 system, a property ~~((must))~~ shall contain one or more qualifying open space resources  
3006 and have at least five points as determined under this section. The department shall

3007 review each application and recommend award of credit for current use of the property.  
3008 In making the recommendation, the department shall utilize the point system described in  
3009 subsections C. and D. of this section.

3010 C. The following open space resources are each eligible for the points indicated:

3011 1. Active trail linkage - fifteen or twenty-five points. "Active trail linkage"  
3012 means land in private ownership through which the owner agrees to allow  
3013 ~~((nonmotorized))~~ public passage for active transportation, as defined in K.C.C. 14.01.xxx  
3014 (the new section created by section 21 of this ordinance), for the purpose of providing a  
3015 connection between trails within the county's regional trails system and local or regional  
3016 attractions or points of interest, for trail users including equestrians, pedestrians,  
3017 bicyclists, and other users. "Local or regional attractions or points of interest" include  
3018 other trails, parks, waterways, or other recreational and open space attractions, retail  
3019 centers, arts and cultural facilities, transportation facilities, residential concentrations, or  
3020 similar destinations. The linkage ~~((must))~~ shall be open to passage by the general public  
3021 and the property owner shall enter into an agreement with the county consistent with  
3022 applicable parks and recreation division policies to grant public access. To receive  
3023 twenty-five points, the property owner shall enter into an agreement with the county  
3024 regarding improvement of the trail, including trail pavement and maintenance. To  
3025 receive fifteen points, the property owner shall agree to allow a soft-surface, nonpaved  
3026 trail. The parks and recreation division is authorized to develop criteria for determining  
3027 the highest priority linkages for which it will enter into agreements with property owners;  
3028 2. Aquifer protection area - five points. "Aquifer protection area" means  
3029 property that has a plant community in which native plants are dominant and that

3030 includes an area designated as a critical aquifer recharge area under K.C.C. chapter  
3031 21A.24 or applicable city critical aquifer recharge area regulations. At least fifty percent  
3032 of the enrolling open space area or a minimum of one acre of open space shall be  
3033 designated as a critical aquifer recharge area. If the enrolling open space area does not  
3034 have a plant community in which native plants are dominant, ~~((a plan for))~~ revegetation  
3035 ~~((must))~~ shall occur subject to a revegetation plan ~~((be submitted))~~ reviewed and  
3036 approved by the department ~~((, and must be implemented according to the plan's proposed~~  
3037 ~~schedule of activities))~~;

3038 3. Buffer to public or current use classified land - three points. "Buffer to public  
3039 or current use classified land" means land that has a plant community in which native  
3040 plants are dominant or has other natural features, such as streams or wetlands, and that is  
3041 abutting and provides a buffer to a publicly owned park, trail, or forest, to land legally  
3042 required to remain in a natural state, to a state or federal highway, or to a property  
3043 participating in a current use taxation program under chapters 84.33 or 84.34 RCW. The  
3044 buffer ~~((must))~~ shall be at least fifty feet long and fifty feet in wide. Public roads may  
3045 separate the public land, or land in private ownership classified under chapters 84.33 or  
3046 84.34 RCW, from the buffering land, if the entire buffer is at least as wide and long as the  
3047 adjacent section of the road easement. Landscaping or other nonnative vegetation may  
3048 not separate the public land or land enrolled under chapters 84.33 or 84.34 RCW from the  
3049 native vegetation buffer. The department may grant an exception to the native vegetation  
3050 requirement for property along parkways with historic designation, upon review and  
3051 recommendation of the historic preservation officer of King County or the local  
3052 jurisdiction in which the property is located. Eligibility for this exception does not



3053 extend to a property where plantings are required or existing plant communities are  
3054 protected under local zoning codes, development mitigation requirements, or other local  
3055 regulations;

3056 4. Ecological enhancement land – eighteen points. "Ecological enhancement  
3057 land" means open space lands undergoing recovery of significantly degraded or lost  
3058 ecological function or processes. The following requirements shall be met:

3059 a. A jurisdiction, natural resource agency, or appropriate organization has  
3060 committed to sponsoring the ecological enhancement project, with secured funding in  
3061 place before the application's public hearing;

3062 b. The ecological enhancement project (~~(must)~~) shall include removing  
3063 significant human-made structures, alterations, or impediments such as shoreline  
3064 armoring, roads, culverts, and wetland fill that are detrimental to significant wildlife or  
3065 salmonid habitat. The intent of the removal (~~(must)~~) shall be to reestablish natural  
3066 function or processes to the project area;

3067 c. The owner is responsible for providing and implementing an ecological  
3068 enhancement plan for the proposed project. The approved enhancement plan (~~(must)~~)  
3069 shall include at least a statement of purpose, detailed description of work to be done, site  
3070 map of the project area, and specific timeline for the enhancement activities to be  
3071 completed. (~~and must be approved~~) The enhancement plan is subject to approval by the  
3072 department; and

3073 d. The owner shall annually provide to the department a monitoring report  
3074 detailing the enhancement efforts' success for five years following enrollment. The  
3075 owner shall also provide any additional monitoring reports required by K.C.C. 20.36.190.

3076 The monitoring report (~~(must)~~) shall describe the progress and success of the  
3077 enhancement project and (~~(must)~~) shall include photographs to document the success.  
3078 Land receiving credit for this category may not receive credit for the rural stewardship  
3079 land or resource restoration categories;

3080 5. Equestrian-pedestrian-bicycle trail linkage - thirty-five points. "Equestrian-  
3081 pedestrian-bicycle trail linkage" means land in private ownership that the property owner  
3082 allows the public to use as an off-road trail linkage for equestrian, pedestrian, or other  
3083 (~~(nonmotorized)~~) active transportation, as defined in K.C.C. 14.01.xxx (the new section  
3084 created by section 21 of this ordinance), uses, or that provides a trail link from a public  
3085 right-of-way to a trail system. Use of motorized vehicles is prohibited on trails receiving  
3086 a tax reduction for this category, except for maintenance or for medical, public safety, or  
3087 police emergencies. Public access is required only on that portion of the property  
3088 containing the trail. The landowner may impose reasonable restrictions on access that are  
3089 mutually agreed to by the landowner and the department, such as limiting use to daylight  
3090 hours. To be eligible as an equestrian-pedestrian-bicycle trail linkage, the owner shall  
3091 provide a trail easement to an appropriate public or private entity acceptable to the  
3092 department. The easement shall be recorded with the King County recorder's office or its  
3093 successor. In addition to the area covered by the trail easement, adjacent land used as  
3094 pasture, barn, or stable area and any corral or paddock may be included, if an approved  
3095 and implemented farm management plan is provided. Land necessary to provide a buffer  
3096 from the trail to other nonequestrian uses, land that contributes to the aesthetics of the  
3097 trail, such as a forest, and land set aside and marked for off road parking for trail users  
3098 may also be included as land eligible for current use taxation. Those portions of private

3099 roads, driveways, or sidewalks open to the public for this purpose may also qualify.  
3100 Fencing and gates are not allowed in the trail easement area, except those that are parallel  
3101 to the trail or linkage;

3102           6. Farm and agricultural conservation land - five points. "Farm and agricultural  
3103 conservation land" means land previously classified as farm and agricultural land under  
3104 RCW 84.34.020 that no longer meets the criteria of farm and agricultural land, or  
3105 traditional farmland not classified under chapter 84.34 RCW that has not been  
3106 irrevocably devoted to a use inconsistent with agricultural uses and has a high potential  
3107 for returning to commercial agriculture. The property (~~must~~) shall be used for farm and  
3108 agricultural activities or have a high probability of returning to agriculture and the  
3109 property owner (~~must~~) shall commit to returning the property to farm or agricultural  
3110 activities by implementing a farm management plan. An applicant (~~must~~) shall have an  
3111 approved farm management plan in accordance with K.C.C. 21A.24.051 that is  
3112 acceptable to the department and that is being implemented according to its proposed  
3113 schedule of activities before receiving credit for this category. Farm and agricultural  
3114 activities (~~must~~) shall occur on at least one acre of the property. Eligible land (~~must~~)  
3115 shall be zoned to allow agricultural uses and be owned by the same owner or held under  
3116 the same ownership. Land receiving credit for this category may not receive credit for  
3117 the contiguous parcels under separate ownership category;

3118           7. Forest stewardship land - five points. "Forest stewardship land" means  
3119 property that is managed according to an approved forest stewardship plan and that is not  
3120 enrolled in the designated forestland program under chapter 84.33 RCW. The property  
3121 (~~must~~) shall contain at least four acres of contiguous forestland, which may include land

3122 undergoing reforestation, according to the approved plan. The owner shall have and  
3123 implement a forest stewardship plan approved by the department. The forest stewardship  
3124 plan may emphasize forest retention, harvesting, or a combination of both. Land  
3125 receiving credit for this category may not receive credit for the resource restoration or  
3126 rural stewardship land categories;

3127           8. Historic landmark or archeological site: buffer to a designated site - three  
3128 points. "Historic landmark or archaeological site: buffer to a designated site" means  
3129 property adjacent to land constituting or containing a designated county or local historic  
3130 landmark or archeological site, as determined by King County's historic preservation  
3131 officer or by a manager of a certified local government program in the jurisdiction in  
3132 which the property is located. A property (~~must~~) shall have a plant community in which  
3133 native plants are dominant and provide a significant buffer for a designated landmark or  
3134 archaeological site listed on the county or other certified local government list or register  
3135 of historic places or landmarks. "Significant buffer" means land and plant communities  
3136 that provide physical, visual, noise, or other barriers and separation from adverse effects  
3137 to the historic resources due to adjacent land use;

3138           9. Historic landmark or archeological site: designated site – five points.  
3139 "Historic landmark or archaeological site: designated site" means land that constitutes or  
3140 contains a historic landmark designated by King County or other certified local  
3141 government program in the jurisdiction in which the property is located. Historic  
3142 landmarks include buildings, structures, districts, or sites of significance in the county's  
3143 historic or prehistoric heritage, such as Native American settlements, trails, pioneer  
3144 settlements, farmsteads, roads, industrial works, bridges, burial sites, prehistoric and

3145 historic archaeological sites, or traditional cultural properties. A property (~~must~~) shall  
3146 be listed on a county or other certified local government list or register of historic places  
3147 or landmarks for which there is local regulatory protection. Eligible property may  
3148 include property that contributes to the historic character within designated historic  
3149 districts, as defined by the historic preservation officer of King County or other certified  
3150 local government jurisdiction. The King County historic preservation officer shall make  
3151 the determination on eligibility;

3152           10. Historic landmark or archeological site: eligible site - three points.  
3153 "Historic landmark or archaeological site: eligible site" means land that constitutes or  
3154 contains a historic property that has the potential of being designated by a certified local  
3155 government jurisdiction, including buildings, structures, districts, or sites of significance  
3156 in the county's historic or prehistoric heritage, such as Native American settlements,  
3157 pioneer settlements, farmsteads, roads, industrial works, bridges, burial sites, prehistoric  
3158 and historic archaeological sites, or traditional cultural properties. To be eligible, the  
3159 historic preservation officer of King County or other certified local government program  
3160 in the jurisdiction in which the property is located shall determine the property meets the  
3161 jurisdiction's criteria for designation and listing on the county or other local register of  
3162 historic places or landmarks for which there is local regulatory protection. Eligible  
3163 property may include contributing property within designated historic districts. Property  
3164 listed (~~on~~) in the state or national Registers of Historic Places may qualify under this  
3165 category;

3166           11. Public recreation area - five points. "Public recreation area" means land  
3167 devoted to providing active or passive recreation use or that complements or substitutes

3168 for recreation facilities characteristically provided by public agencies. Use of motorized  
3169 vehicles is prohibited, except for golf carts on golf courses, for maintenance, or for  
3170 medical, public safety, or police emergencies. The facilities ~~((must))~~ shall be open to the  
3171 general public or to specific public user groups, such as youth, seniors ~~((citizens))~~, or  
3172 people with disabilities. A property ~~((must))~~ shall be identified by the responsible agency  
3173 within whose jurisdiction the property is located as meeting the definition of public  
3174 recreation area. The property owner ~~((must))~~ shall use any best practices defined in  
3175 K.C.C. chapter 21A.06. If a fee is charged for use, it ~~((must))~~ shall be comparable to the  
3176 fee charged by a similar public facility;

3177 12. Rural open space - five points. "Rural open space" means an area of ten or  
3178 more contiguous acres of open space located outside of the urban growth area as  
3179 identified in the King County Comprehensive Plan that:

- 3180 a. has a plant community in which native plants are dominant; or
- 3181 b. is former open farmland, woodlots, scrublands, or other lands that are in the  
3182 process of being replanted with native vegetation and for which the property owner is  
3183 implementing an approved farm management, ecological enhancement, forest  
3184 stewardship, rural stewardship, or resource restoration plan acceptable to the department;

3185 13. Rural stewardship land - five points. "Rural stewardship land" means land  
3186 zoned RA (rural area), A (agricultural), or F (forest), that has an implemented rural  
3187 stewardship plan under K.C.C. chapter 21A.24 acceptable to the department. On RA-  
3188 zoned properties, the approved rural stewardship plan ~~((must))~~ shall meet the goals and  
3189 standards of K.C.C. 21A.24.055. On A- and F-zoned properties, credit for this category  
3190 is allowed if the plan meets the goals of K.C.C. 21A.24.055. A rural stewardship plan

3191 includes, but is not limited to, identification of critical areas, location of structures and  
3192 significant features, site-specific best management practices, a schedule for  
3193 implementation, and a plan for monitoring as provided in K.C.C. 21A.24.055. To be  
3194 eligible as rural stewardship land, the open space (~~(must)~~) shall be at least one acre and  
3195 feature a plant community in which native plants are dominant or be in the process of  
3196 native vegetation restoration, reforestation, or enhancement. Land receiving credit for  
3197 this category may not receive credit for the ecological enhancement land, resource  
3198 restoration, or forest stewardship land categories;

3199 14. Scenic resource, viewpoint or view corridor – five points.

3200 a. "Scenic resource" means an area of natural or recognized cultural features  
3201 visually significant to the aesthetic character of the county. The site (~~(must)~~) shall be  
3202 significant to the identity of the local area, (~~(must)~~) be visible to a significant number of  
3203 the general public from public rights-of-way, (~~(must)~~) be of sufficient size to  
3204 substantially preserve the scenic resource value, and (~~(must)~~) enroll at least ten acres of  
3205 open space.

3206 b. A "viewpoint" means a property that provides a view of an area visually  
3207 significant to the aesthetic character of the county. A site (~~(must)~~) shall provide a view of  
3208 a scenic natural or recognized cultural resource in King County or other visually  
3209 significant area, (~~(must)~~) allow unlimited public access, and (~~(must)~~) be identified by a  
3210 permanent sign readily visible from a road or other public right-of-way.

3211 c. A "view corridor" means a property that contributes to the aesthetics of a  
3212 recognized view corridor critical to maintaining a public view of a visually significant  
3213 scenic natural or recognized cultural resource. The site (~~(must)~~) shall contain at least one

3214 acre of open space that contributes to a view corridor visible to the public and that  
3215 provides views of a scenic natural resource area or recognized cultural resource  
3216 significant to the local area. The ~~((King County historic preservation officer or officer of  
3217 another certified local government program in the jurisdiction in which the property is  
3218 located must find the recognized)) site shall have a significant cultural areas ~~((to be  
3219 significant and must find that the site)) and contain((s)) significant inventoried or  
3220 designated historic properties, as determined by the King County historic preservation  
3221 officer or officer of another certified local government program in the jurisdiction in  
3222 which the property is located in. Eligibility is subject to determination by the department  
3223 or applicable jurisdiction;~~~~

3224 15. Significant plant or ecological site - five points. "Significant plant or  
3225 ecological site" means an area that meets the criteria for Element Occurrence established  
3226 under the Washington Natural Heritage Program authorized by chapter 79.70 RCW. An  
3227 Element Occurrence is a particular, on-the-ground observation of a rare species or  
3228 ecosystem. An eligible site ~~((must)) shall be listed as an Element Occurrence by the  
3229 Washington Natural Heritage Program or be identified as a property that meets the  
3230 criteria for an Element Occurrence. The identification ~~((must)) shall be confirmed by a  
3231 qualified expert acceptable to the department. The department shall notify the  
3232 Washington Natural Heritage Program of any verified Element Occurrence on an  
3233 enrolling property. Commercial nurseries, arboretums, or other maintained garden sites  
3234 with native or nonnative plantings are ineligible for this category;~~~~

3235 16. Significant wildlife or salmonid habitat - five points.

3236 a. "Significant wildlife or salmonid habitat" means:



3237 (1) an area used by animal species listed as endangered, threatened, sensitive,  
3238 or candidate by the Washington state Department of Fish and Wildlife or Department of  
3239 Natural Resources or used by species of local significance that are listed by the King  
3240 County Comprehensive Plan or a local jurisdiction;

3241 (2) an area where the species listed in subsection C.16.a.(1) of this section are  
3242 potentially found with sufficient frequency for critical ecological processes, such as  
3243 reproduction, nesting, rearing, wintering, feeding, or resting, to occur;

3244 (3) a site that meets the criteria for priority habitats as defined by the  
3245 Washington state Department of Fish and Wildlife and that is so listed by the King  
3246 County Comprehensive Plan or by the local jurisdiction in which the property is located;  
3247 or

3248 (4) a site that meets criteria for a wildlife habitat conservation area as defined  
3249 by the department or a local jurisdiction.

3250 b. To be eligible, the department, by its own determination or by expert  
3251 determination acceptable to the department, (~~must~~) shall verify that qualified species are  
3252 present on the property or that the land fulfills the functions described in subsection  
3253 C.16.a. of this section. To receive credit for salmonid habitat, the owner shall provide a  
3254 buffer at least fifteen percent greater in width than required by any applicable regulation.  
3255 Property consisting mainly of disturbed or fragmented open space determined by the  
3256 department as having minimal wildlife habitat significance is ineligible;

3257 17. Special animal site - three points. "Special animal site" means a site that  
3258 includes a wildlife habitat network identified by the King County Comprehensive Plan or  
3259 individual jurisdictions through the Growth Management Act, chapter 36.70A RCW, or a

3260 biodiversity area and corridor identified by the Washington state Department of Fish and  
3261 Wildlife's priority habitats and species project as of the date of the application(~~(The~~  
3262 ~~property must be~~) as identified by King County or local or state jurisdiction or by expert  
3263 verification acceptable to the department or local jurisdiction. Property consisting mainly  
3264 of disturbed or fragmented open space determined by the department to have minimal  
3265 wildlife habitat significance is ineligible for this category;

3266 18. Surface water quality buffer – five, eight<sub>2</sub> or ten total points. "Surface water  
3267 quality buffer" means an undisturbed area that has a plant community in which native  
3268 plants are dominant abutting a lake, pond, stream, shoreline, wetland<sub>2</sub> or marine waters on  
3269 or abutting the property, that provides buffers beyond that required by any applicable  
3270 regulation. To receive five points, the buffer (~~(must)~~) shall be at least fifty percent wider  
3271 than the buffer required by any applicable regulation. To receive eight points, the buffer  
3272 (~~(must)~~) shall be at least two times the required width. To receive ten points, the buffer  
3273 (~~(must)~~) shall be at least three times the required width. The qualifying buffer (~~(must)~~)  
3274 shall be longer than twenty-five feet and (~~(must)~~) shall be preserved from clearing or  
3275 maintenance, unless this area is part of a department-approved ecological enhancement,  
3276 farm management, forest stewardship, rural stewardship<sub>2</sub> or resource restoration plan.  
3277 Grazing use by livestock on such land is prohibited;

3278 19. Urban open space - five points.

3279 a. "Urban open space" means land located within the boundaries of a city or  
3280 within the urban growth area that has a plant community in which native plants are  
3281 dominant and that under the applicable zoning is eligible for more intensive development

3282 or use. The enrolling area (~~(must)~~) shall be at least one acre, or be at least one-half acre if  
3283 the land meets one of the following criteria:

3284 (1) the land conserves and enhances natural or scenic resources;

3285 (2) the land protects streams or water supply;

3286 (3) the land promotes conservation of soils, wetlands, beaches, or tidal  
3287 marshes;

3288 (4) the land enhances the value to the public of adjacent parks, forests,  
3289 wildlife preserves, nature reservations or sanctuaries, or other open space;

3290 (5) the land enhances recreation opportunities for the general public; or

3291 (6) the land preserves visual quality along highways, roads, and streets or  
3292 scenic vistas.

3293 b. Owners of noncontiguous properties that together meet the minimum  
3294 acreage requirement may jointly apply under this category if each property is closer than  
3295 seventy-five feet to one other property in the application and if each property contains an  
3296 enrolling open space area at least as large as the minimum zoned lot size; and

3297 20. Watershed protection area - five points. "Watershed protection area" means  
3298 property contributing to the forest cover that provides run-off reduction and groundwater  
3299 protection. The property (~~(must)~~) shall consist of contiguous native forest or be in the  
3300 process of reforestation. The enrolling forested area (~~(must)~~) shall consist of additional  
3301 forest cover beyond that required by county or applicable local government regulation  
3302 and (~~(must)~~) shall be at least one acre or sixty-five percent of the property acreage,  
3303 whichever is greater. If reforestation or improvements to the forest health are necessary,  
3304 the property owner shall provide and implement an ecological enhancement, a forest

3305 stewardship, resource restoration, or rural stewardship plan that addresses this need and is  
3306 acceptable to the department.

3307 D. Property qualifying for an open space category in subsection C. of this section  
3308 may receive credit for additional points as follows:

3309 1. Conservation easement or historic preservation easement - eighteen points.

3310 "Conservation easement or historic preservation easement" means land on which an  
3311 easement is voluntarily placed that restricts, in perpetuity, further potential development  
3312 or other uses of the property. The easement (~~((must be approved))~~) is subject to approval  
3313 by the department and shall be recorded with the King County recorder's office or its  
3314 successor. The easement (~~((must))~~) shall be conveyed to the county or to an organization  
3315 acceptable to the department, such as a land trust or conservancy. Historic preservation  
3316 easements (~~((must also be approved))~~) are subject to approval by the historic preservation  
3317 officer of King County or of the local government jurisdiction in which the property is  
3318 located. An easement required by zoning, subdivision conditions, or other land use  
3319 regulation is not eligible unless an additional substantive easement area is provided  
3320 beyond that otherwise required;

3321 2. Contiguous parcels under separate ownership - two points.

3322 a. "Contiguous parcels under separate ownership" means at least two or more  
3323 parcels under different ownership where either:

3324 (1) the enrolling parcels and open space acreage abut each other without a  
3325 significant human-made barrier separating them; or

3326 (2) the enrolling parcels do not abut each other, but abut a publicly owned  
3327 open space, without a significant human-made barrier separating the publicly owned open  
3328 space and the open space portion of the parcels seeking open space classification.

3329 b. Award of this category requires a single application by multiple owners and  
3330 parcels with identical qualifying public benefit rating system resources. Only a single  
3331 application fee is required.

3332 c. Contiguous parcels of land with the same qualifying public benefit rating  
3333 system resources are eligible for treatment as a single parcel if open space classification  
3334 is sought under the same application except as otherwise prohibited by the farm and  
3335 agricultural conservation land category. Each parcel need not meet the minimum acreage  
3336 requirements for a resource category so long as the total area of all enrolling land  
3337 combined meets any required minimum acreage requirements. The owners of each  
3338 parcel included in the application (~~must~~) shall agree to identical terms and conditions  
3339 for enrollment in the program.

3340 d. Individual parcels or portions of parcels may be withdrawn or removed from  
3341 open space classification, consistent with all applicable rules and regulations. The  
3342 continued eligibility of all parcels and associated acreage remaining in open space  
3343 classification accepted under the same application is dependent upon the continued  
3344 qualification for a resource category or categories.

3345 e. Points are awarded for each participating owner above one owner and accrue  
3346 to all owners of a single application. The withdrawal or removal of all enrolled acreage  
3347 associated with an owner results in the loss of two points for each remaining owner;

3348 3. Easement and access – thirty-five points. "Easement and access" means that  
3349 the property has at least one qualifying open space resource, unlimited public access or  
3350 limited public access due to resource sensitivity, and a conservation easement or historic  
3351 preservation easement in perpetuity in a form and with conditions acceptable to the  
3352 department. ~~((To be eligible, a))~~A property ~~((must))~~ shall only be eligible in this category  
3353 if it receives credit for an open space category and for the conservation easement or  
3354 historic easement in perpetuity category. The owner ~~((must))~~ shall agree to allow public  
3355 access to the portion of the property designated for public access in the easement. An  
3356 easement required by zoning, subdivision conditions, or other land use regulation is not  
3357 eligible, unless there is additional easement area beyond that required. Credit for this  
3358 category may not overlap with the equestrian-pedestrian-bicycle trail linkage;

3359 4. Public access - points depend on type and frequency of access allowed.  
3360 "Public access " means the general public is allowed access on an ongoing basis for uses  
3361 such as recreation, education, or training. Access ~~((must))~~ shall be allowed on the portion  
3362 of the property that is designated for public access. The landowner may impose  
3363 reasonable restrictions on access, such as limiting use to daylight hours, agreed to by the  
3364 department. No physical barriers may limit reasonable public access or negatively affect  
3365 an open space resource. A property owner shall demonstrate that the property is open to  
3366 public access and is used by the public. Award of public access points for historic  
3367 properties is subject to approval by ~~((T))~~the historic preservation officer of King County  
3368 or a certified officer of another local government jurisdiction in which the property is  
3369 located ~~((must approve the award of public access points for historic properties))~~. The

3370 property owner may be required to furnish and maintain signage according to county  
3371 specifications.

3372 a. Unlimited public access - five points. Year-round access by the general  
3373 public is allowed without special arrangements with the property owner.

3374 b. Limited public access because of resource sensitivity - five points. Access  
3375 may be reasonably limited by the property owner due to the sensitive nature of the  
3376 resource, with access provided only to appropriate user groups. The access allowed  
3377 should generally be for an educational, scientific, or research purpose and may require  
3378 special arrangements with the owner.

3379 c. Seasonally limited public access - three points. Access by the public is  
3380 allowed only for part of the year due to seasonal conditions, as mutually agreed to  
3381 by the landowner and the department.

3382 d. Environmental education access - three points. The landowner enters into  
3383 an agreement with a school, with an organization with 26 U.S.C. Sec. 501(c)(3) tax  
3384 status, or, with the agreement of the department, with another community organization  
3385 that allows membership by the general public to provide environmental education to its  
3386 members or the public at large. The department (~~((must agree))~~) shall verify that the  
3387 enrolled portion of the property has value for environmental education purposes.

3388 e. None or members-only - zero points. No public access is allowed or the  
3389 access is allowed only by members of the organization using or owning the land; and

3390 5. Resource restoration – five points. "Resource restoration" means restoration  
3391 of an enrolling area of property benefiting an area in an open space resource category.  
3392 Emphasis is placed on the restoration of native vegetation associated with anadromous

3393 fish rearing habitat, riparian zones, migration corridors and wildlife, forest, stream, and  
3394 wetland habitats. The owner shall provide and implement a restoration plan approved by  
3395 the department. The plan may be developed in cooperation with a natural resource expert  
3396 or agency. The approved restoration plan ~~((must))~~ shall, at a minimum, include a purpose  
3397 statement, a description of restoration work to be done, a detailed site map of the area to  
3398 be restored, a specific timeline for the restoration activities to be completed and a  
3399 monitoring schedule for the restoration project's first five years. Historic resource  
3400 restoration ~~((must be approved))~~ is subject to approval by the King County historic  
3401 preservation officer or officer of another certified local government in the jurisdiction in  
3402 which the property is located and ~~((must))~~ shall be accompanied by a long-term  
3403 maintenance plan. The owner shall also provide to the department a yearly monitoring  
3404 report for at least five years following enrollment in the public benefit rating system  
3405 program. The report ~~((must))~~ shall describe the progress and success of the restoration  
3406 project and ~~((must))~~ shall include photographs to document the success. Land receiving  
3407 credit for this category may not receive credit for the ecological enhancement land, forest  
3408 stewardship land, or rural stewardship land categories.

3409 SECTION 65. Ordinance 15137, Section 10, as amended, and K.C.C. 20.36.190

3410 are hereby amended to read as follows:

3411 A. ~~((The definitions in K.C.C. 20.36.100 apply to this section.~~

3412 B.)) A property may achieve a maximum ninety-percent reduction in appraised  
3413 value for that portion of the land enrolled in the public benefit rating system. A plant  
3414 community where native plants are dominant that does not independently contain a  
3415 qualifying open space resource can participate if it is contiguous to and provides a benefit



3416 to a portion of the property being awarded credit for a qualifying open space priority  
3417 resource. The department shall evaluate the property for the presence of open space  
3418 resource categories. Abutting parcels of land with the same open space resources, owned  
3419 by one or more landowners, may be eligible for consideration as a single parcel if open  
3420 space classification is sought under the same application; however, property pursuing  
3421 credit for the farm and agricultural conservation land category, which (~~must~~) shall be  
3422 owned by the same owner or held under the same ownership. For buffer measurements  
3423 under this chapter, the width is the distance perpendicular to the edge of the resource and  
3424 the length of the buffer is parallel to the resource. The entire buffer width may be  
3425 averaged to qualify for a resource category.

3426 ~~(C.)~~ B. The presence or occurrence of an eligible open space resource may be  
3427 verified by:

- 3428 1. Reference to a recognized source, such as:
- 3429 a. the natural heritage data base;
  - 3430 b. the state office of historic preservation;
  - 3431 c. state, national, county or city registers of historic places;
  - 3432 d. the Washington state recreation and conservation office inventory of dry  
3433 accretion beach and shoreline features;
  - 3434 e. a shoreline master program;
  - 3435 f. parks and recreation studies; or
  - 3436 g. studies by the state Department of Fish and Wildlife or Department of  
3437 Natural Resources;

3438 2. Reference to a map developed by the county or other recognized authority;

3439 or

3440 3. Using the best available source, such as a recognized expert in the particular  
3441 resource being reviewed.

3442 ~~((D-))~~ C. When more than one reasonable interpretation can be supported by the  
3443 text of this chapter, the department may make a determination relating to the open space  
3444 resource definitions and eligibility standards in accordance with the purpose and intent of  
3445 this chapter. The department may calculate the appropriate area of land to receive credit  
3446 for a particular priority resource to support the assessor's determination of the  
3447 accompanying tax reduction for each priority resource.

3448 ~~((E-))~~ D. Management or preservation of the open space resources is a condition  
3449 for acceptance into the program. Each open space resource ~~((must))~~ shall be maintained  
3450 in the same or better condition as it was when approved for enrollment. The property  
3451 owner shall not engage in any activity that reduces the value of the open space resource,  
3452 unless that activity is required for public safety and is conducted lawfully under  
3453 appropriate permits. As a condition of enrollment into the program, the department may  
3454 require the owner to develop a plan acceptable to the department to restore any property  
3455 whose open space resources are degraded. In addition, if an existing approved plan for  
3456 farm and agricultural conservation land, ecological enhancement land, forest stewardship  
3457 land, rural stewardship land, or resource restoration category has a management schedule  
3458 or management goals that are out of date or otherwise require change, the owner is  
3459 responsible for revising the plan. Plan revisions are subject to review and approval by  
3460 ~~((F))~~ the department ~~((must review and accept any plan revisions))~~.

3461            ~~((F-))~~ E. The county may base acceptance of property into the public benefit  
3462 rating system on specific conditions or requirements being met, including, but not limited  
3463 to, granting easements.

3464            ~~((G-))~~ F. Except as otherwise provided in this chapter, the following properties or  
3465 areas are not eligible for open space classification:

- 3466            1. Improvements or structures on eligible open space land;  
3467            2. Properties that do not contain a qualifying open space resource;  
3468            3. Open space areas protected by a native growth, forest retention, or other  
3469 covenant that is required as part of a development process or subdivision, or required by  
3470 zoning or other land use regulations; however, such an area is eligible as ecological  
3471 enhancement, or forest stewardship or rural stewardship land if implementation of the  
3472 associated plan provides resource improvements within the enrolling open space. Such  
3473 an area is also eligible as public recreation area, equestrian-pedestrian-bicycle, or active  
3474 trail linkage due to the public's use and benefit. Additionally:

3475            a. Enrollment of at least ten percent additional open space acres, beyond that  
3476 restricted or required by applicable covenant or regulation, is necessary to qualify for  
3477 additional resource categories not referenced in this subsection ~~((G))~~F.3. but not  
3478 including those additional resource categories referenced in subsection ~~((G))~~F.3.b. of this  
3479 section; and

3480            b.~~((-))~~ The minimum ten percent additional open space acres provided ~~((must~~  
3481 ~~be acceptable))~~ shall, to the satisfaction of to the department, ~~((and))~~ feature a plant  
3482 community where native plants are dominant or should be dominant after implementing  
3483 an approved farm management, ecological enhancement, forest stewardship, resource

3484 restoration, or rural stewardship plan associated with the approved open space resource or  
3485 bonus category;

3486 4. Any portion of a property dominated by or whose resource value is  
3487 compromised by invasive plant species, unless the department has received a resource  
3488 restoration, rural stewardship, ecological enhancement, farm management, or forest  
3489 stewardship plan and determined that the plan adequately addresses the invasive plant  
3490 species concern and is being implemented; and

3491 5. Homesite and other areas developed for residential or personal use, such as  
3492 garden, landscaping and driveway, except for historic resources.

3493 ~~((H.))~~ G. The department may monitor the participating portion of the property to  
3494 evaluate its current use and continuing compliance with the conditions of enrollment.

3495 1. Monitoring may include scheduled, physical inspections of the property and  
3496 in-office review using aerial photography, mapping software, or other available  
3497 technologies.

3498 2. Program staff may require an owner of enrolled property to submit a  
3499 monitoring report on an annual or less frequent basis. The report ~~((must))~~ shall include a  
3500 brief description of how the property still qualifies for each awarded resource category,  
3501 photographs from established points on the property, and any owner observations by the  
3502 owner. The owner ~~((must))~~ shall submit this report to the department by email, the  
3503 program's website, or by other mutually agreed upon method. An environmental  
3504 consultant need not prepare this report.

3505 3. An owner of property receiving credit for farm and agricultural conservation  
3506 land, ecological enhancement land, forest stewardship land, or rural stewardship land, all

3507 of which require a stewardship or management plan, shall annually provide a monitoring  
3508 report that describes progress in implementing the plan and includes a brief description of  
3509 activities taken to implement the plan and photographs from established points on the  
3510 property. The owner shall submit this report to the department by email or by other  
3511 mutually agreed upon method. An environmental consultant need not prepare this report.

3512        ~~((F))~~ H. Failure by the owner to meet the conditions of the approval or to  
3513 maintain the uses of the property that were the basis for the original approval is grounds  
3514 for the department to reevaluate the property under the public benefit rating system. If  
3515 the reevaluation shows the property or a portion of the property is no longer eligible to  
3516 participate in the program, the county shall take action to remove the current use  
3517 classification and determine the amount of deferred taxes, interest, and penalty owed by  
3518 the landowner. If the reevaluation shows the property or a portion thereof is no longer  
3519 eligible as approved but that the property still qualifies for one or more public benefit  
3520 rating system resource categories, then the overall credit award shall be adjusted to reflect  
3521 the reevaluation. The new credit award may result in a current use assessment at a lower  
3522 percentage of appraised value than was originally approved. A landowner may appeal a  
3523 determination under this subsection by following K.C.C. 20.36.130.B.

3524        SECTION 66. Ordinance 6949, Section 7, as amended, and K.C.C. 20.44.050 are  
3525 hereby amended to read as follows:

3526        The procedures and standards for preparation of environmental impact statements  
3527 and other environmental documents pursuant to WAC 197-11-400 through 197-11-460 and  
3528 197-11-600 through 197-11-640 are adopted, subject to the following:

3529           A. Pursuant to WAC 197-11-408(2)(a), all comments on determinations of  
3530 significance and scoping notices shall be in writing, except where a public meeting on EIS  
3531 scoping occurs pursuant to WAC 197-11-410(1)(b).

3532           B. Pursuant to WAC 197-11-420, 197-11-620, and 197-11-625, the county  
3533 department acting as lead agency shall be responsible for preparation and content of an EIS  
3534 and other environmental documents. The department shall contract with consultants as  
3535 necessary for the preparation of environmental documents. The department may consider  
3536 the opinion of the applicant regarding the qualifications of the consultant but the  
3537 department shall retain sole authority for selecting persons or firms to author, co-author,  
3538 provide special services or otherwise participate in the preparation of required  
3539 environmental documents.

3540           C. Consultants or subconsultants selected by King County to prepare  
3541 environmental documents for a private development project proposal shall not: act as  
3542 agents for the applicant in preparation or acquisition of associated underlying permits; have  
3543 a financial interest in the proposal for which the environmental document is being  
3544 prepared; or perform any work or provide any services for the applicant in connection with  
3545 or related to the proposal.

3546           D. The department shall establish and maintain one or more lists of qualified  
3547 consultants who are eligible to receive contracts for preparation of environmental  
3548 documents for project proposals. Separate lists may be maintained to reflect specialized  
3549 qualifications or expertise. When the department requires consultant services to prepare  
3550 environmental documents for project proposals, the department shall select a consultant  
3551 from the lists and negotiate a contract for such services. The department director may

3552 waive these requirements as provided for in rules adopted to implement this section.  
3553 ~~((Subject to K.C.C. 20.44.145 and p))~~Pursuant to K.C.C. chapter 2.98, the department of  
3554 local services shall adopt public rules that establish processes to: create and maintain a  
3555 qualified consultant list; select consultants from the list; remove consultants from the list;  
3556 provide a method by which applicants may request a reconsideration of selected  
3557 consultants based upon costs, qualifications or timely production of the environmental  
3558 document; and waive the consultant selection requirements of this chapter on any basis  
3559 provided by K.C.C. chapter 2.93.

3560 E. All costs of preparing the environment document shall be borne by the  
3561 applicant. ~~((Subject to K.C.C. 20.44.145 and p))~~Pursuant to K.C.C. chapter 2.98, the  
3562 department of local services shall promulgate administrative rules that establish a trust fund  
3563 for consultant payment purposes, define consultant payment schedules, prescribe  
3564 procedures for treating interest from deposited funds and develop other procedures  
3565 necessary to implement this chapter.

3566 F. In the event an applicant decides to suspend or abandon the project, the applicant  
3567 must provide formal written notice to the department and consultant. The applicant shall  
3568 continue to be responsible for all monies expended by the division or consultants to the  
3569 point of receipt of notification to suspend or abandon, or other obligations or penalties  
3570 under the terms of any contract let for preparation of the environmental documents.

3571 G. The department shall only publish an EIS when it believes that the EIS  
3572 adequately disclose: the significant direct, indirect, and cumulative adverse impacts of the  
3573 proposal and its alternatives; mitigation measures proposed and committed to by the  
3574 applicant, and their effectiveness in significantly mitigating impacts; mitigation measures

3575 that could be implemented or required; and unavoidable significant adverse impacts.  
3576 Unless otherwise agreed to by the applicant, a final environmental impact statement shall  
3577 be issued by the department within two hundred seventy days following the issuance of a  
3578 DS for the proposal, except for public projects and nonproject actions, unless the  
3579 department determines at the time of issuance of the DS that a longer period will be  
3580 required because of the extraordinary size of the proposal or the scope of the environmental  
3581 impacts resulting therefrom; provided that the additional time shall not exceed ninety days  
3582 unless agreed to by the applicant.

3583 H. The following periods shall be excluded from the two-hundred-seventy-day  
3584 period for issuing a final environmental impact statement:

3585 1. Any period during which the applicant has failed to pay required environmental  
3586 review fees to the department;

3587 2. Any period during which the applicant has been requested to provide additional  
3588 information required for preparation of the environmental impact statement, and

3589 3. Any period during which the applicant has not authorized the department to  
3590 proceed with preparation of the environmental impact statement.

3591 SECTION 67. Ordinance 6949, Section 10, as amended, and K.C.C. 20.44.080  
3592 are hereby amended to read as follows:

3593 A. The procedures and standards of WAC 197-11-650 through 197-11-660  
3594 regarding substantive authority and mitigation, and WAC 197-11-158, regarding reliance  
3595 on existing plans, laws and regulations, are adopted.

3596 B. For the purposes of RCW 43.21C.060 and WAC 197-11-660, the following  
3597 policies, plans, rules, and regulations, and all amendments thereto, are designated as



3598 potential bases for the exercise of King County's substantive authority under SEPA,  
3599 subject to RCW 43.21C.240 and subsection C of this section:

- 3600 1. The policies of the state Environmental Policy Act, RCW 43.21C.020.
- 3601 2. As specified in K.C.C. chapter 20.12, the King County Comprehensive Plan,  
3602 its addenda and revisions, ~~((and community and))~~ subarea plans, and functional plans  
3603 ~~((and housing report, and as specified in K.C.C. chapter 20.14, surface water~~  
3604 ~~management program basin plans))~~.
- 3605 3. The King County Zoning Code, as adopted in K.C.C. Title 21A.
- 3606 4. The King County Agricultural Lands Policy, as adopted in K.C.C. Title 26.
- 3607 5. The King County Landmarks Preservation Code, as adopted in K.C.C.  
3608 chapter 20.62.
- 3609 6. The King County Shoreline ~~((Management))~~ Master ~~((Plan))~~ Program, as  
3610 adopted in K.C.C. ~~((Title))~~ chapter 21A.25.
- 3611 7. The King County Surface Water Runoff Policy, as adopted in K.C.C. chapter  
3612 9.04, including the Covington Master Drainage Plan, as adopted in K.C.C. chapter 20.14.
- 3613 8. The King County Road Standards, as adopted in K.C.C. chapter 14.42.
- 3614 9. The Comprehensive Plan for Transportation adopted by Resolution No. 6617  
3615 of the council of the Municipality of Metropolitan Seattle and readopted and ratified by  
3616 the county council in K.C.C. 28.01.030.
- 3617 10. The Comprehensive Sewerage Disposal Plan adopted by Resolution No. 23  
3618 of the council of the Municipality of Metropolitan Seattle and readopted and ratified by  
3619 the county council in K.C.C. 28.01.030.

3620 11. The rules and regulations for construction and use of local sewage facilities  
3621 set forth in K.C.C. chapters 28.81 through 28.84.

3622 12. The rules and regulations on the consistency of sewer projects with local  
3623 land use plans and policies set forth in Ordinance 11034, as amended.

3624 13. The rules and regulations for the disposal of industrial waste into the  
3625 sewerage system set forth in Ordinance 11034, as amended.

3626 14. ~~((The Duwamish Clean Water Plan adopted by the council of the  
3627 Municipality of Metropolitan Seattle and readopted and ratified by the county council by  
3628 Ordinance 11032, Section 28, as amended.~~

3629 15.)) The Washington Department of Ecology's Best Management Practices for  
3630 the Use of Municipal Sludge.

3631 C. Within the urban growth area, substantive SEPA authority to condition or  
3632 deny new development proposals or other actions shall be used only in cases where  
3633 specific adverse environmental impacts are not addressed by regulations as set forth  
3634 below or unusual circumstances exist. In cases where the county has adopted the  
3635 following regulations to systematically avoid or mitigate adverse impacts, those standards  
3636 and regulations will normally constitute adequate mitigation of the impacts of new  
3637 development: K.C.C. chapter 9.04, Surface Water Runoff Policy, K.C.C. chapter 9.08,  
3638 Surface Water Management Program, K.C.C. chapter 9.12, Water Quality, K.C.C.  
3639 chapter 14.42, King County Road Standards, K.C.C. chapter 16.82, Clearing and  
3640 Grading, K.C.C. chapter 21A.12, Development Standards – Density and Dimensions,  
3641 K.C.C. chapter 21A.14, Development Standards – Design Requirements, K.C.C. chapter  
3642 21A.16, Development Standards – Landscaping and Water Use, K.C.C. chapter 21A.18,

3643 Development Standards – Parking and Circulation, K.C.C. chapter 21A.20, Development  
3644 Standards – Signs, K.C.C. chapter 21A.22, Development Standards – Mineral Extraction,  
3645 K.C.C. chapter 21A.24, Critical Areas, K.C.C. chapter 21A.26, Development Standards –  
3646 Communication Facilities, K.C.C. chapter 21A.28, Development Standards – Adequacy  
3647 of Public Facilities and Services. Unusual circumstances related to a site or to a proposal,  
3648 as well as environmental impacts not mitigated by the regulations listed in this  
3649 subsection, will be subject to site-specific or project-specific SEPA mitigation.

3650 This subsection shall not apply if the county's development regulations cited in  
3651 this subsection are amended after April 22, 1996, unless the amending ordinance contains  
3652 a finding, supported by documentation, that the requirements for environmental analysis,  
3653 protections, and mitigation measures in this chapter, provide adequate analysis of and  
3654 mitigation for the specific adverse environmental impacts to which the requirements  
3655 apply.

3656 D. Outside the urban growth area, in the course of project review, including any  
3657 required environmental analysis, the responsible official may determine that requirements  
3658 for environmental analysis, protection, and mitigation measures in the county's  
3659 development regulations or comprehensive plans adopted under chapter 36.70A RCW  
3660 and in other applicable local, state, or federal laws and rules provide adequate analysis  
3661 and mitigation for specific adverse environmental impacts of the project, if the following  
3662 criteria are met:

3663 1. In the course of project review, the responsible official shall identify and  
3664 consider the specific probable adverse environmental impacts of the proposed action and  
3665 then make a determination whether these specific impacts are adequately addressed by

3666 the development regulations. If they are not, the responsible official shall apply  
3667 mitigation consistent with the applicable requirements of the comprehensive plan,  
3668 subarea plan element of the comprehensive plan, or other local, state, or federal rules or  
3669 laws; and

3670 2. The responsible official bases or conditions its approval on compliance with  
3671 these requirements or mitigation measures.

3672 E. Any decision to approve, deny, or approve with conditions pursuant to RCW  
3673 43.21C.060 shall be contained in the responsible official's decision document. The  
3674 written decision shall contain facts and conclusions based on the proposal's specific  
3675 adverse environmental impacts, or lack thereof, as identified in an environmental  
3676 checklist, EIS, threshold determination, other environmental document including an  
3677 executive department's staff report and recommendation to a decision maker, or findings  
3678 made pursuant to a public hearing authorized or required by law or ordinance. The  
3679 decision document shall state the specific plan, policy, or regulation that supports the  
3680 SEPA decision and, if mitigation beyond existing development regulations is required,  
3681 the specific adverse environmental impacts and the reasons why additional mitigation is  
3682 needed to comply with SEPA.

3683 F. This chapter shall not be construed as a limitation on the authority of King  
3684 County to approve, deny, or condition a proposal for reasons based upon other statutes,  
3685 ordinances, or regulations.

3686 SECTION 68. Ordinance 4828, Section 2, as amended, and K.C.C. 20.62.020 are  
3687 hereby amended to read as follows:

3688           The following words and terms shall, when used in this chapter, be defined as  
3689 follows unless a different meaning clearly appears from the context:

3690           A. "Alteration" is any construction, demolition, removal, modification,  
3691 excavation, restoration, or remodeling of a landmark.

3692           B. "Building" is a structure created to shelter any form of human activity, such as  
3693 a house, barn, ~~((church))~~ religious facility, hotel, or similar structure. Building may refer  
3694 to a historically related complex, such as a courthouse and jail or a house and barn.

3695           C. "Certificate of appropriateness" is written authorization issued by the  
3696 commission or its designee permitting an alteration to a significant feature of a  
3697 designated landmark.

3698           D. "Commission" is the landmarks commission created by this chapter.

3699           E. "Community landmark" is an historic resource which has been designated  
3700 pursuant to K.C.C. 20.62.040 but which may be altered or changed without application  
3701 for or approval of a certificate of appropriateness.

3702           F. "Designation" is the act of the commission determining that an historic  
3703 resource meets the criteria established by this chapter.

3704           G. "Designation report" is a report issued by the commission after a public  
3705 hearing setting forth its determination to designate a landmark and specifying the  
3706 significant feature or features thereof.

3707           H. "Director" is the director of the King County department of local services  
3708 permitting division manager or designee.

3709           I. "District" is a geographically definable area, urban, ~~((or))~~ rural, or natural  
3710 resource lands, possessing a significant concentration, linkage, or continuity of sites,

3711 buildings, structures, or objects united by past events or aesthetically by plan or physical  
3712 development. A district may also comprise individual elements separated geographically  
3713 but linked by association or history.

3714 J. "Heritage" is a discipline relating to historic preservation and archaeology,  
3715 history, ethnic history, traditional cultures, and folklore.

3716 K. "Historic preservation officer" is the King County historic preservation officer  
3717 or designee.

3718 L. "Historic resource" is a district, site, building, structure, or object significant in  
3719 national, state or local history, architecture, archaeology, and culture.

3720 M. "Historic resource inventory" is an organized compilation of information on  
3721 historic resources considered to be significant according to the criteria listed in K.C.C.  
3722 20.62.040.A. The historic resource inventory is kept on file by the historic preservation  
3723 officer and is updated from time to time to include newly eligible resources and to reflect  
3724 changes to resources.

3725 N. "Incentives" are such compensation, rights, or privileges, or combination  
3726 thereof, which the council, or other local, state, or federal public body or agency, by  
3727 virtue of applicable present or future legislation, may be authorized to grant to or obtain  
3728 for the owner or owners of designated landmarks. Examples of economic incentives  
3729 include but are not limited to tax relief, conditional use permits, rezoning, street vacation,  
3730 ~~((planned unit development,))~~ transfer of development rights, facade easements, gifts,  
3731 preferential leasing policies, private or public grants in aid, beneficial placement of public  
3732 improvements, or amenities, or the like.

3733 O. "Interested person of record" is any individual, corporation, partnership, or  
3734 association that notifies the commission or the council in writing of its interest in any  
3735 matter before the commission.

3736 P. "Landmark" is an historic resource designated as a landmark pursuant to  
3737 K.C.C. 20.62.070.

3738 Q. "Nomination" is a proposal that an historic resource be designated a landmark.

3739 R. "Object" is a material thing of functional, aesthetic, cultural, historical, or  
3740 scientific value that may be, by nature or design, movable yet related to a specific setting  
3741 or environment.

3742 S. "Owner" is a person having a fee simple interest, a substantial beneficial  
3743 interest of record or a substantial beneficial interest known to the commission in an  
3744 historic resource. Where the owner is a public agency or government, that agency shall  
3745 specify the person or persons to receive notices under this chapter.

3746 T. "Person" is any individual, partnership, corporation, group, or association.

3747 U. "Person in charge" is the person or persons in possession of a landmark  
3748 including, but not limited to, a mortgagee or vendee in possession, an assignee of rents, a  
3749 receiver, executor, trustee, lessee, tenant, agent, or any other person directly or indirectly  
3750 in control of the landmark.

3751 V. "Preliminary determination" is a decision of the commission determining that  
3752 an historic resource which has been nominated for designation is of significant value and  
3753 is likely to satisfy the criteria for designation.

3754 W. "Significant feature" is any element of a landmark which the commission has  
3755 designated pursuant to this chapter as of importance to the historic, architectural or  
3756 archaeological value of the landmark.

3757 X. "Site" is the location of a significant event, a prehistoric or historic occupation  
3758 or activity, or a building or structure, whether standing, ruined, or vanished, where the  
3759 location itself maintains an historical or archaeological value regardless of the value of  
3760 any existing structures.

3761 Y. "Structure" is any functional construction made usually for purposes other  
3762 than creating human shelter.

3763 SECTION 69. Ordinance 4828, Section 4, as amended, and K.C.C. 20.62.040 are  
3764 hereby amended to read as follows:

3765 A. An historic resource may be designated as a King County landmark if it is  
3766 more than forty years old or, in the case of a landmark district, contains resources that are  
3767 more than forty years old, and possesses integrity of location, design, setting, materials,  
3768 quality of work, feeling, or association, or any combination of the foregoing aspects of  
3769 integrity, sufficient to convey its historic character, and:

3770 1. Is associated with events that have made a significant contribution to the  
3771 broad patterns of national, state, or local history;

3772 2. Is associated with the lives of persons significant in national, state, or local  
3773 history;

3774 3. Embodies the distinctive characteristics of a type, period, style, or method of  
3775 design or construction, or that represents a significant and distinguishable entity whose  
3776 components may lack individual distinction;



3777 4. Has yielded, or may be likely to yield, information important in prehistory or  
3778 history; or

3779 5. Is an outstanding work of a designer or builder who has made a substantial  
3780 contribution to the art.

3781 B. An historic resource may be designated a community landmark because it is  
3782 an easily identifiable visual feature of a neighborhood or the county and contributes to the  
3783 distinctive quality or identity of such a neighborhood or county or because of its  
3784 association with significant historical events or historic themes, association with  
3785 important or prominent persons in the community or county, or recognition by local  
3786 ~~((citizens))~~ individuals for substantial contribution to the neighborhood or community.

3787 An improvement or site qualifying for designation solely by virtue of satisfying criteria  
3788 set out in this section shall be designated a community landmark and shall not be subject  
3789 to K.C.C. 20.62.080.

3790 C. Cemeteries, birthplaces, or graves of historical figures, properties owned by  
3791 religious institutions or used for religious purposes, structures that have been moved from  
3792 their original locations, reconstructed historic buildings, properties primarily  
3793 commemorative in nature, and properties that have achieved significance within the past  
3794 forty years shall not be considered eligible for designation. However, such ~~((a property))~~  
3795 properties shall be eligible for designation if they are(~~(:~~

3796 ~~1. A))~~ an integral part of districts that meet the criteria set out in subsection A. of  
3797 this section or if ~~((it is))~~ they are:

3798 ~~((2. A))~~ 1. ((~~(#)~~) Religious ~~((property))~~ properties deriving primary significance  
3799 from architectural or artistic distinction or historical importance;

3800           ~~((3.-A))~~ 2. ~~((b))~~ Buildings or structures removed from ~~((its))~~ their original  
3801 locations but that ~~((is))~~ are significant primarily for ~~((its))~~ their architectural value, or  
3802 ~~((which is))~~ that are the surviving structure most importantly associated with ~~((a))~~ historic  
3803 persons or events;

3804           ~~((4.-A))~~ 3. ~~((b))~~ Birthplaces, graves, or residences of ~~((a))~~ historical figures of  
3805 outstanding importance if there ~~((is))~~ are no other appropriate sites or buildings directly  
3806 associated with the historical ~~((figure's))~~ figures' productive ~~((life))~~ lives;

3807           ~~((5.-A cemetery))~~ 4. Cemeteries that derive~~((s-its))~~ their primary significances  
3808 from graves of persons of transcendent importance, from age, from distinctive design  
3809 features, or from association with historic events;

3810           ~~((6.-A))~~ 5. ~~((r))~~ Reconstructed buildings when accurately executed in a suitable  
3811 environment and presented in a dignified manner or as part of ~~((a))~~ restoration master  
3812 plans, and when no other buildings or structures with the same association ~~((has))~~ have  
3813 survived;

3814           ~~((7.-A property))~~ 6. Properties commemorative in intent if design, age,  
3815 tradition, or symbolic value ~~((has))~~ have invested ~~((it))~~ them with ~~((its))~~ their own  
3816 historical significance; or

3817           ~~((8.-A property))~~ 7. Properties achieving significance within the past forty years  
3818 if ~~((it is))~~ they are of exceptional importance.

3819           SECTION 70. Ordinance 10870, Section 17, as amended, and K.C.C.

3820 21A.02.070 are hereby amended to read as follows:

3821           A. All references to the Standard Industrial Classification (SIC) are to the titles  
3822 and descriptions found in the Standard Industrial Classification Manual, 1987 edition,

3823 prepared by United States Office of Management and Budget, which is hereby adopted  
3824 by reference. The ~~((f))~~SIC~~((g))~~ is used, with modifications to suit the purposes of this  
3825 title, to list and define land uses authorized to be located in the various zones consistent  
3826 with the ~~((comprehensive plan))~~ land use map.

3827 B. The SIC categorizes each land use under a general two-digit major group  
3828 number, or under a more specific three- or four-digit industry group or industry number.  
3829 A use shown on a land use table with a two-digit number includes all uses listed in the  
3830 SIC for that major group. A use shown with a three-digit or four-digit number includes  
3831 only the uses listed in the SIC number for that industry group or industry.

3832 C. An asterisk ~~((f))~~, shown as "\*"((g))" in the SIC number column of a land use  
3833 table means that the SIC definition for the specific land use identified has been modified  
3834 by this title. The definition may include one or more SIC ~~((subclassification))~~ numbers,  
3835 or may define the use without reference to the SIC.

3836 D. The ~~((D))~~director shall determine whether a proposed land use not specifically  
3837 listed in a land use table or specifically included within a SIC ~~((classification))~~ number is  
3838 allowed in a zone. The director's determination shall be based on whether ~~((or not))~~  
3839 permitting the proposed use in a particular zone is consistent with the purposes of this  
3840 title and the zone's purpose ~~((as set forth))~~ established in K.C.C. chapter 21A.04, by  
3841 considering the following factors:

3842 1. The physical characteristics of the use and its supporting structures, including  
3843 but not limited to scale, traffic, and other impacts, and hours of operation;

3844 2. Whether ~~((or not))~~ the use complements or is compatible with other uses  
3845 ~~((permitted))~~ allowed in the zone; and

3846 3. The SIC (~~(classification)~~) number, if any, assigned to the business or other  
3847 entity that will carry on the primary activities of the proposed use.

3848 E. If a proposed land use subject to subsection D. of this section is an essential  
3849 public facility under the Growth Management Act, it shall be evaluated using the special  
3850 use permit process and consistent with the Growth Management Act, the King County  
3851 Countywide Planning Policies, and the King County Comprehensive Plan.

3852 SECTION 71. Ordinance 10870, Section 27, as amended, and K.C.C.  
3853 21A.04.060 are hereby amended to read as follows:

3854 A. The purpose of the rural zone (RA) is to provide for an area-wide long-term  
3855 rural character and to minimize land use conflicts with nearby agricultural or forest  
3856 production districts or mineral extraction sites. These purposes are accomplished by:

3857 1. Limiting residential densities and (~~(permitted)~~) allowed uses to those that are  
3858 compatible with rural character and nearby resource production districts and sites and are  
3859 able to be adequately supported by rural service levels;

3860 2. Allowing small-scale farming and forestry activities and tourism and  
3861 recreation uses that can be supported by rural service levels and that are compatible with  
3862 rural character;

3863 3. Increasing required setbacks to minimize conflicts with adjacent agriculture,  
3864 forest, or mineral zones; and

3865 4. Requiring tracts created through clustering (~~(development)~~) to be designated  
3866 as permanent open space or as permanent resource use.

3867 B. Use of this zone is appropriate in the rural area(~~(s)~~) designated by the  
3868 Comprehensive Plan as follows:

3869 1. RA-2.5 in the rural area((s)) where the predominant lot pattern is below five  
3870 acres in size for lots established ~~((prior to))~~ before the adoption of the 1994  
3871 Comprehensive Plan;

3872 2. RA-5 in the rural area((s)) where ~~((the predominant lot pattern is five acres or  
3873 greater but less than ten acres in size and the area is generally environmentally  
3874 unconstrained))~~);

3875 a. the land is more than a quarter mile from designated natural resource lands;

3876 b. the land is physically suitable for development with minimal critical areas;

3877 and

3878 c. this density would not harm or diminish the surrounding area, burden  
3879 infrastructure, increase development pressure, or be inconsistent with the development  
3880 patterns promoted by the Comprehensive Plan;

3881 3.a. RA-10 in the rural area((s)) where ~~((the predominant lot pattern is ten acres  
3882 or greater but less than twenty acres in size. RA-10 is also applied on land that is  
3883 generally environmentally constrained, as defined by county, state or federal law, to  
3884 protect critical habitat and regionally significant resource areas (RSRAs). The RA-10  
3885 zone is also applied to lands within one-quarter mile of a forest or agricultural production  
3886 district or an approved long-term mineral extraction site.))~~);

3887 (1) the land is adjacent to or within one-quarter mile of designated natural  
3888 resource lands;

3889 (2) the land contains moderate or significant critical areas; or

3890                   (3) a density of one dwelling unit per five acres would harm or diminish the  
3891 surrounding area, burden infrastructure, increase development pressure, or be inconsistent  
3892 with the development patterns promoted by the Comprehensive Plan; and

3893                   b. On Vashon-Maury Island, RA-10 zoning shall be maintained on areas zoned  
3894 RA-10 as of 1994 and on areas with a predominant lot size of ten acres or greater that are  
3895 identified on the Areas Highly Susceptible to Groundwater Contamination map; and

3896                   4. RA-20 in Rural Forest Focus (~~(Districts)~~) Areas designated by the King  
3897 County Comprehensive Plan. This level of density should also be considered when a  
3898 larger parcel with an agricultural, forestry, or mineral land use designation is redesignated  
3899 to a rural area land use designation.

3900                   SECTION 72. Ordinance 10870, Section 28, as amended, and K.C.C.

3901 21A.04.070 are hereby amended to read as follows:

3902                   A. The purposes of the urban reserve zone (UR) are to: phase growth and  
3903 demand for urban services, and to reserve large tracts of land for possible future growth  
3904 in portions of King County designated by the Comprehensive Plan for future urban  
3905 growth while allowing reasonable interim uses of property; or to reflect designation by  
3906 the Comprehensive Plan of a property or area as part of the urban growth area when a  
3907 detailed plan for urban uses and densities has not been completed, or where adequate  
3908 public facilities and services are not available or yet needed. These purposes are  
3909 accomplished by:

3910                   1. Allowing for rural, agricultural, and other low-density uses;

3911                   2. Allowing for limited residential growth, either contiguous to existing urban  
3912 public facilities(~~(;)~~) or at a density supportable by existing rural public service levels; and

3913 3. Requiring clustering~~(ed residential developments)~~ where feasible, to  
3914 prevent establishment of uses and lot patterns ~~((which))~~ that may foreclose future  
3915 alternatives and impede efficient later development at urban densities.

3916 B. Use of this zone is appropriate in ~~((urban areas, rural towns or in rural city  
3917 expansion areas))~~ the Urban Growth Area for Cities in the Rural Area designated by the  
3918 Comprehensive Plan~~((, when such areas do not have adequate public facilities and  
3919 services or are not yet needed to accommodate planned growth, do not yet have detailed  
3920 land use plans for urban uses and densities, or are designated as sites for a potential urban  
3921 planned development or new fully contained communities))~~.

3922 SECTION 73. Ordinance 10870, Section 29, as amended, and K.C.C.

3923 21A.04.080 are hereby amended to read as follows:

3924 A. The purpose of the urban residential zone (R) is to implement  
3925 ~~((e))~~Comprehensive ~~((p))~~Plan goals and policies for housing quality, diversity, and  
3926 affordability, and to efficiently use urban residential land, public services, and ~~((energy))~~  
3927 utilities. These purposes are accomplished by:

3928 1. Providing, in the R-1 zone, predominantly single detached residences at a  
3929 relatively low residential density;

3930 2. Providing, in the R-4 through R-8 zones, for a mix of ~~((predominantly))~~  
3931 single detached ~~((dwelling units))~~ residences, duplexes, houseplexes, and other  
3932 development types, with a variety of densities and sizes in locations appropriate for  
3933 ~~((urban))~~ lower or moderate residential densities;

3934 ~~((2-))~~ 3. Providing, in the R-12 through R-48 zones, for a mix of predominantly  
3935 apartments and townhouses ~~((dwelling units))~~, mixed-use, and other development types,

3936 with a variety of densities and sizes in locations appropriate for ~~((urban))~~ moderate to  
3937 higher residential densities;

3938 ~~((3.))~~ 4. Allowing only those accessory and complementary nonresidential uses  
3939 that are compatible with urban residential communities; and

3940 ~~((4.))~~ 5. Establishing density designations to facilitate advanced area-wide  
3941 planning for public facilities and services, and to protect ~~((environmentally sensitive~~  
3942 ~~sites))~~ critical areas from over-development.

3943 B. Use of ~~((this))~~ these zones ~~((is))~~ are appropriate in urban areas, ~~((activity))~~  
3944 centers, or ~~((R))~~ rural ~~((T))~~ towns designated by the Comprehensive Plan as follows:

3945 1. The R-1 zone:

3946 a. on or adjacent to lands with area-wide environmental constraints where  
3947 ~~((development))~~ clustering is required ~~((to cluster))~~ away from ~~((sensitive))~~ critical  
3948 areas~~((;))~~;

3949 b. on lands designated as urban separators ~~((or))~~ wildlife habitat network  
3950 ~~((where development is required to cluster away from the axis of the corridor on))~~ or  
3951 critical aquifer recharge areas~~((, and on Regionally and Locally Significant Resource~~  
3952 ~~Areas (RSRAs/LSRAs))~~); or

3953 c. in well-established subdivisions of the same density~~((, which))~~ that are  
3954 served at the time of development by public or private facilities and services adequate to  
3955 support planned densities;

3956 2. The R-4 through R-8 zones on ~~((urban))~~ lands that are predominantly  
3957 environmentally unconstrained and are served at the time of development, by adequate  
3958 public sewers, water supply, roads, and other needed public facilities and services; and



3959 3. The R-12 through R-48 zones on lands in and next to ~~((U))~~unincorporated  
3960 ~~((A))~~activity ~~((C))~~centers, in ~~((C))~~community or ~~((N))~~neighborhood ~~((B))~~business  
3961 ~~((C))~~centers, in mixed-use development, on small, scattered lots integrated into existing  
3962 residential areas, or in ~~((R))~~rural ~~((T))~~towns, that are served at the time of development  
3963 by adequate public sewers, water supply, roads, and other needed public facilities and  
3964 services.

3965 SECTION 74. Ordinance 10870, Section 30, as amended, and K.C.C.  
3966 21A.04.090 are hereby amended to read as follows:

3967 A. The purpose of the neighborhood business zone (NB) is to provide convenient  
3968 daily retail and personal services for a limited service area and to minimize impacts of  
3969 commercial activities on nearby properties and ~~((in urban areas on properties with the  
3970 land use designation of commercial outside of center,))~~ to provide for limited residential  
3971 development. These purposes are accomplished by:

3972 1. Limiting nonresidential uses to those retail or personal services ~~((which))~~ that  
3973 can serve the everyday needs of a surrounding urban or rural residential area;

3974 2. Allowing for ~~((mixed use (housing and retail/service)))~~ mixed-use  
3975 developments ~~((and))~~;

3976 3. Allowing for townhouse developments as a sole use on properties in the  
3977 urban area with the land use designation of commercial outside of center; and

3978 ~~((3.))~~ 4. Excluding industrial and community/regional business-scaled uses.

3979 B. Use of this zone is appropriate in ~~((urban))~~ unincorporated activity centers,  
3980 community business centers, neighborhood business centers, commercial outside of  
3981 centers, rural towns, or rural neighborhood commercial centers designated by the

3982 ((e))Comprehensive ((p))Plan, on sites ((which)) that are served at the time of  
3983 development by adequate public sewers when located in urban areas or adequate on-site  
3984 sewage disposal when located in rural areas, water supply, roads, and other needed public  
3985 facilities and services.

3986 SECTION 75. Ordinance 10870, Section 31, as amended, and K.C.C.  
3987 21A.04.100 are hereby amended to read as follows:

3988 A. The purpose of the community business zone (CB) is to provide convenience  
3989 and comparison retail and personal services for local service areas ((which)) that exceed  
3990 the daily convenience needs of adjacent neighborhoods but ((which)) that cannot be  
3991 served conveniently by larger unincorporated activity centers, and to provide retail and  
3992 personal services in locations within unincorporated activity centers that are not  
3993 appropriate for extensive outdoor storage or auto related and industrial uses. These  
3994 purposes are accomplished by:

3995 1. Providing for limited small-scale offices as well as a wider range of the retail,  
3996 professional, governmental, and personal services than are found in neighborhood  
3997 business areas;

3998 2. Allowing for ((~~mixed-use (housing and retail/service)~~)) mixed-use  
3999 developments; and

4000 3. Excluding commercial uses with extensive outdoor storage or auto related  
4001 and industrial uses.

4002 B. Use of this zone is appropriate in ((urban and)) unincorporated activity  
4003 centers, community business centers, commercial outside of centers, or rural towns that  
4004 are designated by the Comprehensive Plan ((and community plans)) and that are served at

4005 the time of development by adequate public sewers, water supply, roads, and other  
4006 needed public facilities and services.

4007 SECTION 76. Ordinance 10870, Section 32, as amended, and K.C.C.

4008 21A.04.110 are hereby amended to read as follows:

4009 A. The purpose of the regional business zone (RB) is to provide for the broadest  
4010 mix of comparison retail, wholesale, service, and ~~((recreation/))~~ recreational and cultural  
4011 uses with compatible storage and fabrication uses, serving regional market areas and  
4012 offering significant employment opportunities. These purposes are accomplished by:

4013 1. Encouraging compact development that is supportive of transit and pedestrian  
4014 travel, through higher nonresidential building heights and floor area ratios than those  
4015 found in community business centers;

4016 2. Allowing for outdoor sales and storage, regional shopping areas, and limited  
4017 fabrication uses; ~~((and))~~

4018 3. Concentrating large-scale commercial and office uses to facilitate the  
4019 efficient provision of public facilities and services; and

4020 4. Allowing for mixed-use developments in urban areas.

4021 B. Use of this zone is appropriate in ~~((urban activity centers or rural towns))~~  
4022 commercial outside of centers that are designated by the Comprehensive Plan ~~((and~~  
4023 ~~community plans))~~ that are served at the time of development by adequate public sewers,  
4024 water supply, roads, and other needed public facilities and services.

4025 SECTION 77. Ordinance 10870, Section 33, and K.C.C. 21A.04.120 are hereby  
4026 amended to read as follows:

4027 A. The purpose of the office zone (O) is to provide for pedestrian and transit-  
4028 oriented high-density employment uses together with limited complementary retail and  
4029 urban density residential development in locations (~~(within activity centers)~~) where the  
4030 full range of commercial activities is not desirable. These purposes are accomplished by:

4031 1. Allowing for uses that will take advantage of pedestrian-oriented site and  
4032 street improvement standards;

4033 2. Providing for higher building heights and floor area ratios than those found in  
4034 community business centers;

4035 3. Reducing the ratio of required parking to building floor area;

4036 4. Allowing for on-site convenient daily retail and personal services for  
4037 employees and residences; (~~and~~)

4038 5. Excluding (~~auto~~) vehicle-oriented, outdoor, or other retail sales and services  
4039 (~~which~~) that do not provide for the daily convenience needs of on-site and nearby  
4040 employees or residents; and

4041 6. Allowing for mixed-use developments.

4042 B. Use of this zone is appropriate in unincorporated activity centers, community  
4043 business centers, neighborhood business centers, commercial outside of centers, or rural  
4044 towns designated by the Comprehensive Plan (~~(and community plans which)~~) that are  
4045 served at the time of development by adequate public sewers, water supply, roads, and  
4046 other needed public facilities and services.

4047 SECTION 78. Ordinance 10870, Section 44, as amended, and K.C.C.

4048 21A.06.020 are hereby amended to read as follows:

- 4049            Accessory use, residential: an accessory use to a residential use, including, but  
4050 not limited to:
- 4051            A. Accessory living quarters and dwellings;
  - 4052            B. Fallout or bomb shelters;
  - 4053            C. Keeping household pets or operating a hobby cattery or hobby kennel;
  - 4054            D. On-site rental office;
  - 4055            E. Pools, private docks or piers;
  - 4056            F. Antennae for private telecommunication services;
  - 4057            G. Storage of yard maintenance equipment;
  - 4058            H. Storage of private vehicles, such as motor vehicles, boats, trailers or planes;
  - 4059            I. Greenhouses;
  - 4060            J. Recreation space and play areas required under K.C.C. 21A.14.180 (~~and play~~  
4061 ~~areas required under K.C.C. 21A.14.190~~));
  - 4062            K. Home occupations and home industries under K.C.C. chapter 21A.30; and
  - 4063            L. Consumer-scale renewable energy systems.

4064            NEW SECTION. SECTION 79. There is hereby added to K.C.C. chapter  
4065 21A.06 a new section to read as follows:

4066            Adult family home: a residence in which a person or persons provide personal  
4067 care, special care, room, and board to more than one but not more than six adults who are  
4068 not related by blood or marriage to the person or persons providing the services. An adult  
4069 family home may provide services to up to eight adults upon approval from the  
4070 department under RCW 70.128.066.

4071            SECTION 80. Ordinance 10870, Section 48, as amended, and K.C.C.

4072 21A.06.040 are hereby amended to read as follows:

4073            Agricultural product sales: the retail sale of items resulting from the practice of  
4074 agriculture, including primary horticulture products such as fruits, vegetables, grains,  
4075 seed, feed, and plants, primary animal products such as eggs, milk, and meat, or  
4076 secondary and value-added products resulting from processing, sorting, or packaging of  
4077 primary agricultural products such as jams, cheeses, dried herbs, or similar items.

4078 Agricultural product sales do not include ~~((marijuana))~~ cannabis, usable ~~((marijuana))~~  
4079 cannabis, or ~~((marijuana))~~ cannabis-infused products.

4080            NEW SECTION. SECTION 81. There is hereby added to K.C.C. chapter  
4081 21A.06 a new section to read as follows:

4082            Anaerobic digester: an airtight, oxygen-free container that is fed animal manure or  
4083 other solid waste and that uses a biological process to stabilize organic matter and  
4084 produce methane gas for energy generation or other beneficial use.

4085            SECTION 82. K.C.C. 21A.06.355, as amended by this ordinance, is hereby  
4086 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.067.

4087            SECTION 83. Ordinance 10870, Section 5, and K.C.C. 21A.06.355 are hereby  
4088 amended to read as follows:

4089            ~~((Dwelling unit, a))~~ Apartment: ~~((a dwelling unit contained in))~~ a building  
4090 consisting of ~~((two))~~ ten or more dwelling units ~~((which may be stacked, or one or more~~  
4091 ~~dwelling with nonresidential uses))~~ sharing a common roof, wall, or floor. A houseplex  
4092 with one or more accessory dwelling units is not considered an apartment.

4093            NEW SECTION. SECTION 84. There is hereby added to K.C.C. chapter  
4094 21A.06 a new section to read as follows:

4095            At imminent risk of becoming homeless: a household that will lose their primary  
4096 nighttime residence as follows:

4097            A. The residence will be lost within fourteen days of the date of application for  
4098 homeless assistance;

4099            B. No subsequent residence has been identified; and

4100            C. The household lacks the resources or support networks needed to obtain other  
4101 permanent housing, such as family, friends, or faith-based or other social networks.

4102            NEW SECTION. SECTION 85. There is hereby added to K.C.C. chapter  
4103 21A.06 a new section to read as follows:

4104            At risk of chronic homelessness: a household that includes at least one adult:

4105            A. With a developmental, physical, or behavioral health disability;

4106            B. That is currently experiencing homelessness for at least ten months in the  
4107 previous three years, or has experienced homelessness for a cumulative total of twelve  
4108 months within the previous five years; and

4109            C. That has been incarcerated within the previous five years in a jail or prison,  
4110 that has been detained or involuntarily committed under chapter 71.05 RCW, or identifies  
4111 as a member of a population that is demographically overrepresented among persons  
4112 experiencing homelessness in King County.

4113            SECTION 86. K.C.C. 21A.06.7341, as amended by this ordinance, is hereby  
4114 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.162.

4115            SECTION 87. Ordinance 17710, Section 2, and K.C.C. 21A.06.7341 are hereby  
4116 amended to read as follows:

4117            ~~((Marijuana))~~ Cannabis: all parts of the plant cannabis, whether growing or not,  
4118 with a percentage concentration of delta-9 tetrahydrocannabinol content per dry weight of  
4119 any part of the plant cannabis, or per volume or weight of ~~((marijuana))~~ cannabis product  
4120 greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from  
4121 any part of the plant; and every compound, manufacture, salt, derivative, mixture, or  
4122 preparation of the plant, its seeds, or resin. ~~((Marijuana))~~ Cannabis does not include the  
4123 mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds  
4124 of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of  
4125 the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the  
4126 sterilized seed of the plant ~~((which))~~ that is incapable of germination.

4127            SECTION 88. K.C.C. 21A.06.7342, as amended by this ordinance, is hereby  
4128 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.7341, as  
4129 recodified by this ordinance.

4130            SECTION 89. Ordinance 17710, Section 3, and K.C.C. 21A.06.3742 are hereby  
4131 amended to read as follows:

4132            ~~((Marijuana))~~ Cannabis greenhouse: a structure with a glass or rigid plastic roof  
4133 and glass or rigid plastic walls designed and used to create an artificial climate for the  
4134 growing of ~~((marijuana))~~ cannabis as licensed by the Washington state Liquor ~~((Control))~~  
4135 and Cannabis Board for the ~~((marijuana))~~ cannabis production that is of sufficient  
4136 strength and stability to comply with the structural design load requirements of the



4137 building code and that is not used as a place for human habitation or by the general  
4138 public.

4139 SECTION 90. K.C.C. 21A.06.7344, as amended by this ordinance, is hereby  
4140 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.7342, as  
4141 recodified by this ordinance.

4142 SECTION 91. Ordinance 17710, Section 4, as amended, and K.C.C.  
4143 21A.06.7344 are hereby amended to read as follows:

4144 ((~~Marijuana~~)) Cannabis processor: a facility licensed by the Washington state  
4145 Liquor and Cannabis Board to process ((~~marijuana~~)) cannabis into useable ((~~marijuana~~))  
4146 cannabis and ((~~marijuana~~)) cannabis-infused products, package, and label useable  
4147 ((~~marijuana~~)) cannabis and ((~~marijuana~~)) cannabis-infused products for sale in retail  
4148 outlets, and sell useable ((~~marijuana~~)) cannabis and ((~~marijuana~~)) cannabis-infused  
4149 products at wholesale to ((~~marijuana~~)) cannabis retailers. ((~~Marijuana~~)) Cannabis  
4150 processors are classified as follows:

4151 A. ((~~Marijuana~~)) Cannabis processor I -- processing that is limited to:

- 4152 1. Drying, curing, and trimming; and  
4153 2. Packaging.

4154 B. ((~~Marijuana~~)) Cannabis process– II -- all elements of processing including:

- 4155 1. All ((~~marijuana~~)) Cannabis processor I activities;  
4156 2. Extracting concentrates and infusing products;  
4157 3. Mechanical and chemical processing; and  
4158 4. Packaging.

4159            SECTION 92. K.C.C. 21A.06.7346, as amended by this ordinance, is hereby  
4160 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.7344, as  
4161 recodified by this ordinance.

4162            SECTION 93. Ordinance 17710, Section 5, as amended, and K.C.C.  
4163 21A.06.7346 are hereby amended to read as follows:

4164            ((~~Marijuana~~)) Cannabis producer: a facility licensed by the Washington state  
4165 Liquor and Cannabis Board for the production and sale at wholesale of ((~~marijuana~~))  
4166 cannabis to ((~~marijuana~~)) cannabis processors and other ((~~marijuana~~)) cannabis  
4167 producers.

4168            SECTION 94. K.C.C. 21A.06.7348, as amended by this ordinance, is hereby  
4169 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.7346, as  
4170 recodified by this ordinance.

4171            SECTION 95. Ordinance 17710, Section 6, as amended, and K.C.C.  
4172 21A.06.7348 hereby amended to read as follows:

4173            ((~~Marijuana~~)) Cannabis retailer: a facility licensed by the Washington state  
4174 Liquor and Cannabis Board where useable ((~~marijuana~~)) cannabis and ((~~marijuana~~))  
4175 cannabis-infused products may be sold at retail.

4176            SECTION 96. Ordinance 10870, Section 84, and K.C.C. 21A.06.220 are hereby  
4177 amended to read as follows:

4178            Community residential facility ("CRF"): living quarters meeting applicable  
4179 federal and state standards that function as a single ((~~housekeeping unit~~)) household and  
4180 provide supportive services, including but not limited to counseling, rehabilitation and  
4181 medical supervision, excluding drug and alcohol detoxification, which is classified ((~~in~~

4182 ~~K.C.C. 21A.08.050~~) as health care services and residential care services in K.C.C.  
4183 21A.08.xxx (the new section created by section 148 of this ordinance), and excluding a  
4184 secure community transition facility as defined in (~~R.C.W.~~) RCW 71.09.020 and in this  
4185 chapter. For purposes of domestic violence shelters, minors living with a parent shall not  
4186 be counted as part of the maximum number of residents. Community Residential  
4187 Facilities are further classified as follows:

- 4188 A. Community Residential Facility - I -- Nine to ten residents and staff;
- 4189 B. Community Residential Facility - II -- Eleven or more residents and staff.

4190 If staffed by nonresident staff, each twenty-four staff hours per day equals one full-time  
4191 residing staff member for purposes of subclassifying CRFs.

4192 SECTION 97. Ordinance 12243, Section 4, and K.C.C. 21A.06.247 are hereby  
4193 amended to read as follows:

4194 Construction and trade(~~s~~): establishments that provide services related to  
4195 construction of buildings and infrastructure, and other improvements to property. Such  
4196 establishments include(~~s~~) SIC Major (~~group no-'s~~) Groups 15-17(~~s~~) and SIC Industry  
4197 (~~group no-')~~ Group 078-~~((f))~~Landscape and Horticultural Services(~~g~~)).

4198 SECTION 98. K.C.C. 21A.06.358, as amended by this ordinance, is hereby  
4199 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.252.

4200 SECTION 99. Ordinance 15032, Section 4, and K.C.C. 21A.06.358 are hereby  
4201 amended to read as follows:

4202 (~~Dwelling unit, e~~) Cottage housing: ((a)) three or more small single detached  
4203 (~~(single family dwelling unit located on a commonly owned parcel with common open~~  
4204 ~~space)) residences sited around a central common space on a commonly owned parcel.~~

4205            SECTION 100. Ordinance 15606, Section 5, and K.C.C. 21A.06.196 are hereby  
4206 amended to read as follows:

4207            Clustering: development of a subdivision at the existing zoned density that  
4208 reduces the size of individual lots and creates natural open space for the preservation of  
4209 critical areas(~~(, parks and permanent open space or as a reserve for future development))~~  
4210 or resource land for forestry or agriculture.

4211            NEW SECTION. SECTION 101. There is hereby added to K.C.C. chapter  
4212 21A.06 a new section to read as follows:

4213            Congregate residence: a building that contains sleeping units or dwelling units, or  
4214 both, with communal facilities such as sanitation facilities, kitchen facilities, recreation  
4215 space, or lounges.

4216            NEW SECTION. SECTION 102. There is hereby added to K.C.C. chapter  
4217 21A.06 a new section to read as follows:

4218            Crisis care center: a facility that provides same-day access to crisis stabilization  
4219 services for people in behavioral health crisis including walk-in behavioral health urgent  
4220 care clinic, a twenty-three-hour observation unit or similar facility, a crisis stabilization  
4221 unit for up to fourteen days of care, and post-crisis support services.

4222            SECTION 103. Ordinance 10870, Section 92, as amended, and K.C.C.  
4223 21A.06.260 are hereby amended to read as follows:

4224            Critical facility: a facility necessary to protect the public health, safety, and  
4225 welfare including, but not limited to, a facility defined under the occupancy categories of  
4226 "essential facilities," "hazardous facilities," and "special occupancy structures" in the  
4227 structural ~~((forces))~~ design chapter ~~((or succeeding chapter))~~ in K.C.C. Title 16. Critical

4228 facilities also include nursing and personal care facilities, schools, senior ~~((citizen))~~  
4229 assisted housing, ~~((public roadway))~~ county-owned bridges, and sites that produce, use,  
4230 or store hazardous substances or hazardous waste, not including the temporary storage of  
4231 consumer products containing hazardous substances or hazardous waste intended for  
4232 household use or for retail sale on the site.

4233 SECTION 104. Ordinance 10870, Section 98, and K.C.C. 21A.06.290 are hereby  
4234 amended to read as follows:

4235 Destination resort: an establishment for outdoor resource-based recreation and  
4236 intended to utilize and provide access to outdoor recreational opportunities~~((, including~~  
4237 ~~related))~~. Accessory services, such as ~~((food))~~ retail, eating and drinking places,  
4238 ~~((overnight))~~ temporary lodging, recreation equipment rentals, entertainment, and ~~((other~~  
4239 ~~conveniences for guests of the resort))~~ personal services are allowed as part of a  
4240 destination resort.

4241 SECTION 105. Ordinance 10870, Section 101, as amended, and K.C.C.  
4242 21A.06.305 are hereby amended to read as follows:

4243 Development agreement:((

4244 ~~A. A recorded agreement between a UPD applicant and King County which~~  
4245 ~~incorporates the site plans, development standards, and other features of an Urban Plan~~  
4246 ~~Development as described in K.C.C. chapter 21A.39; or~~

4247 ~~B.))~~ An agreement authorized under RCW 36.70B.170 through 36.70B.210.

4248 SECTION 106. Ordinance 15051, Section 31, and K.C.C. 21A.06.333 are hereby  
4249 amended to read as follows:

4250 Drainage subbasin: ~~((a drainage area identified as a drainage subbasin in a~~  
4251 ~~county approved basin plan or, if not identified, a drainage))~~ an area that drains to a body  
4252 of water that is named and mapped and contained within a ~~((drainage))~~ larger basin.

4253 NEW SECTION. SECTION 107. There is hereby added to K.C.C. chapter  
4254 21A.06 a new section to read as follows:

4255 Duplex: a building containing two dwelling units designed sharing a common  
4256 roof, wall, or floor. Individual units may be side-by-side or stacked one on top of the  
4257 other. A single detached residence with accessory dwelling unit is not considered a  
4258 duplex.

4259 SECTION 108. Ordinance 10870, Section 109, and K.C.C. 21A.06.345 are  
4260 hereby amended to read as follows:

4261 Dwelling unit: one or more rooms designed for occupancy by a person or family  
4262 for living and sleeping purposes, containing kitchen facilities and rooms with internal  
4263 accessibility, for use solely by the dwelling's occupants~~((;d))~~. Dwelling units include  
4264 ~~((but are not limited to bachelor, efficiency and))~~ studio apartments, factory-built housing  
4265 and manufactured and mobile homes.

4266 NEW SECTION. SECTION 109. There is hereby added to K.C.C. chapter  
4267 21A.06 a new section to read as follows:

4268 Emergency shelter: a facility providing short-term overnight accommodations or  
4269 day, cooling, or warming centers.

4270 NEW SECTION. SECTION 110. There is hereby added to K.C.C. chapter  
4271 21A.06 a new section to read as follows:

4272 Emergency supportive housing: housing where persons experiencing chronic  
4273 homelessness or at risk of chronic homelessness can reside temporarily, and that offers  
4274 housing-oriented services, case management, and other support or assistance services.

4275 NEW SECTION. SECTION 111. There is hereby added to K.C.C. chapter  
4276 21A.06 a new section to read as follows:

4277 Experiencing chronic homelessness: a household that includes at least one adult  
4278 with a disability, that is currently experiencing homelessness for at least twelve  
4279 consecutive months or has experienced multiple episodes homelessness for a cumulative  
4280 twelve months within the previous three years.

4281 SECTION 112. Ordinance 10870, Section 125, as amended, and K.C.C.  
4282 21A.06.425 are hereby amended to read as follows:

4283 Examiner: the ~~((zoning and subdivision))~~ office of the hearing examiner.

4284 SECTION 113. Ordinance 17191, Section 22, as amended, and K.C.C.  
4285 21A.06.450 are hereby amended to read as follows:

4286 Family: ~~((an individual; two))~~ one or more persons ~~((related by blood, marriage  
4287 or state registered domestic partnership under chapter 26.60 RCW; a group of two or  
4288 more disabled residents protected under the Federal Housing Act Amendments, who are  
4289 not related by blood, marriage or state registered domestic partnership under chapter  
4290 26.60 RCW,))~~ living together as a single housekeeping unit ~~((; a group of eight or fewer  
4291 residents, who are not related by blood, marriage or state registered domestic partnership  
4292 under chapter 26.60 RCW, living together as a single housekeeping unit; or a group  
4293 living arrangement where eight or fewer residents receive supportive services such as  
4294 counseling, foster care, or medical supervision at the dwelling unit by resident or non-~~

4295 resident staff. For purposes of this definition, minors living with parent shall not be  
4296 counted as part of the maximum number of residents)).

4297 SECTION 114. Ordinance 10870, Section 144, as amended, and K.C.C.

4298 21A.06.520 are hereby amended to read as follows:

4299 Forest practice: any forest practice as defined in RCW ~~((79.06.020))~~ 76.09.020.

4300 SECTION 115. Ordinance 10870, Section 148, and K.C.C. 21A.06.540 are

4301 hereby amended to read as follows:

4302 General business service: an establishment engaged in providing services to

4303 businesses or individuals, with no outdoor storage or fabrication, including only uses

4304 located in SIC Major Groups ~~((Nos.))~~ and Industry Groups:

4305 A. 60-Depository Institutions;

4306 B. 61-Nondepository Credit Institutions;

4307 C. 62-Security and Commodity Brokers, Dealers, Exchanges, and Services;

4308 D. 63-Insurance Carriers;

4309 E. 65-Real Estate, except 653 (Real Estate Agents and Directors);

4310 F. 67-Holding and Other Investment Offices;

4311 G. 7299 Miscellaneous Personal Services, not elsewhere classified;

4312 H. 73-Business Services, except Industry Group and Industry Nos.:

4313 I. 7312-Outdoor Advertising Services; and

4314 J. 86-Membership Organizations, including administrative offices of organized

4315 religions found in 8661, but excluding ~~((churches and places of worship))~~ religious

4316 facilities.



4317            SECTION 116. Ordinance 10870, Section 153, and K.C.C. 21A.06.565 are  
4318 hereby amended to read as follows:

4319            Grading: any excavation, filling, ~~((removing the duff layer))~~ or land disturbing  
4320 activity, or ~~((any))~~ combination thereof.

4321            NEW SECTION. SECTION 117. There is hereby added to K.C.C. chapter  
4322 21A.06 a new section to read as follows:

4323            Household: one or more persons living together as a single housekeeping unit.

4324            NEW SECTION. SECTION 118. There is hereby added to K.C.C. chapter  
4325 21A.06 a new section to read as follows:

4326            Houseplex: a building containing between three and nine dwelling units sharing a  
4327 common roof, wall, or floor. A single detached residence or duplex with one or more  
4328 accessory dwelling units is not considered a houseplex.

4329            SECTION 119. Ordinance 10870, Section 172, and K.C.C. 21A.06.660 are  
4330 hereby amended to read as follows:

4331            Kennel, commercial: an establishment or facility where four or more dogs are  
4332 kept for commercial purposes, including, but not limited to, boarding, breeding and  
4333 training. A commercial kennel does not include a dog daycare facility.

4334            SECTION 120. Ordinance 15051, Section 74, and K.C.C. 21A.06.732 are hereby  
4335 amended to read as follows:

4336            Manufactured home: ~~((or mobile home: a structure, transportable in one or more~~  
4337 ~~sections, that in the traveling mode is eight body feet or more in width or thirty-two body~~  
4338 ~~feet or more in length; or when erected on site, is three hundred square feet or more in~~  
4339 ~~area; which is built on a permanent chassis and is designated for use with or without a~~

4340 ~~permanent foundation when attached to the required utilities; which contains plumbing,~~  
4341 ~~heating, air conditioning and electrical systems; and shall include any structure that meets~~  
4342 ~~all the requirements of this section, or of chapter 296-150M WAC, except the size~~  
4343 ~~requirements for which the manufacturer voluntarily complies with the standards and~~  
4344 ~~files the certification required by the federal Department of Housing and Urban~~  
4345 ~~Development.)~~ A factory-built dwelling built in accordance with regulations adopted  
4346 under the National Manufactured Housing Construction and Safety Standards Act of  
4347 1974. ((The term "m))Manufactured home((" or "mobile home")) does not include a  
4348 ((("))recreational vehicle.((("))

4349 NEW SECTION. SECTION 121. There is hereby added to K.C.C. chapter  
4350 21A.06 a new section to read as follows:

4351 Manufactured home community: a development with two or more pads or spaces  
4352 designed to accommodate manufactured homes or mobile homes. Manufactured home  
4353 communities may include utilities, parking, common spaces, and other shared amenities.

4354 NEW SECTION. SECTION 122. There is hereby added to K.C.C. chapter  
4355 21A.06 a new section to read as follows:

4356 Microshelter: a structure that is less than two hundred square feet and designed  
4357 for people to temporarily reside.

4358 NEW SECTION. SECTION 123. There is hereby added to K.C.C. chapter  
4359 21A.06 a new section to read as follows:

4360 Microshelter village: a permanent site containing multiple microshelters and may  
4361 provide cooking facilities or meals, hygiene facilities, including restrooms and showers,  
4362 and a shared gathering space.

4363            NEW SECTION. SECTION 124. There is hereby added to K.C.C. chapter  
4364 21A.06 a new section to read as follows:

4365            Mixed-use: a site containing one or more dwelling units and nonresidential uses.

4366            SECTION 125. Ordinance 10870, Section 191, and K.C.C. 21A.06.755 are  
4367 hereby amended to read as follows:

4368            (~~See manufactured home.~~) Mobile home: a factory-built dwelling built prior to  
4369 June 15, 1976, to standards other than the United States department of housing and urban  
4370 development code, and acceptable under applicable state codes in effect at the time of  
4371 construction or introduction of the home into the state. The term mobile home does not  
4372 include recreational vehicles.

4373            NEW SECTION. SECTION 126. There is hereby added to K.C.C. chapter  
4374 21A.06 a new section to read as follows:

4375            Natural area: Properties or tracts whose primary purpose is to conserve and  
4376 restore ecological value. They may not be completely natural and undisturbed but may  
4377 be important in preserving rare or vanishing flora, fauna, geological sites, or features of  
4378 scientific, traditional, cultural, or educational value. These sites may allow public use in  
4379 ways that avoid and minimize harm to the ecological resources of the site to the  
4380 maximum extent feasible.

4381            NEW SECTION. SECTION 127. There is hereby added to K.C.C. chapter  
4382 21A.06 a new section to read as follows:

4383            Outdoor resource-based recreation: recreational activities that rely upon their  
4384 setting in or near natural resource lands for their enjoyment, including but not limited to,

4385 hiking, rafting, biking, skiing, horseback riding, fishing, climbing, or similar activities  
4386 necessitating an outdoor setting.

4387 NEW SECTION. SECTION 128. There is hereby added to K.C.C. chapter  
4388 21A.06 a new section to read as follows:

4389 Permanent supportive housing: subsidized housing with comprehensive support  
4390 services, such as healthcare, treatment, or employment services, and that is designed for  
4391 persons experiencing homelessness and living with a complex and disabling behavioral  
4392 or physical health condition.

4393 NEW SECTION. SECTION 129. There is hereby added to K.C.C. chapter  
4394 21A.06 a new section to read as follows:

4395 Recuperative housing: housing that is designed for persons experiencing  
4396 homelessness who require continuous treatment or medical care but do not require  
4397 hospitalization.

4398 SECTION 130. K.C.C. 21A.06.185, as amended by this ordinance, is hereby  
4399 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.980.

4400 SECTION 131. Ordinance 10870, Section 77, and K.C.C. 21A.06.185 hereby  
4401 amended to read as follows:

4402 ~~((Church, synagogue or temple))~~ Religious facility: a place where religious  
4403 services are conducted, including a church, synagogue, temple, or mosque. Religious  
4404 facilities includes those uses located in SIC Industry ~~((No.))~~ Group 866 and ~~((including))~~  
4405 accessory uses in the primary or accessory buildings, such as religious education  
4406 facilities, reading rooms, assembly rooms, and residences for nuns and clergy. ~~((This~~  
4407 ~~definition))~~ Religious facilities do not include facilities for training of religious orders.

4408            SECTION 132. Ordinance 14045, Section 7, and K.C.C. 21A.06.1013 are hereby  
4409 amended to read as follows:

4410            Rural equestrian community trail: an existing trail (~~((within the Equestrian~~  
4411 ~~Community))~~) located in the A, F<sub>2</sub> or RA zones that has historically been used by the  
4412 public for riding horses, and that may also have historically been used by or is suitable  
4413 for use by other (~~((non-motorized))~~) active transportation, as defined in K.C.C. 14.01.xxx  
4414 (the new section created by section 21 of this ordinance), trail users.

4415            NEW SECTION. SECTION 133. There is hereby added to K.C.C. chapter  
4416 21A.06 a new section to read as follows:

4417            Safe parking: a site designated for unsheltered people to reside in a recreational  
4418 vehicle or vehicle and may provide on-site services and utilities.

4419            SECTION 134. Ordinance 10870, Section 252, as amended, and K.C.C.  
4420 21A.06.1060 are hereby amended to read as follows:

4421            Senior (~~((citizen))~~): a person aged (~~((62))~~) sixty-two or older.

4422            SECTION 135. Ordinance 10870, Section 634 (part), as amended, and K.C.C.  
4423 21A.06.1062 are hereby amended to read as follows:

4424            Senior (~~((citizen))~~) assisted housing: (~~((housing in))~~) a building consisting of two or  
4425 more dwelling units or sleeping units restricted to occupancy by (~~((at least one senior~~  
4426 ~~citizen per unit))~~) seniors, and may include the following support services(~~((, as deemed~~  
4427 ~~necessary))~~):

4428            A. Food preparation and dining areas;

4429            B. Group activity areas;

4430            C. Medical supervision; and

4431 D. Similar activities.

4432 SECTION 136. Ordinance 3688, Section 251, as amended, and K.C.C.

4433 21A.06.1082C are hereby amended to read as follows:

4434 Shoreline stabilization: a structure ~~((or))~~ device, ~~((including, but not limited to,~~  
4435 ~~breakwaters, bulkheads, jetties, groins and riprap, that is placed so as to prevent))~~ or  
4436 action used to address erosion impacts or to alter ~~((the))~~ normal currents, wave actions, or  
4437 other natural forces or actions of a waterbody. Shoreline stabilization falls on a spectrum  
4438 of measures from non-structural, soft structural, and hard, including, but not limited to,  
4439 relocation of structures, building setbacks, upland drainage control, revegetation, beach  
4440 nourishment, drift log placement, riprap, groins, revetments, bulkheads, and seawalls.

4441 Shoreline stabilization does not include flood protection facilities.

4442 NEW SECTION. SECTION 137. There is hereby added to K.C.C. chapter

4443 21A.06 a new section to read as follows:

4444 Sleeping unit: a room designed for occupancy by a person or family for living and  
4445 sleeping purposes, and may contain a sanitation facility or kitchen facility, but not both.

4446 Such rooms that are also part of a dwelling unit are not sleeping units.

4447 NEW SECTION. SECTION 138. There is hereby added to K.C.C. chapter

4448 21A.06 a new section to read as follows:

4449 Social services: an establishment providing social services and rehabilitation  
4450 services, including only uses located in SIC Industry Groups:

4451 A. 832 - Individual and Family Social Services;

4452 B. 833 - Job Training and Vocational Rehabilitation Services; and

4453 C. 839 - Social Services, Not Elsewhere Classified.

4454            SECTION 139. Ordinance 13733, Section 5, as amended, and K.C.C.  
4455    21A.06.1273B are hereby amended to read as follows:  
4456            TDR bank fund: the fund established under K.C.C. ~~((4.08.327))~~ 4A.200.730.  
4457            SECTION 140. Ordinance 10870, Section 295, as amended, and K.C.C.  
4458    21A.06.1275 are hereby amended to read as follows:  
4459            Temporary use permit: permit to allow a use of limited duration and/or  
4460    frequency, or to allow multiple related events over a specified period. A temporary use  
4461    permit does not include the construction or establishment of any permanent use,  
4462    alteration, or structure.  
4463            SECTION 141. K.C.C. 21A.06.370, as amended by this ordinance, is hereby  
4464    recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.1280.  
4465            SECTION 142. Ordinance 10870, Section 114, and K.C.C. 21A.06.370 are  
4466    hereby amended to read as follows:  
4467            ~~((Dwelling unit, t))~~ Townhouse: a site with one or more buildings containing  
4468    ~~((one))~~ a total of ten or more dwelling units that ((occupies)) occupy space from the  
4469    ground to the roof~~((;))~~ and that ((is attached to one or more other townhouse dwellings  
4470    ~~by)) share common walls with one or more dwelling units.  
4471            SECTION 143. Ordinance 10870, Section 297, as amended, and K.C.C.  
4472    21A.06.1285 are hereby amended to read as follows:  
4473            Trails: human-made pathways, including elevated boardwalks, bridges, and  
4474    stairs, designed and intended for ~~((use by pedestrians, bicyclists, equestrians and other~~  
4475    ~~nonmotorized recreational users))~~ one or more forms of active transportation, as defined  
4476    in K.C.C. 14.01.xxx (the new section created by section 21 of this ordinance).~~

4477 NEW SECTION. SECTION 144. There is hereby added to K.C.C. chapter

4478 21A.06 a new section to read as follows:

4479 Unsheltered person. An individual sleeping in a place not meant for human

4480 habitation.

4481 SECTION 145. Ordinance 10870, Section 315, as amended, and K.C.C.

4482 21A.06.1375 are hereby amended to read as follows:

4483 Warehousing and wholesale trade: establishments involved in the storage and/or

4484 sale of bulk goods for resale or assembly, excluding establishments offering the sale of

4485 bulk goods to the general public which is classified as a retail use in K.C.C. 21A.08.070

4486 and excluding local distribution gas storage tanks. These establishments shall include

4487 only SIC Major Groups ~~((Nos.))~~ 50 and 51 and SIC Industry Groups ~~((Nos.))~~ 422 and

4488 423, excluding fossil fuels and fossil fuel facilities.

4489 SECTION 146. Ordinance 10870, Section 330, as amended, and K.C.C.

4490 21A.08.030 are hereby amended to read as follows:

4491 A. Residential land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			R U R A L	RESIDENTIAL				COMMERCIAL/INDUSTRIA L				
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	<u>R-1</u>	<del>(R-1)</del> -8))	R <sub>2</sub> 12 =	NB	CB	RB	O	I
	<del>((DWELLING</del>							<u>R-4</u> <u>-R-</u> <u>8</u>	<u>R-</u> 48					



	<b>UNITS:)) HOUSING</b>												
	<b>TYPES:</b>												
*	Single Detached <u>Residence</u>	P  ((€ 42))	P2		P  ((€ 42))	P  ((€ 42))	<u>P</u>	P  ((€4 2))	P  ((€4 2))	P((4 5))  16			
*	<u>Duplex</u>				<u>C4</u>	<u>C4</u>	<u>P</u>	<u>P12</u>	<u>P12</u>	<u>P3</u>	<u>P3</u>	<u>P3</u>	<u>P3</u>
*	<u>Houseplex</u>				<u>C4</u>	<u>C4</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P3</u>	<u>P3</u>	<u>P3</u>	<u>P3</u>
*	Townhouse				C4	C4	<u>P</u>	P((4 4 €42 )	P	P3	P3	P3	P3
*	Apartment				C4	C4		P((5 €5))	P	P3	P3	P3	P3
*	((Mobile)) <u>Manufactured Home</u> ((Park)) <u>Community</u>				S13			((€8 ) <u>P</u>	P				
*	Cottage Housing							P15	<u>P15</u>				
	<b>((GROUP RESIDENCES:</b>												
*	<u>Community Residential Facility-I</u>				€	€		<u>P14.</u> a €	<u>P</u>	<u>P3</u>	<u>P3</u>	<u>P3</u>	<u>P3</u>
*	<u>Community Residential Facility-II</u>							<u>P14.</u> b	<u>P</u>	<u>P3</u>	<u>P3</u>	<u>P3</u>	<u>P3))</u>
*	((Dormitory)) <u>Congregate Residence</u>				C6	C6	<u>C6</u>	C6	P	<u>P11</u>	<u>P11</u>	<u>P11</u>	<u>P11</u>
*	Senior ((Citizen)) Assisted Housing					P4	<u>P4</u>	P((4 )	P	P3	P3	P3	P3
	<b>ACCESSORY USES:</b>												

*	Residential Accessory Uses	P7	P7		P7	P7	<u>P7</u>	P7	P7	P7	P7	P7	P7	
*	Home Occupation	P18	P18		P18	P18	<u>P18</u>	P18	P18	P18	P18	P18	P18	
*	Home Industry	C			C	C	<u>C</u>	C						
	<b>((TEMPORARY LODGING:</b>													
7011	Hotel/Motel (1)										P	P	P	
*	Bed and Breakfast Guesthouse	<del>P9</del>			<del>P9</del>	<del>P9</del>	<del>P9</del>	<del>P9</del>	<del>P9</del>	<del>P9</del>	<del>P10</del>	<del>P10</del>		
7041	Organization Hotel/Lodging Houses							P17					P))	

4492

B. Development conditions.

4493

1. ((~~Except bed and breakfast guesthouses.~~) Repealed.

4494

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

4495

a. Site disturbance associated with development of any new residence shall be

4496

limited to three acres. Site disturbance shall mean all land alterations including, but not

4497

limited to, grading, utility installation, landscaping, clearing for crops, on-site sewage

4498

disposal systems, and driveways. Additional site disturbance for agriculture, including

4499

raising livestock, up to the smaller of thirty-five percent of the lot or seven acres, may be

4500

approved only if a farm management plan is prepared in accordance with K.C.C. chapter

4501

21A.30. Animal densities shall be based on the area devoted to animal care and not the

4502

total area of the lot;

4503

b. A forest management plan shall be required for any new residence in the

4504

forest production district, that shall be reviewed and approved by the King County

4505

department of natural resources and parks before building permit issuance; and

4506 c. The forest management plan shall incorporate a fire protection element that  
4507 includes fire safety best management practices developed by the department.

4508 3. Only as part of a mixed-use development subject to the conditions of K.C.C.  
4509 chapter 21A.14, except that:

4510 a. in the NB zone on properties with a land use designation of commercial  
4511 outside of center (CO) in the urban areas, stand-alone townhouse developments are  
4512 ~~((permitted))~~ allowed subject to K.C.C. 21A.12.040, 21A.14.030, 21A.14.060, and  
4513 21A.14.180; and

4514 b. in the rural area outside of rural towns on historic properties listed in the  
4515 National Register of Historic Places or designated as a King County landmark, mixed-use  
4516 is not required.

4517 4. Only in a building listed ~~((on))~~ in the National Register ~~((as an historic site))~~  
4518 of Historic Places or designated as a King County landmark ~~((subject to K.C.C. chapter~~  
4519 ~~21A.32))~~.

4520 5.a. ~~((In the R-1 zone, apartment units are permitted, if:~~

4521 ~~(1) At least fifty percent of the site is constrained by unbuildable critical~~  
4522 ~~areas. For purposes of this subsection, unbuildable critical areas includes wetlands,~~  
4523 ~~aquatic areas and slopes forty percent or steeper and associated buffers; and~~

4524 ~~(2) The density does not exceed a density of eighteen units per acre of net~~  
4525 ~~buildable area.~~

4526 b. ~~In the R-4 through R-8 zones, apartment are permitted if the density does~~  
4527 ~~not exceed a density of eighteen units per acre of net buildable area.~~

4528 e. ~~If the proposal will exceed base density for the zone in which it is proposed,~~  
4529 ~~a conditional use permit is required.)) Repealed.~~

4530 6. Only as accessory to a school, college, university, or ~~((church))~~ religious  
4531 facility.

4532 7.a. Accessory dwelling units are subject to the following standards:

4533 (1) ~~((Only one accessory dwelling per primary single detached dwelling or~~  
4534 ~~townhouse unit;~~

4535 (2) ~~Only allowed in the same building as the primary dwelling unit, except~~  
4536 ~~that detached accessory dwelling units are allowed when there is no more than one~~  
4537 ~~primary dwelling unit on the lot, and the following conditions are met:~~

4538 (a) ~~the lot must be three thousand two hundred square feet or greater if~~  
4539 ~~located in the urban area or a rural town; or~~

4540 (b) ~~the lot must meet the minimum lot area for the applicable zone if located~~  
4541 ~~in the rural area but not in a rural town, except that if one transferable development right~~  
4542 ~~is purchased from the Rural Area or Natural Resource Lands under K.C.C. chapter~~  
4543 ~~21A.37, a detached accessory dwelling unit is allowed on a RA-5 zoned lot that is two~~  
4544 ~~and one half acres or greater;~~

4545 (3)) The accessory dwelling unit shall not exceed one thousand square feet  
4546 of heated floor area and one thousand square feet of unheated floor area except:

4547 (a) when the accessory dwelling unit is wholly contained within a basement  
4548 or attic of the primary dwelling unit, this limitation does not apply; or

4549 (b) for detached accessory dwelling units, the floor area contained in a  
4550 basement does not count toward the floor area maximum; ~~((or~~

4551                    ~~(e) on a site zoned RA if one transferable development right is purchased~~  
4552 ~~from the Rural Area or Natural Resource Lands under K.C.C. chapter 21A.37, the~~  
4553 ~~accessory dwelling unit is permitted a maximum heated floor area of one thousand five~~  
4554 ~~hundred square feet and one thousand five hundred square feet of unheated floor area;~~

4555                    ~~(4))~~ (2) Accessory dwelling units that are not wholly contained within an  
4556 existing dwelling unit shall not exceed the base height established in K.C.C. 21A.12.030;

4557                    ~~((5) When the primary and accessory dwelling units are located in the same~~  
4558 ~~building, or in multiple buildings connected by a breezeway or other structure, only one~~  
4559 ~~entrance may front a street;~~

4560                    ~~(6))~~ (3) Attached accessory dwelling units shall have at least one common  
4561 wall with the primary dwelling unit and appear to be contained within one structure.

4562 Connection through a breezeway or covered pathway shall not constitute an attached  
4563 accessory dwelling unit unless the breeze way or covered pathway is:

4564                    (a) is less than ten feet in length;

4565                    (b) shares a common wall with both the accessory dwelling unit and primary  
4566 residence;

4567                    (c) is completely enclosed; and

4568                    (d) is heated space;

4569                    (4) No additional off-street parking spaces are required for accessory  
4570 dwelling units;

4571                    ~~((7) The primary dwelling unit or the accessory dwelling unit shall be~~  
4572 ~~occupied either by the owner of the primary dwelling unit or by an immediate family~~  
4573 ~~member of the owner. Immediate family members are limited to spouses, siblings,~~

4574 ~~parents, grandparents, children and grandchildren, either by blood, adoption or marriage,~~  
4575 ~~of the owner. The accessory dwelling unit shall be converted to another permitted use or~~  
4576 ~~shall be removed if neither dwelling unit is occupied by the owner or an immediate~~  
4577 ~~family member;~~

4578           ~~(8))~~ (5) An applicant seeking to build an accessory dwelling unit shall file a  
4579 notice approved by the department of executive services, records and licensing services  
4580 division, that identifies the dwelling unit as accessory. The notice shall run with the land.  
4581 The applicant shall submit proof that the notice was filed before the department approves  
4582 any permit for the construction of the accessory dwelling unit. The required contents and  
4583 form of the notice shall be ~~((set forth))~~ established in administrative rules;

4584           ~~((9))~~ (6) Accessory dwelling units are ~~((not allowed))~~ prohibited in the F  
4585 zone;

4586           (7) For lots in the urban area:

4587           (a) Two accessory dwelling units are allowed per lot in the following  
4588 configurations:

4589           (i) one attached accessory dwelling unit and one detached accessory  
4590 dwelling unit;

4591           (ii) two attached accessory dwelling units; or

4592           (iii) two detached accessory dwelling units, which may be either one or  
4593 two detached structures;

4594           (b) Accessory dwelling units may be converted from existing structures,  
4595 including but not limited to garages, even if the existing structure is legally  
4596 nonconforming with respect to setbacks or maximum impervious surface percentage; and

4597 (c) No public street improvements are required for accessory dwelling units;

4598 (8) For lots in the rural area or on natural resource lands:

4599 (a) One accessory dwelling unit is allowed per lot;

4600 (b) Only allowed in the same building as the primary dwelling unit, except  
4601 that detached accessory dwelling units are allowed when:

4602 (i) there is no more than one primary dwelling unit on the lot; and

4603 (ii) the lot is three thousand two hundred square feet or greater if located in  
4604 a rural town or meets the minimum lot area for the applicable zone if located in the rural  
4605 area but not in a rural town or on natural resource lands;

4606 (c) When the primary and accessory dwelling unit are located in the same  
4607 building, or in multiple buildings connected by a breezeway or covered pathway, only  
4608 one entrance may front a street;

4609 ~~((10))~~ (d) Accessory dwelling units should be designed to be compatible  
4610 with the primary dwelling unit and the surrounding properties, including material, colors,  
4611 and building forms; ~~((and))~~

4612 ~~((11))~~ (e) The applicant should consider a siting alternatives study that  
4613 analyzes placement options of the accessory dwelling unit on the property to minimize  
4614 impacts to privacy and views for surrounding property owners.

4615 b. Accessory living quarters:

4616 (1) are limited to one per lot;

4617 (2) are allowed only on lots of three thousand two hundred square feet or  
4618 greater when located in the urban area or a rural town;

4619 (3) shall not exceed the base height as established in K.C.C. 21A.12.030;

4620 (4) shall not exceed one thousand square feet of heated floor area and one  
4621 thousand square feet of unheated floor area; and

4622 (5) are ~~((not allowed))~~ prohibited in the F zone.

4623 c. One single or twin engine, noncommercial aircraft shall be ~~((permitted))~~  
4624 allowed only on lots that abut, or have a legal access that is not a county right-of-way, to  
4625 a waterbody or landing field, but only if there are:

4626 (1) no aircraft sales, service, repair, charter, or rental; and

4627 (2) no storage of aviation fuel except that contained in the tank or tanks of the  
4628 aircraft.

4629 d. Buildings for residential accessory uses in the RA and A zone shall not  
4630 exceed five thousand square feet of gross floor area, except for buildings related to  
4631 agriculture or forestry.

4632 8. ~~((Mobile home parks shall not be permitted in the R-1 zones.))~~ Repealed.

4633 9. ~~((Only as accessory to the permanent residence of the operator, and:~~

4634 a. ~~Serving meals shall be limited to paying guests; and~~

4635 b. ~~The number of persons accommodated per night shall not exceed five,~~  
4636 ~~except that a structure that satisfies the standards of the International Building Code as~~  
4637 ~~adopted by King County for R-1 occupancies may accommodate up to ten persons per~~  
4638 ~~night.))~~ Repealed.

4639 10. ~~((Only if part of a mixed use development, and subject to the conditions of~~  
4640 ~~subsection B.9. of this section.))~~ Repealed.

4641 11. ~~((Townhouses are permitted, but shall be subject to a conditional use permit~~  
4642 ~~if exceeding base density.))~~ Allowed as part of a mixed-use development and meeting



4643 provisions in K.C.C. 21A.14.xxx (the new section created by section 166 of this  
4644 ordinance).

4645 12. ~~((Required before approving more than one dwelling on individual lots,~~  
4646 ~~except on lots in subdivisions, short subdivisions or binding site plans approved for~~  
4647 ~~multiple unit lots, and except as provided for accessory dwelling units in subsection B.7.~~  
4648 ~~of this section.)) A duplex is allowed on a lot that is four thousand five hundred square  
4649 feet or greater, despite base density requirement established in K.C.C. 21A.12.030, if  
4650 under K.C.C. chapter 21A.37:~~

4651 (1) The lot is located in Snoqualmie Pass rural town and one transferable  
4652 development right is purchased from the rural area or natural resource lands; or

4653 (2) The lot is located in the urban area and one-half transferable development  
4654 right is purchased from the rural area or natural resource lands, or one transfer of  
4655 development right is purchased from the urban area.

4656 13. No new ~~((mobile))~~ manufactured home ~~((parks))~~ communities are allowed  
4657 in ~~((a rural))~~ the RA zone.

4658 14. ~~((a. Limited to domestic violence shelter facilities.~~

4659 ~~b. Limited to domestic violence shelter facilities with no more than eighteen~~  
4660 ~~residents or staff.)) Repealed.~~

4661 15. ~~((Only in the R4-R8 zones-s))~~ Subject to the following standards:

4662 a. Developments shall contain only cottage housing units with no fewer than  
4663 three units. If the site contains an existing ~~((home))~~ residence that is not being  
4664 demolished, the existing ~~((house))~~ residence is not required to comply with the height

4665 limitation in K.C.C. 21A.12.020.B.25. or the floor area and footprint limits in K.C.C.  
 4666 21A.14.025.B.; and

4667 b. Cottage housing developments should consider including a variety of  
 4668 housing sizes, such as units with a range of bedroom sizes or total floor area(~~;~~and

4669 ~~e. Before filing an application with the department, the applicant shall hold a~~  
 4670 ~~community meeting in accordance with K.C.C. 20.20.035)).~~

4671 16. The development for a single detached (~~(single-family)~~) residence shall be  
 4672 consistent with the following:

4673 a. The lot (~~(must have)~~) legally existed before March 1, 2005;

4674 b. The lot has a Comprehensive Plan land use designation of (~~(Rural~~  
 4675 ~~Neighborhood Commercial Center or Rural Area)) rural neighborhood commercial center~~

4676 or rural area; and  
 4677 c. The dimensional standards of this title for the RA-5 zone shall apply to the  
 4678 single detached residences.

4679 17. (~~(Only in the R-1 zone as an accessory to a golf facility and consistent with~~  
 4680 ~~K.C.C. 21A.08.040.)) Repealed.~~

4681 18. Allowed if consistent with K.C.C. chapter 21A.30.

4682 SECTION 147. Ordinance 10870, Section 331, as amended, and K.C.C.  
 4683 21A.08.040 are hereby amended to read as follows:

4684 A. Recreational(~~(/))~~ and cultural land uses.

P-Permitted Use	RESOURCE	R	RESIDENTIAL	COMMERCIAL/INDUSTRIAL
C-Conditional Use		U		
S-Special Use		R		
		A		

					L									
SIC #	SPECIFIC LAND USE	A	F	M	RA (18)	UR	R-1	(R-1-8)	R-2 12-2	NB	CB	RB	O	I
	<b>PARK/RECREATION:</b>													
*	Park	P1	P1	P1	P1	P1	P1	P1	P1	P	P	P	P	P13
*	Trails	P	P	P	P	P	P	P	P	P	P	P	P	P
*	Campgrounds		P16 C16 a	P16	P16 C16 a	P16 C16 a								P16 C16 a
*	Destination Resorts		S30		S((4 8)) 2 0	((C )						((C))		
*	Marina		C3		C(( 4)) 2	C(( 4)) 2	C5	C((4 ) 2	C(( 4)) 2	P5	P	P	P	P
*	Recreational Vehicle Park		P19	P19	C2 ( <del>an</del> d 18)) P19	C2 P19								
*	Sports Club (17)				C4 ( <del>an</del> d 18)) 2	P31 C(( 4)) 2	P31 C32	P31 C((4 ) 2	P31 C(( 4)) 2	P31 C	P	P		
*	Ski Area		S		S((4 8))									
*	Recreational Camp		C		P24 C									

	<b>AMUSEMENT/ENTERTAINMENT:</b>													
*	Adult Entertainment Business										P6	P6	P6	
*	Theater										P	P	P	P25
7833	Theater, Drive-in											C		
793	Bowling Center										P	P		P
*	Golf <u>Course</u> Facility				C7 <del>((an d 18))</del>	P7	<u>P7</u>	P7	P7					
7999 (14)	Amusement and Recreation Services		P21	P21	P8 P21 C15 <del>((an d 18))</del>	P8 P21 P22 C15	<u>P8</u> <u>P21</u> <u>P22</u> <u>C15</u>	P8 P21 P22 C15	P8 P21 P22 C15	P21 P22	P	P	P21	P21
*	Indoor Paintball Range										P26	P26		P26
*	Outdoor Paintball Range				C27	C27								
*	Shooting Range		C9		C9 <del>((an d 18))</del>								C10	P10
*	Amusement Arcades										P	P		
7996	Amusement Park											C		
*	Outdoor Performance Center		S		C12 S( <del>4 8</del> )		<u>P20</u>	P20	P20				S	

	<b>CULTURAL:</b>													
823	Library				P11	P11	<u>P11</u>	P11	P28	P	P	P	P	
						C	<u>C</u>	C						
841	Museum	C2	C23		P11	P11	<u>P11</u>	P11	P28	P	P	P	P	P
		3				C	<u>C</u>	C						
842	Arboretum	P	P		P	P	<u>P</u>	P	P	P	P	P	P	
*	Conference Center				P29	P29	<u>P29</u>	P29	P29	P	P	P	P	
					C12	C12	<u>C</u>	C	C					

4685 B. Development conditions.

4686 1. The following conditions and limitations shall apply, where appropriate:

4687 a. No stadiums on sites less than ten acres;

4688 b. Lighting for structures and fields shall be directed away from ((~~rural area~~  
4689 ~~and residential~~)) RA, UR, and R zones;

4690 c. Structures or service yards shall maintain a minimum distance of fifty feet  
4691 from property lines adjoining ((~~rural area and residential~~)) RA, UR, and R zones, except  
4692 for fences and mesh backstops;

4693 d. Facilities in the A zone shall be limited to trails and trailheads, including  
4694 related accessory uses such as parking and sanitary facilities; and

4695 e. Overnight camping is allowed only in an approved campground.

4696 2. Recreational vehicle parks are subject to the following conditions and  
4697 limitations:

4698 a. The maximum length of stay of any vehicle shall not exceed one hundred  
4699 eighty days during a three-hundred-sixty-five-day period;

4700 b. The minimum distance between recreational vehicle pads shall be no less  
4701 than ten feet; and

4702 c. Sewage shall be disposed in a system approved by ~~((the))~~ public health -  
4703 Seattle((-) & King County ~~((health department))~~.

4704 3. Limited to day moorage. The marina shall not create a need for off-site  
4705 public services beyond those already available before the date of application.

4706 4. Subject to the following:

4707 a. Not ~~((permitted))~~ allowed in the RA-10 or RA-20 zones. ~~((Limited to~~  
4708 ~~recreation facilities subject to the following conditions and limitations:))~~

4709 ~~((a-))~~ b. The bulk and scale shall be compatible with ~~((residential or))~~ rural  
4710 character of the area;

4711 ~~((b- For sports clubs, t))~~ c. The gross floor area shall not exceed ten thousand  
4712 square feet unless the building is on the same site or adjacent to a site where a public  
4713 facility is located; ~~((or unless the building is a nonprofit facility located in the urban area;~~  
4714 ~~and~~

4715 ~~e-))~~ d. Use is limited to residents of a specified residential development or to  
4716 sports clubs providing supervised instructional or athletic programs;

4717 e. Outdoor amplified noise is not allowed; and

4718 f. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

4719 5. Limited to day moorage.

4720 6.a. Adult entertainment businesses shall be prohibited within three hundred  
4721 thirty feet of any property zoned RA, UR<sub>2</sub> or R or containing schools, licensed daycare  
4722 centers, public parks or trails, community centers, public libraries<sub>2</sub> or ~~((churches))~~  
4723 religious facilities. In addition, adult entertainment businesses shall not be located closer  
4724 than three thousand feet to any other adult entertainment business. These distances shall

4725 be measured from the property line of the parcel or parcels proposed to contain the adult  
4726 entertainment business to the property line of the parcels zoned RA, UR, or R or that  
4727 contain the uses identified in this subsection B.6.a.

4728           b. Adult entertainment businesses shall not be ~~((permitted))~~ allowed within an  
4729 area likely to be annexed to a city subject to an executed interlocal agreement between  
4730 King County and a city declaring that the city will provide opportunities for the location  
4731 of adult businesses to serve the area. The areas include those identified in the maps  
4732 attached to Ordinance 13546.

4733           7.a. Clubhouses, maintenance buildings, equipment storage areas, and driving  
4734 range tees shall be at least fifty feet from ~~((rural area and residential))~~ RA, UR, and R  
4735 zoned property lines.

4736           b. Lighting for practice greens and driving range ball impact areas shall be  
4737 directed away from adjoining ~~((rural area and residential))~~ RA, UR, and R zones.

4738           c. Applications shall comply with adopted best management practices for golf  
4739 course development.

4740           d. Within the RA zone, those facilities shall be ~~((permitted))~~ allowed only in  
4741 the RA-5 and RA-2.5 zones.

4742           e. Not ~~((permitted))~~ allowed in designated rural forest focus area ~~((regionally~~  
4743 ~~significant resource areas or locally significant resource areas))~~.

4744           f. Ancillary facilities associated with a golf course are limited to practice  
4745 putting greens, maintenance buildings, and other structures housing administrative offices  
4746 or activities that provide convenience services to players. These convenience services are

4747 limited to a pro shop, food services, and dressing facilities and shall occupy a total of no  
4748 more than ten thousand square feet.

4749 g. ~~((Furthermore, t))~~The residential density that is otherwise ~~((permitted))~~  
4750 allowed by the zone shall not be used on other portions of the site through clustering or  
4751 on other sites through the transfer of density provision. This ~~((residential density))~~  
4752 clustering or transfer limitation shall be reflected in a deed restriction that is recorded at  
4753 the time applicable permits for the development of the golf course are issued; and

4754 ~~((b))~~h. In addition to ancillary facilities, an organizational hotel/lodging house  
4755 shall be allowed as an accessory use, subject to the following:

4756 (1) only allowed in the R-1 zone;

4757 (2) only allowed with a privately owned golf course facility that legally  
4758 existed as of January 1, 2019;

4759 (3) only allowed as an incidental or subordinate use to a principal golf course  
4760 facility use;

4761 (4) a maximum of twenty-four sleeping units is allowed; and

4762 (5) shall be connected to and served by public sewer.

4763 8. Limited to golf driving ranges, only as:

4764 a. accessory to golf courses; or

4765 b. accessory to a recreation or multiuse park.

4766 9.a. New structures and outdoor ranges shall maintain a minimum distance of  
4767 fifty feet from property lines adjoining ~~((rural area and residential))~~ RA, UR, and R  
4768 zones, but existing facilities shall be exempt.



4769           b. Ranges shall be designed to prevent stray or ricocheting projectiles, pellets,  
4770 or arrows from leaving the property.

4771           c. Site plans shall include: safety features of the range; provisions for reducing  
4772 sound produced on the firing line; elevations of the range showing target area, backdrops,  
4773 or butts; and approximate locations of buildings on adjoining properties.

4774           d. Subject to the licensing provisions of K.C.C. Title 6.

4775           10.a. Only in an enclosed building, and subject to the licensing provisions of  
4776 K.C.C. Title 6;

4777           b. Indoor ranges shall be designed and operated so as to provide a healthful  
4778 environment for users and operators by:

4779           (1) installing ventilation systems that provide sufficient clean air in the user's  
4780 breathing zone, and

4781           (2) adopting appropriate procedures and policies that monitor and control  
4782 exposure time to airborne lead for individual users.

4783           11. Only as accessory to a park or in a building listed ~~((on))~~ in the National  
4784 Register of Historic Places as an historic site or designated as a King County landmark  
4785 subject to K.C.C. chapter 21A.32.

4786           12.~~((a:))~~ Only as accessory to a nonresidential use established through a  
4787 discretionary permit process, if the scale is limited to ensure compatibility with  
4788 surrounding neighborhoods~~((; and~~

4789           ~~b. In the UR zone, only if the property is located within a designated~~  
4790 ~~unincorporated rural town)).~~

4791           13. Subject to the following:

4792 a. The park shall abut an existing park on one or more sides, intervening roads  
4793 notwithstanding;

4794 b. No bleachers or stadiums are (~~permitted~~) allowed if the site is less than ten  
4795 acres, and no public amusement devices for hire are (~~permitted~~) allowed;

4796 c. Any lights provided to illuminate any building or recreational area shall be  
4797 so arranged as to reflect the light away from any premises upon which a dwelling unit is  
4798 located; and

4799 d. All buildings or structures or service yards on the site shall maintain a  
4800 distance not less than fifty feet from any property line and from any public street.

4801 14.a. Excluding amusement and recreational uses classified elsewhere in this  
4802 chapter.

4803 b. Fireworks display services, also known as public displays of fireworks, are  
4804 allowed in all zones, subject to the requirements of K.C.C. chapter 17.11.

4805 15. For amusement and recreation services not otherwise provided for in this  
4806 chapter:

4807 a. In the RA zones, not subject to regulation under K.C.C. Title 6 and only on  
4808 sites at least five acres or larger;

4809 b. Retail sales are limited to incidental sales to patrons of the amusement or  
4810 recreation service; and

4811 c. Does not involve the operation of motor vehicles or off-road vehicles,  
4812 including, but not limited to, motorcycles and go-carts.

4813 16. Subject to the following conditions:

4814 a. The length of stay per party in campgrounds shall not exceed one hundred  
4815 eighty days during a three-hundred-sixty-five-day period; and

4816 b. Only for campgrounds that are part of a proposed or existing county park,  
4817 that are subject to review and public meetings through the department of natural  
4818 resources and parks.

4819 17. Only for stand-alone sports clubs that are not part of a park.

4820 18. Subject to review and approval of conditions to comply with trail corridor  
4821 provisions of K.C.C. chapter 21A.14 (~~when located in an RA zone~~)).

4822 19. Only as an accessory to a recreation or multiuse park.

4823 20. Only as an accessory to a recreation or multiuse park of at least twenty acres  
4824 located within the urban growth area or on a site immediately adjacent to the urban  
4825 growth area with the floor area of an individual outdoor performance center stage limited  
4826 to three thousand square feet.

4827 21. Limited to rentals of sports and recreation equipment with a total floor area  
4828 of no more than seven hundred fifty square feet and only as accessory to a park, or in the  
4829 RA zones, to a recreation or multiuse park.

4830 22. Only as accessory to a large active recreation and multiuse park and limited  
4831 to:

4832 a. water slides, wave pools, and associated water recreation facilities; and

4833 b. rentals of sports and recreation equipment.

4834 23. Limited to natural resource and heritage museums and only allowed in a  
4835 farm or forestry structure, including, but not limited to, barns or sawmills, existing as of  
4836 December 31, 2003.

4837           24. Use is ~~((permitted))~~ allowed without a conditional use permit only when in  
4838 compliance with all of the following conditions:

4839           a. The use is limited to camps for youths or for persons with special needs due  
4840 to a disability, as defined by the American With Disabilities Act of 1990, or due to a  
4841 medical condition and including training for leaders for those who use the camp;

4842           b. Active recreational activities shall not involve the use of motorized vehicles  
4843 such as cross-country motorcycles or all-terrain vehicles or the use of firearms. The  
4844 prohibition on motorized vehicles does not apply to such vehicles that may be necessary  
4845 for operation and maintenance of the facility or to a client-specific vehicle used as a  
4846 personal mobility device;

4847           c.(1) Except as provided in subsection B.24.c.(2)(b) of this section, the number  
4848 of overnight campers, not including camp personnel, in a new camp shall not exceed:

4849                 (a) one hundred and fifty for a camp between twenty and forty acres; or  
4850                 (b) for a camp greater than forty acres, but less than two hundred and fifty  
4851 acres, the number of users allowed by the design capacity of a water system and on-site  
4852 sewage disposal system approved by ~~((the department of))~~ public health~~((;))~~ ~~– Seattle~~~~((/))~~  
4853 & King County, up to a maximum of three hundred and fifty; and

4854           (2) Existing camps shall be subject to the following:

4855                 (a) For a camp established before August 11, 2005, with a conditional use  
4856 permit and that is forty acres or larger, but less than one hundred and sixty acres, the  
4857 number of overnight campers, not including camp personnel, may be up to one hundred  
4858 ~~((and))~~ fifty campers over the limit established by subsection B.24.c.(1)(b) of this section.

4859 (b) For a camp established before August 11, 2005, with a conditional use  
4860 permit and that is one hundred (~~and~~) sixty acres or larger, but less than two hundred  
4861 acres, the number of overnight campers, not including camp personnel, may be up to  
4862 three hundred (~~and~~) fifty campers over the limit established by subsection B.24.c.(1)(b)  
4863 of this section. The camp may terminate operations at its existing site and establish a  
4864 new camp if the area of the camp is greater than two hundred (~~and~~) fifty acres and the  
4865 number of overnight campers, not including camp personnel, shall not exceed seven  
4866 hundred.

4867 d. The length of stay for any individual overnight camper, not including camp  
4868 personnel, shall not exceed ninety days during a three-hundred-sixty-five-day period;

4869 e. The camp facilities, such as a medical station, food service hall, and activity  
4870 rooms, shall be of a scale to serve overnight camp users;

4871 f. The minimum size of parcel for such use shall be twenty acres;

4872 g. Except for any permanent caretaker residence, all new structures where  
4873 camp users will be housed, fed, or assembled shall be no less than fifty feet from  
4874 properties not related to the camp;

4875 h. In order to reduce the visual impacts of parking areas, sports and activity  
4876 fields, or new structures where campers will be housed, fed, or assembled, the applicant  
4877 shall provide a Type 3 landscape buffer no less than twenty feet wide between the nearest  
4878 property line and such parking area, field, or structures, by retaining existing vegetation  
4879 or augmenting as necessary to achieve the required level of screening;

4880 i. If the site is adjacent to an arterial roadway, access to the site shall be  
4881 directly onto (~~said~~) the arterial unless direct access is unsafe due inadequate sight  
4882 distance or extreme grade separation between the roadway and the site;

4883 j. If direct access to the site is via local access streets, transportation demand  
4884 management measures, such as use of carpools, buses, or vans to bring in campers, shall  
4885 be used to minimize traffic impacts;

4886 k. Any lights provided to illuminate any building or recreational area shall be  
4887 so arranged as to reflect the light away from any adjacent property; and

4888 l. A community meeting shall be convened by the applicant before submittal  
4889 of an application for permits to establish a camp, or to expand the number of camp users  
4890 on an existing camp site as provided in subsection B.24.c.(2)(b) of this section. Notice of  
4891 the meeting shall be provided at least two weeks in advance to all property owners within  
4892 five hundred feet, or at least twenty of the nearest property owners, whichever is greater.  
4893 The notice shall at a minimum contain a brief description of the project and the location,  
4894 as well as(~~;~~) contact persons and numbers.

4895 25. Limited to theaters primarily for live productions located within a (~~R~~)rural  
4896 (~~F~~)town designated by the King County Comprehensive Plan.

4897 26.a. Only in an enclosed building; and

4898 b. A copy of the current liability policy of not less than one million dollars for  
4899 bodily injury or death shall be maintained in the department.

4900 27. Minimum standards for outdoor paintball recreation fields:

4901 a. The minimum site area is twenty-five acres;

4902           b. Structure shall be no closer than one hundred feet from any lot line adjacent  
4903 to a (~~rural area or residential~~) RA, UR, and R zoned property;

4904           c. The area where paintballs are discharged shall be located more than three  
4905 hundred feet of any lot line and more than five hundred feet from the lot line of any  
4906 adjoining (~~rural area or residential~~) RA, UR, and R zoned property. The department  
4907 may allow for a lesser setback if it determines through the conditional use permit review  
4908 that the lesser setback in combination with other elements of the site design provides  
4909 adequate protection to adjoining properties and rights-of-ways;

4910           d. A twenty-foot high nylon mesh screen shall be installed around all play  
4911 areas and shall be removed at the end of each day when the play area is not being used.  
4912 The department may allow for the height of the screen to be lowered to no less than ten  
4913 feet if it determines through the conditional use permit review that the lower screen in  
4914 combination with other elements of the site design provides adequate protection from  
4915 discharged paintballs;

4916           e. All parking and spectator areas, structures, and play areas shall be screened  
4917 from adjoining (~~rural area or residential~~) RA, UR, and R zoned property and public  
4918 (~~rights-of-way~~) rights-of-way with Type 1 landscaping at least ten feet wide;

4919           f. Any retail sales conducted on the property shall be accessory and incidental  
4920 to the (~~permitted~~) allowed activity and conducted only for the participants of the site;

4921           g. A plan of operations specifying days and hours of operation, number of  
4922 participants and employees, types of equipment to be used by users of the site, safety  
4923 procedures, type of compressed air fuel to be used on the site, and storage and  
4924 maintenance procedures for the compressed air fuel shall be provided for review in

4925 conjunction with the conditional use permit application. All safety procedures shall be  
4926 reviewed and approved by department of public safety before submittal of the conditional  
4927 use permit application. All activities shall be in compliance with National Paintball  
4928 League standards;

4929 h. The hours of operation shall be limited to Saturdays and Sundays and  
4930 statutory holidays from 8:30 ~~((A.M.))~~ a.m. to 8:30 ~~((P.M.))~~ p.m., and further restricted as  
4931 applicable to daylight hours;

4932 i. No more than one hundred paintball players shall be allowed on the site at  
4933 any one time;

4934 j. ~~((No-))~~ Outdoor lights or amplified sounds ~~((shall be permitted))~~ are  
4935 prohibited;

4936 k. The facility shall have direct access to a road designated as a major collector  
4937 (or higher) in the Comprehensive Plan unless the department determines through the  
4938 conditional use permit review that the type and amount of traffic generated by the facility  
4939 is such that it will not cause an undue impact on the neighbors or adversely affect safety  
4940 of road usage;

4941 l. The facility shall be secured at the close of business each day;

4942 m. All equipment and objects used in the paintball activities shall be removed  
4943 from the site within ninety days of the discontinuance of the paintball use; and

4944 n. A copy of the current liability policy of not less than one million dollars for  
4945 bodily injury or death shall be submitted with the conditional use permit application and  
4946 shall be maintained in the department.



4947           28. Before filing an application with the department, the applicant shall hold a  
4948 community meeting in accordance with K.C.C. 20.20.035.

4949           29. Only as accessory to a recreation or multiuse park of least twenty acres  
4950 located within the urban growth area or on a site immediately adjacent to the urban  
4951 growth area or in a building listed ~~((on))~~ in the National Register of Historic Places as an  
4952 historic site or designated as a King County landmark subject to K.C.C. chapter 21A.32.

4953           30.a. Before submitting an application, the applicant shall hold a community  
4954 meeting consistent with K.C.C. 20.20.035.

4955           b. Except for trails, residential and recreational structures and facilities shall be  
4956 setback at least one hundred feet from adjacent roadways and access easements; and at  
4957 least three hundred feet from F, M, A, RA, UR, and R zoned properties.

4958           c. The site area shall be a minimum of ten acres and shall be at least five miles  
4959 from the urban growth area boundary;

4960           d. Temporary lodging units shall:

4961           (1) not exceed two units per acre and one hundred units total;

4962           (2) be proportionately scaled and limited based on developed site area,  
4963 availability of recreation opportunities, and distance to urban area zones allowing for  
4964 temporary lodging;

4965           e. The site shall be within ten miles of at least three off-site, outdoor resource-  
4966 based recreation activities; and

4967           f. The destination resort shall provide at least two on-site outdoor resource-  
4968 based recreation activities;

4969            g. Applications shall identify all aspects of the proposal, including residential,  
4970 commercial, and recreational uses;

4971            h. Accessory on-site uses shall be at a size and scale to serve primarily the  
4972 guests of the destination resort;

4973            i. When occurring in the forest zone, forest production district, or rural forest  
4974 focus areas, the proposal shall demonstrate that the predominate land area will remain  
4975 viable for forest resource-based uses or preservation of forestry resources, or both; and

4976            j. When occurring in the forest production district, only allowed if compatible  
4977 with long-term forestry, protection of Indian tribal cultural resources, and other resource  
4978 management goals of the Comprehensive Plan.

4979            31. Subject to the following:

4980            a. Limited to a maximum of two thousand five hundred square feet of gross  
4981 floor area;

4982            b. Amplified noise is prohibited;

4983            c. The maximum on-site parking ratio shall be two spaces per one thousand  
4984 square feet and required parking shall not be located between the building and the street;  
4985 and

4986            d. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

4987            32. Subject to the following:

4988            a. Amplified noise is prohibited;

4989            b. Limited to a maximum of ten thousand square feet of gross floor area unless  
4990 the building either is on the same site or adjacent to a site where a public facility is  
4991 located or is nonprofit facility located in the urban area; and

4992 c. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

4993 NEW SECTION. SECTION 148. There is hereby added to K.C.C. chapter

4994 21A.08 a new section to read as follows: A. Health care services and residential care

4995 services land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURC E			R U R A L	RESIDENTIAL				COMMERCIAL/INDUSTRIA L				
SIC #	SPECIFIC LAND USE	A	F	M	RA (19)	UR	R-1	R-4 -R- 8	R- 12 - R- 48	NB	CB	RB	O	I
	<b>HEALTH CARE SERVICES</b>													
801-04	Doctor's Office/Outpatient Clinic				P1 C	P1 C		P2 C3	P3	P	P	P	P	
806	Hospital							C1	P6 C1		P	P	C	
807	Medical/Dental Lab										P	P	P	P
808-09	Miscellaneous Health										P	P	P	
*	Social Services				P1 C	P1 C	P1 C	P1 C	P	P	P	P	P	
*	Crisis Care Center				P1 C4		P1 C4	P1 C	P	P	P	P	P	P7
	<b>RESIDENTIAL CARE SERVICES</b>													

805	Nursing and Personal Care Facilities						P1 C	P	P	P	P	P	
*	Adult Family Home	P	P1 5		P	P	P	P	P	P	P5	P5	P5
*	Community Residential Facility I				C	C	P8.a C	P8.a C	P	P5	P5	P5	P5
*	Community Residential Facility II						P8.b	P8.b	P	P5	P5	P5	P5
*	Permanent Supportive Housing						C9	P10	P10	P10	P10	P10	
*	Recuperative Housing						C11	C11	C11	C11	C11	C11	
*	Emergency Supportive Housing						C11	C11	C11	C11	C11	C11	
*	Emergency Shelter						C11	C11	C11	C11	C11	C11	
*	Microshelter Villages						C12	P12	P12	P12	P12	P12	
*	Safe Parking						C13	P13	P13	P13	P13	P13	
836	Other Residential Care (14)						C	P	P	P	P	P	

4996

B. Development conditions.

4997

1. Only as a reuse of a public school facility or surplus nonresidential facility

4998

subject to K.C.C. chapter 21A.32.

4999

2.a. Only as a reuse of a public school facility or surplus nonresidential facility

5000

subject to K.C.C. chapter 21A.32; and

5001

b. The maximum on-site parking ratio shall be two spaces per one thousand

5002

square feet and required parking shall not be located between the building and the street.

5003

3. The maximum on-site parking ratio shall be two spaces per one thousand

5004

square feet and required parking shall not be located between the building and the street.

5005

4.a. Only allowed on lots of at least four and one-half acres; and

- 5006            b. Located within one mile of an interstate highway.
- 5007            5. Only as part of a mixed-use development subject to the conditions of K.C.C.
- 5008 chapter 21A.14, except in the rural area outside of rural towns on historic properties listed
- 5009 in the National Register of Historic Places or designated as a King County landmark.
- 5010            6. Limited to SIC Industries 8063-Psychiatric Hospitals and 8069-Specialty
- 5011 Hospitals, Except Psychiatric.
- 5012            7. Only allowed in the Preston Industrial Area.
- 5013            8.a. Limited to domestic violence shelter facilities.
- 5014            b. Limited to domestic violence shelter facilities with no more than eighteen
- 5015 residents and staff.
- 5016            9. Subject to the following standards:
- 5017            a. Allowed only in the urban area and rural towns;
- 5018            b. Located on the same site as a religious facility, public agency, or social
- 5019 services use; and
- 5020            c. Exempt from bicycle parking requirements in K.C.C. 21A.18.030.E. and
- 5021 electric vehicle parking infrastructure requirements in K.C.C. 21A.18.140.
- 5022            10. Subject to the following standards:
- 5023            a. Allowed only in the urban area and rural towns;
- 5024            b. Only as part of a mixed-use development subject to the conditions of K.C.C.
- 5025 chapter 21A.14, except in the rural area outside of rural towns on historic properties listed
- 5026 in the National Register of Historic Places or designated as a King County landmark; and
- 5027            c. Exempt from bicycle parking requirements in K.C.C. 21A.18.030.E. and
- 5028 electric vehicle parking infrastructure requirements in K.C.C. 21A.18.140.

- 5029 11. Subject to the following standards:
- 5030 a. Allowed only in the urban area and rural towns;
- 5031 b. In the R-4 through R-8 zones, only when located on the same site as a
- 5032 religious facility, public agency, or social service use;
- 5033 c. Exempt from bicycle parking requirements in K.C.C. 21A.18.030.E, and
- 5034 electric vehicle parking infrastructure requirements in K.C.C. 21A.18.140; and
- 5035 d. The application shall include:
- 5036 (1) A description of the staffing and operational characteristics, including
- 5037 sanitation and basic safety measures required for the facility;
- 5038 (2) Occupancy policies, including a description of the population to be served
- 5039 and a code of conduct that includes, at a minimum, a prohibition of threatening or unsafe
- 5040 behavior;
- 5041 (3) A plan for managing the exterior appearance of the site, including keeping
- 5042 the site litter free;
- 5043 (4) A plan for addressing reported concerns and making this information
- 5044 publicly available, including a phone number, email, and point of contact at the site of the
- 5045 facility for the community to report concerns;
- 5046 (5) A plan for outreach with surrounding property owners and residents
- 5047 addressing items such as noise, smoking areas, parking, security procedures, and litter;
- 5048 and
- 5049 (6) Plans and narrative documenting compliance with all applicable codes,
- 5050 including:
- 5051 (a) an elevation of the building or buildings to be occupied;

5052 (b) a floor plan that describes the capacities of the buildings for the uses  
5053 intended, room dimensions, and a designation of the rooms to be used for nonambulatory  
5054 residents, if any; and

5055 (c) a site plan showing property lines, buildings, driveways, parking, fences,  
5056 storage areas, gardens, recreation areas, and site improvements.

5057 12. Subject to the following standards:

5058 a. Allowed in the urban area or rural towns;

5059 b. In the R-4 through R-8 zones, only when located on the same site as a  
5060 religious facility, public agency, or social service use;

5061 c. Exempt from landscaping requirements in K.C.C. chapter 21A.16, bicycle  
5062 parking requirements in K.C.C. 21A.18.030.E., and electric vehicle parking infrastructure  
5063 requirements in K.C.C. 21A.18.140;

5064 d. The application shall include:

5065 (1) A description of the staffing and operational characteristics, including  
5066 sanitation and basic safety measures required for the facility;

5067 (2) Occupancy policies, including a description of the population to be served  
5068 and a code of conduct that includes, at a minimum, a prohibition of threatening or unsafe  
5069 behavior;

5070 (3) A plan for managing the exterior appearance of the site, including keeping  
5071 the site litter free;

5072 (4) A plan for addressing reported concerns and making this information  
5073 publicly available, including a phone number, email, and point of contact at the site of the  
5074 facility for the community to report concerns;

5075 (5) A plan for outreach with surrounding property owners and residents  
5076 addressing items such as noise, smoking areas, parking, security procedures, and litter;  
5077 and

5078 (6) Plans and narrative documenting compliance with all applicable codes,  
5079 including:

5080 (a) an elevation of the building or buildings to be occupied;

5081 (b) a floor plan that describes the capacities of the buildings for the uses  
5082 intended, room dimensions, and a designation of the rooms to be used for nonambulatory  
5083 residents, if any; and

5084 (c) a site plan showing property lines, buildings, driveways, parking, fences,  
5085 storage areas, gardens, recreation areas, and site improvements;

5086 e. A setback of ten feet shall be along any property line adjoining a residential  
5087 zone; and

5088 f. The use shall be buffered with:

5089 (1) ten feet of Type II landscaping consistent with K.C.C. 21A.16.040; or  
5090 (2) a six-foot high, view obscuring fence.

5091 13. Subject to the following standards:

5092 a. Allowed in the urban area or rural towns;

5093 b. In the R-4 through R-8 zones, only when located on the same site as a  
5094 religious facility, public agency, or social services use;

5095 c. Exempt from landscaping requirements in K.C.C. chapter 21A.16, bicycle  
5096 parking requirements in K.C.C. 21A.18.030.E., and electric vehicle parking infrastructure  
5097 requirements in K.C.C. 21A.18.140;



5098 d. The application shall include:

5099 (1) A description of the staffing and operational characteristics, including  
5100 sanitation and basic safety measures required for the facility;

5101 (2) Occupancy policies, including a description of the population to be served  
5102 and a code of conduct that includes, at a minimum, a prohibition of threatening or unsafe  
5103 behavior;

5104 (3) A plan for managing the exterior appearance of the site, including keeping  
5105 the site litter free;

5106 (4) A plan for addressing reported concerns and making this information  
5107 publicly available, including a phone number, email, and point of contact at the site of the  
5108 facility for the community to report concerns;

5109 (5) A plan for outreach with surrounding property owners and residents  
5110 addressing items such as noise, smoking areas, parking, security procedures, and litter;  
5111 and

5112 (6) Plans and narrative documenting compliance with all applicable codes,  
5113 including:

5114 (a) an elevation of the building or buildings to be occupied;

5115 (b) a floor plan that describes the capacities of the buildings for the uses  
5116 intended, room dimensions, and a designation of the rooms to be used for nonambulatory  
5117 residents, if any; and

5118 (c) a site plan showing property lines, buildings, driveways, parking, fences,  
5119 storage areas, gardens, recreation areas, and site improvements;

5120 e. A setback of ten feet shall be along any property line adjoining a residential  
5121 zone;

5122 f. The use shall be buffered with:

5123 (1) ten feet of Type II landscaping consistent with K.C.C. 21A.16.040; or

5124 (2) a six-foot high, view obscuring fence;

5125 g. When safe parking is located on a site with an established primary use, the  
5126 director may reduce the minimum number of on-site parking spaces consistent with  
5127 K.C.C. chapter 21A.18;

5128 h. A safe parking site shall provide restroom and potable water access within the  
5129 buildings or portable facilities and handwashing stations on the property; and

5130 i. If recreational vehicles are hosted at the safe parking site, provision shall be  
5131 made for potable water and for proper disposal of grey water and black water waste from  
5132 the vehicles.

5133 14. Excluding residential care uses classified elsewhere in this chapter.

5134 15. In the forest production district, the following conditions apply:

5135 a. Site disturbance shall be limited to three acres. Site disturbance shall mean  
5136 all land alterations including, but not limited to, grading, utility installation, landscaping,  
5137 clearing for crops, on-site sewage disposal systems, and driveways. Additional site  
5138 disturbance for agriculture, including raising livestock, up to the smaller of thirty-five  
5139 percent of the lot or seven acres, may be approved only if a farm management plan is  
5140 prepared in accordance with K.C.C. chapter 21A.30. Animal densities shall be based on  
5141 the area devoted to animal care and not the total area of the lot;

5142 b. A forest management plan shall be required in the forest production district,  
 5143 that shall be reviewed and approved by the King County department of natural resources  
 5144 and parks before building permit issuance; and

5145 c. The forest management plan shall incorporate a fire protection element that  
 5146 includes fire safety best management practices developed by the department.

5147 19. Subject to review and approval of conditions to comply with trail corridor  
 5148 provisions of K.C.C. chapter 21A.14.

5149 SECTION 149. Ordinance 10870, Section 332, as amended, and K.C.C.

5150 21A.08.050 are hereby amended to read as follows:

5151 A. General services land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			R U R A L	RESIDENTIAL				COMMERCIAL/INDUSTRIAL				
SIC #	SPECIFIC LAND USE	A	F	M	RA (31)	UR	<u>R-1</u>	<del>((R-1-8))</del> <u>R-4</u> <del>-R-8</del>	<u>R-12</u> <u>R-48</u>	N B	CB	RB	O	I
	<b>PERSONAL SERVICES:</b>													
72	General Personal Service							<del>((C))</del> <u>P25</u> <del>((C37))</del>	<del>((C))</del> <u>P25</u> <del>((C37))</del>	P	P	P	P3	P3
721	Drycleaning													P

6	Plants													
721 8	Industrial Launderers													P
726 1	Funeral Home/Cremat ory				C4	<u>C4</u>	C4	C4		P	P			
*	Cemetery, Columbarium or Mausoleum (5)				P24 C((5 and 3+))	P24 C((5) ) <u>C</u>	<u>P24</u> C((5) ) <u>C</u>	P24 C((5) ) <u>C</u>	P24 C((5) ) <u>C</u>	P2 4	P24	P24 C((5) ) <u>C</u>	P24	
*	<del>((Day-Care))</del> <u>Daycare I and II (6)</u>	P6			<del>P((6))</del> <u>C</u>	<del>P((6))</del> ) <u>C</u>	<del>P7</del> <u>C</u>	<del>P((6))</del> ) <u>C</u>	<del>P7</del> <u>C</u>	P	P	P	<del>P((7</del> ) )	<del>P((</del> ) )
<del>((*</del>	<del>Day-Care-II</del>				<del>P8</del> €	<del>P8</del> €	<del>P8</del> €	<del>P8</del> €	<del>P8</del> €	<del>P</del>	<del>P</del>	<del>P</del>	<del>P7</del> )	<del>P7)</del>
<del>((07</del> 4	<del>Veterinary Clinic</del>	<del>P9</del>			<del>P9</del> €10 and 31	<del>P9</del> €10 and 31				<del>P4</del> 0	<del>P10</del>	<del>P10</del>		<del>P))</del>
753	Automotive Repair (1)									P1 1	P	P		P
754	Automotive Service									P1 1	P	P		P
76	Miscellaneous Repair (44)				P32	P32	<u>P32</u>	P32	P32	P3 2	P	P		P
<del>((86</del> 6)) * _	<del>((Church, Synagogue, Temple))</del> <u>Religious Facility</u>				P12 C27 <del>((and 3+))</del>	P12 C <u>C</u>	<u>P12</u> C <u>C</u>	P12 C	P12 C	P	P	P	P	
<del>((83</del>	<del>Social Services</del>				<del>P12</del>	<del>P12</del>		<del>P12</del>	<del>P12</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P))</del>	

	(2)				P13 €31	P13 €		P13 €	P13 €				
074	Veterinary Clinic	P9			P9 C10	P9 C10			P1 0	P10	P10		P
075 2	Animal specialty services				C P35 P36	C			P	P	P	P	P
*	Stable	P1 4 C			P14 C((34) )	P14 C	P14 C	P 14 C					
*	Commercial Kennel or Commercial Cattery	P4 2			C43	C43				C43	P43		
* _	Dog training facility	C3 4			C34	C34			P	P	P		P
*	Theatrical Production Services									P30	P28		
*	Artist Studios				P28	P28	P28	P28	P	P	P	P29	P
*	Interim Recycling Facility				P21	P21	P21	P21	P2 2	P22	P	P21	P
(( *)	Dog training facility	C3 4			C34	C34			P	P	P		P))
	<b>HEALTH SERVICES:</b>												
801 -04	Office/Outpati ent Clinic				P12 €13a	P12 €13a		P12 €13a €37	P12 €13a €37	P	P	P	P

805	Nursing and Personal Care Facilities							€		P	P		
806	Hospital						C13a	C13a		P	P	€	
807	Medical/Dental Lab									P	P	P	P
808	Miscellaneous Health									P	P	P))	
	<b><u>TEMPORAR Y LODGING:</u></b>												
<u>701</u>	<u>Hotel/Motel</u> <u>(45)</u>									<u>P</u>	<u>P</u>	<u>P</u>	
*	Bed and Breakfast Guesthouse	<u>P4</u> <u>6</u>			<u>P46</u>	<u>P46</u>	<u>P46</u>	<u>P46</u>	<u>P46</u>	<u>P4</u> <u>6</u>	<u>P47</u>	<u>P47</u>	
<u>704</u>	<u>Organization</u> <u>Hotel/Lodging</u> <u>Houses</u>						<u>P48</u>				<u>P</u>		
	<b><u>EDUCATION SERVICES:</u></b>												
*	Elementary School				P39 P40	P	<u>P</u>	P	P		P16 P40	P16 P40	P16 P40
*	Middle/Junior High School				P40 C39 <del>((and 34))</del>	P	<u>P</u>	P	P		P16 C40	P16 C40	P16 C40
*	Secondary or High School				C39 <del>((and 34))</del> C41	P26	<u>P26</u>	P26	P26		P16 C15	P16 C15	P16

					<del>((and 34))</del>									
*	Vocational School					<del>P((13 a))12</del> C	<u>P12</u> C	<del>P((13 a))12</del> C	<del>P((13 a))12</del> C			P15	P17	P
*	Specialized Instruction School		P18		<del>((and 34))</del> P19 C20	<u>P19</u> C20	P19 C20	P19 C20	P	P	P	P17	P38	
*	School District Support Facility					<del>P23</del> C	<u>P23</u> C	P23 C	P23 C	C15	P15	P15	P15	

5152 B. Development conditions.

5153 1. Except SIC Industry ~~((No.))~~ 7534-Tire Retreading, see manufacturing  
5154 permitted use table.

5155 2. Except SIC Industry Groups ~~((Nos.))~~:

5156 a. 835-Day Care Services, and

5157 b. Community residential facilities.

5158 3. Limited to SIC Industry Groups and ~~((Group and Industry Nos.))~~ Industries:

5159 a. 723-Beauty Shops;

5160 b. 724-Barber Shops;

5161 c. 725-Shoe Repair Shops and Shoeshine Parlors;

5162 d. 7212-Garment Pressing and Agents for Laundries and Drycleaners; and

5163 e. 217-Carpet and Upholstery Cleaning.

5164 4. Only as accessory to a cemetery ~~((, and prohibited from the UR zone only if~~

5165 ~~the property is located within a designated unincorporated Rural Town))~~.

5166           5. Structures shall maintain a minimum distance of one hundred feet from  
5167 property lines adjoining (~~(rural area and residential)~~) RA, UR, and R zones.

5168           6. (~~(Only as accessory to residential use, and:~~

5169           a.) Outdoor play areas shall be completely enclosed by a solid wall or fence,  
5170 with no openings except for gates, and have a minimum height of six feet(~~(; and~~

5171           b. ~~Outdoor play equipment shall maintain a minimum distance of twenty feet~~  
5172 ~~from property lines adjoining rural area and residential zones.))~~

5173           7. (~~(Permitted as an accessory use. See commercial/industrial accessory, K.C.C.~~  
5174 ~~21A.08.060.A.)) Limited to facilities for 36 or fewer persons.~~

5175           8. (~~(Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32,~~  
5176 ~~or an accessory use to a school, church, park, sport club or public housing administered~~  
5177 ~~by a public agency, and:~~

5178           a. ~~Outdoor play areas shall be completely enclosed by a solid wall or fence,~~  
5179 ~~with no openings except for gates and have a minimum height of six feet;~~

5180           b. ~~Outdoor play equipment shall maintain a minimum distance of twenty feet~~  
5181 ~~from property lines adjoining rural area and residential zones;~~

5182           c. ~~Direct access to a developed arterial street shall be required in any~~  
5183 ~~residential zone; and~~

5184           d. ~~Hours of operation may be restricted to assure compatibility with~~  
5185 ~~surrounding development)) Repealed.~~

5186           9. As a home occupation only, but the square footage limitations in K.C.C.  
5187 chapter 21A.30 for home occupations apply only to the office space for the veterinary  
5188 clinic, and:



5189 a. Boarding or overnight stay of animals is allowed only on sites of five acres  
5190 or more;

5191 b. No burning of refuse or dead animals is allowed;

5192 c. The portion of the building or structure in which animals are kept or treated  
5193 shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be  
5194 surrounded by an eight-foot-high solid wall and the floor area shall be surfaced with  
5195 concrete or other impervious material; and

5196 d. The provisions of K.C.C. chapter 21A.30 relative to animal keeping are met.

5197 10.a. No burning of refuse or dead animals is allowed;

5198 b. The portion of the building or structure in which animals are kept or treated  
5199 shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be  
5200 surrounded by an eight-foot-high solid wall and the floor area shall be surfaced with  
5201 concrete or other impervious material; and

5202 c. The provisions of K.C.C. chapter 21A.30 relative to animal keeping are met.

5203 11. The repair work or service shall only be performed in an enclosed building,  
5204 and no outdoor storage of materials. SIC Industry ((No-)) 7532-Top, Body, and  
5205 Upholstery Repair Shops and Paint Shops is ((not allowed)) prohibited.

5206 12. Only as a reuse of a public school facility or surplus nonresidential facility  
5207 subject to K.C.C. chapter 21A.32. Before filing an application with the department, the  
5208 applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

5209 13.((a. Except as otherwise provided in subsection B.13.b. of this section, only  
5210 as a reuse of a surplus nonresidential facility subject to K.C.C. chapter 21A.32-

5211                   b. ~~Allowed for a social service agency on a site in the NB zone that serves~~  
5212 ~~transitional or low-income housing located within three hundred feet of the site on which~~  
5213 ~~the social service agency is located.~~

5214                   c. ~~Before filing an application with the department, the applicant shall hold a~~  
5215 ~~community meeting in accordance with K.C.C. 20.20.035.)~~ Repealed.

5216                   14. Covered riding arenas are subject to K.C.C. 21A.30.030 and shall not  
5217 exceed twenty thousand square feet, but stabling areas, whether attached or detached,  
5218 shall not be counted in this calculation.

5219                   15. If located outside of the urban (~~(growth)~~) area, limited to projects that are of  
5220 a size and scale designed to primarily serve the (~~(Rural Area and Natural Resource~~  
5221 ~~Lands)~~) rural area and natural resource lands and shall be located within a rural town.

5222                   16. If located outside of the urban (~~(growth)~~) area, shall be designed to primarily  
5223 serve the (~~(Rural Area and Natural Resource Lands)~~) rural area and natural resource lands  
5224 and shall be located within a rural town. In CB, RB<sub>2</sub> and O, for K-12 schools with no  
5225 more than one hundred students.

5226                   17. All instruction (~~(must be)~~) shall occur within an enclosed structure.

5227                   18. Limited to resource management education programs.

5228                   19. Only as accessory to residential use, and:

5229                   a. Students shall be limited to twelve per one-hour session;

5230                   b. Except as provided in subsection B.19.c. of this section, all instruction

5231 (~~(must be)~~) shall occur within an enclosed structure;

5232 c. Outdoor instruction may be allowed on properties at least two and one-half  
5233 acres in size. Any outdoor activity ~~((must))~~ shall comply with the requirements for  
5234 setbacks in K.C.C. chapter 21A.12; and

5235 d. Structures used for the school shall maintain a distance of twenty-five feet  
5236 from property lines adjoining ~~((rural area and residential))~~ RA, UR, and R zones.

5237 20. Subject to the following:

5238 a. Structures used for the school and accessory uses shall maintain a minimum  
5239 distance of twenty-five feet from property lines adjoining ~~((residential))~~ UR and R zones;

5240 b. On lots over two and one-half acres:

5241 (1) Retail sale of items related to the instructional courses is ~~((permitted))~~  
5242 allowed, if total floor area for retail sales is limited to two thousand square feet;

5243 (2) Sale of food prepared in the instructional courses is ~~((permitted))~~ allowed  
5244 with ~~((Seattle King County department of))~~ Seattle & King County  
5245 approval, if total floor area for food sales is limited to one thousand square feet and is  
5246 located in the same structure as the school; and

5247 (3) Other incidental student-supporting uses are allowed, if such uses are  
5248 found to be both compatible with and incidental to the principal use; and

5249 c. On sites over ten acres, located in a ~~((designated Rural Town))~~ rural town  
5250 and zoned ~~((any one or more of UR,))~~ R-1 ~~((and))~~ or R-4:

5251 (1) ~~((Retail sale of items related to the instructional courses is ((permitted))~~  
5252 allowed, provided total floor area for retail sales is limited to two thousand square feet;

5253 (2) Sale of food prepared in the instructional courses is ~~((permitted))~~ allowed  
5254 with ~~((Seattle King County department of))~~ Seattle & King County

5255 approval, if total floor area for food sales is limited to one thousand seven hundred fifty  
5256 square feet and is located in the same structure as the school;

5257 (3) Other incidental student-supporting uses are allowed, if the uses are found  
5258 to be functionally related, subordinate, compatible with and incidental to the principal  
5259 use;

5260 (4) The use shall be integrated with allowable agricultural uses on the site;

5261 (5) Advertised special events shall comply with the temporary use  
5262 requirements of this chapter; and

5263 (6) Existing structures that are damaged or destroyed by fire or natural event,  
5264 if damaged by more than fifty percent of their prior value, may reconstruct and expand an  
5265 additional sixty-five percent of the original floor area but need not be approved as a  
5266 conditional use if the ~~((if))~~ use otherwise complies with ~~((development condition in))~~ this  
5267 subsection B.20.c. ~~((of this section))~~ and this title.

5268 21. Limited to:

5269 a. drop box facilities accessory to a public or community use such as a school,  
5270 fire station, or community center; or

5271 b. in the RA zone only, a facility accessory to a retail nursery, garden center  
5272 and farm supply store ~~((that))~~ may accept ~~((s))~~ earth materials, vegetation, organic waste,  
5273 construction, and demolition materials, or source separated organic materials, if:

5274 (1) the site is five acres or greater;

5275 (2) all material is deposited into covered containers or onto covered  
5276 impervious areas;

5277 (3) the facility and any driveways or other access to the facility maintain a  
5278 setback of at least twenty five feet from adjacent properties;

5279 (4) the total area of the containers and covered impervious area is ten  
5280 thousand square feet or less;

5281 (5) ten feet of type II landscaping is provided between the facility and  
5282 adjacent properties;

5283 (6) no processing of the material is conducted on-site; and

5284 (7) access to the facility is not from a local access street.

5285 22. With the exception of drop box facilities for the collection and temporary  
5286 storage of recyclable materials, all processing and storage of material shall be within  
5287 enclosed buildings. Yard waste processing is not ~~((permitted))~~ allowed.

5288 23. Only if adjacent to an existing or proposed school.

5289 24. Limited to columbariums accessory to a ~~((church))~~ religious facility.~~((, but~~  
5290 ~~¶))~~Required landscaping and parking shall not be reduced.

5291 25.a. ~~((Not permitted in R-1 and 4))~~Limited to a maximum of two thousand five  
5292 hundred square feet in the R-4 through R-8 zones and five thousand square feet ((per  
5293 establishment and subject to the additional requirements in K.C.C. 21A.12.230.)) in the  
5294 R-12 through R-48 zones;

5295 b. Amplified noise is prohibited;

5296 c. The maximum on-site parking ratio shall be two spaces per one thousand  
5297 square feet and required parking shall not be located between the building and the street;  
5298 and

5299 d. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

5300 26.a. New high schools permitted in the ~~((rural and the urban residential and~~  
5301 ~~urban reserve))~~ RA, UR, and R zones shall be subject to the review process in K.C.C.  
5302 21A.42.140.

5303 b. Renovation, expansion, modernization, or reconstruction of a school, or the  
5304 addition of relocatable facilities, is ~~((permitted))~~ allowed.

5305 27. Limited to projects that do not require or result in an expansion of sewer  
5306 service outside the urban growth area. In addition, such use shall not be ~~((permitted))~~  
5307 allowed in the RA-20 zone.

5308 28. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter  
5309 21A.32 or as a joint use of an existing public school facility.

5310 29. All studio use ~~((must be))~~ shall occur within an enclosed structure.

5311 30. Adult use facilities shall be prohibited within six hundred sixty feet of any  
5312 ~~((rural area and residential))~~ RA, UR, and R zones, any other adult use facility, school,  
5313 licensed daycare centers, parks, community centers, public libraries, or ~~((churches))~~  
5314 religious facilities that conduct religious or educational classes for minors.

5315 31. Subject to review and approval of conditions to comply with trail corridor  
5316 provisions of K.C.C. chapter 21A.14 ~~((when located in an RA zone))~~.

5317 32. Limited to repair of sports and recreation equipment:

5318 a. as accessory to a recreation or multiuse park in the urban ~~((growth))~~ area; or

5319 b. as accessory to a park and limited to a total floor area of seven hundred fifty  
5320 square feet.

5321 33. Repealed.

5322 34. Subject to the following:

5323 a. the lot is at least five acres;

5324 b. in the A zones, area used for dog training shall be located on portions of  
5325 agricultural lands that are unsuitable for other agricultural purposes, such as areas within  
5326 the already developed portion of such agricultural lands that are not available for direct  
5327 agricultural production or areas without prime agricultural soils;

5328 c. structures and areas used for dog training shall maintain a minimum distance  
5329 of seventy-five feet from property lines; and

5330 d. all training activities shall be conducted within fenced areas or in indoor  
5331 facilities. Fences (~~(must)~~) shall be sufficient to contain the dogs.

5332 35. Limited to animal rescue shelters and provided that:

5333 a. the property shall be at least four acres;

5334 b. buildings used to house rescued animals shall be no less than fifty feet from  
5335 property lines;

5336 c. outdoor animal enclosure areas shall be located no less than thirty feet from  
5337 property lines and shall be fenced in a manner sufficient to contain the animals;

5338 d. the facility shall be operated by a nonprofit organization registered under the  
5339 Internal Revenue Code as a 501(c)(3) organization; and

5340 e. (~~(the facility shall maintain normal h)~~)Hours of operation (~~(no earlier than)~~)  
5341 shall be limited to 7:00 a.m. ((and no later than)) through 7:00 p.m.

5342 36. Limited to kennel-free dog boarding and daycare facilities, and:

5343 a. the property shall be at least four and one-half acres;

5344 b. buildings housing dogs shall be no less than seventy-five feet from property  
5345 lines;

5346 c. outdoor exercise areas shall be located no less than thirty feet from property  
5347 lines and shall be fenced in a manner sufficient to contain the dogs;

5348 d. the number of dogs allowed on the property at any one time shall be limited  
5349 to the number allowed for hobby kennels, as provided in K.C.C. 11.04.060.B; and

5350 e. training and grooming are ancillary services that may be provided only to  
5351 dogs staying at the facility; and

5352 f. ~~((the facility shall maintain normal h))~~Hours of operation ~~((no earlier than))~~  
5353 shall be limited to 7:00 a.m. ((and no later than)) through 7:00 p.m.

5354 37. ~~((Not permitted in R-1 and subject to the additional requirements in K.C.C.~~  
5355 21A.12.250.)) Repealed.

5356 38. Driver training is limited to driver training schools licensed under chapter  
5357 46.82 RCW.

5358 39. A school may be located outside of the urban growth area only if allowed  
5359 under King County Comprehensive Plan policies.

5360 40. Only as a reuse of an existing public school.

5361 41. A high school may be allowed as a reuse of an existing public school if  
5362 allowed under King County Comprehensive Plan policies.

5363 42. Commercial kennels and commercial catteries in the A zone are subject to  
5364 the following:

5365 a. Only as a home occupation, but the square footage limitations in K.C.C.  
5366 chapter 21A.30.085 for home occupations apply only to the office space for the  
5367 commercial kennel or commercial cattery; and

5368 b. Subject to K.C.C. 21A.30.020, except:



5369 (1) A building or structure used for housing dogs or cats and any outdoor  
5370 runs shall be set back one hundred and fifty feet from property lines;

5371 (2) The portion of the building or structure in which the dogs or cats are kept  
5372 shall be soundproofed;

5373 (3) Impervious surface for the kennel or cattery shall not exceed twelve  
5374 thousand square feet; and

5375 (4) Obedience training classes are not allowed except as provided in  
5376 subsection B.34. of this section.

5377 43. Commercial kennels and commercial catteries are subject to K.C.C.  
5378 21A.30.020.

5379 44. ~~((If the m))~~ Miscellaneous repair ~~((is))~~ associated with agriculture activities  
5380 ~~((it will))~~ shall be reviewed in accordance with K.C.C. 21A.08.090.

5381 45. Except bed and breakfast guesthouses.

5382 46. Subject to the following:

5383 a. Only as accessory use to the permanent residence of the operator;

5384 b. Served meals shall be limited to paying guests; and

5385 c. Limited to no more than five rooms accommodating up to ten guests.

5386 47. Only if part of a mixed-use development, and subject to the conditions of  
5387 subsection B.46. of this section.

5388 48. Only in the R-1 zone, as an accessory to a golf course facility and consistent  
5389 with K.C.C. 21A.08.040.

5390 SECTION 150. Ordinance 10870, Section 333, as amended, and K.C.C.  
5391 21A.08.060 are hereby amended to read as follows:



*	Commuter Parking Lot				C ( <del>3</del> 3)) P19	C P19	<u>C</u> <u>P19</u>	C P19	C <u>P19</u>	P	P	P	P	P35
*	Private Stormwater Management Facility	P8	P8	P8	P8	P8	<u>P8</u>	P8	P8	P8	P8	P8	P8	P8
*	Vactor Waste Receiving Facility	P	P	P	P18	P18	<u>P18</u>	P18	P18	P31	P31	P31	P31	P
	<b>BUSINESS SERVICES:</b>													
*	Construction and Trade				P34							P	P9	P
*	Individual Transportation and Taxi										P25	P	P10	P
421	Trucking and Courier Service										P11	P12	P13	P
*	Warehousing( <del>(-4))</del> and Wholesale Trade <u>(1)</u>													P
*	Self-service Storage <u>(36)</u>									<del>(P1</del> P37 P 4))	P	P	P	P
4221	Farm Product													P
4222	Warehousing, Refrigeration, and Storage (38)													P
*	Log Storage (38)		P		P26 ( <del>(an</del> d 33) )									P
47	Transportation Service													P39
473	Freight and Cargo											P	P	P

	Service													
472	Passenger Transportation Service										P	P	P	
48	Communication Offices											P	P	P
482	Telegraph and other Communications										P	P	P	P
*	General Business Service									P	P	P	P	P16
*	Professional Office									P	P	P	P	P16
7312	Outdoor Advertising Service											P	P17	P
735	Miscellaneous Equipment Rental										P17	P	P17	P
751	Automotive Rental and Leasing										P	P		P
752	Automotive Parking									P20a	P20b	P21	P20 a	P
*	Off-Street Required Parking Lot				P32	P32	<u>P32</u>	P32	P32	P32	P32	P32	P32	P32
7941	Professional Sport Teams/Promoters											P	P	
873	Research, Development, and Testing											P2	P2	P2
*	Heavy Equipment and Truck Repair													P
	<b>ACCESSORY USES:</b>													
*	Commercial/Industrial Accessory Uses			P	P22					P22	P22	P	P	P
*	Helistop				40	C23	<u>C2</u> 3	C2	C23	C23	C23	C24	C23	C24

5393

B. Development conditions.

- 5394 1. Except self-service storage.
- 5395 2. Except SIC Industry (~~(No-))~~ 8732-Commercial Economic, Sociological, and  
5396 Educational Research, see general business service/office.
- 5397 3.a. Only as a reuse of a public school facility or a surplus nonresidential facility  
5398 subject to K.C.C. chapter 21A.32; or
- 5399 b. only when accessory to a fire facility and the office is no greater than one  
5400 thousand five hundred square feet of floor area.
- 5401 4. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter  
5402 21A.32.
- 5403 5. New utility office locations only if there is no commercial/industrial zoning  
5404 in the utility district, and not in the RA-10 or RA-20 zones unless it is demonstrated that  
5405 no feasible alternative location is possible(~~(, and provided further that this condition~~  
5406 ~~applies to the UR zone only if the property is located within a designated unincorporated~~  
5407 ~~Rural Town))~~).
- 5408 6.a. All buildings and structures shall maintain a minimum distance of twenty  
5409 feet from property lines adjoining (~~(rural area and residential))~~ RA, UR, and R zones;
- 5410 b. Any buildings from which fire-fighting equipment emerges onto a street  
5411 shall maintain a distance of thirty-five feet from such street;
- 5412 c. No outdoor storage; and
- 5413 d. Excluded from the RA-10 and RA-20 zones unless it is demonstrated that no  
5414 feasible alternative location is possible.
- 5415 7. Limited to storefront police offices. Such offices shall not have:
- 5416 a. holding cells;

5417           b. suspect interview rooms (except in the NB zone); or  
5418           c. long-term storage of stolen properties.

5419           8. Private stormwater management facilities serving development proposals  
5420 located on commercial/industrial zoned lands shall also be located on  
5421 commercial/industrial lands, unless participating in an approved shared facility drainage  
5422 plan. Such facilities serving development within an area designated urban in the King  
5423 County Comprehensive Plan shall only be located in the urban area.

5424           9. No outdoor storage of materials.

5425           10. Limited to office uses.

5426           11. Limited to self-service household moving truck or trailer rental accessory to  
5427 a gasoline service station.

5428           12. Limited to self-service household moving truck or trailer rental accessory to  
5429 a gasoline service station and SIC Industry ((No.)) 4215-Courier Services, except by air.

5430           13. Limited to SIC Industry ((No.)) 4215-Courier Services, except by air.

5431           14. ~~((Accessory to an apartment development of at least twelve units provided:~~  
5432           a. ~~The gross floor area in self service storage shall not exceed the total gross~~  
5433 ~~floor area of the apartment dwellings on the site;~~

5434           b. ~~All outdoor lights shall be deflected, shaded and focused away from all~~  
5435 ~~adjoining property;~~

5436           c. ~~The use of the facility shall be limited to dead storage of household goods;~~

5437           d. ~~No servicing or repair of motor vehicles, boats, trailers, lawn mowers or~~  
5438 ~~similar equipment;~~

5439 e. ~~No outdoor storage or storage of flammable liquids, highly combustible or~~  
5440 ~~explosive materials or hazardous chemicals;~~

5441 f. ~~No residential occupancy of the storage units;~~

5442 g. ~~No business activity other than the rental of storage units; and~~

5443 h. ~~A resident director shall be required on the site and shall be responsible for~~  
5444 ~~maintaining the operation of the facility in conformance with the conditions of approval.~~

5445 i. ~~Before filing an application with the department, the applicant shall hold a~~  
5446 ~~community meeting in accordance with K.C.C. 20.20.035.)~~ Repealed.

5447 15. Repealed.

5448 16. Only as an accessory use to another permitted use.

5449 17. No outdoor storage.

5450 18. Only as an accessory use to a public agency or utility yard, or to a transfer  
5451 station.

5452 19. Limited to new commuter parking lots designed for thirty or fewer parking  
5453 spaces or commuter parking lots located on existing parking lots for ~~((churches))~~  
5454 religious facilities, schools, or other ~~((permitted))~~ allowed nonresidential uses that have  
5455 excess capacity available during commuting ~~((; provided that))~~, but only if the new or  
5456 existing lot is adjacent to a designated arterial that has been improved to a standard  
5457 acceptable to the department of local services;

5458 20.a. No tow-in lots for damaged, abandoned, or otherwise impounded vehicles,  
5459 and

5460 b. Tow-in lots for damaged, abandoned, or otherwise impounded vehicles shall  
5461 be:

- 5462 (1) ~~((permitted))~~ allowed only on parcels located within Vashon Town  
5463 Center;
- 5464 (2) accessory to a gas or automotive service use; and  
5465 (3) limited to no more than ten vehicles.
- 5466 21. No dismantling or salvage of damaged, abandoned, or otherwise impounded  
5467 vehicles.
- 5468 22. Storage limited to accessory storage of commodities sold at retail on the  
5469 premises or materials used in the fabrication of commodities sold on the premises.
- 5470 23. Limited to emergency medical evacuation sites in conjunction with police,  
5471 fire, or health service facility. ~~((Helistops are prohibited from the UR zone only if the  
5472 property is located within a designated unincorporated Rural Town.))~~
- 5473 24. Allowed as accessory to an allowed use.
- 5474 25. Limited to private road ambulance services with no outside storage of  
5475 vehicles.
- 5476 26. Limited to two acres or less.
- 5477 27a. Utility yards only on sites with utility district offices; or  
5478 b. Public agency yards are limited to material storage for road maintenance  
5479 facilities.
- 5480 28. Limited to local distribution gas storage tanks that pipe to individual  
5481 residences but excluding liquefied natural gas storage tanks.
- 5482 29. Excluding local distribution gas storage tanks.



5483           30. For I-zoned sites located outside the urban growth area designated by the  
5484 King County Comprehensive Plan, uses shall be subject to the provisions for rural  
5485 industrial uses in K.C.C. (~~chapter 21A.12~~) 21A.14.280.

5486           31. Vactor waste treatment, storage, and disposal shall be limited to liquid  
5487 materials. Materials shall be disposed of directly into a sewer system(,) or shall be  
5488 stored in tanks, (~~or other~~) covered structures(~~, as well as~~), or enclosed buildings.

5489           32. (~~Provided~~) Only if:

5490           a. Off-street required parking for a land use located in the urban area (~~must~~)  
5491 shall be located in the urban area;

5492           b. Off-street required parking for a land use located in the rural area (~~must~~)  
5493 shall be located in the rural area; and

5494           c. (~~(1) Except as provided in subsection B.32.c.(2) of this section, or~~) Off-street  
5495 required parking (~~must~~) shall be located on a lot that would (~~permit~~) allow, either  
5496 outright or through a land use permit approval process, the land use the off-street parking  
5497 will serve.

5498           (~~(2) For a social service agency allowed under K.C.C. 21A.08.050B.13.b. to~~  
5499 ~~be located on a site in the NB zone, off-street required parking may be located on a site~~  
5500 ~~within three hundred feet of the social service agency, regardless of zoning classification~~  
5501 ~~of the site on which the parking is located.~~)

5502           33. Subject to review and approval of conditions to comply with trail corridor  
5503 provisions of K.C.C. chapter 21A.14 when located in an RA zone.

5504 34. Limited to landscape and horticultural services (SIC Industry Group 078)  
5505 that are accessory to a retail nursery, garden center and farm supply store. Construction  
5506 equipment for the accessory use shall not be stored on the premises.

5507 35. Allowed as a primary or accessory use to an allowed industrial-zoned land  
5508 use.

5509 36. ~~((Repealed.))~~ Prohibited in the White Center unincorporated activity center.

5510 37. Use shall be limited to the NB zone on parcels outside of the ~~((U))~~urban  
5511 ~~((Growth)) ((A))~~area, ~~((R))~~rural ~~((T))~~towns, and ~~((Rural Neighborhoods))~~ rural  
5512 neighborhood commercial centers and the building floor area devoted to such use shall  
5513 not exceed ten thousand square feet.

5514 38. If the farm product warehousing, refrigeration and storage, or log storage, is  
5515 associated with agriculture activities it will be reviewed in accordance with K.C.C.  
5516 21A.08.090.

5517 39. Excluding fossil fuel facilities.

5518 40. Helistops are ~~((not allowed))~~ prohibited in the RA zone as an accessory to a  
5519 government or business services use, ~~((but may be allowed in that zone))~~ except as part of  
5520 a search and rescue facility~~((;))~~ subject to K.C.C. 21A.08.100.B.30.

5521 41. As part of an application for an addition, expansion, or upgrade of electric  
5522 transmission and distribution lines or the siting new gas or hazardous liquid transmission  
5523 pipelines, the applicant shall submit an equity impact review of the proposal using tools  
5524 developed by the office of equity and racial and social justice. The results from the  
5525 equity impact review shall be used to assess equity impacts and opportunities during  
5526 county permit review and may be used to inform determinations of project approval.

5527

SECTION 151. Ordinance 10870, Section 334, as amended, and K.C.C.

5528

21A.08.070 are hereby amended to read as follows:

5529

A. Retail land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			RU	RESIDENTIAL				COMMERCIAL/INDUSTRIAL				
SI	SPECIFIC	A	F	M	RA	UR	<u>R-1</u>	<del>((R1</del>	R <sub>2</sub>	NB	CB	RB	O	I
C#	LAND USE							-8))	12 =					<del>((3</del>
								<u>R-4</u>	<u>R-</u>					<del>0))</del>
								<u>-R-</u>	48					
								<u>8</u>						
*	Building Materials and Hardware Stores		P23							P2	P	P		
*	Retail Nursery, Garden Center, and Farm Supply Stores	P1 C1			P1 C1					<u>P31</u>	P	P		
*	Forest Products Sales	P3 and 4	P4		P3 and 4							P		
*	Department and Variety Stores							<del>((C1</del>	P((+ 4))	P5	P	P		
								<u>P14</u>	<u>16</u>					
								<u>C15</u>						
54	Food Stores				<u>C30</u>			<del>((C1</del>	P((+ 4))	<u>P31</u>	P	P	C	P6
								<del>5))</del>	<u>5))</u>					

							<u>P14</u> <u>C15</u>	<u>6</u>						
*	Agricultural Product Sales (28)								P25	P25	P25	P2 5	P2 5	P2 5
*	Farmers Market	P24	P24		P24	P24	<u>P24</u>	P24	P24	P24	P24	P2 4	P2 4	P2 4
*	Motor Vehicle and Boat Dealers											P8		P
55 3	Auto Supply Stores										P9	P9		P
55 4	Gasoline Service Stations									P	P	P		P
56	Apparel and Accessory Stores										P	P		
*	Furniture and Home Furnishings Stores										P	P		
58	Eating and Drinking Places				P21 C19		<u>P20</u>	P20 ((€ 6)) <u>P14</u> <u>C15</u>	P20 P16	P10	P	P	P	P
*	Remote Tasting Room				P13						P7	P7		
*	Drug Stores						<u>P14</u> C15	P((+ \$)) <u>1</u>	<u>P31</u>	P	P	C		

										<u>6</u>				
*	(( <del>Marijuana</del> )) <u>Cannabis</u> retailer										P26 C27	P2 6 C2 7		
59 2	Liquor Stores										P	P		
59 3	Used Goods: Antiques/ Secondhand Shops										P	P		
*	Sporting Goods and Related Stores			P2 2 and 29	P22 and 29	P22 and 29	<u>P22</u> and <u>29</u>	P22 and 29	P22 and 29	P22 and 29	P29	P2 9 and 29	P2 2 and 29	P2 2 and 29
*	Book, Stationery, Video, and Art Supply Stores							<u>P14</u> C15 (*) <u>6</u>	P(+ S)) <u>6</u>	<u>P31</u>	P	P		
*	Jewelry Stores										P	P		
*	Monuments, Tombstones, and Gravestones											P		
*	Hobby, Toy, Game Shops										<u>P31</u>	P	P	
*	Photographic and Electronic Shops										<u>P31</u>	P	P	
*	Fabric Shops										P	P		

59 8	Fuel Dealers										C11	P		P
*	Florist Shops							<u>P14</u> C15 <del>((a))</del>	P((+ 5)) <u>1</u> <u>6</u>	<u>P31</u>	P	P	P	
*	Personal Medical Supply Stores										P	P		
*	Pet Shops									<u>P31</u>	P	P		
*	Bulk Retail										P	P		
*	Auction Houses											P1 2		P
*	Livestock Sales (28)													P

5530 B. Development conditions.

5531 1.a. As a permitted use, covered sales areas shall not exceed a total area of two  
5532 thousand square feet, unless located in a building designated as historic resource under  
5533 K.C.C. chapter 20.62. With a conditional uses permit, covered sales areas of up to three  
5534 thousand five hundred square feet may be allowed. Greenhouses used for the display of  
5535 merchandise other than plants shall be considered part of the covered sales area.

5536 Uncovered outdoor areas used to grow or display trees, shrubs, or other plants are not  
5537 considered part of the covered sales area;

5538 b. The site area shall be at least four and one-half acres;

5539 c. Sales may include locally made arts and crafts; and

5540 d. Outside lighting is ~~((permitted))~~ allowed if no off-site glare is allowed.

5541 2.a. Only hardware stores; and

5542                    b. In rural neighborhood commercial centers, limited to fifteen thousand  
5543 square feet of gross floor area.

5544                    3.a. Limited to products grown on-site.

5545                    b. Covered sales areas shall not exceed a total area of five hundred square feet.

5546                    4. No permanent structures or signs.

5547                    5. Limited to SIC Industry (~~No.~~) 5331-Variety Stores, and further limited to a  
5548 maximum of two thousand square feet of gross floor area.

5549                    6. Limited to a maximum of five thousand square feet of gross floor area.

5550                    7. Off-street parking is limited to a maximum of one space per fifty square feet  
5551 of tasting and retail areas.

5552                    8. Excluding retail sale of trucks exceeding one-ton capacity.

5553                    9. Only the sale of new or reconditioned automobile supplies is (~~permitted~~)  
5554 allowed.

5555                    10. Excluding SIC Industry (~~No.~~) 5813-Drinking Places.

5556                    11. No outside storage of fuel trucks and equipment.

5557                    12. Excluding vehicle and livestock auctions.

5558                    13. (~~Permitted~~) Allowed as part of the demonstration project authorized by  
5559 K.C.C. 21A.55.110.

5560                    14.a. (~~Not in R-1 and limited to SIC Industry No. 5331-Variety Stores,~~  
5561 ~~4))~~Limited to a maximum of ((five)) one thousand square feet of gross floor area;~~(, and~~  
5562 ~~subject to K.C.C. 21A.12.230; and~~

5563                    ~~b. Before filing an application with the department, the applicant shall hold a~~  
5564 ~~community meeting in accordance with K.C.C. 20.20.035.))~~

5565            b. Drive-throughs are prohibited, except for detached buildings for eating and  
5566 drinking places that do not exceed two hundred square feet and are located at an  
5567 intersection with an arterial;

5568            c. Amplified noise is prohibited;

5569            d. The maximum on-site parking ratio shall be two spaces per one thousand  
5570 square feet and required parking shall not be located between the building(s) and the  
5571 street; and

5572            e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

5573            ~~15.((a. Not permitted in R-1 and I))~~Limited to a maximum of ((five)) two  
5574 thousand five hundred square feet of gross floor area; ((and subject to K.C.C.  
5575 21A.12.230; and

5576            ~~b. Before filing an application with the department, the applicant shall hold a~~  
5577 ~~community meeting in accordance with K.C.C. 20.20.035.))~~

5578            b. Drive-throughs are prohibited, except for detached buildings for eating and  
5579 drinking places that do not exceed two hundred square feet and are located at an  
5580 intersection with an arterial;

5581            c. Amplified noise is prohibited;

5582            d. The maximum on-site parking ratio shall be two spaces per one thousand  
5583 square feet and required parking shall not be located between the building(s) and the  
5584 street; and

5585            e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

5586            ~~16.a. ((Not permitted in R-1 and excluding SIC Industry No. 5813 Drinking~~  
5587 ~~Places, and I))~~ Limited to a maximum of five thousand square feet of gross floor area;



5588 ((and subject to K.C.C. 21A.12.230, except as provided in subsection B.20. of this  
5589 section; and

5590 b. ~~Before filing an application with the department, the applicant shall hold a  
5591 community meeting in accordance with K.C.C. 20.20.035.))~~

5592 b. Drive-throughs are prohibited, except for detached buildings for eating and  
5593 drinking places that do not exceed two hundred square feet and are located at an  
5594 intersection with an arterial;

5595 c. Amplified noise is prohibited;

5596 d. The maximum on-site parking ratio shall be two spaces per one thousand  
5597 square feet and required parking shall not be located between the building and the street;  
5598 and

5599 e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

5600 17. Repealed.

5601 18. Repealed.

5602 19. Only as:

5603 a. an accessory use to an ~~((permitted))~~ allowed manufacturing or retail land  
5604 use, limited to espresso stands to include sales of beverages and incidental food items,  
5605 and not to include drive-through sales; or

5606 b. an accessory use to a recreation or multiuse park, limited to a total floor area  
5607 of three thousand five hundred square feet.

5608 20. Only as:

5609 a. an accessory use to a recreation or multiuse park; or

5610                    b. an accessory use to a park and limited to a total floor area of one thousand  
5611 five hundred square feet.

5612                    21. Accessory to a park, limited to a total floor area of seven hundred fifty  
5613 square feet.

5614                    22. Only as an accessory use to:

5615                    a. a large active recreation and multiuse park in the urban growth area; or

5616                    b. a park, or a recreation or multiuse park in the RA zones, and limited to a  
5617 total floor area of seven hundred ~~((and))~~ fifty square feet.

5618                    23. Only as accessory to SIC Industry Group ~~((No.))~~ 242-Sawmills and SIC  
5619 Industry ~~((No.))~~ 2431-Millwork and;

5620                    a. limited to lumber milled on-site; and

5621                    b. the covered sales area is limited to two thousand square feet. The covered  
5622 sales area does not include covered areas used to display only milled lumber.

5623                    24. Requires at least five farmers selling their own products at each market and  
5624 the annual value of sales by farmers should exceed the annual sales value of nonfarmer  
5625 vendors.

5626                    25. Limited to sites located within the urban growth area and:

5627                    a. The sales area shall be limited to three hundred square feet and ~~((must))~~  
5628 shall be removed each evening;

5629                    b. There ~~((must))~~ shall be legal parking that is easily available for customers;  
5630 and

5631 c. The site ((~~must~~)) shall be in an area that is easily accessible to the public,  
5632 will accommodate multiple shoppers at one time and does not infringe on neighboring  
5633 properties.

5634 26.a. Per lot, limited to a maximum aggregated total of two thousand square feet  
5635 of gross floor area devoted to, and in support of, the retail sale of ((~~marijuana~~)) cannabis.

5636 b. Notwithstanding subsection B.26.a. of this section, the maximum  
5637 aggregated total gross floor area devoted to, and in support of, the retail sale of  
5638 ((~~marijuana~~)) cannabis may be increased to up to three thousand square feet if the retail  
5639 outlet devotes at least five hundred square feet to the sale, and the support of the sale, of  
5640 medical ((~~marijuana~~)) cannabis, and the operator maintains a current medical  
5641 ((~~marijuana~~)) cannabis endorsement issued by the Washington state Liquor and Cannabis  
5642 Board.

5643 c. Any lot line of a lot having any area devoted to retail ((~~marijuana~~)) cannabis  
5644 activity ((~~must~~)) shall be one thousand feet or more from any lot line of any other lot  
5645 having any area devoted to retail ((~~marijuana~~)) cannabis activity; and a lot line of a lot  
5646 having any area devoted to new retail ((~~marijuana~~)) cannabis activity may not be within  
5647 one thousand feet of any lot line of any lot having any area devoted to existing retail  
5648 ((~~marijuana~~)) cannabis activity.

5649 d. Whether a new retail ((~~marijuana~~)) cannabis activity complies with this  
5650 locational requirement shall be determined based on the date a conditional use permit  
5651 application submitted to the department of local services, permitting division, became or  
5652 was deemed complete, and:

5653 (1) if a complete conditional use permit application for the proposed retail  
5654 ((~~marijuana~~)) cannabis use was not submitted, or if more than one conditional use permit  
5655 application became or was deemed complete on the same date, then the director shall  
5656 determine compliance based on the date the Washington state Liquor and Cannabis Board  
5657 issues a Notice of ((~~Marijuana~~)) Cannabis Application to King County;

5658 (2) if the Washington state Liquor and Cannabis Board issues more than one  
5659 Notice of ((~~Marijuana~~)) Cannabis Application on the same date, then the director shall  
5660 determine compliance based on the date either any complete building permit or change of  
5661 use permit application, or both, were submitted to the department declaring retail  
5662 ((~~marijuana~~)) cannabis activity as an intended use;

5663 (3) if more than one building permit or change of use permit application was  
5664 submitted on the same date, or if no building permit or change of use permit application  
5665 was submitted, then the director shall determine compliance based on the date a complete  
5666 business license application was submitted; and

5667 (4) if a business license application was not submitted or more than one  
5668 business license application was submitted, then the director shall determine compliance  
5669 based on the totality of the circumstances, including, but not limited to, the date that a  
5670 retail ((~~marijuana~~)) cannabis license application was submitted to the Washington state  
5671 Liquor and Cannabis Board identifying the lot at issue, the date that the applicant entered  
5672 into a lease or purchased the lot at issue for the purpose of retail ((~~marijuana~~)) cannabis  
5673 use, and any other facts illustrating the timing of substantial investment in establishing a  
5674 licensed retail ((~~marijuana~~)) cannabis use at the proposed location.

5675 e. Retail ~~((marijuana))~~ cannabis businesses licensed by the Washington state  
5676 Liquor and Cannabis Board and operating within one thousand feet of each other as of  
5677 August 14, 2016, and retail ~~((marijuana))~~ cannabis businesses that do not require a permit  
5678 issued by King County, that received a Washington state Liquor and Cannabis Board  
5679 license to operate in a location within one thousand feet of another licensed retail  
5680 ~~((marijuana))~~ cannabis business ~~((prior to))~~ before August 14, 2016, and that King  
5681 County did not object to within the Washington state Liquor and Cannabis Board  
5682 ~~((marijuana))~~ cannabis license application process, shall be considered nonconforming  
5683 and may remain in ~~((their))~~ the business' current location, subject to the provisions of  
5684 K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:

5685 (1) the time periods identified in K.C.C. 21A.32.045.C. shall be six months;

5686 and

5687 (2) the gross floor area of a nonconforming retail outlet may be increased up  
5688 to the limitations in subsection B.26.a. and B.26.b. of this section.

5689 27. Per lot, limited to a maximum aggregated total of five thousand square feet  
5690 gross floor area devoted to, and in support of, the retail sale of ~~((marijuana))~~ cannabis,  
5691 and~~((;))~~:

5692 a. Any lot line of a lot having any area devoted to retail ~~((marijuana))~~ cannabis  
5693 activity ~~((must))~~ shall be one thousand feet or more from any lot line of any other lot  
5694 having any area devoted to retail ~~((marijuana))~~ cannabis activity; and any lot line of a lot  
5695 having any area devoted to new retail ~~((marijuana))~~ cannabis activity may not be within  
5696 one thousand feet of any lot line of any lot having any area devoted to existing retail  
5697 ~~((marijuana))~~ cannabis activity; ~~((and))~~

5698           b. Whether a new retail ((~~marijuana~~)) cannabis activity complies with this  
5699 locational requirement shall be determined based on the date a conditional use permit  
5700 application submitted to the department of local services, permitting division, became or  
5701 was deemed complete, and:

5702           (1) if a complete conditional use permit application for the proposed retail  
5703 ((~~marijuana~~)) cannabis use was not submitted, or if more than one conditional use permit  
5704 application became or was deemed complete on the same date, then the director shall  
5705 determine compliance based on the date the Washington state Liquor and Cannabis Board  
5706 issues a Notice of ((~~Marijuana~~)) Cannabis Application to King County;

5707           (2) if the Washington state Liquor and Cannabis Board issues more than one  
5708 Notice of ((~~Marijuana~~)) Cannabis Application on the same date, then the director shall  
5709 determine compliance based on the date either any complete building permit or change of  
5710 use permit application, or both, were submitted to the department declaring retail  
5711 ((~~marijuana~~)) cannabis activity as an intended use;

5712           (3) if more than one building permit or change of use permit application was  
5713 submitted on the same date, or if no building permit or change of use permit application  
5714 was submitted, then the director shall determine compliance based on the date a complete  
5715 business license application was submitted; and

5716           (4) if a business license application was not submitted or more than one  
5717 business license application was submitted, then the director shall determine compliance  
5718 based on the totality of the circumstances, including, but not limited to, the date that a  
5719 retail ((~~marijuana~~)) cannabis license application was submitted to the Washington state  
5720 Liquor and Cannabis Board identifying the lot at issue, the date that the applicant entered

5721 into a lease or purchased the lot at issue for the purpose of retail ((~~marijuana~~)) cannabis  
5722 use, and any other facts illustrating the timing of substantial investment in establishing a  
5723 licensed retail ((~~marijuana~~)) cannabis use at the proposed location; and

5724 c. Retail ((~~marijuana~~)) cannabis businesses licensed by the Washington state  
5725 Liquor and Cannabis Board and operating within one thousand feet of each other as of  
5726 August 14, 2016, and retail ((~~marijuana~~)) cannabis businesses that do not require a permit  
5727 issued by King County, that received a Washington state Liquor and Cannabis Board  
5728 license to operate in a location within one thousand feet of another licensed retail  
5729 ((~~marijuana~~)) cannabis business ((~~prior to~~)) before August 14, 2016, and that King  
5730 County did not object to within the Washington state Liquor and Cannabis Board  
5731 ((~~marijuana~~)) cannabis license application process, shall be considered nonconforming  
5732 and may remain in ((~~their~~)) the business' current location, subject to the provisions of  
5733 K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:

5734 (1) the time periods identified in K.C.C. 21A.32.045.C. shall be six months;  
5735 and

5736 (2) the gross floor area of a nonconforming retail outlet may be increased up  
5737 to the limitations in subsection B.27. of this section, subject to K.C.C. 21A.42.190.

5738 28. If the agricultural product sales or livestock sales is associated with  
5739 agricultural activities it will be reviewed in accordance with K.C.C. 21A.08.090.

5740 29. Businesses selling firearms that have a storefront, have hours during which  
5741 it is open for business, and post advertisements or signs observable to passersby that  
5742 firearms are available for sale shall be located at least five hundred feet or more from any  
5743 elementary, middle/junior high, and secondary or high school properties. Businesses

5744 selling firearms in existence before June 30, 2020, shall be considered nonconforming  
 5745 and may remain in their current location, subject to the provisions of K.C.C. 21A.32.020  
 5746 through 21A.32.075 for nonconforming uses.

5747 30. Only within a former grange hall incorporated under chapter 24.28 RCW  
 5748 and listed in the National Register of Historic Places or designated as a King County  
 5749 landmark subject to K.C.C. chapter 21A.32 and if the parcel is located within one  
 5750 thousand feet of a rural neighborhood commercial center as designated by the King  
 5751 County Comprehensive Plan.

5752 31. In rural neighborhood commercial centers, limited to fifteen thousand  
 5753 square feet of gross floor area.

5754 SECTION 152. Ordinance 10870, Section 335, as amended, and K.C.C.  
 5755 21A.08.080 are hereby amended to read as follows:

5756 A. Manufacturing land uses.

P-Permitted Use		RESOURCE			RURAL	RESIDENTIAL				COMMERCIAL/INDUSTRIAL				
C-Conditional Use														
S-Special Use														
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	<u>R-1</u>	<del>((R-1-8))</del>	<u>R-12</u>	NB	CB	RB	O	I (11)
20	Food and Kindred Products (28)									P2	P2	P2		P2
*	Winery/Brewery /Distillery Facility I				P32									
*	Winery/Brewery	P3			P3					P17	P17	P29		P31



	/Distillery Facility II				C30									
	Winery/Brewery /Distillery Facility III	C12			C12					C29	C29	C29		C31
*	Materials Processing Facility		P13 C	P14 C15	P16 C									P
22	Textile Mill Products													C
23	Apparel and other Textile Products											C		P
24	Wood Products, except furniture	P4 P18	P4 P18 ((€5))		P4 P18 C((5))	P4							C6	P
25	Furniture and Fixtures		P19		P19								C	P
26	Paper and Allied Products													C
27	Printing and Publishing									P7	P7	P7C	P7 C	P
*	<del>((Marijuana))</del> Cannabis Processor I	P20			P27						P21 C22	P21 C22		
*	<del>((Marijuana))</del> Cannabis Processor II										P23 C24	P23 C24		P25 C26
28	Chemicals and Allied Products													C
2911	Petroleum Refining and Related Industries													C
30	Rubber and Misc. Plastics Products													C
31	Leather and Leather Goods											C		<u>P33</u> <u>C</u>
32	Stone, Clay, Glass, and Concrete Products										P((6)) 9	P9		P



	Bicycle Manufacturing													
*	Aircraft, Ship, and Boat Building													P10 C
7534	Tire Retreading											C		P
781-82	Movie Production/Distribution											P		P

5757 B. Development conditions.

5758 1. Repealed.

5759 2. Except slaughterhouses.

5760 3.a. In the A zone, only allowed on sites where the primary use is SIC Industry  
5761 Group No. 01-Growing and Harvesting Crops or No. 02-Raising Livestock and Small  
5762 Animals;

5763 b. Only allowed on lots of at least two and one-half acres, except that this  
5764 requirement shall not apply on Vashon-Maury Island to winery, brewery, or distillery  
5765 business locations in use and licensed to produce by the Washington state Liquor and  
5766 Cannabis Board before January 1, 2019, and that in the RA zone, for sites that contain a  
5767 building designated as historic resource under K.C.C. chapter 20.62, only allowed on lots  
5768 of at least two acres;

5769 c. The aggregated floor area of structures and areas for winery, brewery,  
5770 distillery facility uses shall not exceed three thousand five hundred square feet, unless  
5771 located in whole or in part in a structure designated as historic resource under K.C.C.  
5772 chapter 20.62, in which case the aggregated floor area of structures and areas devoted to  
5773 winery, brewery, distillery facility uses shall not exceed seven thousand square feet in the  
5774 RA zone and five thousand square feet in the A zone. Decks that are not occupied and

5775 not open to the public are excluded from the calculation for maximum aggregated floor  
5776 area;

5777 d. Structures and parking areas for winery, brewery, distillery facility uses  
5778 shall maintain a minimum distance of seventy-five feet from interior property lines  
5779 adjoining rural area and residential zones, unless located in a building designated as  
5780 historic resource under K.C.C. chapter 20.62, except that on Vashon-Maury Island this  
5781 setback requirement shall not apply to structures and parking areas in use on December 4,  
5782 2019, by existing winery, brewery or distillery business locations licensed to produce by  
5783 the Washington state Liquor and Cannabis Board before January 1, 2019;

5784 e. In the A zone, sixty percent or more of the products processed must be  
5785 grown on-site. At the time of the initial application under K.C.C. chapter 6.74, the  
5786 applicant shall submit a projection of the source of products to be produced;

5787 f. At least two stages of production of wine, beer, cider or distilled spirits, such  
5788 as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized by the  
5789 Washington state Liquor and Cannabis Board production license, shall occur on-site. At  
5790 least one of the stages of production occurring on-site shall include crushing, fermenting  
5791 or distilling;

5792 g. In the A zone, structures and area for non-agricultural winery, brewery,  
5793 distillery facility uses shall be located on portions of agricultural lands that are unsuitable  
5794 for agricultural purposes, such as areas within the already developed portion of such  
5795 agricultural lands that are not available for direct agricultural production, or areas without  
5796 prime agricultural soils. No more than one acre of agricultural land may be converted to  
5797 a nonagricultural accessory use;

5798           h. Tasting and retail sales of products produced on-site may occur only as  
5799 accessory to the primary winery, brewery, distillery production use and may be provided  
5800 in accordance with state law. The area devoted to on-site tasting or retail sales shall be  
5801 limited to no more than thirty percent of the aggregated floor area and shall be included  
5802 in the aggregated floor area limitation in subsection B.3.c. of this section. The limitation  
5803 on tasting and retail sales of products produced on-site shall not apply on Vashon-Maury  
5804 Island to winery, brewery, or distillery business locations in use and licensed to produce  
5805 by the Washington state Liquor and Cannabis Board before January 1, 2019, or on sites  
5806 in the RA zone that contain a building designated as historic resource under K.C.C.  
5807 chapter 20.62. Incidental retail sales of merchandise related to the products produced on-  
5808 site is allowed subject to the restrictions described in this subsection B.3. Hours of  
5809 operation for on-site tasting of products shall be limited as follows: Mondays, Tuesdays,  
5810 Wednesdays and Thursdays, tasting room hours shall be limited to 11:00 a.m. through  
5811 7:00 p.m.; and Fridays, Saturdays and Sundays, tasting room hours shall be limited to  
5812 11:00 a.m. through 9:00 p.m.;

5813           i. Access to the site shall be directly to and from an arterial roadway, except  
5814 that this requirement shall not apply on Vashon-Maury Island to winery, brewery,  
5815 distillery facility business locations in use and licensed to produce by the Washington  
5816 state Liquor and Cannabis Board before January 1, 2019;

5817           j. Off-street parking is limited to a maximum of one hundred fifty percent of  
5818 the minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;

5819           k. The business operator shall obtain an adult beverage business license in  
5820 accordance with K.C.C. chapter 6.74;

5821 1. Events may be allowed with an approved temporary use permit under K.C.C.  
5822 chapter 21A.32 or in compliance with the exemption in K.C.C. 21A.32.110.E.; and  
5823 m. The impervious surface associated with the winery, brewery, distillery  
5824 facility use shall not exceed twenty-five percent of the site, or the maximum impervious  
5825 surface for the zone in accordance with K.C.C. 21A.12.030.A. or 21A.12.040.A.,  
5826 whichever is less.

5827 4. Limited to rough milling and planing of products grown on-site with portable  
5828 equipment.

5829 5. (~~Limited to SIC Industry Group No. 242-Sawmills and SIC Industry No.~~  
5830 ~~2431-Millwork. For RA zoned sites, if using lumber or timber grown off site, the~~  
5831 ~~minimum site area is four and one-half acres.)) Repealed.~~

5832 6. Limited to uses found in SIC Industry No. 2434-Wood Kitchen Cabinets and  
5833 No. 2431-Millwork, (excluding planing mills).

5834 7. Limited to photocopying and printing services offered to the general public.

5835 8. Only within enclosed buildings, and as an accessory use to retail sales.

5836 9. Only within enclosed buildings.

5837 10. Limited to boat building of craft not exceeding forty-eight feet in length.

5838 11. For I-zoned sites located outside the urban growth area designated by the  
5839 King County Comprehensive Plan, uses shown as a conditional use in the table of K.C.C.  
5840 21A.08.080.A. shall be prohibited, and all other uses shall be subject to the provisions for  
5841 rural industrial uses (~~as set forth~~) in K.C.C. (~~chapter 21A.12~~) 21A.14.280.

5842           12.a. In the A zone, only allowed on sites where the primary use is SIC Industry  
5843 Group No. 01-Growing and Harvesting Crops or No. 02-Raising Livestock and Small  
5844 Animals;

5845           b. The aggregated floor area of structures and areas for winery, brewery,  
5846 distillery facility uses shall not exceed a total of eight thousand square feet. Decks that  
5847 are not occupied and not open to the public are excluded from the calculation for  
5848 maximum aggregated floor area;

5849           c. Only allowed on lots of at least four and one-half acres. If the aggregated  
5850 floor area of structures for winery, brewery, distillery uses exceeds six thousand square  
5851 feet, the minimum site area shall be ten acres;

5852           d. Wineries, breweries, and distilleries shall comply with Washington state  
5853 Department of Ecology and King County board of health regulations for water usage and  
5854 wastewater disposal, and must connect to an existing Group A water system. The  
5855 definitions and limits of Group A water systems are described in K.C.C. 13.24.007, and  
5856 provision of water service is described in K.C.C. 13.24.138, 13.24.140 and 13.24.142;

5857           e. Structures and parking areas for winery, brewery distillery facility uses shall  
5858 maintain a minimum distance of seventy-five feet from interior property lines adjoining  
5859 rural area and residential zones, unless located in a building designated as historic  
5860 resource under K.C.C. chapter 20.62;

5861           f. In the A Zone, sixty percent or more of the products processed must be  
5862 grown on-site. At the time of the initial application under K.C.C. chapter 6.74, the  
5863 applicant shall submit a projection of the source of products to be processed;

5864 g. At least two stages of production of wine, beer, cider or distilled spirits,  
5865 such as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized  
5866 by the Washington state Liquor and Cannabis Board production license, shall occur on-  
5867 site. At least one of the stages of on-site production shall include crushing, fermenting or  
5868 distilling;

5869 h. In the A zone, structures and areas for non-agricultural winery, brewery,  
5870 distillery facility uses shall be located on portions of agricultural lands that are unsuitable  
5871 for agricultural purposes, such as areas within the already developed portion of such  
5872 agricultural lands that are not available for direct agricultural production, or areas without  
5873 prime agricultural soils. No more than one acre of agricultural land may be converted to  
5874 a nonagricultural accessory use;

5875 i. Tasting and retail sales of products produced on-site may occur only as  
5876 accessory to the primary winery, brewery, distillery production use and may be provided  
5877 in accordance with state law. The area devoted to on-site tasting or retail sales shall be  
5878 limited to no more than thirty percent of the aggregated floor area and shall be included  
5879 in the aggregated floor area limitation in subsection B.12.b. and c. of this section.

5880 Incidental retail sales of merchandise related to the products produced on-site is allowed  
5881 subject to the restrictions described in this subsection. Hours of operation for on-site  
5882 tasting of products shall be limited as follows: Mondays, Tuesdays, Wednesdays and  
5883 Thursdays, tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and  
5884 Fridays, Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m.  
5885 through 9:00 p.m.;

5886 j. Access to the site shall be directly to and from an arterial roadway;



5887 k. Off-street parking maximums shall be determined through the conditional  
5888 use permit process, and should not be more than one hundred fifty percent of the  
5889 minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;

5890 l. The business operator shall obtain an adult beverage business license in  
5891 accordance with K.C.C. chapter 6.74;

5892 m. Events may be allowed with an approved temporary use permit under  
5893 K.C.C. chapter 21A.32 or in compliance with the exemption in K.C.C. 21A.32.110.E.;

5894 and

5895 n. The impervious surface associated with the winery, brewery, distillery  
5896 facility use shall not exceed twenty-five percent of the site, or the maximum impervious  
5897 surface for the zone in accordance with K.C.C. 21A.12.030.A. or 21A.12.040.A.,  
5898 whichever is less.

5899 13. Only on the same lot or same group of lots under common ownership or  
5900 documented legal control, which includes, but is not limited to, fee simple ownership, a  
5901 long-term lease, or an easement, and:

5902 a. does not include retail sales of processed materials, and

5903 b.(1) as accessory to a primary forestry use and at a scale appropriate to  
5904 process the organic waste generated on the site; or

5905 ~~((b-))~~ (2) as a continuation of a sawmill or lumber manufacturing use only for  
5906 that period to complete delivery of products or projects under contract at the end of the  
5907 sawmill or lumber manufacturing activity.

5908           14. Only on the same lot or same group of lots under common ownership or  
5909 documented legal control, which includes, but is not limited to, fee simple ownership, a  
5910 long-term lease, or an easement, and:

5911           a. does not include retail sales of processed materials; and  
5912           b.(1) as accessory to a primary mineral use and may only process materials  
5913 generated from on-site or properties within three miles of the site; or  
5914           ((b-)) (2) as a continuation of a mineral processing use only for that period to  
5915 complete delivery of products or projects under contract at the end of mineral extraction.

5916           15. Continuation of a materials processing facility after reclamation in  
5917 accordance with an approved reclamation plan.

5918           16. Only a site that is ten acres or greater and ~~((that))~~ in accordance with the  
5919 following:

5920           a. the site does not use local access streets that abut lots developed for  
5921 residential use;

5922           b. the materials processing use meets the requirements of K.C.C. 21A.12.220  
5923 and K.C.C. chapter 21A.16;

5924           c. the materials processing use obtains and maintains an operational grading  
5925 permit;

5926           d. storage of fill material, as defined in K.C.C. chapter 16.82, does not exceed  
5927 three thousand cubic yards;

5928           e. processed fill material, as defined in K.C.C. chapter 16.82, are primarily  
5929 from the rural area and natural resource lands; and

5930           f. Does not include retail sales of processed materials.

5931           17.a. The aggregated floor area of structures and areas for winery, brewery,  
5932 distillery facility uses shall not exceed three thousand five hundred square feet, unless  
5933 located in whole or in part in a structure designated as historic resource under K.C.C.  
5934 chapter 20.62, in which case the aggregated floor area of structures and areas devoted to  
5935 winery, brewery, distillery facility uses shall not exceed five thousand square feet. Decks  
5936 that are not occupied and not open to the public are excluded from the calculation for  
5937 maximum aggregated floor area;

5938           b. Structures and parking areas for winery, brewery, distillery facility uses  
5939 shall maintain a minimum distance of seventy-five feet from interior property lines  
5940 adjoining rural area and residential zones, unless located in a building designated as  
5941 historic resource under K.C.C. chapter 20.62;

5942           c. Tasting and retail sale of products produced on-site, and merchandise related  
5943 to the products produced on-site, may be provided in accordance with state law. The area  
5944 devoted to on-site tasting or retail sales shall be included in the aggregated floor area  
5945 limitation in subsection B.17.a. of this section;

5946           d. Off-street parking for the tasting and retail areas shall be limited to a  
5947 maximum of one space per fifty square feet of tasting and retail areas;

5948           e. The business operator shall obtain an adult beverage business license in  
5949 accordance with K.C.C. chapter 6.74; and

5950           f. Events may be allowed with an approved temporary use permit under K.C.C.  
5951 chapter 21A.32.

5952           18. Limited to:

5953 a. SIC Industry Group (~~(No.)~~) 242-Sawmills and SIC Industry (~~(No.)~~) 2431-  
5954 Millwork, as follows:

5955 (1) If using lumber or timber grown off-site, the minimum site area is four  
5956 and one-half acres; and

5957 (2) In the A and RA zones:

5958 (a) The facility shall be limited to an annual production of no more than one  
5959 hundred fifty thousand board feet;

5960 ~~((3))~~ (b) Structures housing equipment used in the operation shall be located  
5961 at least one-hundred feet from adjacent properties with (~~residential or rural area~~) R, UR,  
5962 and RA zoning;

5963 ~~((4))~~ (c) Deliveries and customer visits shall be limited to (~~the hours of~~)  
5964 8:00 a.m. to 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;

5965 ~~((5))~~ (d) In the RA zone, the facility's driveway shall have adequate entering  
5966 sight distance required by the 2007 King County Road Design and Construction  
5967 Standards. An adequate turn around shall be provided on-site to prevent vehicles from  
5968 backing out on to the roadway that the driveway accesses; and

5969 ~~((6))~~ (e) Outside lighting is limited to avoid off-site glare; and

5970 b. SIC Industry (~~(No.)~~) 2411-Logging.

5971 19. Limited to manufacture of custom made wood furniture or cabinets.

5972 20.a. Only allowed on lots of at least four and one-half acres;

5973 b. Only as an accessory use to a Washington state Liquor (~~(Control)~~) and  
5974 Cannabis Board licensed (~~(marijuana)~~) cannabis production facility on the same lot;

5975 c. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

5976 d. Only with documentation that the operator has applied for a Puget Sound  
5977 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
5978 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall  
5979 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
5980 before ~~((marijuana))~~ cannabis products are imported onto the site; and

5981 e. Accessory ~~((marijuana))~~ cannabis processing uses allowed under this section  
5982 are subject to all limitations applicable to ~~((marijuana))~~ cannabis production uses under  
5983 K.C.C. 21A.08.090.

5984 21.a. Only in the CB and RB zones located outside the urban growth area;

5985 b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

5986 c. Only with documentation that the operator has applied for a Puget Sound  
5987 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
5988 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall  
5989 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
5990 before ~~((marijuana))~~ cannabis products are imported onto the site;

5991 d. Per lot, the aggregated total gross floor area devoted to the use of, and in  
5992 support of, processing ~~((marijuana))~~ cannabis together with any separately authorized  
5993 production of ~~((marijuana))~~ cannabis shall be limited to a maximum of two thousand  
5994 square feet; and

5995 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and  
5996 every ~~((marijuana))~~ cannabis-related entity occupying space in addition to the two-  
5997 thousand-square-foot threshold area on that lot shall obtain a conditional use permit as  
5998 ~~((set forth))~~ required in subsection B.22. of this section.

5999           22.a. Only in the CB and RB zones located outside the urban growth area;

6000           b. Per lot, the aggregated total gross floor area devoted to the use of, and in

6001 support of, processing (~~marijuana~~) cannabis together with any separately authorized

6002 production of (~~marijuana~~) cannabis shall be limited to a maximum of thirty thousand

6003 square feet;

6004           c. With a lighting plan, only if required by K.C.C. 21A.12.220.G.; and

6005           d. Only with documentation that the operator has applied for a Puget Sound

6006 Clean Air Agency Notice of Construction Permit. All department permits issued to either

6007 (~~marijuana~~) cannabis producers or (~~marijuana~~) cannabis processors, or both, shall

6008 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved

6009 before (~~marijuana~~) cannabis products are imported onto the site.

6010           23.a. Only in the CB and RB zones located inside the urban growth area;

6011           b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

6012           c. Only with documentation that the operator has applied for a Puget Sound

6013 Clean Air Agency Notice of Construction Permit. All department permits issued to either

6014 (~~marijuana~~) cannabis producers or (~~marijuana~~) cannabis processors, or both, shall

6015 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved

6016 before (~~marijuana~~) cannabis products are imported onto the site;

6017           d. Per lot, the aggregated total gross floor area devoted to the use of, and in

6018 support of, processing (~~marijuana~~) cannabis together with any separately authorized

6019 production of (~~marijuana~~) cannabis shall be limited to a maximum of two thousand

6020 square feet; and

6021 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and  
6022 every ~~((marijuana))~~ cannabis-related entity occupying space in addition to the two-  
6023 thousand-square-foot threshold area on that lot shall obtain a conditional use permit as  
6024 ~~((set forth))~~ required in subsection B.24. of this section.

6025 24.a. Only in the CB and RB zones located inside the urban growth area;

6026 b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

6027 c. Only with documentation that the operator has applied for a Puget Sound  
6028 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
6029 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall  
6030 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
6031 before ~~((marijuana))~~ cannabis products are imported onto the site; and

6032 d. Per lot, the aggregated total gross floor area devoted to the use of, and in  
6033 support of, processing ~~((marijuana))~~ cannabis together with any separately authorized  
6034 production of ~~((marijuana))~~ cannabis shall be limited to a maximum of thirty thousand  
6035 square feet.

6036 25.a. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

6037 b. Only with documentation that the operator has applied for a Puget Sound  
6038 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
6039 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall  
6040 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
6041 before ~~((marijuana))~~ cannabis products are imported onto the site; and

6042 c. Per lot, limited to a maximum aggregate total of two thousand square feet of  
6043 gross floor area devoted to, and in support of, the processing of ~~((marijuana))~~ cannabis  
6044 together with any separately authorized production of ~~((marijuana))~~ cannabis.

6045 26.a. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

6046 b. Only with documentation that the operator has applied for a Puget Sound  
6047 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
6048 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall  
6049 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
6050 before ~~((marijuana))~~ cannabis products are imported onto the site; and

6051 c. Per lot, limited to a maximum aggregate total of thirty thousand square feet  
6052 of gross floor area devoted to, and in support of, the processing of ~~((marijuana))~~ cannabis  
6053 together with any separately authorized production of ~~((marijuana))~~ cannabis.

6054 27.a. ~~((Marijuana))~~ Cannabis processors in all RA zoned areas except for  
6055 Vashon-Maury Island, that do not require a conditional use permit issued by King  
6056 County, that receive a Washington state Liquor and Cannabis Board license business  
6057 ~~((prior to))~~ before October 1, 2016, and that King County did not object to within the  
6058 Washington state Liquor and Cannabis Board ~~((marijuana))~~ cannabis license application  
6059 process, shall be considered nonconforming as to subsection B.27.e. of this section,  
6060 subject to the provisions of K.C.C. 21A.32.020 through 21A.32.075 for nonconforming  
6061 uses;

6062 b. Only with a lighting plan that complies with K.C.C. 21A.12.220.G.;

6063 c. Only with documentation that the operator has applied for a Puget Sound  
6064 Clean Air Agency Notice of Construction Permit. All department permits issued to either



6065 ((~~marijuana~~)) cannabis producers or ((~~marijuana~~)) cannabis processors, or both, shall  
6066 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
6067 before ((~~marijuana~~)) cannabis products are imported onto the site;

6068 d. Only allowed on lots of at least four and one-half acres on Vashon-Maury  
6069 Island;

6070 e. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,  
6071 except on Vashon-Maury Island;

6072 f. Only as an accessory use to a Washington state Liquor Cannabis Board  
6073 licensed ((~~marijuana~~)) cannabis production facility on the same lot; and

6074 g. Accessory ((~~marijuana~~)) cannabis processing uses allowed under this section  
6075 are subject to all limitations applicable to ((~~marijuana~~)) cannabis production uses under  
6076 K.C.C. 21A.08.090.

6077 28. If the food and kindred products manufacturing or processing is associated  
6078 with agricultural activities it will be reviewed in accordance with K.C.C. 21A.08.090.

6079 29.a. Tasting and retail sales of products produced on-site, and merchandise  
6080 related to the products produced on-site, may be provided in accordance with state law;

6081 b. Structures and parking areas for winery, brewery, distillery facility uses  
6082 shall maintain a minimum distance of seventy-five feet from interior property lines  
6083 adjoining rural area and residential zones, unless located in a building designated as  
6084 historic resource under K.C.C. chapter 20.62;

6085 c. For winery, brewery, distillery facility uses that do not require a conditional  
6086 use permit, off-street parking for the tasting and retail areas shall be limited to a  
6087 maximum of one space per fifty square feet of tasting and retail areas. For winery,

6088 brewery, distillery facility uses that do require a conditional use permit, off-street parking  
6089 maximums shall be determined through the conditional use permit process, and off-street  
6090 parking for the tasting and retail areas should be limited to a maximum of one space per  
6091 fifty square feet of tasting and retail areas;

6092 d. The business operator shall obtain an adult beverage business license in  
6093 accordance with K.C.C. chapter 6.74; and

6094 e. Events may be allowed with an approved temporary use permit under  
6095 K.C.C. chapter 21A.32.

6096 30.a. Only allowed on lots of at least two and one-half acres;

6097 b. The aggregated floor area of structures and areas for winery, brewery,  
6098 distillery facility uses shall not exceed three thousand five hundred square feet, unless  
6099 located in whole or in part in a structure designated as historic resource under K.C.C.  
6100 chapter 20.62, in which case the aggregated floor area of structures and areas devoted to  
6101 winery, brewery, distillery facility uses shall not exceed five thousand square feet. Decks  
6102 that are not occupied and not open to the public are excluded from the calculation for  
6103 maximum aggregated floor area;

6104 c. Structures and parking areas for winery, brewery, distillery facility uses  
6105 shall maintain a minimum distance of seventy-five feet from interior property lines  
6106 adjoining rural area and residential zones, unless located in a building designated as  
6107 historic resource under K.C.C. chapter 20.62;

6108 d. Tasting and retail sales of products produced on-site may only occur as  
6109 accessory to the primary winery, brewery, distillery production use and may be provided  
6110 in accordance with state law. The area devoted to on-site tasting or retail sales shall be

6111 limited to no more than thirty percent of the aggregated floor area and shall be included  
6112 in the aggregated floor area limitation in subsection B.30.b. of this section. Incidental  
6113 retail sales of merchandise related to the products produced on-site is allowed subject to  
6114 the restrictions described in this subsection. Hours of operation for on-site tasting of  
6115 products shall be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays,  
6116 tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays,  
6117 Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00  
6118 p.m.;

6119 e. Access to the site shall be directly to and from a public roadway;

6120 f. Off-street parking is limited to a maximum of one hundred fifty percent of  
6121 the minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;

6122 g. The business operator shall obtain an adult beverage business license in  
6123 accordance with K.C.C. chapter 6.74;

6124 h. Events may be allowed with an approved temporary use permit under  
6125 K.C.C. chapter 21A.32 or in compliance with the exemption in K.C.C. 21A.32.110.E.;

6126 i. At least two stages of production of wine, beer, cider or distilled spirits, such  
6127 as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized by the  
6128 Washington state Liquor and Cannabis Board production license, shall occur on-site. At  
6129 least one of the stages of production occurring on-site shall include crushing, fermenting  
6130 or distilling; and

6131 j. The impervious surface associated with the winery, brewery, distillery  
6132 facility use shall not exceed twenty-five percent of the site, or the maximum impervious

6133 surface for the zone in accordance with K.C.C. 21A.12.030.A. or 21A.12.040.A.,  
6134 whichever is less.

6135           31.a. Limited to businesses with non-retail brewery and distillery production  
6136 licenses from the Washington state Liquor and Cannabis board. Wineries and remote  
6137 tasting rooms for wineries shall not be allowed;

6138           b. Tasting and retail sale of products produced on-site and merchandise related  
6139 to the products produced on-site may be provided in accordance with state law. The area  
6140 devoted to on-site tasting or retail sales shall not exceed one thousand five hundred  
6141 square feet;

6142           c. Structures and parking areas for brewery and distillery facility uses shall  
6143 maintain a minimum distance of seventy-five feet from interior property lines adjoining  
6144 rural area and residential zones, unless located in a building designated as historic  
6145 resource under K.C.C. chapter 20.62;

6146           d. For brewery and distillery facility uses that do not require a conditional use  
6147 permit, off-street parking for the tasting and retail areas shall be limited to a maximum of  
6148 one space per fifty square feet of tasting and retail areas. For brewery and distillery  
6149 facility uses that do require a conditional use permit, off-street parking maximums shall  
6150 be determined through the conditional use permit process, and off-street parking for the  
6151 tasting and retail areas should be limited to a maximum of one space per fifty square feet  
6152 of tasting and retail areas;

6153           e. The business operator shall obtain an adult beverage business license in  
6154 accordance with K.C.C. chapter 6.74; and

6155 f. Events may be allowed with an approved temporary use permit under K.C.C.  
6156 chapter 21A.32.

6157 32.a. The aggregated floor area of structures and areas for winery, brewery,  
6158 distillery facility uses shall not exceed one thousand five hundred square feet;

6159 b. Structures and parking areas for winery, brewery, distillery facility uses  
6160 shall maintain a minimum distance of seventy-five feet from interior property lines  
6161 adjoining rural area and residential zones, unless located in a building designated as  
6162 historic resource under K.C.C. chapter 20.62;

6163 c. One on-site parking stall shall be allowed for the winery, brewery, distillery  
6164 facility I use;

6165 d. The business operator shall obtain an adult beverage business license in  
6166 accordance with K.C.C. chapter 6.74;

6167 e. At least two stages of production of wine, beer, cider or distilled spirits, such  
6168 as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized by the  
6169 Washington state Liquor and Cannabis Board production license, shall occur on-site. At  
6170 least one of the stages of production occurring on-site shall include crushing, fermenting  
6171 or distilling;

6172 f. No product tasting or retail sales shall be allowed on-site;

6173 g. Events may be allowed in accordance with K.C.C. 21A.32.120.B.6; and

6174 h. The impervious surface associated with the winery, brewery, distillery  
6175 facility use shall not exceed twenty-five percent of the site or the maximum impervious  
6176 surface for the zone in accordance with K.C.C. 21A.12.030.A. or 21A.12.040.A.,  
6177 whichever is less.

6178 33. Except leather tanning and finishing.

6179 34. Except gasoline powered motorcycles.

6180 SECTION 153. Ordinance 10870, Section 336, as amended, and K.C.C.

6181 21A.08.090 are hereby amended to read as follows:

6182 A. Resource land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			R U R A L	RESIDENTIAL				COMMERCIAL/INDUSTRIAL				
SIC#	SPECIFIC LAND USE	A	F	M	R A	UR	<u>R-</u> <u>1</u>	<del>(R</del> <u>4-</u> <u>8</u> )	<u>R-</u> <u>12</u> = <u>R-</u> <u>48</u>	NB	CB	RB	O	I
12	Coal Mining													
13	Oil and Gas Extraction													
*	<u>Anaerobic Digester</u>	<u>P13</u> <u>C</u>	<u>C</u>	<u>C</u>	<u>P</u> <u>1</u> <u>3</u> <u>C</u>	<u>C3</u> <u>0</u>	<u>C3</u> <u>0</u>	<u>C3</u> <u>0</u>	<u>C3</u> <u>0</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<b>AGRICULTURE:</b>													
01	Growing and Harvesting Crops	P	P		P	P	<u>P</u>	P	<u>P2</u> <u>2</u>	<u>P2</u> <u>2</u>	<u>P2</u> <u>2</u>	<u>P2</u> <u>2</u>	<u>P2</u> <u>2</u>	P
02	Raising Livestock and Small Animals (6)	P	P		P	P								P
*	Agricultural Activities	P24	P24		P	P24	<u>P2</u>	<u>P2</u>	<u>P2</u>	<u>P2</u>	<u>P2</u>	<u>P2</u>	<u>P2</u>	

		C	C		2	C	<u>9</u>	<u>9</u>	<u>9</u>	<u>9</u>	<u>9</u>	<u>9</u>	
					4		<u>C2</u>	<u>C2</u>	<u>C2</u>				
					C		<u>9</u>	<u>9</u>	<u>9</u>				
*	Agricultural Support Services	P25 C	P25 C		P 2 6 C	P26 C	<u>P2</u> <u>6</u> <u>C</u>	P2 6 C		P2 7 C2 8	P2 7 C2 8		
*	<del>((Marijuana))</del> Cannabis producer	P15 C22			P 1 6 C 1 7						P1 8 C1 9	P1 8 C1 9	P2 0 C2 1
*	Agriculture Training Facility	C10											
*	Agriculture-related special needs camp	P12											
(*)	<del>Agricultural Anaerobic Digester</del>	<del>P13</del> )											
	<b>FORESTRY:</b>												
08	Growing (&) and Harvesting Forest Production	P	P	P7	P	P	<u>P</u>	P					P
*	Forest Research		P		P	P						P2	P
	<b>FISH AND WILDLIFE MANAGEMENT:</b>												
0921	Hatchery/Fish Preserve (1)	P	P		P	P	<u>C</u>	C					P
0273	Aquaculture (1)	P	P		P	P	<u>C</u>	C					P
*	Wildlife Shelters	P	P		P	P							

	<b>MINERAL:</b>													
10, 14	Mineral Extraction and Processing		P9 C	P C1 1										
2951, 3271, 3273	Asphalt/Concrete Mixtures and Block		P8 C11	P8 C1 1										P
	<b>ACCESSORY USES:</b>													
*	Resource Accessory Uses	P3 P23	P4	P5	P 3	P3								P4
*	Farm Worker Housing	P14			P 1 4									

- 6183 B. Development conditions.
- 6184 1. May be further subject to K.C.C. chapter 21A.25.
- 6185 2. Only forest research conducted within an enclosed building.
- 6186 3. Farm residences in accordance with K.C.C. 21A.08.030.
- 6187 4. Excluding housing for agricultural workers.
- 6188 5. Limited to either maintenance or storage facilities, or both, in conjunction
- 6189 with mineral extraction or processing operation.
- 6190 6. Allowed in accordance with K.C.C. chapter 21A.30.
- 6191 7. Only in conjunction with a mineral extraction site plan approved in
- 6192 accordance with K.C.C. chapter 21A.22.
- 6193 8. Only on the same lot or same group of lots under common ownership or
- 6194 documented legal control, which includes, but is not limited to, fee simple ownership, a
- 6195 long-term lease, or an easement:



6196 a. as accessory to a primary mineral extraction use; or  
6197 b. as a continuation of a mineral processing only for that period to complete  
6198 delivery of products or projects under contract at the end of a mineral extraction(~~(; or~~  
6199 ~~e. for a public works project under a temporary grading permit issued in~~  
6200 ~~accordance with K.C.C. 16.82.152))~~).

6201 9. Limited to mineral extraction and processing:

6202 a. on a lot or group of lots under common ownership or documented legal  
6203 control, which includes, but is not limited to, fee simple ownership, a long-term lease, or  
6204 an easement;

6205 b. that are located greater than one-quarter mile from an established residence;  
6206 and

6207 c. that do not use local access streets that abut lots developed for residential  
6208 use.

6209 10. Agriculture training facilities are allowed only as an accessory to existing  
6210 agricultural uses and are subject to the following conditions:

6211 a. The impervious surface associated with the agriculture training facilities  
6212 shall comprise not more than ten percent of the allowable impervious surface  
6213 ~~((permitted))~~ allowed under K.C.C. 21A.12.040;

6214 b. New or the expansion of existing structures, or other site improvements,  
6215 shall not be located on class 1, 2, or 3 soils;

6216 c. The director may require reuse of surplus structures to the maximum extent  
6217 practical;

6218                   d. The director may require ~~((the clustering of))~~ new structures ~~((with))~~ to be  
6219 sited near existing structures;

6220                   e. New structures or other site improvements shall be set back a minimum  
6221 distance of seventy-five feet from property lines adjoining ~~((rural area and residential))~~  
6222 RA, UR, and R zones;

6223                   f. Bulk and design of structures shall be compatible with the architectural style  
6224 of the surrounding agricultural community;

6225                   g. New sewers shall not be extended to the site;

6226                   h. Traffic generated shall not impede the safe and efficient movement of  
6227 agricultural vehicles, nor shall it require capacity improvements to rural roads;

6228                   i. Agriculture training facilities may be used to provide educational services to  
6229 the surrounding rural/agricultural community or for community events. Property owners  
6230 may be required to obtain a temporary use permit for community events in accordance  
6231 with K.C.C. chapter 21A.32;

6232                   j. Use of lodging and food service facilities shall be limited only to activities  
6233 conducted in conjunction with training and education programs or community events  
6234 held on-site;

6235                   k. Incidental uses, such as office and storage, shall be limited to those that  
6236 directly support education and training activities or farm operations; and

6237                   l. The King County agriculture commission shall be notified of and have an  
6238 opportunity to comment upon all proposed agriculture training facilities during the permit  
6239 process in accordance with K.C.C. chapter 21A.40.

6240 11. Continuation of mineral processing and asphalt/concrete mixtures and block  
6241 uses after reclamation in accordance with an approved reclamation plan.

6242 12.a. Activities at the camp shall be limited to agriculture and agriculture-  
6243 oriented activities. In addition, activities that place minimal stress on the site's  
6244 agricultural resources or activities that are compatible with agriculture are ~~((permitted))~~  
6245 allowed.

6246 (1) passive recreation;

6247 (2) training of individuals who will work at the camp;

6248 (3) special events for families of the campers; and

6249 (4) agriculture education for youth.

6250 b. Outside the camp center, as provided for in subsection B.12.e. of this  
6251 section, camp activities shall not preclude the use of the site for agriculture and  
6252 agricultural related activities, such as the processing of local food to create value-added  
6253 products and the refrigeration and storage of local agricultural products. The camp shall  
6254 be managed to coexist with agriculture and agricultural activities both on-site and in the  
6255 surrounding area.

6256 c. A farm plan shall be required for commercial agricultural production to  
6257 ensure adherence to best management practices and soil conservation.

6258 d.(1) The minimum site area shall be five hundred acres. Unless the property  
6259 owner has sold or transferred the development rights as provided in subsection B.12.c.(3)  
6260 of this section, a minimum of five hundred acres of the site ~~((must))~~ shall be owned by a  
6261 single individual, corporation, partnership, or other legal entity and ~~((must))~~ shall remain

6262 under the ownership of a single individual, corporation, partnership, or other legal entity  
6263 for the duration of the operation of the camp.

6264 (2) Nothing in subsection B.12.d.(1) of this section prohibits the property  
6265 owner from selling or transferring the development rights for a portion or all of the site to  
6266 the King County farmland preservation program or, if the development rights are  
6267 extinguished as part of the sale or transfer, to a nonprofit entity approved by the director;

6268 e. The impervious surface associated with the camp shall comprise not more  
6269 than ten percent of the allowable impervious surface (~~(permitted)~~) allowed under K.C.C.  
6270 21A.12.040;

6271 f. Structures for living quarters, dining facilities, medical facilities, and other  
6272 nonagricultural camp activities shall be located in a camp center. The camp center shall  
6273 be no more than fifty acres and shall be depicted on a site plan. New structures for  
6274 nonagricultural camp activities shall be (~~(clustered with)~~) sited near existing structures;

6275 g. To the extent practicable, existing structures shall be reused. The applicant  
6276 shall demonstrate to the director that a new structure for nonagricultural camp activities  
6277 cannot be practicably accommodated within an existing structure on the site, though  
6278 cabins for campers shall be (~~(permitted)~~) allowed only if they do not already exist on-site;

6279 h. Camp facilities may be used to provide agricultural educational services to  
6280 the surrounding rural and agricultural community or for community events. If required  
6281 by K.C.C. chapter 21A.32, the property owner shall obtain a temporary use permit for  
6282 community events;

6283 i. Lodging and food service facilities shall only be used for activities related to  
6284 the camp or for agricultural education programs or community events held on-site;

6285           j. Incidental uses, such as office and storage, shall be limited to those that  
6286 directly support camp activities, farm operations, or agricultural education programs;

6287           k. New nonagricultural camp structures and site improvements shall maintain a  
6288 minimum set-back of seventy-five feet from property lines adjoining (~~rural area and~~  
6289 ~~residential~~) RA, UR, and R zones;

6290           l. Except for legal nonconforming structures existing as of January 1, 2007,  
6291 camp facilities, such as a medical station, food service hall, and activity rooms, shall be  
6292 of a scale to serve overnight camp users;

6293           m. Landscaping equivalent to a type III landscaping screen, as provided for in  
6294 K.C.C. 21A.16.040, of at least twenty feet shall be provided for nonagricultural structures  
6295 and site improvements located within two hundred feet of an adjacent (~~rural area and~~  
6296 ~~residential~~) RA, UR, and R zoned property not associated with the camp;

6297           n. New sewers shall not be extended to the site;

6298           o. The total number of persons staying overnight shall not exceed three  
6299 hundred;

6300           p. The length of stay for any individual overnight camper, not including camp  
6301 personnel, shall not exceed ninety days during a three-hundred-sixty-five-day period;

6302           q. Traffic generated by camp activities shall not impede the safe and efficient  
6303 movement of agricultural vehicles nor shall it require capacity improvements to rural  
6304 roads;

6305           r. If the site is adjacent to an arterial roadway, access to the site shall be  
6306 directly onto the arterial unless the county road engineer determines that direct access is  
6307 unsafe;

6308 s. If direct access to the site is via local access streets, transportation  
6309 management measures shall be used to minimize adverse traffic impacts;

6310 t. Camp recreational activities shall not involve the use of motor vehicles  
6311 unless the motor vehicles are part of an agricultural activity or are being used for the  
6312 transportation of campers, camp personnel, or the families of campers. Camp personnel  
6313 may use motor vehicles for the operation and maintenance of the facility. Client-specific  
6314 motorized personal mobility devices are allowed; and

6315 u. Lights to illuminate the camp or its structures shall be arranged to reflect the  
6316 light away from any adjacent property.

6317 13. Limited to digester receiving plant and animal and other organic waste from  
6318 agricultural activities, and including electrical generation, as follows:

6319 a. the digester (~~must~~) shall be included as part of a Washington state  
6320 Department of Agriculture approved dairy nutrient plan;

6321 b. the digester (~~must~~) shall process at least seventy percent livestock manure  
6322 or other agricultural organic material from farms in the vicinity, by volume;

6323 c. imported organic waste-derived material, such as food processing waste,  
6324 may be processed in the digester for the purpose of increasing methane gas production for  
6325 beneficial use, but (~~not~~) shall not exceed thirty percent of volume processed by the  
6326 digester; and

6327 d. the use (~~must~~) shall be accessory to an operating dairy or livestock  
6328 operation.

6329 14. Farm worker housing. Either:

6330 a. Temporary farm worker housing subject to the following conditions:

6331 (1) The housing (~~(must)~~) shall be licensed by the Washington state  
6332 Department of Health under chapter 70.114A RCW and chapter 246-358 WAC;

6333 (2) Water supply and sewage disposal systems (~~(must be approved)~~) are  
6334 subject to approval by (~~(the Seattle King County department of)~~) public health – Seattle  
6335 & King County;

6336 (3) To the maximum extent practical, the housing should be located on  
6337 nonfarmable areas that are already disturbed and should not be located in the floodplain  
6338 or in a critical area or critical area buffer; and

6339 (4) The property owner shall file with the department of executive services,  
6340 records and licensing services division, a notice approved by the department identifying  
6341 the housing as temporary farm worker housing and that the housing shall be occupied  
6342 only by agricultural employees and their families while employed by the owner or  
6343 operator or on a nearby farm. The notice shall run with the land; or

6344 b. Housing for agricultural employees who are employed by the owner or  
6345 operator of the farm year-round as follows:

6346 (1) Not more than:

6347 (a) one agricultural employee dwelling unit on a site less than twenty acres;

6348 (b) two agricultural employee dwelling units on a site of at least twenty  
6349 acres and less than fifty acres;

6350 (c) three agricultural employee dwelling units on a site of at least fifty acres  
6351 and less than one-hundred acres; and

6352 (d) four agricultural employee dwelling units on a site of at least one-  
6353 hundred acres, and one additional agricultural employee dwelling unit for each additional  
6354 one hundred acres thereafter;

6355 (2) If the primary use of the site changes to a nonagricultural use, all  
6356 agricultural employee dwelling units shall be removed;

6357 (3) The applicant shall file with the department of executive services, records  
6358 and licensing services division, a notice approved by the department that identifies the  
6359 agricultural employee dwelling units as accessory and that the dwelling units shall only  
6360 be occupied by agricultural employees who are employed by the owner or operator year-  
6361 round. The notice shall run with the land. The applicant shall submit to the department  
6362 proof that the notice was filed with the department of executive services, records and  
6363 licensing services division, before the department approves any permit for the  
6364 construction of agricultural employee dwelling units;

6365 (4) An agricultural employee dwelling unit shall not exceed a floor area of  
6366 one thousand square feet and may be occupied by no more than eight unrelated  
6367 agricultural employees;

6368 (5) To the maximum extent practical, the housing should be located on  
6369 nonfarmable areas that are already disturbed;

6370 (6) One off-street parking space shall be provided for each agricultural  
6371 employee dwelling unit; and

6372 (7) The agricultural employee dwelling units shall be constructed in  
6373 compliance with K.C.C. Title 16.



6374 15. ((~~Marijuana~~)) Cannabis production by ((~~marijuana~~)) cannabis producers  
6375 licensed by the Washington state Liquor and Cannabis Board is subject to the following  
6376 standards:

6377 a. Only allowed on lots of at least four and one-half acres;

6378 b. With a lighting plan, only if required by and that complies with K.C.C.  
6379 21A.12.220.G.;

6380 c. Only with documentation that the operator has applied for a Puget Sound  
6381 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
6382 ((~~marijuana~~)) cannabis producers or ((~~marijuana~~)) cannabis processors, or both, shall  
6383 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
6384 before ((~~marijuana~~)) cannabis products are imported onto the site;

6385 d. Production is limited to outdoor, indoor within ((~~marijuana~~)) cannabis  
6386 greenhouses, and within structures that are nondwelling unit structures that exist as of  
6387 October 1, 2013, subject to the size limitations in subsection B.15.e. of this section;

6388 e. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
6389 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum  
6390 aggregated total of two thousand square feet and shall be located within a fenced area or  
6391 ((~~marijuana~~)) cannabis greenhouse that is no more than ten percent larger than that  
6392 combined area, or may occur in nondwelling unit structures that exist as of October 1,  
6393 2013;

6394 f. Outdoor production area fencing as required by the Washington state Liquor  
6395 and Cannabis Board, ((~~marijuana~~)) cannabis greenhouses and nondwelling unit structures

6396 shall maintain a minimum street setback of fifty feet and a minimum interior setback of  
6397 thirty feet; and

6398 g. If the two-thousand-square-foot-per-lot threshold of plant canopy combined  
6399 with area used for processing under K.C.C. 21A.08.080 is exceeded, each and every  
6400 ~~((marijuana))~~ cannabis-related entity occupying space in addition to the two-thousand-  
6401 square-foot threshold area on that lot shall obtain a conditional use permit as ~~((set forth))~~  
6402 required in subsection B.22. of this section.

6403 16. ~~((Marijuana))~~ Cannabis production by ~~((marijuana))~~ cannabis producers  
6404 licensed by the Washington state Liquor and Cannabis Board is subject to the following  
6405 standards:

6406 a. ~~((Marijuana))~~ Cannabis producers in all RA zoned areas except for Vashon-  
6407 Maury Island, that do not require a conditional use permit issued by King County, that  
6408 receive a Washington state Liquor and Cannabis Board license business before October  
6409 1, 2016, and that King County did not object to within the Washington state Liquor and  
6410 Cannabis Board ~~((marijuana))~~ cannabis license application process, shall be considered  
6411 nonconforming as to subsection B.16.d. and h. of this section, subject to the provisions of  
6412 K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses;

6413 b. In ~~((all rural area))~~ RA zones, only with a lighting plan that complies with  
6414 K.C.C. 21A.12.220.G.;

6415 c. Only allowed on lots of at least four and one-half acres on Vashon-Maury  
6416 Island;

6417 d. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,  
6418 except on Vashon-Maury Island;

6419 e. Only with documentation that the operator has applied for a Puget Sound  
6420 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
6421 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall  
6422 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
6423 before ~~((marijuana))~~ cannabis products are imported onto the site;

6424 f. Production is limited to outdoor, indoor within ~~((marijuana))~~ cannabis  
6425 greenhouses, and within nondwelling unit structures that exist as of October 1, 2013,  
6426 subject to the size limitations in subsection B.16.g. of this section; and

6427 g. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
6428 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum  
6429 aggregated total of two thousand square feet and shall be located within a fenced area or  
6430 ~~((marijuana))~~ cannabis greenhouse, that is no more than ten percent larger than that  
6431 combined area, or may occur in nondwelling unit structures that exist as of October 1,  
6432 2013;

6433 h. Outdoor production area fencing as required by the Washington state Liquor  
6434 and Cannabis Board and ~~((marijuana))~~ cannabis greenhouses shall maintain a minimum  
6435 street setback of fifty feet and a minimum interior setback of one hundred feet; and a  
6436 minimum setback of one hundred fifty feet from any existing residence; and

6437 i. If the two-thousand-square-foot-per-lot threshold of plant canopy within  
6438 fenced areas or ~~((marijuana))~~ cannabis greenhouses is exceeded, each and every  
6439 ~~((marijuana))~~ cannabis-related entity occupying space in addition to the two-thousand-  
6440 square-foot threshold area on that lot shall obtain a conditional use permit as ~~((set forth))~~  
6441 required in subsection B.17. of this section.

6442 17. ((~~Marijuana~~)) Cannabis production by ((~~marijuana~~)) cannabis producers  
6443 licensed by the Washington state Liquor and Cannabis Board is subject to the following  
6444 standards:

6445 a. Only allowed on lots of at least four and one-half acres on Vashon-Maury  
6446 Island;

6447 b. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,  
6448 except on Vashon-Maury Island;

6449 c. In ((~~all rural area~~)) RA zones, only with a lighting plan that complies with  
6450 K.C.C. 21A.12.220.G.;

6451 d. Only with documentation that the operator has applied for a Puget Sound  
6452 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
6453 ((~~marijuana~~)) cannabis producers or ((~~marijuana~~)) cannabis processors, or both, shall  
6454 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
6455 before ((~~marijuana~~)) cannabis products are imported onto the site;

6456 e. Production is limited to outdoor and indoor within ((~~marijuana~~)) cannabis  
6457 greenhouses subject to the size limitations in subsection B.17.f. of this section;

6458 f. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
6459 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum  
6460 aggregated total of thirty thousand square feet and shall be located within a fenced area or  
6461 ((~~marijuana~~)) cannabis greenhouse that is no more than ten percent larger than that  
6462 combined area; and

6463 g. Outdoor production area fencing as required by the Washington state Liquor  
6464 and Cannabis Board, and ((~~marijuana~~)) cannabis greenhouses shall maintain a minimum

6465 street setback of fifty feet and a minimum interior setback of one hundred feet, and a  
6466 minimum setback of one hundred fifty feet from any existing residence.

6467 18.a. Production is limited to indoor only;

6468 b. With a lighting plan only as required by and that complies with K.C.C.  
6469 21A.12.220.G.;

6470 c. Only with documentation that the operator has applied for a Puget Sound  
6471 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
6472 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall  
6473 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
6474 before ~~((marijuana))~~ cannabis products are imported onto the site; and

6475 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
6476 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum  
6477 aggregated total of two thousand square feet and shall be located within a building or  
6478 tenant space that is no more than ten percent larger than the plant canopy and separately  
6479 authorized processing area; and

6480 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and  
6481 every ~~((marijuana))~~ cannabis-related entity occupying space in addition to the two-  
6482 thousand-square foot threshold area on that parcel shall obtain a conditional use permit as  
6483 ~~((set forth))~~ required in subsection B.19. of this section.

6484 19.a. Production is limited to indoor only;

6485 b. With a lighting plan only as required by and that complies with K.C.C.  
6486 21A.12.220.G.;

6487 c. Only with documentation that the operator has applied for a Puget Sound  
6488 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
6489 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall  
6490 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
6491 before ~~((marijuana))~~ cannabis products are imported onto the site; and

6492 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
6493 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum  
6494 aggregated total of thirty thousand square feet and shall be located within a building or  
6495 tenant space that is no more than ten percent larger than the plant canopy and separately  
6496 authorized processing area.

6497 20.a. Production is limited to indoor only;

6498 b. With a lighting plan only as required by and that complies with K.C.C.  
6499 21A.12.220.G.;

6500 c. Only with documentation that the operator has applied for a Puget Sound  
6501 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
6502 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall  
6503 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
6504 before ~~((marijuana))~~ cannabis products are imported onto the site;

6505 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
6506 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum  
6507 aggregated total of two thousand square feet and shall be located within a building or  
6508 tenant space that is no more than ten percent larger than the plant canopy and separately  
6509 authorized processing area; and

6510 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and  
6511 every ~~((marijuana))~~ cannabis-related entity occupying space in addition to the two-  
6512 thousand-square-foot threshold area on that lot shall obtain a conditional use permit as  
6513 ~~((set forth))~~ required in subsection B.21. of this section.

6514 21.a. Production is limited to indoor only;

6515 b. With a lighting plan only as required by and that complies with K.C.C.  
6516 21A.12.220.G.;

6517 c. Only with documentation that the operator has applied for a Puget Sound  
6518 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
6519 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall  
6520 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
6521 before ~~((marijuana))~~ cannabis products are imported onto the site; and

6522 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
6523 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum  
6524 aggregated total of thirty thousand square feet and shall be located within a building or  
6525 tenant space that is no more than ten percent larger than the plant canopy and separately  
6526 authorized processing area.

6527 22. ~~((Marijuana))~~ Cannabis production by ~~((marijuana))~~ cannabis producers  
6528 licensed by the Washington state Liquor and Cannabis Board is subject to the following  
6529 standards:

6530 a. With a lighting plan only as required by and that complies with K.C.C.  
6531 21A.12.220.G.;

6532 b. Only allowed on lots of at least four and one-half acres;

6533 c. Only with documentation that the operator has applied for a Puget Sound  
6534 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
6535 ((~~marijuana~~)) cannabis producers or ((~~marijuana~~)) cannabis processors, or both, shall  
6536 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
6537 before ((~~marijuana~~)) cannabis products are imported onto the site;

6538 d. Production is limited to outdoor, indoor within ((~~marijuana~~)) cannabis  
6539 greenhouses, and within structures that are nondwelling unit structures that exist as of  
6540 October 1, 2013, subject to the size limitations in subsection B.22. e. and f. of this  
6541 section;

6542 e. On lots less than ten acres, per lot, the plant canopy, as defined in WAC  
6543 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall  
6544 be limited to a maximum aggregated total of five thousand square feet and shall be  
6545 located within a fenced area or ((~~marijuana~~)) cannabis greenhouse that is no more than  
6546 ten percent larger than that combined area, or may occur in nondwelling unit structures  
6547 that exist as of October 1, 2013;

6548 f. On lots ten acres or more, per lot, the plant canopy, as defined in WAC 314-  
6549 55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be  
6550 limited to a maximum aggregated total of ten thousand square feet, and shall be located  
6551 within a fenced area or ((~~marijuana~~)) cannabis greenhouse that is no more than ten  
6552 percent larger than that combined area, or may occur in nondwelling unit structures that  
6553 exist as of October 1, 2013; and

6554 g. Outdoor production area fencing as required by the Washington state Liquor  
6555 and Cannabis Board, ((~~marijuana~~)) cannabis greenhouses and nondwelling unit structures



6556 shall maintain a minimum street setback of fifty feet and a minimum interior setback of  
6557 one hundred feet, and a minimum setback of one hundred fifty feet from any existing  
6558 residence.

6559 23. The storage and processing of (~~(non-manufactured)) nonmanufactured~~  
6560 source separated organic waste that originates from agricultural operations and that does  
6561 not originate from the site, if:

6562 a. agricultural is the primary use of the site;

6563 b. the storage and processing are in accordance with best management  
6564 practices included in an approved farm plan; and

6565 c. except for areas used for manure storage, the areas used for storage and  
6566 processing do not exceed three acres and ten percent of the site.

6567 24.a. For activities relating to the processing of crops or livestock for  
6568 commercial purposes, including associated activities such as warehousing, storage,  
6569 including refrigeration, and other similar activities and excluding winery, brewery,  
6570 distillery facility I, II, III and remote tasting room:

6571 (1) limited to agricultural products and sixty percent or more of the products  
6572 processed (~~(must)) shall~~ be grown in the Puget Sound counties. At the time of initial  
6573 application, the applicant shall submit a projection of the source of products to be  
6574 produced;

6575 (2) in the RA and UR zones, only allowed on sites of at least four and one-  
6576 half acres;

6577 (3)(a) as a permitted use, the floor area devoted to all processing shall not  
6578 exceed two thousand square feet, unless located in a building designated as an historic

6579 resource under K.C.C. chapter 20.62. The agricultural technical review committee, as  
6580 established in K.C.C. 21A.42.300, may review and approve an increase in the processing  
6581 floor area as follows: up to three thousand five hundred square feet of floor area may be  
6582 devoted to all processing in the RA zones or on farms less than thirty-five acres located in  
6583 the A zones or up to seven thousand square feet on farms greater than thirty-five acres in  
6584 the A zone; and

6585 (b) as a permitted use, the floor area devoted to all warehousing,  
6586 refrigeration, storage, or other similar activities shall not exceed two thousand square  
6587 feet, unless located in a building designated as historic resource under K.C.C. chapter  
6588 20.62. The agricultural technical review committee, as established in K.C.C.  
6589 21A.42.300, may review and approve an increase of up to three thousand five hundred  
6590 square feet of floor area devoted to all (~~warehousing~~) warehousing, storage, including  
6591 refrigeration, or other similar activities in the RA zones or on farms less than thirty-five  
6592 acres located in the A zones or up to seven thousand square feet on farms greater than  
6593 thirty-five acres in the A zone;

6594 (4) in the A zone, structures and areas used for processing, warehousing,  
6595 (~~refrigeration~~) refrigeration, storage, and other similar activities shall be located on  
6596 portions of agricultural lands that are unsuitable for other agricultural purposes, such as  
6597 areas within the already developed portion of such agricultural lands that are not  
6598 available for direct agricultural production, or areas without prime agricultural soils; and

6599 (5) structures and areas used for processing, warehousing, storage, including  
6600 refrigeration, and other similar activities shall maintain a minimum distance of seventy-

6601 five feet from property lines adjoining (~~rural area and residential~~) RA, UR, and R zones,  
6602 unless located in a building designated as historic resource under K.C.C. chapter 20.62.

6603 b. For activities relating to the retail sale of agricultural products, except  
6604 livestock:

6605 (1) sales shall be limited to agricultural products and locally made arts and  
6606 crafts;

6607 (2) in the RA and UR zones, only allowed on sites at least four and one-  
6608 half acres;

6609 (3) as a permitted use, the covered sales area shall not exceed two thousand  
6610 square feet, unless located in a building designated as a historic resource under K.C.C.  
6611 chapter 20.62. The agricultural technical review committee, as established in K.C.C.  
6612 21A.42.300, may review and approve an increase of up to three thousand five hundred  
6613 square feet of covered sales area;

6614 (4) forty percent or more of the gross sales of agricultural product sold  
6615 through the store (~~must~~) shall be sold by the producers of primary agricultural products;

6616 (5) sixty percent or more of the gross sales of agricultural products sold  
6617 through the store shall be derived from products grown or produced in the Puget Sound  
6618 counties. At the time of the initial application, the applicant shall submit a reasonable  
6619 projection of the source of product sales;

6620 (6) tasting of products, in accordance with applicable health regulations, is  
6621 allowed;

6622 (7) storage areas for agricultural products may be included in a farm store  
6623 structure or in any accessory building; and

6624 (8) outside lighting is ~~((permitted))~~ allowed if there is no off-site glare.

6625 c. Retail sales of livestock is ~~((permitted))~~ allowed only as accessory to  
6626 raising livestock.

6627 d. Farm operations, including equipment repair and related facilities, except  
6628 that:

6629 (1) the repair of tools and machinery is limited to those necessary for the  
6630 operation of a farm or forest;

6631 (2) in the RA and UR zones, only allowed on sites of at least four and one-  
6632 half acres;

6633 (3) the size of the total repair use is limited to one percent of the farm size  
6634 in the A zone, and up to one percent of the size in other zones, up to a maximum of five  
6635 thousand square feet unless located within an existing farm structure, including, but not  
6636 limited to, barns, existing as of December 31, 2003; and

6637 (4) Equipment repair shall not be ~~((permitted))~~ allowed in the Forest zone.

6638 e. The agricultural technical review committee, as established in K.C.C.

6639 21A.42.300, may review and approve reductions of minimum site sizes in the ~~((rural and  
6640 residential))~~ RA, UR, and R zones and minimum setbacks from ~~((rural and residential))~~

6641 RA, UR, and R zones.

6642 25. The department may review and approve establishment of agricultural

6643 support services in accordance with the code compliance review process in K.C.C.

6644 21A.42.300 only if:

6645 a. project is sited on lands that are unsuitable for direct agricultural production  
6646 based on size, soil conditions, or other factors and cannot be returned to productivity by  
6647 drainage maintenance; and

6648 b. the proposed use is allowed under any Farmland Preservation Program  
6649 conservation easement and zoning development standards.

6650 26. The agricultural technical review committee, as established in K.C.C.  
6651 21A.42.300, may review and approve establishment of agricultural support services only  
6652 if the project site:

6653 a. adjoins or is within six hundred sixty feet of the agricultural production  
6654 district;

6655 b. has direct vehicular access to the agricultural production district;

6656 c. except for farmworker housing, does not use local access streets that abut  
6657 lots developed for residential use; and

6658 ~~((b-))~~ d. has a minimum lot size of four and one-half acres.

6659 27. The agricultural technical review committee, as established in K.C.C.  
6660 21A.42.300, may review and approve establishment of agricultural support services only  
6661 if the project site:

6662 a. is outside the urban growth area~~((;))~~;

6663 b. adjoins or is within six hundred sixty feet of the agricultural production  
6664 district~~((;))~~;

6665 c. has direct vehicular access to the agricultural production district~~((;))~~;

6666 d. except for farmworker housing, does not use local access streets that abut  
6667 lots developed for residential use; and

6668 e. has a minimum lot size of four and one-half acres.

6669 28. Only allowed on properties that are outside the urban growth area.

6670 29.a. Permitted as a primary use or an accessory use, except in accordance with

6671 subsection B.29.g. of this section.

6672 b. A sufficient water supply shall be available to support cultivation practices

6673 on-site;

6674 c. The site shall be designed and maintained to prevent water and fertilizer

6675 runoff onto adjacent properties;

6676 d. Compost materials shall be stored at least twenty feet from interior lot lines

6677 and in a manner that minimizes odors and is not visible from adjacent properties;

6678 e. Raising livestock and small animals, animal mortality management, and on-

6679 site animal waste storage, disposal, and processing is not allowed; and

6680 f. In the R-1 through R-48 zones:

6681 (1) The total lot area devoted to the use shall not exceed four thousand square

6682 feet.

6683 (2) Structures used for agricultural activities:

6684 (a) shall not exceed one thousand square feet in gross floor area per lot;

6685 (b) shall not exceed twelve feet in height, including any pitched roof;

6686 (c) shall be limited to raised garden beds, greenhouses, hoop houses, storage

6687 sheds, cold frames, and rain barrel systems; and

6688 (d) are also subject to the development standards that would apply to an

6689 accessory structure in the zone, if the use is accessory.

6690 (3) Only mechanical equipment designed for household use may be used;

6691 (4) Retail sales and all other public use shall begin no earlier than 8:00 a.m.  
 6692 and end by 7:00 p.m.;

6693 (5) Commercial deliveries and pickups are limited to one per day. On-site  
 6694 sales are not considered commercial pickups;

6695 (6) No more than two motor vehicles dedicated to the use shall be stored on-  
 6696 site, each with a gross vehicle weight of ten thousand pounds or less;

6697 (7) One identification sign is allowed, not exceeding one-hundred square  
 6698 inches in area;

6699 g. A conditional use permit is required on properties twenty acres or more in  
 6700 size in the R-1 zone, or to exceed the limitations of subsection B.29.f. of this section in  
 6701 the R-1 through R-48 zones. Conditional use permits shall not be granted for properties  
 6702 with an urban separator land use designation.

6703 30. Digester shall be limited to processing of waste generated on-site only.

6704 SECTION 154. Ordinance 10870, Section 337, as amended, and K.C.C.

6705 21A.08.100 are hereby amended to read as follows:

6706 A. Regional land uses.

P-Permitted Use		RESOURCE			R	RESIDENTIAL				COMMERCIAL/INDUSTRIAL				
C-Conditional Use					U									
S-Special Use					R									
					A									
					L									
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	<u>R-1</u>	((R-1-8))	R-12	NB	CB	RB	O	I (15)
							<u>R-4</u>		48					

								<u>      </u>						
								<b><u>R-8</u></b>						
*	Jail						<u>S</u>	S	S	S	S	S	S	S
*	Jail Farm/Camp	S	S		S	S								
*	Work Release Facility				S19	S19	<u>S</u>	S	S	S	S	S	S	
*	Public Agency Animal Control Facility		S		S	S						S		P
*	Public Agency Training Facility		S		S3						S3	S3	S3	C4
*	Hydroelectric Generation Facility		C14 <u>S14b</u>		C14 <u>S14</u> <u>b</u>	C14 <u>S14</u> <u>b</u>	<u>C14</u> <u>S14</u> <u>b</u>	C14 <u>S14</u> <u>b</u>						
*	Search and Rescue Facility				C30 S30									
*	Non-hydroelectric Generation Facility	C12 S29	C12 S29	C12 S28	C12 S29	C12 S29	<u>C12</u> <u>S29</u>	C12 S29	C12 S29	C12 S29	C12 S29	C12 S29	C12 S29	P12 S29
*	Renewable Energy Generation Facility	C28	C28	C	C	C	<u>C</u>	C	C	C	C	C	C	C
*	Fossil Fuel Facility													S27
*	Communication Facility (17)	C6c S	P		C6c S	C6c S	<u>C6c</u> <u>S</u>	C6c S	C6c S	C6c S	P	P	P	P
*	Earth Station	P6b C	P		C6a S	C6a S	<u>C6a</u> <u>S</u>	C6a S	C6a S	P6b C	P	P	P	P
*	Energy Resource Recovery Facility		S	S	S	S	<u>S</u>	S	S	S	S	S	S	S
*	Soil Recycling Facility		S	S	S									C
*	Landfill		S	S	S	S	<u>S</u>	S	S	S	S	S	S	S



*	Transfer Station			S	S	S	<u>S</u>	S	S	S	S	S		P
*	Wastewater Treatment Facility				S	S	<u>S</u>	S	S	S	S	S	S	C
*	Municipal Water Production	S	P13 S	S	S	S	<u>S</u>	S	S	S	S	S	S	S
*	Airport/Heliport	S7	S7		S	S	<u>S</u>	S	S	S	S	S	S	S
*	Regional Transit Authority Facility						P25							
*	Rural Public Infrastructure Maintenance Facility				C23									P
*	Transit Bus Base						<u>S</u>	S	S	S	S	S	S	P
*	Transit Comfort Facility				P26		<u>P26</u>	P26	P26	P26	P26	P26	P26	P26
*	School Bus Base				C5 S20	C5 S	<u>C5</u> <u>S</u>	C5 S	C5 S	S	S	S	S	P
7948	Racetrack				S8	S8	<u>S8</u>	S8	S8	S8	S8	S8	S8	S24
*	Regional Motor Sports Facility													P
*	County Fairgrounds Facility				P21 S22									
*	Fairground										S	S		S
8422	Zoo/Wildlife Exhibit(2)		S9		S9	S	<u>S</u>	S	S		S	S		
7941	Stadium/Arena											S		S
8221- 8222	College/University(1)	P10	P10		P10 C11 S18	P10 C11 S18	<u>P10</u> <u>C11</u> <u>S</u>	P10 C11 S	P10 C11 S	P10 C11 S	P	P	P	P
*	Zoo Animal	P16	P16		P16									

	Breeding Facility													
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- 6707 B. Development conditions.
- 6708 1. Except technical institutions. See vocational schools on general services land
- 6709 use table, K.C.C. 21A.08.050.
- 6710 2. Except arboretum. See K.C.C. 21A.08.040, (~~recreation~~) recreational and
- 6711 cultural land use table.
- 6712 3. Except weapons armories and outdoor shooting ranges.
- 6713 4. Except outdoor shooting range.
- 6714 5. Only in conjunction with an existing or proposed school.
- 6715 6.a. Limited to no more than three satellite dish antennae.
- 6716 b. Limited to one satellite dish antenna.
- 6717 c. Limited to tower consolidations.
- 6718 7. Limited to landing field for aircraft involved in forestry or agricultural
- 6719 practices or for emergency landing sites.
- 6720 8. Except racing of motorized vehicles.
- 6721 9. Limited to wildlife exhibit.
- 6722 10. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32.
- 6723 11. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter
- 6724 21A.32.
- 6725 12.a. Limited to gas extraction as an accessory use to a waste management
- 6726 process, such as wastewater treatment, landfill waste management, livestock manure, and
- 6727 composting processes, and excluding anaerobic digesters.
- 6728 b. an equity impact review of the proposal using tools developed by the office
- 6729 of equity and racial and social justice. The results from the equity impact review shall be

6730 used to assess equity impacts and opportunities during county permit review and may be  
6731 used to inform determinations of project approval.

6732 13. Excluding impoundment of water using a dam.

6733 14.a. Limited to facilities that comply with the following:

6734 ~~((a.))~~ (1) Any new diversion structure shall not:

6735 ~~((1))~~ a) exceed a height of eight feet as measured from the streambed; or

6736 ~~((2))~~ b) impound more than three surface acres of water at the normal

6737 maximum surface level;

6738 ~~((b.))~~ (2) There shall be no active storage;

6739 ~~((c.))~~ (3) The maximum water surface area at any existing dam or diversion

6740 shall not be increased;

6741 ~~((d.))~~ (4) An exceedance flow of no greater than fifty percent in mainstream

6742 reach shall be maintained;

6743 ~~((e.))~~ (5) Any transmission line shall ~~((be limited to a))~~ comply with the

6744 following:

6745 ~~((1))~~ a) be limited to right-of-way of five miles or less; and

6746 ~~((2))~~ b) be limited to capacity of two hundred thirty KV or less;

6747 ~~((f.))~~ (6) Any new, permanent access road shall be limited to five miles or less;

6748 and

6749 ~~((g.))~~ (7) The facility shall only be located above any portion of the stream

6750 used by anadromous fish.

6751 b. The applicant shall submit an equity impact review of the proposal using

6752 tools developed by the office of equity and racial and social justice. The results from the

6753 equity impact review shall be used to assess equity impacts and opportunities during  
6754 county permit review and may be used to inform determinations of project approval.

6755           15. For I-zoned sites located outside the urban growth area designated by the  
6756 King County Comprehensive Plan, uses shown as a conditional or special use in K.C.C.  
6757 21A.08.100.A., except for ((~~waste water~~)) wastewater treatment facilities and racetracks,  
6758 shall be prohibited. All other uses, including ((~~waste water~~)) wastewater treatment  
6759 facilities, shall be subject to the provisions for rural industrial uses in K.C.C. ((~~chapter~~  
6760 ~~21A.12~~)) 21A.14.280.

6761           16. The operator of such a facility shall provide verification to the department of  
6762 natural resources and parks or its successor organization that the facility meets or exceeds  
6763 the standards of the Animal and Plant Health Inspection Service of the United States  
6764 Department of Agriculture and the accreditation guidelines of the American Zoo and  
6765 Aquarium Association.

6766           17. The following provisions of the table apply only to major communication  
6767 facilities. Minor communication facilities shall be reviewed in accordance with the  
6768 processes and standard outlined in K.C.C. chapter 21A.27.

6769           18. Only for facilities related to resource-based research.

6770           19. Limited to work release facilities associated with natural resource-based  
6771 activities.

6772           20. Limited to projects ((~~which~~)) that do not require or result in an expansion of  
6773 sewer service outside the urban growth area, unless a finding is made that no cost-  
6774 effective alternative technologies are feasible, in which case a tightline sewer sized only  
6775 to meet the needs of the school bus base and serving only the school bus base may be

6776 used. Renovation, expansion, modernization, or reconstruction of a school bus base is  
6777 ((permitted)) allowed but shall not require or result in an expansion of sewer service  
6778 outside the urban growth area, unless a finding is made that no cost-effective alternative  
6779 technologies are feasible, in which case a tightline sewer sized only to meet the needs of  
6780 the school bus base.

6781 21. Only in conformance with the King County Site Development Plan Report,  
6782 through modifications to the plan of up to ten percent are allowed for the following:

- 6783 a. building square footage;
- 6784 b. landscaping;
- 6785 c. parking;
- 6786 d. building height; or
- 6787 e. impervious surface.

6788 22. A special use permit shall be required for any modification or expansion of  
6789 the King County fairgrounds facility that is not in conformance with the King County  
6790 Site Development Plan Report or that exceeds the allowed modifications to the plan  
6791 identified in subsection B.21. of this section.

6792 23. The facility shall be primarily devoted to rural public infrastructure  
6793 maintenance and is subject to the following conditions:

- 6794 a. The minimum site area shall be ten acres, unless:
  - 6795 (1) the facility is a reuse of a public agency yard; or
  - 6796 (2) the site is separated from a county park by a street or utility right-of-way;
- 6797 b. Type 1 landscaping as provided in K.C.C. chapter 21A.16 shall be provided  
6798 between any stockpiling or grinding operations and adjacent residential zoned property;

6799 c. Type 2 landscaping as provided in K.C.C. chapter 21A.16 shall be provided  
6800 between any office and parking lots and adjacent residential zoned property;

6801 d. Access to the site does not use local access streets that abut residential zoned  
6802 property, unless the facility is a reuse of a public agency yard;

6803 e. Structural setbacks from property lines shall be as follows:

6804 (1) Buildings, structures, and stockpiles used in the processing of materials  
6805 shall be no closer than:

6806 (a) one hundred feet from any residential zoned properties, except that the  
6807 setback may be reduced to fifty feet when the grade where the building or structures are  
6808 proposed is fifty feet or greater below the grade of the residential zoned property;

6809 (b) fifty feet from any other zoned property, except when adjacent to a  
6810 mineral extraction or materials processing site;

6811 (c) the greater of fifty feet from the edge of any public street or the setback  
6812 from residential zoned property on the far side of the street; and

6813 (2) Offices, scale facilities, equipment storage buildings, and stockpiles shall  
6814 not be closer than fifty feet from any property line except when adjacent to M or F zoned  
6815 property or when a reuse of an existing building. Facilities necessary to control access to  
6816 the site, when demonstrated to have no practical alternative, may be located closer to the  
6817 property line;

6818 f. On-site clearing, grading, or excavation, excluding that necessary for  
6819 required access, roadway, or storm drainage facility construction, shall not be  
6820 ~~((permitted))~~ allowed within fifty feet of any property line except along any portion of the  
6821 perimeter adjacent to M or F zoned property. If native vegetation is restored, temporary

6822 disturbance resulting from construction of noise attenuation features located closer than  
6823 fifty feet shall be (~~permitted~~) allowed; and

6824 g. Sand and gravel extraction shall be limited to forty thousand yards per year.

6825 24. The following accessory uses to a motor race track operation are allowed if  
6826 approved as part of the special use permit:

6827 a. motocross;

6828 b. autocross;

6829 c. skidpad;

6830 d. garage;

6831 e. driving school; and

6832 f. fire station.

6833 25. Regional transit authority facilities shall be exempt from setback and height  
6834 requirements.

6835 26. Transit comfort facility shall:

6836 a. only be located outside of the urban growth area boundary;

6837 b. be exempt from street setback requirements; and

6838 c. be no more than (~~200~~) two hundred square feet in size.

6839 27.a. Required for all new, modified, or expanded fossil fuel facilities.

6840 Modification or expansion includes, but is not limited to:

6841 (1) new uses or fuel types within existing facilities;

6842 (2) changes to the type of refining, manufacturing, or processing;

6843 (3) changes in the methods or volumes of storage or transport of raw  
6844 materials or processed products;

6845 (4) changes in the location of the facilities on-site;

6846 (5) replacement of existing facilities;

6847 (6) increases in power or water demands; or

6848 (7) increases in production capacity.

6849 b. Before filing an application with the department, the applicant shall hold a  
6850 community meeting in accordance with K.C.C. 20.20.035.

6851 c. As part of permit application submittal for new, modified, or expanded fossil  
6852 fuel facilities, the applicant shall submit the following documentation:

6853 (1) an inventory of similar existing facilities in King County and neighboring  
6854 counties, including their locations and capacities;

6855 (2) a forecast of the future needs for the facility;

6856 (3) an ~~((analysis of the potential social and economic impacts and benefits to~~  
6857 ~~jurisdictions and local communities receiving or surrounding the facility))~~ equity impact  
6858 review of the proposal using tools developed by the office of equity and racial and social  
6859 justice. The results from the equity impact review shall be used to assess equity impacts  
6860 and opportunities during county permit review and may be used to inform determinations  
6861 of project approval;

6862 (4) an analysis of alternatives to the facility, including location, conservation,  
6863 demand management, and other strategies;

6864 (5) an analysis of economic and environmental impacts, including mitigation,  
6865 of any similar existing facilities and of any new site~~((s))~~ or sites under consideration as  
6866 an alternative to expansion of an existing facility;



6867 (6) an extensive public involvement strategy that strives to effectively engage  
6868 a wide range of racial, ethnic, cultural, and socioeconomic groups, including  
6869 communities that are the most impacted;

6870 (7) considered evaluation of any applicable prior review conducted by a  
6871 public agency, local government, or ~~((stakeholder group))~~ interested party; and

6872 (8) a greenhouse gas impact analysis prepared by the applicant, the results of  
6873 which shall be used to identify and mitigate the impacts of such facilities.

6874 d.(1) As part of permit application submittal, the applicant shall demonstrate  
6875 financial responsibility in an amount necessary to compensate for the cost of  
6876 decommissioning, and for the maximum damages that might occur from an explosion  
6877 resulting from a worst-case release, as defined in the 40 C.F.R. Sec. 68.3, of flammable  
6878 gases and flammable liquids.

6879 (2) The amount of financial responsibility necessary to compensate for  
6880 damages that might occur from an explosion shall be determined by the director based on  
6881 a study of the maximum potential damages. The study shall:

6882 (a) incorporate the volume of oils, gases, refrigerants, and other flammable  
6883 or explosive chemicals stored, used, or generated within the facility;

6884 (b) consider such matters as: the frequency of facility operations; facility  
6885 layout and vegetation that could cause flammable vapor accumulation; the damages that  
6886 could result from the explosion to public and private structures on-site and off-site, public  
6887 infrastructure and environmental resources and functions; and the potential loss of life  
6888 and injury to persons on-site and to members of the public;

6889 (c) include modeling and disclosure of a nil or very low wind condition  
6890 vapor cloud explosion scenario;

6891 (d) be prepared by a person accredited in vapor cloud explosion analysis, or  
6892 an equally qualified individual as authorized by the director, at the applicant's expense;  
6893 and

6894 (e) undergo third-party validation by a qualified entity to be hired upon  
6895 mutual agreement of the applicant and the department, at the applicant's expense.

6896 (3) The amount of financial responsibility necessary to compensate for  
6897 facility decommissioning shall be determined by the director based on a  
6898 decommissioning plan for the closure of the facility. The plan shall include, but need not  
6899 be limited to, the following:

6900 (a) listing of the hazardous substances, as defined in RCW 70A.305.020,  
6901 that will be stored, handled or generated within the facility; the range of potential release  
6902 volumes requiring cleanup in the event of failures of technological or safety catchment  
6903 features; and whether such releases have the potential to contaminate groundwater or  
6904 surface waters on or adjacent to the site;

6905 (b) the range of cleanup activities that would be required to address such  
6906 hazardous substances;

6907 (c) detailed estimates of the cost to implement the plan, including  
6908 conducting cleanup and facility closure, based on the cost of hiring a third party to  
6909 conduct all activities. All cost estimates (~~(must)~~) shall be in current dollars and may not  
6910 include a net present value adjustment or offsets for salvage value of wastes or other  
6911 property; and

6912 (d) methods for estimating closure costs.

6913 (4)(a) Financial responsibility shall be provided for the duration of fossil fuel  
6914 facility operations, to be verified in periodic review of the facilities in keeping with  
6915 K.C.C. chapter 21A.22. Financial responsibility required by this subsection B.27.e. may  
6916 be established by any one of, or a combination of, the following methods acceptable to  
6917 the department:

6918 i. evidence of insurance;

6919 ii. surety bonds issued by a bonding company authorized to do business in  
6920 the United States; and

6921 iii. other evidence of financial responsibility deemed acceptable by the  
6922 department.

6923 (b) Self-bonding, as defined in the 30 C.F.R. Sec. 800.5, shall not be an  
6924 accepted method of providing financial responsibility.

6925 (5) Where enforcement of this subsection B.27.e. would conflict with chapter  
6926 36.32 RCW, the director may request the applicant to sign an agreement to complete  
6927 retention of required financial responsibility consistent with K.C.C. 27A.30.060, in an  
6928 amount equivalent to that indicated by the study of the damages, prior to the issuance of a  
6929 clearing and grading permit.

6930 e. New, modified, or expanded fossil fuel facilities shall:

6931 (1) not be located within one thousand feet (~~from~~) of any schools, medical  
6932 care facilities, or places of assembly that have occupancies of greater than one thousand  
6933 persons;

6934 (2) not be located within two hundred fifty feet (~~from~~) of a regulated  
6935 wetland or aquatic area, except when a larger buffer is required under K.C.C. chapter  
6936 21A.24, the buffer in K.C.C. chapter 21A.24 shall apply;

6937 (3) maintain an interior setback of at least two hundred feet;

6938 (4) store fossil fuels completely within enclosed structures, tanks, or similar  
6939 facilities;

6940 (5) be accessed directly to and from an arterial roadway; and

6941 (6) comply with all applicable regulations in K.C.C. chapter 21A.22.

6942 f. Proposals shall only be approved when the following conditions are met:

6943 (1) the proposed facility can confine or mitigate all operational impacts;

6944 (2) the facility can adequately mitigate conflicts with adjacent land uses;

6945 (3) the full scope of environmental impacts, including life cycle greenhouse  
6946 gas emissions and public health, have been evaluated and appropriately conditioned or  
6947 mitigated as necessary, consistent with the County's substantive State Environmental  
6948 Policy Act authority;

6949 (4) the applicant can comply with applicable federal and state regulations,  
6950 including the Clean Water Act, Clean Air Act, and Endangered Species Act;

6951 (5) the applicant has demonstrated early, meaningful, and robust consultation  
6952 with Indian tribes, the public, and surrounding property owners to assess impacts to  
6953 Indian tribal treaty-protected cultural and fisheries resources; and

6954 (6) risks to public health and public safety can be mitigated.

6955 28. Limited to uses that will not convert more than two acres of farmland or  
6956 forestland, or ~~((2.5))~~ two and one-half percent of the farmland or forestland, whichever is  
6957 less.

6958 29.a. Before filing an application with the department, the applicant shall hold a  
6959 community meeting in accordance with K.C.C. 20.20.035.

6960 b. As part of permit application submittal for non-hydroelectric generation  
6961 facilities, the applicant shall submit the following documentation:

6962 (1) an inventory of similar existing facilities in King County and neighboring  
6963 counties, including their locations and capacities;

6964 (2) a report demonstrating that the facility would serve a significant portion  
6965 of the county, metropolitan region, or is part of a statewide or national system;

6966 (3) a forecast of the future needs for the facility;

6967 (4) an ~~((analysis of the potential social and economic impacts and benefits to~~  
6968 ~~jurisdictions and local communities receiving or surrounding the facility))~~ equity impact  
6969 review of the proposal using tools developed by the office of equity and racial and social  
6970 justice. The results from the equity impact review shall be used to assess equity impacts  
6971 and opportunities during county permit review and may be used to inform determinations  
6972 of project approval;

6973 (5) an analysis of alternatives to the facility, including location, conservation,  
6974 demand management, and other strategies;

6975 (6) an analysis of economic and environmental impacts, including mitigation,  
6976 of any similar existing facilities and of any new site or sites under consideration as an  
6977 alternative to expansion of an existing facility;

6978 (7) an extensive public involvement strategy (~~(which)~~) that strives to  
6979 effectively engage a wide range of racial, ethnic, cultural, and socioeconomic groups,  
6980 including communities that are the most impacted; and

6981 (8) considered evaluation of any applicable prior review conducted by a  
6982 public agency, local government or (~~(stakeholder group)~~) interested party; and

6983 (9) a greenhouse gas impact analysis prepared by the applicant, the results of  
6984 which shall be used to identify and mitigate the impacts of such facilities.

6985 c.(1) As part of permit application submittal, an applicant shall demonstrate  
6986 financial responsibility in an amount necessary to compensate for decommissioning, and  
6987 for the maximum damages that might occur from an explosion resulting from a worst-  
6988 case release, as defined in 40 C.F.R. Sec. 68.3, of flammable gases and flammable  
6989 liquids.

6990 (2) The amount of financial responsibility needed to compensate for damages  
6991 that might occur from an explosion shall be as determined by the director based on a  
6992 study of the maximum damages. The study shall:

6993 (a) incorporate the volume of oils, gases, refrigerants, and other flammable  
6994 or explosive chemicals stored, used, or generated within the facility;

6995 (b) consider such matters as: the frequency of facility operations; facility  
6996 layout and vegetation that could cause flammable vapor accumulation; the damages that  
6997 could result from the explosion to public and private structures on-site and off-site, public  
6998 infrastructure and environmental resources and functions; and the potential loss of life  
6999 and injury to persons on-site and to members of the public;

7000 (c) include modeling and disclosure of a nil or very low wind condition  
7001 vapor cloud explosion scenario;

7002 (d) be prepared by a person accredited in vapor cloud explosion analysis, or  
7003 an equally qualified individual as authorized by the director, at the applicant's expense;  
7004 and

7005 (e) undergo third-party validation by a qualified entity to be hired upon  
7006 mutual agreement of the applicant and the department, at the applicant's expense.

7007 (3) The amount of financial responsibility necessary to compensate for  
7008 facility decommissioning shall be determined by the director based on a  
7009 decommissioning plan for the closure of the facility. The plan shall include, but need not  
7010 be limited to, the following:

7011 (a) listing of the hazardous substances, as defined in RCW 70A.305.020,  
7012 that will be stored, handled, or generated within the facility; the range of potential release  
7013 volumes requiring cleanup in the event of failures of technological or safety catchment  
7014 features; and whether such releases have the potential to contaminate groundwater or  
7015 surface waters on or adjacent to the site;

7016 (b) the range of cleanup activities that would be required to address such  
7017 hazardous substances;

7018 (c) detailed estimates of the cost to implement the plan, including  
7019 conducting cleanup and facility closure, based on the cost of hiring a third party to  
7020 conduct all activities. All cost estimates (~~(must)~~) shall be in current dollars and may not  
7021 include a net present value adjustment or offsets for salvage value of wastes or other  
7022 property; and

7023 (d) methods for estimating closure costs.

7024 (4)(a) Financial responsibility shall be provided for the duration of facility  
7025 operations, to be verified in the periodic review of the facilities required by subsection  
7026 B.29.d. of this section. Financial responsibility required by this subsection B.29.c. may  
7027 be established by any one of, or a combination of, the following methods acceptable to  
7028 the department:

7029 i. evidence of insurance;

7030 ii. surety bonds issued by a bonding company authorized to do business in  
7031 the United States; ~~((and))~~ or

7032 iii. other evidence of financial responsibility deemed acceptable by the  
7033 department.

7034 (b) Self-bonding, as defined by 30 C.F.R. Sec. 800.5, shall not be an accepted  
7035 method of providing financial responsibility.

7036 (5) Where enforcement of this subsection B.29.c. would conflict with chapter  
7037 36.32 RCW, the director may request the applicant to sign an agreement to complete  
7038 retention of required financial responsibility consistent with K.C.C. 27A.30.060, in an  
7039 amount equivalent to that indicated by the study of the damages, prior to the issuance of a  
7040 clearing and grading permit.

7041 d. Non-hydroelectric generation facilities shall be subject to a periodic review  
7042 meeting the same standards given in K.C.C. 21A.22.050.

7043 30.a. For all search and rescue facilities:

7044 (1) the minimum lot size is four and one half acres;



7045 (2) structures and parking areas for search and rescue facilities shall maintain  
 7046 a minimum distance of seventy-five feet from interior lot lines that adjoin (~~rural area and~~  
 7047 ~~residential~~) RA, UR, and R zones, unless located in a building designated as historic  
 7048 resource under K.C.C. chapter 20.62;

7049 (3) use of the search and rescue facility is limited to activities directly relating  
 7050 to the search and rescue organization, except that the facility may be used by law  
 7051 enforcement and other public emergency responders for training and operations related to  
 7052 search and rescue activities; and

7053 (4) the applicant (~~must~~) shall demonstrate the absence of existing search and  
 7054 rescue facilities that are adequate to conduct search and rescue operations in the rural  
 7055 area.

7056 b. A special use permit is required when helicopter fueling, maintenance, or  
 7057 storage is proposed.

7058 SECTION 155. Ordinance 10870, Section 340, as amended, and K.C.C.

7059 21A.12.030 are hereby amended to read as follows:

7060 A. Densities and dimensions – residential and rural zones.

<del>((RURAL))</del>	<u>RURAL</u>				<u>RESIDENTIAL</u>								
STANDARDS	RA- 2.5	RA- 5	RA- 10	RA- 20	UR	R-1 (17) (29)	R-4	R-6	R-8	R- 12	R- 18	R- 24	R-48
Base Density:	0.2	0.2	0.1	0.05	0.2	1	4	6	8	12	18	24	48
Dwelling	du/a	du/a	du/ac	du/ac	du/ac	du/	du/	du/ac	du/ac	du/a	du/a	du/a	du/ac
Unit/Acre (15) ( <del>(28)</del> )	c (28)	c (28)	(28)	(28)	(21)	ac	ac (6)	(6)	(6)	c	c	c	
Maximum Density: Dwelling	0.4 du/a c					<u>1.5</u> du/ac (1)	6 du/	9 du/ac (1)	12 du/ac (1)	18 du/a c	27 du/a c	36 du/a c	72 du/ac (1)

Unit/Acre <del>((+))</del>	(20)						<del>((22))</del> ) <u>(1)</u> 8 du/ ac (27)	12 du/ac (27)	16 du/ac (27)	<u>(1)</u> 24 du/a c (27)	<u>(1)</u> 36 du/a c (27)	<u>(1)</u> 48 du/a c (27)	96 du/ac (27)
Minimum Density: (2)							85% (12) <del>((18))</del> ) (23)	85% (12) <del>((18))</del> )	85% (12) <del>((18))</del> )	80% <del>((4</del> <del>8))</del>	75% <del>((4</del> <del>8))</del>	70% <del>((4</del> <del>8))</del>	65% <del>((18))</del> )
Minimum Lot Area (13)	1.87 5 ac	3.75 ac	7.5 ac	15 ac			10,000 sf (30)						
Minimum Lot Width (3)	135 ft	135 ft	135 ft	135 ft	35 ft (7)	35 ft (7)	30 ft	30 ft	30 ft	30 ft	30ft	30 ft	30 ft
Minimum Street Setback (3)	30 ft (9)	30 ft (9)	30ft (9)	30 ft (9)	30 ft (7)	20 ft (7) <del>((29))</del> )	10 ft (8) <del>((20</del> <del>#</del> <del>0))</del>	10 ft (8)	10 ft (8)	10 ft (8) (30)	10 ft (8) (30)	10ft (8) (30)	10 ft (8) (30)
Minimum Interior Setback (3) (16)	5 ft (9)	10ft (9)	10 ft (9)	10 ft (9)	5 ft (7)	5 ft (7) <del>((29))</del> )	5 ft (14) <del>#</del> <del>0))</del>	5 ft	5 ft <u>(30)</u>	5 ft <del>((4</del> <del>0))</del> (30)	5 ft <del>((4</del> <del>0))</del> (30)	5 ft <del>((4</del> <del>0))</del> (30)	5 ft <del>((10))</del> ) (30)
Base Height <u>(25a)</u>	40 ft	40 ft	40 ft	40 ft	35 ft	35 ft <del>((29))</del> )	35 ft <del>((25</del> <del>#</del> <del>(25a)</del> )	35 ft <del>((25</del> <del>#</del> <del>(25a)</del> )	35 ft <del>((25</del> <del>#</del> <del>(25a)</del> )	60 ft	60 ft	60 ft	60 ft

Maximum Height (25b) (31)	75 ft (4)	75 ft (4)	75 ft (4)	75 ft (4)	75 ft (4)	75 ft (4)	<del>((30 ft (25b) (14c) ))</del>	45 ft (14) <del>((30 ft (25b) (14) ))</del>	45 ft (14) <del>((30 ft (25b) (14) ))</del>	<u>65 ft (18)</u> (4)	75 ft (4)	75 ft (4)	75 ft (4)
Maximum Impervious Surface: Percentage (5) (26)	25% (11) (19) ((2) 6))	20% (11) (19) ((2) 6))	15% (11) (19) ((26) ))	12.5% (11) ((26) ))	30% (11) ((26) ))	30% (11) ((26) ))	55% ((26) ))	70% ((26) ))	75% ((26) ))	85% ((2) 6)) (30)	85% ((2) 6)) (30)	85% ((2) 6)) (30)	90% ((26) )) (30)

7061

B. Development conditions.

7062

1. ~~((This maximum density may be achieved e))~~ Only through the application of:

7063

a. ~~((residential density incentives in accordance with K.C.C. chapter 21A.34~~

7064

~~e))~~ transfer((s) of development rights in accordance with K.C.C. chapter 21A.37, ~~((e~~

7065

~~any combination of density incentive or density transfer))~~ except for properties within the

7066

Skyway-West Hill or North Highline subarea geographies; ~~((e))~~

7067

b. ~~((for properties within the Skyway West Hill or North Highline community~~

7068

~~service area subarea geographies, only as provided in the))~~ the inclusionary housing

7069

~~((regulations))~~ program in K.C.C. chapter 21A.48;

7070

c. K.C.C. 21A.08.030.B.12.; or

7071

d. development of nine or fewer units on a site located within a half-mile

7072

walkshed of a high-capacity or frequent transit stop as mapped by the Metro transit

7073

department.

7074 2. Also see K.C.C. 21A.12.060 and K.C.C. 21A.12.085.

7075 3. These standards may be modified under the provisions for zero-lot-line and  
7076 townhouse developments.

7077 4.a. (~~Portions of a~~) A nonresidential structure may exceed the base height if  
7078 one additional foot of street and interior setback is provided for each foot above the base  
7079 height (~~limit~~). The following restrictions apply:

7080 (1) for netting or fencing and support structures for the netting or fencing  
7081 used to contain golf balls in the operation of golf courses or golf driving ranges, the  
7082 maximum height shall not exceed seventy-five feet, except for recreation or multiuse  
7083 parks, where the maximum height shall not exceed one hundred twenty-five feet, unless a  
7084 golf ball trajectory study requires a higher fence. All such netting, fencing, and support  
7085 structures are exempt from the additional interior setback requirement, regardless of  
7086 whether located in a recreation or multiuse park;

7087 (2) properties (~~within the Skyway-West Hill or North Highline community~~  
7088 ~~service area subarea geographies~~) with inclusionary housing developed in accordance  
7089 with K.C.C. chapter 21A.48 shall not increase height through this method; and

7090 (3) for all other structures, the maximum height achieved through this method  
7091 shall not exceed seventy-five feet.

7092 b. Accessory dwelling units and accessory living quarters shall not exceed base  
7093 heights, except that this requirement shall not apply to accessory dwelling units  
7094 constructed wholly within an existing dwelling unit.

7095 5. Applies to each individual lot. Impervious surface area standards for:

7096 a. Regional uses shall be established at the time of permit review;

7097            b. Nonresidential uses in (~~rural area and residential~~) RA, UR, and R zones  
7098 shall comply with K.C.C. 21A.12.120 and 21A.12.220;

7099            c. Individual lots in the R-4 through R-6 zones that are less than nine thousand  
7100 seventy-six square feet in area shall be subject to the applicable provisions of the nearest  
7101 comparable R-6 or R-8 zone; and

7102            d. A lot may be increased beyond the total amount (~~permitted~~) allowed in this  
7103 chapter subject to approval of a conditional use permit.

7104            6. (~~Mobile~~) Manufactured and mobile home (~~park~~) communities shall be  
7105 allowed a base density of (~~six~~) twelve dwelling units per acre.

7106            7. The standards of the R-4 zone apply if a lot is less than fifteen thousand  
7107 square feet in area.

7108            8. At least twenty linear feet of driveway shall be provided between any garage,  
7109 carport, or other fenced parking area and the street property line. The linear distance  
7110 shall be measured along the center line of the driveway from the access point to such  
7111 garage, carport, or fenced area to the street property line.

7112            9.a. Residences shall have a setback of at least one hundred feet from any  
7113 property line adjoining A, M, or F zones or existing extractive operations. However,  
7114 residences on lots less than one hundred fifty feet in width adjoining A, M, or F zones or  
7115 existing extractive operations shall have a setback from the rear property line equal to  
7116 fifty percent of the lot width and a setback from the side property equal to twenty-five  
7117 percent of the lot width.

7118            b. Except for residences along a property line adjoining A, M, or F zones or  
7119 existing extractive operations, lots between one acre and two and one-half acres in size

7120 shall conform to the requirements of the R-1 zone and lots under one acre shall conform  
7121 to the requirements of the R-4 zone.

7122 10. ~~((a. For developments consisting of three or more single detached dwellings  
7123 located on a single parcel, the setback shall be ten feet along any property line abutting  
7124 R-1 through R-8, RA, and UR zones, except for structures in on-site play areas required  
7125 in K.C.C. 21A.14.190, which shall have a setback of five feet.~~

7126 ~~b. For townhouse and apartment development, the setback shall be twenty feet  
7127 along any property line abutting R-1 through R-8, RA, and UR zones, except for  
7128 structures in on-site play areas required in K.C.C. 21A.14.190, which shall have a setback  
7129 of five feet, unless the townhouse or apartment development is adjacent to property upon  
7130 which an existing townhouse or apartment development is located.)) Repealed.~~

7131 11. Lots smaller than one-half acre in area shall comply with standards of the  
7132 nearest comparable R-4 through R-8 zone. For lots that are one-half acre in area or  
7133 larger, the maximum impervious surface area allowed shall be at least ten thousand  
7134 square feet. On any lot over one acre in area, an additional five percent of the lot area  
7135 may be used for buildings related to agricultural or forestry practices. For lots smaller  
7136 than two acres but larger than one-half acre, an additional ten percent of the lot area may  
7137 be used for structures that are determined to be medically necessary, if the applicant  
7138 submits with the permit application a notarized affidavit, conforming with K.C.C.  
7139 21A.32.170A.2.

7140 12. For purposes of calculating minimum density, the applicant may request that  
7141 the minimum density factor be modified based upon the weighted average slope of the  
7142 net buildable area of the site in accordance with K.C.C. 21A.12.087.

7143 13. The minimum lot area does not apply to lot clustering proposals as provided  
7144 in K.C.C. chapter 21A.14.

7145 14. This maximum height is only allowed as follows:

7146 a. ~~((in R-6 and R-8 zones;))~~ for a building with a footprint built on slopes  
7147 exceeding a fifteen percent finished grade; ~~((and))~~

7148 b. ~~((in R-18, R-24 and R-48 zones:~~

7149 ~~(1) for properties within the Skyway West Hill or North Highline community~~  
7150 ~~service area subarea geographies, only if meeting the requirements of))~~ through the  
7151 inclusionary housing regulations in accordance with K.C.C. chapter 21A.48; or

7152 ~~(((2) for all other properties, using residential density incentives and transfer~~  
7153 ~~of density credits in accordance with this title.))~~

7154 c. A structure may exceed the base height if one additional foot of street and  
7155 interior setback is provided for each foot above the base height.

7156 15. Density applies only to dwelling units and not to sleeping units.

7157 16. Vehicle access points from garages, carports, or fenced parking areas shall  
7158 be set back from the property line on which a joint use driveway is located to provide a  
7159 straight line length of at least twenty-six feet as measured from the center line of the  
7160 garage, carport, or fenced parking area, from the access point to the opposite side of the  
7161 joint use driveway.

7162 17.a. Clustering in accordance with K.C.C. 21A.14.0040 shall be required for  
7163 ~~((A))~~ subdivisions and short subdivisions in the R-1 zone ~~((shall be required to be~~  
7164 ~~clustered))~~ if the property is located within or contains:

7165 (1) ~~((a floodplain))~~ alluvial fan hazard areas;

- 7166 (2) ~~((#))~~ critical aquifer recharge area;
- 7167 (3) ~~((a regionally or locally significant resource area))~~ moderate or severe
- 7168 coal mine hazard areas;
- 7169 (4) flood hazard areas;
- 7170 (5) landslide hazard areas;
- 7171 (6) the riparian area of a type S or F aquatic area;
- 7172 (7) steep slope hazard area;
- 7173 (8) category I or II wetlands or their buffers;
- 7174 (9) existing or planned public parks or trails, or connections to such facilities;
- 7175 ~~((5) a category type S or F aquatic area or category I or II wetland;~~
- 7176 ~~(6) a steep slope; or~~
- 7177 ~~(7))~~ (10) an urban separator or wildlife habitat network designated by the
- 7178 Comprehensive Plan ((or a community plan)).

7179 b. The development shall be clustered away from critical areas or the axis of

7180 designated corridors such as urban separators or the wildlife habitat network to the extent

7181 possible and the open space shall be placed in a separate tract ~~((that includes at least fifty~~

7182 ~~percent of the site))~~. Open space tracts shall be permanent and shall be dedicated to a

7183 ~~((homeowner's))~~ homeowners association or other suitable organization, as determined

7184 by the director, and meet the requirements in K.C.C. 21A.14.040. On-site critical area

7185 and buffers and designated urban separators shall be placed within the open space tract to

7186 the extent possible. Passive recreation, with no development of recreational facilities,

7187 and natural-surface pedestrian and equestrian trails are acceptable uses within the open

7188 space tract.



7189 18. ~~((See K.C.C. 21A.12.085.))~~ Only through application of:  
7190 a. inclusionary housing regulations in accordance with K.C.C. chapter 21A.48;  
7191 or  
7192 b. transfer of development rights in accordance with K.C.C. chapter 21A.37,  
7193 except for properties within the Skyway-West Hill or North Highline subarea  
7194 geographies.

7195 19. All subdivisions and short subdivisions in R-1 and RA zones within the  
7196 North Fork and Upper Issaquah Creek subbasins of the Issaquah Creek Basin (the North  
7197 Fork and Upper Issaquah Creek subbasins are identified in the Issaquah Creek Basin and  
7198 Nonpoint Action Plan) and the portion of the Grand Ridge (~~(subarea of the East~~  
7199 ~~Sammamish Community Planning Area))~~ area of the Snoqualmie Valley/Northeast King  
7200 County subarea geography that drains to Patterson Creek shall have a maximum  
7201 impervious surface area of eight percent of the gross acreage of the plat. Distribution of  
7202 the allowable impervious area among the platted lots shall be recorded on the face of the  
7203 plat. Impervious surface of roads need not be counted towards the allowable impervious  
7204 area. Where both lot- and plat-specific impervious limits apply, the more restrictive shall  
7205 be required.

7206 20. This density may only be achieved on RA-2.5 zoned parcels receiving  
7207 density from rural forest focus areas through a transfer of density credit (~~(pursuant to)~~)  
7208 under K.C.C. chapter 21A.37.

7209 21. Base density may be exceeded, if the property is located in a designated  
7210 (~~(rural city u))~~Urban ((g))Growth ((a))Area for Cities in the Rural Area and each  
7211 proposed lot contains an occupied legal residence that predates 1959.

7212           22. ~~((a. The maximum density is four dwelling units per acre for properties~~  
7213 ~~zoned R-4 when located in the Rural Town of Fall City.~~

7214           ~~b. For properties within the Skyway West Hill or North Highline community~~  
7215 ~~service area subarea geographies, only as provided in the inclusionary housing~~  
7216 ~~regulations in K.C.C. chapter 21A.48.)) Repealed.~~

7217           23. ~~((The subdivision or short subdivision of property within the Rural Town of~~  
7218 ~~Fall City is not required to meet with the minimum density requirements of this chapter.))~~  
7219 ~~Repealed.~~

7220           24. The impervious surface standards for the county fairground facility are  
7221 established in the King County Fairgrounds Site Development Plan, Attachment A to  
7222 Ordinance 14808, on file at the department of natural resources and parks and the  
7223 department of local services, permitting division. Modifications to that standard may be  
7224 allowed provided the square footage does not exceed the approved impervious surface  
7225 square footage established in the King County Fairgrounds Site Development Plan  
7226 Environmental Checklist, dated September 21, 1999, Attachment B to Ordinance 14808,  
7227 by more than ten percent.

7228           25. For cottage housing developments only:

7229           a. The base height is twenty-five feet.

7230           b. Buildings that have pitched roofs with a minimum slope of six over twelve  
7231 may achieve a maximum height of thirty feet at the ridge of the roof.

7232           26. Impervious surface does not include access easements serving neighboring  
7233 property and driveways to the extent that they extend beyond the street setback due to  
7234 location within an access panhandle or due to the application of King County Code

7235 requirements to locate features over which the applicant does not have control.

7236 27. Only through the application of:

7237 a. ~~((For properties within the Skyway West Hill or North Highline community~~  
7238 ~~service area subarea geographies, only in accordance with the)) the inclusionary housing  
7239 ~~((regulations))~~ program in K.C.C. chapter 21A.48((-)); or~~

7240 b. ~~((For all other properties, only in accordance with K.C.C.~~  
7241 ~~21A.34.040.F.1.g., F.6.)) the transfer of development rights affordable housing pilot  
7242 program in accordance with K.C.C. 21A.37.130.A.2.~~

7243 28. On a site zoned RA with a building listed ~~((~~in~~))~~ in the ~~((~~the~~))~~ National  
7244 ~~((~~the~~))~~ Register of ~~((~~the~~))~~ Historic ~~((~~the~~))~~ Places, additional dwelling units in excess of the  
7245 maximum density may be allowed under K.C.C. 21A.12.042.

7246 29. Height and setback requirements shall not apply to regional transit authority  
7247 facilities.

7248 30. Properties within the North Highline ~~((community service area))~~ subarea  
7249 geography shall meet the setback and GreenCenter requirements in K.C.C. chapter  
7250 21A.60.

7251 ~~((30. Applies only in the Rural Town of Fall City between the effective date of~~  
7252 ~~Ordinance 19690 and thirteen months after the effective date of Ordinance 19690.))~~

7253 31. Properties in the Vashon Rural Town shall have a maximum height limit of  
7254 three stories not to exceed forty feet. Floors above two stories shall be set back an  
7255 additional ten feet from the street property line in this section.

7256 SECTION 156. Ordinance 10870, Section 341, as amended, and K.C.C.  
7257 21A.12.040 are hereby amended to read as follows:

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

STANDAR DS	RESOURCE				COMMERCIAL/INDUSTRIAL				
	A-10	A-35	F	M	NB	CB	RB	O	I
Base Density: Dwelling Unit/Acre (19)	0.1 du/ac	.0286 du/ac	.0125 du/ac		<u>4 du/ac (1)</u> 8 du/ac (2)	<u>4 du/ac (1)</u> 48 du/ac (2)	<del>((36 du/ac (2)))</del> 48 du/ac ((4)) (2)	<u>4 du/ac (1)</u> 48 du/ac (2)	
Maximum Density: Dwelling Unit/Acre					12 du/ac (3) 16 du/ac (15)	72 du/ac ((46)) (3) 96 du/ac ((47)) (16)	<del>((48 du/ac (3)))</del> 72 du/ac ((46)) (3)96 du/ac ((47)) (16)	<u>4 du/ac (1)</u> 72 du/ac ((16)) (3) 96 du/ac ((17)) (16)	
Minimum Lot Area	10 acres	35 acres	80 acres	10 acres					
Maximum Lot Depth/Width Ratio	4 to 1	4 to 1							
Minimum Street Setback	30 ft (4)	30 ft (4)	50 ft (4)	(12)	10 ft (5) (21)	10 ft (5) (21)	10 ft (5) (21)	10 ft (21)	25 ft
Minimum Interior Setback	10 ft (4)	10 ft (4)	100 ft (4)	(12)	10 ft (18) (21) 20 ft (14)	20 ft (7) (21)	20 ft (7) (21)	20 ft (7) (21)	20 ft (7) 50 ft (8)

Base Height	35 ft	35 ft	35 ft	35 ft	35 ft	35 ft	35 ft	45 ft	45 ft
Maximum Height (17)	75 ft (10 )	75 ft (10 )	75 ft (10 )	75 ft (10 )	<del>40 ft (22)</del> 45 ft (6) 65 ft <del>((20))</del> <del>(15)</del> 75 ft (10)	<del>40 ft (22)</del> 60 ft (6) 65 ft <del>((17))</del> <del>(20)</del> 75 ft (10) 80 ft <del>((20))</del> <del>(15)</del>	<del>40 ft (22)</del> 65 ft (6) 75 ft (10) 85 ft <del>((20))</del> <del>(15)</del>	<del>40 ft (22)</del> 65 ft (6) 75 ft (10) 85 ft <del>((20))</del> <del>(15)</del>	<del>40 ft (22)</del> 75 ft (10)
Maximum Floor/Lot Ratio: Square Feet					1/1 (9)	1.5/1 (9)	2.5/1 (9)	2.5/1 (9)	2.5/1
Maximum Impervious Surface: Percentage (13)	15 % (11 )	10% (11 )	10% (11 )		85% (21)	85% (21)	90% (21)	75% (21)	90%

7259

B. Development conditions.

7260

1. ~~((In the RB zone on property located within the Potential Annexation Area of~~

7261

~~a rural city, this density is not allowed.)) For properties with a designation of rural~~

7262

neighborhood commercial center through the application of mixed-use development

7263

standards. Such properties shall not exceed this base density except under subsection

7264

B.2.c. of this section.

7265

2. These densities are allowed only in:

7266 a. the urban area and rural towns through the application of mixed-use  
7267 development standards; ~~((and;))~~

7268 b. ~~((in))~~ the NB zone on property in the urban area designated commercial  
7269 outside of center, for stand-alone townhouse development; and

7270 c. the rural area outside of rural towns on historic properties within existing  
7271 buildings listed in the National Register of Historic Places or designated as a King  
7272 County landmark, for multiunit residential uses.

7273 3. ~~((These densities may only be achieved))~~ Only through the application of:

7274 a. ~~((for properties within the Skyway-West Hill or North Highline community~~  
7275 ~~service area subarea geographies, as provided in))~~ the inclusionary housing  
7276 ~~((regulations))~~ program in K.C.C. chapter 21A.48; or

7277 b. ~~((for all other properties, through the application of residential density~~  
7278 ~~incentives or))~~ transfer of development rights ~~((in mixed-use developments and,))~~ in  
7279 accordance with K.C.C. chapter 21A.37, except for properties within the Skyway-West  
7280 Hill or North Highline subarea geographies;~~((in the NB zone on property in the urban~~  
7281 ~~area designated commercial outside of center, for stand-alone townhouse development.~~  
7282 ~~See K.C.C. chapters 21A.34 and 21A.37.))~~

7283 4.a. in the F zone, scaling stations may be located thirty-five feet from property  
7284 lines. Residences shall have a setback of at least thirty feet from all property lines.

7285 b. for lots between one acre and two and one-half acres in size, the setback  
7286 requirements of the R-1 zone shall apply. For lots under one acre, the setback  
7287 requirements of the R-4 zone shall apply.

7288 ~~((e. for developments consisting of three or more single-detached dwellings~~

7289 ~~located on a single parcel, the setback shall be ten feet along any property line abutting~~  
7290 ~~R-1 through R-8, RA, and UR zones.))~~

7291 5. Gas station pump islands shall be placed no closer than twenty-five feet to  
7292 street front lines.

7293 6. This maximum height allowed only for:

7294 a. mixed-use developments; and

7295 b. ~~((for))~~ stand-alone townhouse development in the NB zone on property  
7296 designated commercial outside of center in the urban area.

7297 7. Required on property lines adjoining ~~((rural area and residential))~~ RA, UR,  
7298 and R zones.

7299 8. Required on property lines adjoining ~~((rural area and residential))~~ RA, UR,  
7300 and R zones for industrial uses established by conditional use permits.

7301 9. The floor-to-lot ratio for ~~((mixed-use))~~ mixed-use developments shall  
7302 conform to K.C.C. chapter 21A.14 or ~~((if meeting the requirements of))~~ K.C.C. chapter  
7303 21A.48.

7304 10. Portions of a structure may exceed the base height if one additional foot of  
7305 street and interior setback is provided for each foot above the base height, up to a  
7306 maximum of seventy-five feet. The following restrictions apply:

7307 a. ~~((for))~~ netting or fencing, and support structures for the netting or fencing  
7308 used to contain golf balls in the operation of golf courses or golf driving ranges ~~((, the~~  
7309 ~~maximum height shall not exceed seventy five feet. All such netting, fencing, and~~  
7310 ~~support structures))~~ are exempt from the additional interior setback requirement; and

7311 b. properties ~~((within the Skyway West Hill or North Highline community~~

7312 ~~service area subarea planning geographies))~~ with inclusionary housing developed in  
7313 accordance with K.C.C. chapter 21A.48 shall not increase height through this method  
7314 ~~((e. mixed use developments outside the Skyway West Hill or North Highline~~  
7315 ~~community service subarea geographies are not subject to a height restriction when using~~  
7316 ~~this method; and~~

7317 ~~d. for all other structures, the maximum height achieved through this method~~  
7318 ~~shall not exceed seventy five feet)).~~

7319 11. Applicable only to lots containing less than one acre of lot area.  
7320 Development on lots containing less than fifteen thousand square feet of lot area shall be  
7321 governed by impervious surface standards of the nearest comparable R-4 through R-8  
7322 zone.

7323 12. See K.C.C. 21A.22.060 for setback requirements in the mineral zone.

7324 13. The impervious surface area for any lot may be increased beyond the total  
7325 amount ~~((permitted))~~ allowed in this chapter subject to approval of a conditional use  
7326 permit.

7327 14. Required on property lines adjoining ~~((rural area and residential))~~ RA, UR,  
7328 and R zones unless a stand-alone townhouse development on property designated  
7329 commercial outside of center in the urban area is ~~((proposed to be located))~~ adjacent to  
7330 property upon which an existing townhouse development is located.

7331 15. ~~((a. For properties within the Skyway West Hill or North Highline~~  
7332 ~~community service area subarea geographies, o))~~ Only through the application of ~~((as~~  
7333 ~~provided in))~~ the inclusionary housing ~~((regulations))~~ program in K.C.C. chapter 21A.48.

7334 ~~b. For all other properties, only as provided for walkable communities under~~



7335 ~~K.C.C. 21A.34.040.F.8. well served by transit or for mixed-use development through the~~  
7336 ~~application of rural area and residential density incentives under K.C.C.~~  
7337 ~~21A.34.040.F.1.g.))~~

7338 16. Only through the application of:

7339 a. ~~((For properties within the Skyway West Hill or North Highline community~~  
7340 ~~service area subarea geographies, only as provided in))~~ the inclusionary housing  
7341 ~~((regulations in))~~ program in K.C.C. chapter 21A.48((-); or

7342 b. ~~((For all other properties, only for mixed-use development through the~~  
7343 ~~application of residential density incentives under K.C.C. chapter 21A.34 or the))~~ transfer  
7344 of development rights affordable housing pilot program ((under)) in the urban area and  
7345 rural towns in accordance with K.C.C. ((chapter)) 21A.37.130.A.2. ((In the RB zone on  
7346 property located within the Potential Annexation Area of a rural city, this density is not  
7347 allowed.))

7348 17.~~((a. For properties within the Skyway West Hill or North Highline~~  
7349 ~~community service area subarea geographies, only as provided in the inclusionary~~  
7350 ~~housing regulations in K.C.C. chapter 21A.48.~~

7351 b. ~~For all other properties, only for mixed-use development through the~~  
7352 ~~application of residential density incentives under K.C.C. chapter 21A.34 or the transfer~~  
7353 ~~of development rights under K.C.C. chapter 21A.37.))~~ Upper-level setbacks are required  
7354 for any facade facing a pedestrian street for any portion of the structure greater than  
7355 forty-five feet in height. The upper-level setback shall be at least one foot for every two  
7356 feet of height above forty-five feet, up to a maximum required setback of fifteen feet.  
7357 The first four feet of horizontal projection of decks, balconies with open railings, eaves,

7358 cornices, and gutters shall be ~~((permitted))~~ allowed in required setbacks. ~~((In the RB~~  
7359 ~~zone on property located within the Potential Annexation Area of a rural city, this density~~  
7360 ~~is not allowed.))~~

7361 18. Required on property lines adjoining ~~((rural area and residential))~~ RA, UR,  
7362 and R zones only for a social service agency office reusing a residential structure in  
7363 existence on January 1, 2010.

7364 19. On a site zoned A with a building designated as a county landmark in  
7365 accordance with the procedures in K.C.C. 20.62.070, additional dwelling units in excess  
7366 of the maximum density may be allowed under K.C.C. 21A.12.042.

7367 20. This maximum height allowed only for properties ~~((within the Skyway West~~  
7368 ~~Hill or North Highline community service area subarea geographies, if meeting the~~  
7369 ~~requirements of))~~ in the Snoqualmie Pass Rural Town developed with inclusionary  
7370 housing under K.C.C. chapter 21A.48.

7371 21. Properties within the North Highline ~~((community service area))~~ subarea  
7372 geography shall meet the setback and GreenCenter requirements in K.C.C. chapter  
7373 21A.60.

7374 22. Properties in Vashon Rural Town shall have a maximum height limit of  
7375 three stories, not to exceed forty feet. Floors above two stories shall be set back an  
7376 additional ten feet from the street property line in this section.

7377 SECTION 157. Ordinance 10870, Section 344, as amended, and K.C.C.  
7378 21A.12.070 are hereby amended to read as follows:

7379 ~~((Permitted))~~ Allowed number of units, ~~((or))~~ lots, or floor area shall be  
7380 determined as follows:

7381 A. The allowed number of dwelling units or lots ~~(( $\frac{1}{2}$ ))~~, which is "base  
7382 density( $\frac{1}{2}$ )," shall be computed by multiplying the site area specified in K.C.C.  
7383 21A.12.080 by the applicable residential base density number;

7384 B. The maximum density (unit or lot) limits shall be computed by adding the  
7385 bonus or transfer units authorized by K.C.C. chapters ~~((21A.34,))~~ 21A.37 and 21A.48 to  
7386 the base units computed under subsection A. of this section;

7387 C. The allowed floor area, which excludes structured or underground parking  
7388 areas and areas housing mechanical equipment, shall be computed by applying the floor-  
7389 to-lot area ratio to the project site area specified in K.C.C. 21A.12.080;

7390 D. If calculations result in a fraction, the fraction shall be rounded to the nearest  
7391 whole number as follows, except as provided in subsection E. of this section and K.C.C.  
7392 21A.48.050:

7393 1. Fractions of 0.50 or above shall be rounded up; and

7394 2. Fractions below 0.50 shall be rounded down; and

7395 E. For subdivisions and short subdivisions in the RA and A zones, rounding up of  
7396 the number of development units or lots is not allowed.

7397 SECTION 158. Ordinance 10870, Section 354, as amended, and K.C.C.

7398 21A.12.170 are hereby amended to read as follows:

7399 Provided that the required setbacks from regional utility corridors of K.C.C.

7400 21A.12.140, the adjoining half-street or designated arterial setbacks of K.C.C.

7401 21A.12.160, and the sight distance requirements of K.C.C. 21A.12.210 are maintained,

7402 structures may extend into or be located in required setbacks, including setbacks as

7403 required by K.C.C. 21A.12.220.B, as follows:

7404           A. Fireplace structures, bay or garden windows, enclosed stair landings, closets,  
7405 or similar structures may project into any setback, provided such projections are:  
7406           1. Limited to two per facade;  
7407           2. Not wider than ten feet; and  
7408           3. Not more than twenty-four inches into an interior setback or thirty inches into  
7409 a street setback;

7410           B. Uncovered porches and decks that exceed eighteen inches above the finished  
7411 grade may project:  
7412           1. Eighteen inches into interior setbacks; and  
7413           2. Five feet into the street setback;

7414           C. Uncovered porches and decks not exceeding eighteen inches above the  
7415 finished grade may project to the property line;

7416           D. Eaves may not project more than:  
7417           1. Eighteen inches into an interior setback;  
7418           2. Twenty-four inches into a street setback; or  
7419           3. Eighteen inches across a lot line in a zero-lot-line development;

7420           E. Fences with a height of six feet or less may project into or be located in any  
7421 setback;

7422           F. Rockeries, retaining walls, and curbs may project into or be located in any  
7423 setback. Except for structures that cross the setback perpendicularly to property lines or  
7424 that abut a critical area, these structures:  
7425           1. Shall not exceed a height of six feet in the R-1 through R-18, UR, RA<sub>2</sub> and  
7426 resource zones;

7427           2. Shall not exceed a height of eight feet in the R-24 and R-48 zones; and  
7428           3. Shall not exceed the building height for the zone in commercial/industrial  
7429 zones, measured in accordance with the standards established in the King County  
7430 Building Code, K.C.C. Title 16;

7431           G. Fences located on top of rockeries, retaining walls, or berms are subject to the  
7432 requirements of K.C.C. 21A.14.220;

7433           H. Telephone, power, light, and flag poles;

7434           I. The following may project into or be located within a setback, but may only  
7435 project into or be located within a five-foot interior setback area if an agreement  
7436 documenting consent between the owners of record of the abutting properties is recorded  
7437 with the records and licensing services division prior to the installment or construction of  
7438 the structure:

7439           1. Sprinkler systems, electrical, and cellular equipment cabinets and other  
7440 similar utility boxes and vaults;

7441           2. Security system access controls;

7442           3. Structures, except for buildings, associated with trails and on-site recreation  
7443 spaces and play areas required in K.C.C.21A.14.180 (~~and K.C.C. 21A.14.190~~) such as  
7444 benches, picnic tables, and drinking fountains; and

7445           4. Surface water management facilities as required by K.C.C. 9.04;

7446           J. Freestanding air conditioners and heat pumps (~~may project into or be located~~  
7447 ~~within a setback abutting a residential property, but may only be located closer than five~~  
7448 ~~feet of an abutting residential property if an agreement documenting consent between the~~

7449 ~~owners of record of the abutting properties is recorded with the records and licensing~~  
7450 ~~services division prior to permit issuance.))~~;

7451 K. Mailboxes and newspaper boxes may project into or be located within street  
7452 setbacks;

7453 L. Fire hydrants and associated appendages;

7454 M. Metro bus shelters may be located within street setbacks;

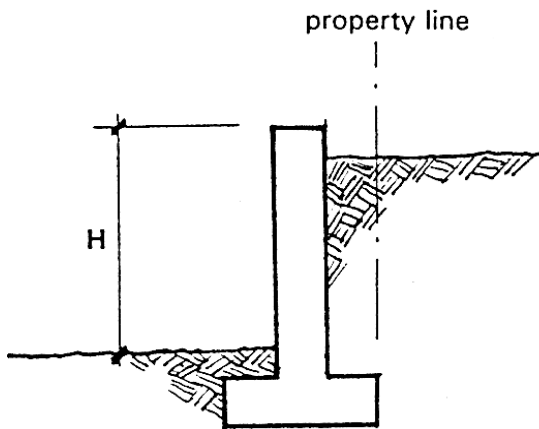
7455 N. Unless otherwise allowed in K.C.C. 21A.20.080, free standing and monument  
7456 signs four feet or less in height, with a maximum sign area of twenty square feet, may  
7457 project into or be located within street setbacks;

7458 O. On a parcel in the RA zone, in the interior setback that adjoins a property  
7459 zoned NB or CB, structures housing refrigeration equipment that extends no more than  
7460 ten feet into the setback and is no more than sixty feet in length; and

7461 P. Stormwater conveyance and control facilities, both above and below ground,  
7462 provided such projections are:

- 7463 1. Consistent with setback, easement, and access requirements specified in the  
7464 Surface Water Design Manual; or  
7465 2. In the absence of said specifications, not within five feet of the property line.

RETAINING WALL IN SETBACK



**H max. 6' in R1 - R18, UR, RA  
& Resource Zones**

**H max. 8' in R24 and R 48 Zones, and  
not to exceed building height  
requirement in Commerical/Industrial  
Zones**

7466  
7467

7468            SECTION 159. Ordinance 10870, Section 355, as amended, and K.C.C.

7469            21A.12.180 are hereby amended to read as follows:

7470            The following structures may be erected above the height limits of K.C.C.

7471            21A.12.030((-)) through 21A.12.050.

7472            A. Roof structures housing or screening elevators, stairways, tanks, ventilating  
7473 fans, or similar equipment required for building operation and maintenance; and

7474            B. Fire or parapet walls((-)); skylights((-)); flagpoles((-)); chimneys((-);

7475 smokestacks((-); ~~((church))~~ religious facility steeples, crosses, and spires,

7476 communication transmission and receiving structures, utility line towers and poles, and

7477 similar structures.

7478            SECTION 160. Ordinance 10870, Section 357, as amended, and K.C.C.

7479            21A.12.200 are hereby amended to read as follows:

7480            When a lot or site is divided by a zone boundary, the following applies:

7481            A. If a lot or site contains both ~~((rural area and residential))~~ RA, UR, or R zoning

7482 and nonresidential zoning, the zone boundary between the ~~((rural area and residential))~~

7483 RA, UR, or R zone and the nonresidential zone shall be considered a lot line for  
7484 determining ~~((permitted))~~ allowed building height and required setbacks on the site~~((:))~~;

7485 B. If a lot or site contains residential zones of varying density:

7486 1. Any residential density transfer within the lot or site shall be allowed if:

7487 a. the density, as a result of moving dwelling units from one lot to another lot  
7488 within a site or across zone ~~((lines))~~ boundaries within a single lot, does not exceed one  
7489 hundred fifty percent of the base density on any of the lots or portions of a lot to which  
7490 the density is transferred;

7491 b. the transfer does not reduce the minimum density achievable on the lot or  
7492 site;

7493 c. the transfer enhances the efficient use of needed infrastructure;

7494 d. the transfer does not result in significant adverse impacts to the low density  
7495 portion of the lot or site;

7496 e. the transfer contributes to preservation of ~~((environmentally sensitive))~~  
7497 critical areas, wildlife corridors, or other natural features; and

7498 f. the transfer does not result in significant adverse impacts to adjoining lower  
7499 density properties;

7500 2. Residential density transfers from one lot to another lot within a site or from  
7501 one portion of a lot to another portion of a lot across a zone ~~((line shall not be allowed))~~  
7502 boundary is prohibited in the RA zone;

7503 3. Residential density transfers ~~((shall not be allowed))~~ to a lot or portion of a  
7504 lot zoned R-1 is prohibited;



7505 4. Compliance with the criteria in this subsection B, shall be evaluated during  
7506 review of any development proposals in which such a transfer is proposed; and

7507 ~~((5. Residential density transfers from one lot to another lot within a site or from  
7508 one portion of a lot to another portion of a lot across a zone line shall not, in of itself, be  
7509 considered development above the base density for purposes of requiring a conditional  
7510 use permit for apartments or townhouses in the R-1 through R-8 zones.))~~

7511 C. Uses on each portion of the lot shall only be those ~~((permitted))~~ allowed in  
7512 each zone in accordance with K.C.C. chapter 21A.08.

7513 SECTION 161. Ordinance 10870, Section 359, as amended, and K.C.C.  
7514 21A.12.220 are hereby amended to read as follows:

7515 ~~((Except for utility facilities, uses listed in K.C.C. 21A.08.100, and nonresidential  
7516 uses regulated by 21A.12.230, all n))~~ Nonresidential uses, except for those uses listed in  
7517 subsection H., located in the RA, UR, or R zones shall be subject to the following  
7518 requirements:

7519 A. Impervious surface coverage shall not exceed:

- 7520 1. Forty percent of the site in the RA zone.  
7521 2. Seventy percent of the site in the UR and the R-1 through R-8 zones.  
7522 3. Eighty percent of the site in the R-12 through R-48 zones.

7523 B. Buildings and structures, except fences and wire or mesh backstops, shall not  
7524 be closer than 30 feet to any property line, except as provided in subsection C. of this  
7525 section.

7526 C. Single detached ~~((dwelling))~~ residence allowed as accessory to a ~~((church))~~  
7527 religious facility or school shall conform to the setback requirements of the zone.

7528 D. Parking areas are ~~((permitted))~~ allowed within the required setback area from  
7529 property lines, provided such parking areas are located outside of the required landscape  
7530 area.

7531 E. Sites shall abut or be accessible from at least one public street functioning at a  
7532 level consistent with King County Road Design Standards. New high school sites shall  
7533 abut or be accessible from a public street functioning as an arterial per the King County  
7534 Design Standards.

7535 F. The base height shall conform to the zone in which the use is located.

7536 G. Building illumination and lighted signs shall be designed so that no direct rays  
7537 of light are projected into neighboring residences or onto any street right-of-way.

7538 H. The following nonresidential uses shall not be subject to the requirements of  
7539 this section:

7540 1. Sports clubs;

7541 2. General personal service;

7542 3. Retail uses in K.C.C. 21A.08.070; and

7543 4. Utility facilities.

7544 SECTION 162. Ordinance 15032, Section 18, as amended, and K.C.C.

7545 21A.14.025 are hereby amended to read as follows:

7546 ~~((For cottage housing developments in the R4-R8 zones:))~~

7547 A. The total area of the common open space ~~((must))~~ shall be at least two  
7548 hundred and fifty square feet per unit and at least fifty percent of the units ~~((must))~~ shall  
7549 be ~~((clustered))~~ sited around the common space.

7550 B. The total floor area of each unit, except for two hundred and fifty square feet  
7551 of any enclosed parking, is limited to one thousand two hundred square feet. The  
7552 footprint of each unit, including any enclosed parking, is limited to nine hundred square  
7553 feet. A front or wraparound porch of up to one hundred square feet is ~~((permitted))~~  
7554 allowed and ~~((is not to be included))~~ shall not be counted in the floor area or footprint  
7555 calculation.

7556 C. Fences within the cottage housing unit development are limited to three feet in  
7557 height. Fences along the perimeter of the cottage housing development are limited to six  
7558 feet.

7559 D. Individual cottage housing units ~~((must))~~ shall be at least ten feet apart.

7560 E. Each dwelling unit that abuts common open space shall have either a primary  
7561 entry or a covered porch, or both, oriented to the common open space.

7562 F. Each dwelling unit within forty feet of a public right-of-way, not including  
7563 alleys, shall have a facade oriented to the public right-of-way that includes a porch, an  
7564 entrance, or a bay window that projects a minimum of six inches and is a minimum of  
7565 four feet in width. If a dwelling unit is within forty feet of more than one public right-of-  
7566 way, the department shall determine which right-of-way towards which the facade  
7567 elements shall be oriented. Materials used on this facade shall wrap the corners of the  
7568 unit.

7569 SECTION 163. Ordinance 10870, Section 364, as amended, and K.C.C.

7570 21A.14.040 are hereby amended to read as follows:

7571 A. Residential lot clustering is allowed in the R, UR<sub>2</sub> and RA zones. ~~((If~~  
7572 ~~residential lot clustering is proposed, the following requirements shall be met:))~~

7573 B. Tracts created through lot clustering shall be designated as permanent open  
7574 space as follows:

7575 1. Tracts shall not be altered or disturbed except as specified on recorded  
7576 documents creating the open space;

7577 2. Active recreational facilities are prohibited. Acceptable uses within open  
7578 space tracts are passive recreation, natural-surface pedestrian and equestrian foot trails,  
7579 and passive recreational facilities;

7580 3. Tracts may be retained under ownership by the subdivider or retained in  
7581 undivided interest by the residents of the development and maintained by a homeowners  
7582 association. The department may require tracts to be dedicated to an appropriate  
7583 managing public agency or qualifying private entity such as a nature conservancy; and

7584 4. If access to the open space is provided, the access shall be located in a  
7585 separate tract;

7586 ~~((A. In the R zones, any designated open space tract resulting from lot clustering~~  
7587 ~~shall not be altered or disturbed except as specified on recorded documents creating the~~  
7588 ~~open space. Open spaces may be retained under ownership by the subdivider, conveyed~~  
7589 ~~to residents of the development or conveyed to a third party. If access to the open space~~  
7590 ~~is provided, the access shall be located in a separate tract;~~

7591 ~~B.))~~ C. In the RA zone:

7592 1. No more than eight lots of less than two and one-half acres shall be allowed  
7593 in a cluster;

7594 2. No more than eight lots of less than two and one-half acres shall be served by  
7595 a single cul-de-sac street;

7596 3. Clusters containing two or more lots of less than two and one-half acres,  
7597 whether in the same or adjacent developments, shall be separated from similar clusters by  
7598 at least one hundred twenty feet;

7599 4. ~~((The overall amount, and the individual degree of clustering shall be limited  
7600 to a level that can be adequately served by rural facilities and services, including, but not  
7601 limited to, on-site sewage disposal systems and rural roadways;~~

7602 5.)) A fifty-foot Type II landscaping screen, as defined in K.C.C. 21A.16.040,  
7603 shall be provided along the frontage of all public roads when adjoining differing types of  
7604 development such as commercial and industrial uses, between differing types of  
7605 residential development and to screen industrial uses from the street. The planting  
7606 materials shall consist of species that are native to the Puget Sound region. Preservation  
7607 of existing healthy vegetation is encouraged and may be used to augment new plantings  
7608 to meet the requirements of this section;

7609 ~~((6. Except as provided in subsection B.7. of this section, open space tracts  
7610 created by clustering in the RA zone shall be designated as permanent open space.  
7611 Acceptable uses within open space tracts are passive recreation, with no development of  
7612 active recreational facilities, natural surface pedestrian and equestrian foot trails and  
7613 passive recreational facilities. A resource tract created under K.C.C. 16.82.152.E. may be  
7614 considered an open space tract for purposes of this subsection B.6;~~

7615 7.a.) 5.a. In the RA zone, a resource tract may be created through ~~((a cluster  
7616 development))~~ clustering in lieu of an open space tract. ~~((A resource tract created under  
7617 K.C.C. 16.82.152.E. may be considered a resource tract for purposes of this subsection  
7618 B.7.))~~ The resource tract may be used as a working forest or farm if:

7619 (1) the department determines the resource tract is suitable for forestry or  
7620 agriculture; and

7621 (2) the applicant submits a forest management plan prepared by a professional  
7622 forester that has been approved by the King County department of natural resources and  
7623 parks, or a farm management plan developed by the King Conservation District. The  
7624 management plan ~~((must))~~ shall:

7625 (a) ensure that forestry or farming will remain as a sustainable use of the  
7626 resource tract;

7627 (b) set impervious surface and clearing limitations and identify the type of  
7628 buildings or structures that will be allowed within the resource tract; and

7629 (c) if critical areas are included in the resource tract, clearly distinguish  
7630 between the primary purpose of the resource portion of the tract and the primary purpose  
7631 of the critical area portion of the tract as required under K.C.C. 21A.24.180.

7632 b. The recorded plat or short plat shall designate the resource tract as a  
7633 working forest or farm.

7634 c. ~~((If the applicant conveys the resource tract to residents of the development,~~  
7635 ~~the resource tract shall be retained in undivided interest by the residents of the~~  
7636 ~~subdivision or short subdivision.~~

7637 ~~d.))~~ A homeowners association shall be established to ensure implementation  
7638 of the forest management plan or farm management plan if the resource tract is retained  
7639 in undivided interest by the residents of the subdivision or short subdivision.

7640 ~~((e.))~~ d. The applicant shall file a notice with the King County department of  
7641 executive services, records and licensing services division. The required contents and

7642 form of the notice shall be ~~((set forth))~~ established in a public rule. The notice shall  
7643 inform the property owner or owners that the resource tract is designated as a working  
7644 forest or farm~~((;))~~ that ~~((must))~~ shall be managed in accordance with the ~~((provisions~~  
7645 ~~established in the))~~ approved forest management plan or farm management plan.

7646 ~~((f.))~~ e. The applicant shall provide to the department proof of the approval of  
7647 the forest management plan or farm management plan and the filing of the notice  
7648 required in subsection ~~((B.7.g.))~~ C.5.f. of this section before recording of the final plat or  
7649 short plat.

7650 ~~((g.))~~ f. The notice shall run with the land.

7651 ~~((h.))~~ h. Natural-surface pedestrian and equestrian foot trails, passive  
7652 recreation, and passive recreational facilities, with no development of active recreational  
7653 facilities, are allowed uses in resource tracts~~((; and))~~.

7654 ~~((i.))~~ 6. The requirements of subsection ~~((B.))~~ C.1., 2., or 3. of this subsection  
7655 may be modified or waived by the director if the property is encumbered by critical areas  
7656 containing habitat for, or there is the presence of, species listed as threatened or  
7657 endangered under the Endangered Species Act when it is necessary to protect the habitat;  
7658 and

7659 ~~((C.))~~ D. In the R-1 zone, open space tracts ~~((created by clustering required by~~  
7660 ~~K.C.C. 21A.12.030))~~ shall be located and configured to create urban separators and  
7661 greenbelts, as required by the Comprehensive Plan, ~~((or))~~ subarea plans, or open space  
7662 functional plans, to connect and increase protective buffers for critical areas, to connect  
7663 and protect wildlife habitat corridors designated by the Comprehensive Plan and to  
7664 connect existing or planned public parks or trails. ~~((The department may require open~~

7665 ~~space tracts created under this subsection to be dedicated to an appropriate managing~~  
7666 ~~public agency or qualifying private entity such as a nature conservancy. In the absence of~~  
7667 ~~such a requirement, open space tracts shall be retained in undivided interest by the~~  
7668 ~~residents of the subdivision or short subdivision. A homeowners association shall be~~  
7669 ~~established for maintenance of the open space tract.))~~

7670 SECTION 164. Ordinance 10870, Section 365, as amended, and K.C.C.

7671 21A.14.050 are hereby amended to read as follows:

7672 Subdivision of UR zoned property of ten or more acres shall ~~((be required to be~~  
7673 ~~clustered and))~~ provide a reserve tract ~~((shall be created))~~ for future development ~~((in~~  
7674 ~~accordance with the following))~~ as follows:

7675 A. The reserve tract shall be no less than seventy-five percent of the net  
7676 developable area of the property to be subdivided.

7677 B. The reserve tract shall be configured to contain lands with topography and  
7678 natural features that allow future conversion of the reserve tract to residential  
7679 development at urban densities.

7680 C. The reserve tract may contain a single dwelling unit, only if:

7681 1. The unit was included in the overall density calculations for the original  
7682 subdivision creating the reserve tract; and

7683 2. The unit was noted on the face of the original subdivision (plat or short plat).

7684 D. The reserve tract shall not be altered or disturbed except as specified on the  
7685 face of the original subdivision (plat or short plat).



7686 E. The reserve tract may be retained under the ownership of the subdivider,  
7687 conveyed to residents of the subdivisions, or conveyed to a third party. Regardless of  
7688 ownership of the reserve tract, all restrictions relative to the reserve tract shall apply.

7689 F. The reserve tract shall not be used to satisfy the recreation space requirement  
7690 of the original subdivision.

7691 G. The layout of the lots and roadways created in the original subdivision shall  
7692 facilitate future development of the reserve tract.

7693 H. The reserve tract shall not be eligible for further subdivision until ~~((such time~~  
7694 ~~that))~~ reclassification of the reserve tract occurs in accordance with the ~~((community~~  
7695 ~~plan))~~ area zoning process ~~((outlined))~~ in K.C.C. 20.08.030.

7696 I. Any proposed subsequent development on the reserve tract shall be governed  
7697 by the development standards in effect at the time of such development.

7698 SECTION 165. Ordinance 10870, Section 367, as amended, and K.C.C.  
7699 21A.14.070 are hereby amended to read as follows:

7700 A. The standards of ~~((K.C.C. 21A.14.080 through 21A.14.090))~~ this section shall  
7701 apply to ~~((all))~~ new ~~((apartment))~~ developments with more than nine ~~((exceeding four))~~  
7702 dwelling or sleeping units ~~((new townhouse development and new group residences~~  
7703 ~~except Class I Community Residential Facilities ("CRF-I")))~~. Expansions of existing  
7704 development that involve ~~((four or))~~ more than nine dwelling or sleeping units shall be  
7705 subject to compliance with ~~((K.C.C. 21A.14.080 to 21A.14.090))~~ with this section.

7706 B. On sites abutting an alley constructed to a width of at least twenty feet,  
7707 parking areas shall be placed to the rear of buildings with primary vehicular access via  
7708 the alley, except when waived by the director due to physical site limitations.

7709 1. When alley access is provided, no additional driveway access from the public  
7710 street shall be allowed except as necessary to access parking under the structure or for  
7711 fire protection.

7712 2. When the number of uncovered common parking spaces for attached  
7713 dwelling and group residences exceed thirty spaces and when there is alley access, no  
7714 more than fifty percent of these uncovered parking spaces shall be allowed between the  
7715 street property line and any building, except when authorized by the director due to  
7716 physical site limitations.

7717 C. Developments shall provide building facade modulation on facades exceeding  
7718 sixty feet and adjoining streets or properties zoned R-1 through R-4. The following  
7719 standards shall apply:

7720 1. The maximum wall length without modulation shall be thirty feet;  
7721 2. The sum of the modulation depth and the modulation width shall be no less  
7722 than eight feet. Neither the modulation depth nor the modulation width shall be less than  
7723 two feet; and

7724 3. Any other technique approved by the director that achieves the intent of this  
7725 section.

7726 NEW SECTION. SECTION 166. There is hereby added to K.C.C. chapter  
7727 21A.14 a new section to read as follows:

7728 A. A congregate residence shall include at least one common kitchen facility. In a  
7729 congregate residence with more than two floors, at least one common kitchen facility is  
7730 required on each floor with sleeping units. In a congregate residence consisting of more  
7731 than one building, at least one common kitchen facility is required in each building.

7732           2. A sleeping unit that does not include sanitation facilities in the sleeping unit  
7733 shall have access to shared sanitation facilities on the same floor as the sleeping unit.

7734           3. Communal areas, such as common kitchen facilities, lounges, recreation  
7735 rooms, dining rooms, living rooms, laundry rooms, foyers, and lobbies, shall be open to  
7736 all residents of the congregate residence and shall meet the following standards:

7737           a. The total floor area of communal areas shall be at least twelve percent of the  
7738 total floor area of all sleeping and dwelling units; and

7739           b. Service areas, including, but not limited to hallways and corridors, supply or  
7740 janitorial storage areas, operations and maintenance areas, staff areas, and offices may  
7741 not be counted toward the communal area total floor area requirement.

7742           SECTION 167. Ordinance 10870, Section 376, as amended, and K.C.C.

7743 21A.14.160 are hereby amended to read as follows:

7744           New ~~((mobile))~~ manufactured home ~~((parks))~~ communities shall be developed  
7745 subject to the following standards:

7746           A. ~~((A mobile home park))~~ The site shall be at least three acres in area;

7747           B. Residential densities ~~((in a mobile home park))~~ shall be as follows:

7748           1. ~~((Six))~~ Twelve dwelling units per acre in the R-4 through R-8 zones; and

7749           2. The base density of the zone in which the ~~((park))~~ site is located in ~~((all R-6))~~  
7750 the R-12 through R-48 zones; ~~((and~~

7751           3. ~~Mobile home parks shall be eligible to achieve the maximum density~~  
7752 ~~permitted in the zone by providing the affordable housing benefit for mobile home parks~~  
7753 ~~set forth in K.C.C. 21A.34;))~~

7754 C. Both insignia and non-insignia ~~((mobile))~~ manufactured homes may be  
7755 installed ~~((in mobile home parks))~~, provided that non-insignia ~~((mobile))~~ manufactured  
7756 homes shall meet the minimum livability and safety requirements ~~((set forth))~~ in K.C.C.  
7757 Title 16, Building Code;

7758 D. ~~((A mobile home park shall be exempt from))~~ The impervious surface limits  
7759 ~~((set forth))~~ in K.C.C. chapter 21A.12 shall not apply;

7760 E. At least one of the off-street parking spaces required for each ~~((mobile))~~  
7761 manufactured home shall be located on or adjacent to each ~~((mobile))~~ manufactured  
7762 home pad;

7763 F. Internal roads and sidewalks shall provide access to each ~~((mobile))~~  
7764 manufactured home space and shall be constructed in accordance with the adopted King  
7765 County road standards for residential minor access streets;

7766 G. There shall be a minimum of ten feet of separation maintained between all  
7767 ~~((mobile))~~ manufactured homes on the site, unless the flexible setback option ~~((set forth))~~  
7768 in K.C.C. 21A.14.170 is used. Accessory structures shall be located no closer than:

7769 1. Ten feet to ~~((mobile))~~ manufactured homes on adjacent spaces, unless  
7770 constructed of noncombustible materials, in which case the minimum setback shall be  
7771 five feet;

7772 2. Five feet to accessory structures of ~~((mobile))~~ manufactured homes on  
7773 adjacent spaces; and

7774 3. Five feet to the ~~((mobile))~~ manufactured home or other accessory structures  
7775 on the same space, except a carport or garage may be attached to the ~~((mobile))~~

7776 manufactured home, and the separation may be waived when such structures are  
7777 constructed of noncombustible materials;

7778 H. All ~~((mobile))~~ manufactured homes and ~~((RVs))~~ recreational vehicles  
7779 supported by piers shall be fully skirted; and

7780 I. ~~((A mobile home park may include a s))~~ Storage areas for ~~((RVs))~~ recreational  
7781 vehicles owned by residents of the park are allowed, provided the storage area contains  
7782 no utility hook-ups and ~~((no RV))~~ recreational vehicle within the storage area ~~((shall be))~~  
7783 are not used as living quarters.

7784 SECTION 168. Ordinance 10870, Section 378, as amended, and K.C.C.  
7785 21A.14.180 are hereby amended to read as follows:

7786 A. ~~((Residential))~~ The standards of this section shall apply to new  
7787 developments~~((, other than cottage housing developments, of))~~ with nine or more ~~((than~~  
7788 ~~four))~~ dwelling or sleeping units. ~~((in the UR and R-4 through R-48 zones, stand-alone~~  
7789 ~~townhouse developments in the NB zone on property designated commercial outside of~~  
7790 ~~center in the urban area of more than four units, and mixed-use developments of more~~  
7791 ~~than four units, shall provide r))~~ Recreation space for leisure, play, and sport activities  
7792 shall be provided as follows:

7793 1. Residential subdivisions, townhouses, and apartments developed at a density  
7794 of eight units or less per acre: three hundred ninety square feet per unit;

7795 2. ~~((Mobile))~~ Manufactured home ~~((park))~~ community: two hundred sixty  
7796 square feet per unit;

7797 3. Residential subdivisions developed at a density of greater than eight units per  
7798 acre: one hundred seventy square feet per unit; and

7799 4. Apartments and townhouses developed at a density of greater than eight units  
7800 per acre and mixed-use:

7801 a. Studio and one bedroom: ninety square feet per unit;  
7802 b. Two bedrooms: one hundred seventy square feet per unit; and  
7803 c. Three or more bedrooms: one hundred seventy square feet per unit.

7804 B. Recreation space shall be placed in a designated recreation space tract if part  
7805 of a subdivision. The tract shall be dedicated to a (~~homeowner's~~) homeowners  
7806 association or other workable organization acceptable to the director, to provide  
7807 continued maintenance of the recreation space tract consistent with K.C.C. 21A.14.200.

7808 C. Any recreation space located outdoors that is not part of a (~~storm-water~~)  
7809 stormwater tract developed in accordance with subsection F. of this section shall:

7810 1. Be of a grade and surface suitable for recreation improvements and have a  
7811 maximum grade of five percent;

7812 2. Be on the site of the proposed development;

7813 3. Be located in an area where the topography, soils, hydrology, and other  
7814 physical characteristics are of such quality as to create a flat, dry, obstacle-free space in a  
7815 configuration that allows for passive and active recreation;

7816 4. Be centrally located with good visibility of the site from roads and sidewalks;

7817 5. Have no dimensions less than thirty feet, except trail segments;

7818 6. Be located in one designated area, unless the director determines that  
7819 residents of large subdivisions, townhouses, and apartment developments would be better  
7820 served by multiple areas developed with recreation or play facilities;

7821           7. Have a street roadway or parking area frontage along ten percent or more of  
7822 the recreation space perimeter, except trail segments, if the required outdoor recreation  
7823 space exceeds five thousand square feet and is located in a single detached or townhouse  
7824 subdivision;

7825           8. Be accessible and convenient to all residents within the development; and

7826           9. Be located adjacent to, and be accessible by, trail or walkway to any existing  
7827 or planned municipal, county, or regional park, public open space, or trail system((,  
7828 ~~which may~~)) that may be located on adjoining property.

7829           D. Indoor recreation areas may be credited towards the total recreation space  
7830 requirement, if the director determines that the areas are located, designed, and improved  
7831 in a manner that provides recreational opportunities functionally equivalent to those  
7832 recreational opportunities available outdoors. For senior (~~citizen~~) assisted housing,  
7833 indoor recreation areas need not be functionally equivalent (~~but~~) and may include social  
7834 areas, game and craft rooms, and other multipurpose entertainment and education areas.

7835           E. Play equipment or age-appropriate facilities shall be provided within dedicated  
7836 recreation space areas according to the following requirements:

7837           1. (~~For developments of five dwelling units or more, a~~) A tot lot or children's  
7838 play area within the recreation space on-site, that includes age-appropriate play  
7839 equipment and benches, shall be provided (~~(consistent with K.C.C. 21A.14.190;)~~), except  
7840 if the use is either senior assisted housing or located within one quarter mile walking  
7841 distance of a public park that is accessible without crossing an arterial street. The tot lot  
7842 or children's play area shall:

7843 a. Provide at least forty-five square feet per dwelling unit, with a minimum  
7844 size of four hundred square feet;

7845 b. Be adjacent to main pedestrian paths or near building entrances;

7846 c. Meet the requirements of this section; and

7847 d. Provide play equipment that meets, at a minimum, the Consumer Product  
7848 Safety Standards for equipment, soft surfacing, and spacing.

7849 2. For developments of five to twenty-five dwelling units, one of the following  
7850 recreation facilities shall be provided in addition to the tot lot or children's play area:

7851 a. playground equipment;

7852 b. sport court;

7853 c. sport field;

7854 d. tennis court; or

7855 e. any other recreation facility proposed by the applicant and approved by the  
7856 director;

7857 3. For developments of twenty-six to fifty dwelling units, at least two or more of  
7858 the recreation facilities listed in subsection E.2. of this section shall be provided in  
7859 addition to the tot lot or children's play area; and

7860 4. For developments of more than fifty dwelling units, one or more of the  
7861 recreation facilities listed in subsection E.2. of this section shall also be provided for  
7862 every twenty-five dwelling units in addition to the tot lot or children's play area. If  
7863 calculations result in a fraction, the fraction shall be rounded to the nearest whole number  
7864 as follows:

7865 a. Fractions of 0.50 or above shall be rounded up; and



7866 b. Fractions below 0.50 shall be rounded down.

7867 F. In subdivisions, recreation areas that are contained within the on-site  
7868 stormwater tracts, but are located outside of the one hundred year design water surface,  
7869 may be credited for up to fifty percent of the required square footage of the on-site  
7870 recreation space requirement on a foot-per-foot basis, subject to the following criteria:

7871 1. The stormwater tract and any on-site recreation tract shall be contiguously  
7872 located. At final plat recording, contiguous stormwater and recreation tracts shall be  
7873 recorded as one tract and dedicated to the ((~~homeowner's~~)) homeowners association or  
7874 other organization as approved by the director;

7875 2. The drainage facility shall be constructed to meet the following conditions:

7876 a. The side slope of the drainage facility shall not exceed thirty-three percent  
7877 unless slopes are existing, natural, and covered with vegetation;

7878 b. A bypass system or an emergency overflow pathway shall be designed to  
7879 handle flow exceeding the facility design and located so that it does not pass through  
7880 active recreation areas or present a safety hazard;

7881 c. The drainage facility shall be landscaped and developed for passive  
7882 recreation opportunities such as trails, picnic areas, and aesthetic viewing; and

7883 d. The drainage facility shall be designed so they do not require fencing under  
7884 the King County Surface Water Design Manual.

7885 G. When the tract is a joint use tract for a drainage facility and recreation space,  
7886 King County is responsible for maintenance of the drainage facility only and requires a  
7887 drainage easement for that purpose.

7888 H.1. A recreation space plan shall be submitted to the department and reviewed  
7889 and approved with engineering plans.

7890 ~~((1.))~~ 2. The recreation space plans shall address all portions of the site that will  
7891 be used to meet recreation space requirements of this section, including drainage facility.  
7892 The plans shall show dimensions, finished grade, equipment, landscaping, and  
7893 improvements, as required by the director, to demonstrate that the requirements of the on-  
7894 site recreation space and play areas in K.C.C. 21A.14.180 ~~((and play areas in K.C.C.~~  
7895 ~~21A.14.190))~~ have been met.

7896 ~~((2.))~~ 3. If engineering plans indicate that the on-site drainage facility or  
7897 stormwater tract ~~((must))~~ is required to be increased in size from that shown in  
7898 preliminary approvals, the recreation plans ~~((must))~~ shall show how the required  
7899 minimum recreation space under K.C.C. 21A.14.180.A. will be met.

7900 SECTION 169. Ordinance 14045, Section 35, and K.C.C. 21A.14.195 are hereby  
7901 amended to read as follows:

7902 Financial guarantees for construction of recreation facilities required under  
7903 K.C.C. 21A.14.180 ~~((and 21A.14.190))~~ shall be provided consistent with K.C.C. Title  
7904 27A.

7905 SECTION 170. Ordinance 14045, Section 30, and K.C.C. 21A.14.225 are hereby  
7906 amended to read as follows:

7907 A. Tracts and easements containing hazardous liquid and gas transmission  
7908 pipelines and required setbacks from such pipelines may include the following uses,  
7909 subject to other regulations applicable to each use and approval of the holder of the  
7910 easement: utility structures that are not normally occupied and that are necessary for the

7911 operation of the pipeline, landscaping, trails, open space, keeping of animals, agriculture,  
7912 forestry, commercial signage, minor communication facilities and ~~((the))~~ utility structures  
7913 that are not normally occupied and that are necessary for the operation of the minor  
7914 communication facility, and other compatible uses as specified on the face of the  
7915 recorded plat or short plat; ~~((provided that))~~ however, structures designed for human  
7916 occupancy shall never be allowed within pipeline tracts, easements, or setbacks.

7917 B. Hazardous liquid and gas transmission pipelines shall not be located in aquifer  
7918 recharge areas, landslide hazard areas, or erosion hazard areas. When it is impractical to  
7919 avoid such areas, special engineering precautions should be taken to protect public health,  
7920 safety, and welfare.

7921 C. As part of an application for the new, modified, or expanded gas or hazardous  
7922 liquid transmission pipelines, the applicant shall submit an equity impact review of the  
7923 proposal using tools developed by the office of equity and racial and social justice. The  
7924 results from the equity impact review shall be used to assess equity impacts and  
7925 opportunities during county permit review and may be used to inform determinations of  
7926 project approval.

7927 SECTION 171. Ordinance 11621, Section 99, as amended, and K.C.C.

7928 21A.14.280 are hereby amended to read as follows:

7929 A. The purpose of the rural industries section is to establish standards for  
7930 development on industrial (I) zoned ~~((development))~~ properties in the rural area(s). Site  
7931 and building designs, buffering, compatible commercial and industrial uses are required  
7932 to maintain rural character.

7933 B. The following development standards shall apply to uses locating in the  
7934 ~~((industrial-))I((+))~~ zone within the rural area;

7935 1. All uses occurring outside an enclosed building shall be screened from  
7936 adjoining rural residential uses;

7937 2. All buildings shall be set back fifty-feet from perimeter streets and from  
7938 ~~((rural area and residential))~~ RA, UR, and R zones;

7939 3. The total ~~((permitted))~~ allowed floor area/lot area ratio shall not exceed one  
7940 hundred percent for a development consisting of multiple lots and one hundred twenty-  
7941 five percent on any individual building lot;

7942 4. The total ~~((permitted))~~ allowed impervious lot coverage shall not exceed  
7943 seventy percent for a development consisting of multiple lots and eighty percent on any  
7944 individual building lot;

7945 5. The landscaping standards in K.C.C. chapter 21A.16 are modified as follows:

7946 a. Twenty-foot-wide Type II landscaping shall be provided along exterior  
7947 streets~~((5))~~;

7948 b. Twenty-foot-wide Type I landscaping shall be provided along property lines  
7949 adjacent to rural residential zoned areas; and

7950 c. Fifteen-foot-wide Type II landscaping shall be provided along lines adjacent  
7951 to nonresidential zoned areas.

7952 6. Outdoor lighting shall be focused downward and configured to minimize  
7953 intrusion of light into surrounding rural residential areas;

7954 7. Refuse collection(~~(/)~~), recycling (~~(areas)~~), and loading or delivery areas shall  
7955 be located at least one hundred feet from (~~(rural area and residential)~~) RA, UR, and R  
7956 zones and screened with a solid view obscuring barrier;

7957 8. Off street parking standards shall be no less than one space for every one  
7958 thousand square feet of floor area and no greater than one space for every five hundred  
7959 square feet of floor area;

7960 9. Sign are allowed as follows:

7961 a. Signs shall not exceed an area of sixty-four square feet per sign;

7962 b. Pole signs (~~(shall not be permitted)~~) are prohibited; and

7963 c. Signs shall not be internally illuminated;

7964 10. The director shall approve building design, materials, and color. Buildings  
7965 shall be designed and use accent materials (~~((e.g.))~~) such as wood and brick(~~(/)~~),  
7966 nonreflective glass, and muted colors to be compatible with rural character; (~~(and)~~)

7967 11. Building height shall be limited to forty feet;

7968 12. Uses shall not require substantial investments in infrastructure, such as  
7969 water, sewers, or transportation, or facilities that generate substantial volumes of heavy  
7970 gross-weight truck trips.

7971 SECTION 172. Ordinance 14045, Section 43 and K.C.C. 21A.14.330 are hereby  
7972 amended to read as follows:

7973 In the RA zone, all subdivisions and short subdivisions shall be recorded with a  
7974 condition prohibiting any covenant that would (~~(preclude the keeping of horses or other~~  
7975 ~~large livestock)~~) restrict farming or forestry.

7976            SECTION 173. Ordinance 10870, Section 387, as amended, and K.C.C.  
7977 21A.16.020 are hereby amended to read as follows:  
7978            ~~((Except for communication facilities regulated pursuant to K.C.C. 21A.26, a))~~All  
7979 new development listed in K.C.C. 21A.16.030 shall be subject to the landscaping  
7980 provisions of this chapter, ~~((provided that))~~ except that:  
7981            A. Communication facilities regulated under K.C.C. chapter 21A.26 are not  
7982 subject to these provisions; and  
7983            B. ~~((specific))~~Landscaping and tree retention provisions for uses ~~((established~~  
7984 ~~through))~~ requiring a conditional use permit~~((s))~~ or a special use permit~~((, or an urban~~  
7985 ~~planned development application))~~ shall be determined ~~((during))~~ through the applicable  
7986 review process.

7987            SECTION 174. Ordinance 10870, Section 388, as amended, and K.C.C.  
7988 21A.16.030 are hereby amended to read as follows:  
7989            To facilitate the application of this chapter, the land uses of K.C.C. chapter  
7990 21A.08 have been grouped in the following manner:  
7991            A. Residential development refers to those uses listed in K.C.C. 21A.08.030 and  
7992 K.C.C. 21A.08.xxx (the new section created by section 148 of this ordinance), except  
7993 those uses listed under Accessory uses, ~~((and))~~ as follows:  
7994            1. Attached~~((group residences))~~ housing refers to:  
7995            a. townhouses~~((, except as provided in subsection A.2.a. of this section));~~  
7996            b. apartments ~~((and detached dwelling units developed on common property at~~  
7997 ~~a density of twelve or more units per acre));~~  
7998            c. senior ~~((citizen))~~ assisted housing;

7999 d. ~~((temporary lodging))~~ congregate residence;

8000 e. ~~((group residences other than Type I community residential facilities))~~

8001 manufactured home communities;

8002 f. ~~((mobile home parks; and))~~ residential care services uses; and

8003 2. ~~((Single family))~~ Detached residential development refers to:

8004 a. single detached residences, including residential subdivisions and short

8005 subdivisions ~~((, including attached and detached dwelling units on individually platted or~~

8006 ~~short platted lots))~~;

8007 b. ~~((any detached dwelling units located on a lot including cottage housing~~

8008 ~~units))~~ duplexes;

8009 c. houseplexes;

8010 d. adult family homes; and

8011 ~~((e. Type I))~~ e. community residential facilities I;

8012 B. Commercial development refers to those uses in:

8013 1. K.C.C. 21A.08.040 as amusement/entertainment uses, except golf facilities;

8014 2. K.C.C. 21A.08.xxx (the new section created by section 148 of this ordinance)

8015 as health care services, except hospitals;

8016 3. K.C.C. 21A.08.050 except recycling centers, ~~((health and))~~ educational

8017 services, daycare I and II, ~~((churches, synagogues and temples))~~ religious facilities, and

8018 miscellaneous repair as allowed in the A and RA zones; and

8019 3. K.C.C. 21A.08.070, except forest product sales and agricultural product sales

8020 as allowed in the A, F<sub>2</sub> and RA zones and building, hardware<sub>2</sub> and garden materials as

8021 allowed in the A zones;

8022 C. Industrial development refers to those uses listed in:

8023 1. K.C.C. 21A.08.050 as recycling center;

8024 2. K.C.C. 21A.08.060, except government services and farm product

8025 warehousing, refrigeration, and storage as allowed in the A zones;

8026 3. K.C.C. 21A.08.080, except food and kindred products as allowed in the A

8027 and F zones; and

8028 4. K.C.C. 21A.08.090 as mineral extraction and processing;

8029 D. Institutional development refers to those uses listed in:

8030 1. K.C.C. 21A.08.040 as cultural uses, except arboretums;

8031 2. K.C.C. 21A.08.050 as ~~((churches, synagogues and temples,))~~ religious

8032 facilities ~~((health services))~~ and education services except specialized instruction schools

8033 ~~((permitted))~~ allowed as an accessory use;

8034 3. K.C.C. 21A.08.060 as government services; ~~((and))~~

8035 4. Search and rescue facilities; and

8036 5. Hospitals.

8037 E. Utility development refers to those uses listed in K.C.C. 21A.08.060 as utility

8038 facilities; and

8039 F. Uses in K.C.C. chapter 21A.08 that are not listed in subsections A. through E.

8040 of this section shall not be subject to landscaping and tree retention requirements except

8041 as ~~((specified in any))~~ determined through the applicable review of a conditional use

8042 permit, ~~((or))~~ special use permit~~((s))~~, or ~~((reviews conducted))~~ by the agricultural

8043 technical review committee in accordance with K.C.C. 21A.42.300.



8044            SECTION 175. Ordinance 10870, Section 390, as amended, and K.C.C.

8045            21A.16.050 are hereby amended to read as follows:

8046                   The average width of perimeter landscaping along street frontages shall be  
8047 provided as follows:

8048                   A. Twenty feet of Type II landscaping shall be provided for an institutional use,  
8049 excluding playgrounds and playfields;

8050                   B. Ten feet of Type II landscaping shall be provided for an industrial  
8051 development;

8052                   C. Ten feet of Type II landscaping shall be provided for an ~~((above-ground))~~  
8053 aboveground utility facilities development, excluding distribution and transmission  
8054 corridors, located outside a public right-of-way;

8055                   D. Ten feet of Type III landscaping shall be provided for a commercial or  
8056 attached~~((/group-residence))~~ housing development; and

8057                   E. For single~~((family))~~ detached subdivisions and short subdivisions in the urban  
8058 ~~((growth))~~ area:

8059                    1. Trees shall be planted at the rate of one tree for every forty feet of frontage  
8060 along all public streets;

8061                    2. The trees shall be:

8062                            a. Located within the street right-of-way if ~~((permitted))~~ allowed by the  
8063 custodial state or local agency;

8064                            b. No more than twenty feet from the street right-of-way line if located within  
8065 a lot;

8066 c. Maintained by the adjacent landowner unless part of a county maintenance  
8067 program; and

8068 d. A species approved by the county if located within the street right-of way  
8069 and compatible with overhead utility lines.

8070 3. The trees may be spaced at irregular intervals to accommodate sight distance  
8071 requirements for driveways and intersections.

8072 SECTION 176. Ordinance 10870, Section 391, as amended, and K.C.C.

8073 21A.16.060 are hereby amended to read as follows:

8074 The average width of perimeter landscaping along interior lot lines shall be  
8075 provided as follows:

8076 A. Twenty feet of Type I landscaping shall be included in a commercial or  
8077 industrial development along any portion adjacent to a residential development;

8078 B. Five feet of Type II landscaping shall be included in an attached(~~group~~  
8079 ~~residence~~) housing development, except that along portions of the development adjacent  
8080 to property developed with single detached residences or vacant property that is zoned  
8081 RA, UR, R-1, R-4, R-6, or (~~(R-1-8))~~ R-8, the requirement shall be ten feet of Type II  
8082 landscaping;

8083 C. Ten feet of Type II landscaping shall be included in an industrial development  
8084 along any portion adjacent to a commercial or institutional development; and

8085 D. Ten feet of Type II landscaping shall be included in an institutional use,  
8086 excluding playgrounds and playfields, or an aboveground utility facility development,  
8087 excluding distribution or transmission corridors, when located outside a public right-of-  
8088 way.

8089            SECTION 177. Ordinance 10870, Section 395, as amended, and K.C.C.

8090            21A.16.100 are hereby amended to read as follows:

8091            The following alternative landscape options may be allowed, subject to county  
8092 approval, only if they accomplish equal or better levels of screening, or when existing  
8093 conditions on or adjacent to the site, such as significant topographic differences,  
8094 vegetation, structures, or utilities would render application of this chapter ineffective or  
8095 result in scenic view obstruction:

8096            A. The amount of required landscape area may be reduced to ensure that the total  
8097 area for required landscaping, and/or the area remaining undisturbed for the purpose of  
8098 wildlife habitat or corridors does not exceed ~~((15))~~ fifteen percent of the net developable  
8099 area of the site. For the purpose of this subsection A., the net developable area of the site  
8100 shall not include areas deemed unbuildable due to their location within sensitive areas  
8101 and any associated buffers~~((-))~~;

8102            B. The average width of the perimeter landscape strip may be reduced up to  
8103 ~~((25))~~ twenty-five percent along any portion where:

8104            1. Berms at least three feet in height or architectural barriers at least six feet in  
8105 height are incorporated into the landscape design; or

8106            2. The landscape materials are incorporated elsewhere on-site;

8107            C. In pedestrian district overlays, street perimeter landscaping may be waived  
8108 provided a site plan, consistent with the applicable adopted area zoning document, is  
8109 approved that provides street trees and other pedestrian-related amenities;

8110            D. Landscaping standards for uses located in a rural town or rural neighborhood  
8111 ~~((business))~~ commercial centers designated by the ~~((e))~~ Comprehensive ~~((p))~~ Plan may be

8112 waived or modified by the director if deemed necessary to maintain the historic character  
8113 of the area. Where a ~~((local or))~~ subarea plan with design guidelines has been adopted,  
8114 the director shall base the landscaping modifications on the policies and guidelines of  
8115 such plan~~((:))~~;

8116 E. When an existing structure precludes installation of the total amount of  
8117 required site perimeter landscaping, such landscaping material shall be incorporated on  
8118 another portion of the site~~((:))~~;

8119 F. Single-stemmed deciduous tree species that cannot generally be planted and  
8120 established in larger sizes may have a caliper of less than 1.5 inches; ~~((and))~~

8121 G. The number of trees and shrubs to be provided in required perimeter and  
8122 parking area landscaping may be reduced up to ~~((25))~~ twenty-five percent when a  
8123 development uses landscaping materials consisting of species typically associated with  
8124 the Puget Sound Basin in the following proportions:

8125 1. Seventy-five percent of groundcover and shrubs~~((:))~~; and

8126 2. Fifty percent of trees~~((:))~~;

8127 H. The department shall, ~~((pursuant to))~~ in accordance with K.C.C. chapter 2.98,  
8128 develop and maintain an advisory listing of trees recommended for new plantings. Such  
8129 list shall describe their general characteristics and suitability, and provide guidelines for  
8130 their inclusion within required landscape areas; and

8131 I. Crops may be planted in place of up to twenty-five percent of required Type II  
8132 or Type III landscaping in a commercial, residential, or institutional development.

8133 SECTION 178. Ordinance 10870, Section 406, as amended, and K.C.C.  
8134 21A.18.020 are hereby amended to read as follows:

8135           A. Before an occupancy permit may be granted for any new or enlarged building  
8136 or for a change of use in any existing building, the use shall be required to meet the  
8137 requirements of this chapter. In addition, K.C.C. 21A.18.110~~(-)~~I. and J. establish  
8138 residential parking limitations applicable to existing~~(, as well as)~~ and new~~(;)~~  
8139 residential uses.

8140           B. If this chapter does not specify a parking requirement for a land use, the  
8141 director shall establish the minimum requirement based on a study of anticipated parking  
8142 demand. Transportation demand management actions taken at the site shall be considered  
8143 in determining anticipated demand. If the site is located in an unincorporated activity  
8144 center or community business center, the minimum requirement shall be set at a level less  
8145 than the anticipated demand, but at no less than seventy-five percent of the anticipated  
8146 demand. In the study, the applicant shall provide sufficient information to demonstrate  
8147 that the parking demand for a specific land use will be satisfied. Parking studies shall be  
8148 prepared by a professional engineer with expertise in traffic and parking analyses, or an  
8149 equally qualified individual as authorized by the director.

8150           C. If the required amount of off-street parking has been proposed to be provided  
8151 off-site, the applicant shall provide written contracts with affected landowners showing  
8152 that required off-street parking shall be provided in a manner consistent with this chapter.  
8153 The contracts shall be reviewed by the director for compliance with this chapter, and if  
8154 approved, the contracts shall be recorded with the records and licensing services division  
8155 as a deed restriction on the title to all applicable properties. These deed restrictions may  
8156 not be revoked or modified without authorization by the director.

8157 D. Upon request from the ~~((proponent of any use subject to the this chapter))~~  
8158 applicant, the director may waive or modify the requirements of this chapter for uses  
8159 located in a rural town, rural neighborhood center, any commercial zone located in a rural  
8160 area or natural resource ~~((production district))~~ lands ~~((designated by the Comprehensive~~  
8161 ~~Plan))~~, or any agricultural product production, processing or sales use allowed in the A or  
8162 F zones, ~~((the director may waive or modify this chapter))~~ in order to protect or enhance  
8163 the historic character of the area, to reduce the need for pavement or other impervious  
8164 surfaces, to recognize the seasonal nature of any such activity, or to minimize the  
8165 conversion of agriculturally productive soils. Where a ~~((neighborhood or))~~ subarea plan  
8166 with design guidelines that includes the subject property has been adopted, the director  
8167 shall base allowable waivers or modifications on the policies and guidelines in such a  
8168 plan.

8169 SECTION 179. Ordinance 10870, Section 407, as amended, and K.C.C.  
8170 21A.18.030 are hereby amended to read as follows:

8171 A.1. Except as modified in K.C.C. 21A.18.070.B. through D., the required  
8172 number of off-street parking ~~((areas))~~ spaces shall ~~((contain at a minimum the number of~~  
8173 ~~parking spaces as stipulated in the following))~~ be provided in accordance with the table in  
8174 subsection A.4. of this section.

8175 2. Off-street parking ratios ~~((expressed as number of spaces per square feet~~  
8176 ~~means))~~ shall be based on the usable or net square footage of floor area, exclusive of  
8177 ~~((non-public))~~ non-occupied areas. ~~((Non-public))~~ For the purposes of this section, "non-  
8178 occupied areas" include, but are not limited to, building maintenance areas, storage areas,  
8179 closets, or restrooms.

8180           3. If the formula for determining the number of off-street parking spaces results  
8181 in a fraction, the number of off-street parking spaces shall be rounded to the nearest  
8182 whole number with fractions of 0.50 or greater rounding up and fractions below 0.50  
8183 rounding down.

8184           4. Minimum Required Parking Spaces.

LAND USE	MINIMUM PARKING SPACES REQUIRED
<b>RESIDENTIAL (K.C.C. 21A.08.030.A<sub>2</sub>):</b>	
<u>Any residential use within a 1/2 mile walkshed of a high-capacity or frequent transit stop</u>	<u>1.2 per dwelling unit or the minimum required for the use, whichever is lower</u>
<u>Inclusionary housing (K.C.C. chapter 21A.48)</u>	<u>1.0 per dwelling unit</u>
Single detached residence/Townhouse	2.0 per dwelling unit
<u>Duplex or Houseplex</u>	<u>1.5 per dwelling unit</u>
Apartment:	
Studio units	1.2 per dwelling unit
One bedroom units	1.5 per dwelling unit
Two bedroom units	1.7 per dwelling unit
Three bedroom units or larger	2.0 per dwelling unit
<del>((Mobile))</del> <u>Manufactured home</u> <del>((park))</del> <u>community</u>	2.0 per dwelling unit

Senior ( <del>(citizen)</del> ) assisted <u>housing</u>	1 per 2 dwelling or sleeping units
<del>((Community residential facilities</del>	<del>1 per two bedrooms))</del>
<del>((Dormitory, including religious))</del> <u>Congregate residence</u>	1 per <del>((two bedrooms))</del> <u>2 dwelling or sleeping units</u>
<del>((Hotel/Motel including</del> <del>organizational hotel/lodging</del>	<del>1 per bedroom</del>
<u>Bed and breakfast guesthouse</u>	<del>1 per guest room, plus 2 per facility))</del>
<u>Cottage housing</u>	1 per dwelling unit
<b><u>HEALTH CARE SERVICES AND RESIDENTIAL CARE SERVICES (K.C.C. 21A.08.XXX (the new section created by section 148 of this ordinance))</u></b>	
<u>Health Care and Residential Care Services</u>	<u>1 per 300 square feet of office, labs, examination or patient room</u>
<u>Exceptions:</u>	
<u>Hospital</u>	<u>1 per bed</u>
<u>Nursing and personal care facility</u>	<u>1 per 4 beds</u>
<u>Adult family home</u>	<u>2 per home</u>
<u>Community residential facilities</u>	<u>1 per 2 bedrooms</u>
<u>Permanent supportive housing</u>	<u>1 per 2 employees plus 1 per 20 dwelling units</u>
<u>Recuperative housing</u>	<u>1 per 2 employees plus 1 per 10 sleeping unit</u>



<u>Emergency supportive housing</u>	<u>1 per 2 employees plus 1 per 20 sleeping unit</u>
<u>Microshelter villages</u>	<u>1 per 2 employees plus 1 per 20 microshelters</u>
<b>((RECREATION/)) <u>RECREATIONAL AND CULTURAL (K.C.C. 21A.08.040.A<sub>2</sub>):</u></b>	
<del>((Recreation/))</del> <u>Recreational and cultural uses</u>	1 per 300 square feet
Exceptions:	
Bowling center	5 per lane
Golf course	3 per hole, plus 1 per 300 square feet of clubhouse facilities
Tennis Club	4 per tennis court plus 1 per 300 square feet of clubhouse facility
Golf driving range	1 per tee
Park/playfield/paintball	(director)
Theater	1 per 3 fixed seats
Conference center	<u>Greater of 1 per 3 fixed seats</u> plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1 per room, <del>(, whichever results in the greater number of spaces)).</del>
<b>LAND USE</b>	<b>MINIMUM PARKING SPACES REQUIRED</b>
<b>GENERAL SERVICES (K.C.C. 21A.08.050.A<sub>2</sub>):</b>	
General services uses	1 per 300 square feet

Exceptions:	
Funeral home/Crematory	1 per 50 square feet of chapel area
Daycare I	2 per facility
Daycare II	2 per facility, plus 1 space for each 20 children
<del>((Churches, synagogue, temple))</del> <u>Religious facility</u>	1 per 5 fixed seats, plus 1 per 50 square feet of gross floor area without fixed seats used for assembly purposes
<del>((Outpatient and ))</del> <u>Veterinary clinic ((offices))</u>	1 per 300 square feet of office, labs, and examination rooms
<del>((Nursing and personal care Facilities</del>	<del>1 per 4 beds</del>
<del>Hospital</del>	<del>1 per bed))</del>
<u>Hotel/Motel</u>	<u>1 per room</u>
<u>Organizational hotel/lodging</u>	<u>1 per room</u>
<u>Bed and breakfast guesthouse</u>	<u>1 per guest room, plus 2 per facility</u>
Elementary schools	1 per classroom, plus 1 per 50 students
<del>((Secondary schools))</del>	
Middle/junior high schools	1 per classroom, plus 1 per 50 students
<u>Secondary or ((H))high schools</u>	1 per classroom, plus 1 per 10 students

Secondary or <del>(H)</del> high schools with stadiums	<del>(g)</del> Greater of 1 per classroom plus 1 per 10 students, or 1 per 3 fixed seats in stadium
Vocational schools	1 per classroom, plus 1 per <del>(five)</del> 5 students
Specialized instruction Schools	1 per classroom, plus 1 per <del>(two)</del> 2 students
Artist Studios	0.9 per 1,000 square feet of area used for studios
<b>GOVERNMENT/BUSINESS SERVICES (K.C.C. 21A.08.060.A<sub>2</sub>):</b>	
Government/business services uses <del>(÷)</del>	1 per 300 square feet
Exceptions:	
Public agency yard	1 per 300 square feet of offices, plus 0.9 per 1,000 square feet of indoor storage or repair areas
Public agency archives	0.9 per 1,000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas
Courts	3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas
Police facility	(director)
Fire facility	(director)
Construction and trade	1 per 300 square feet of office, plus 1 per 3,000 square feet of storage area
Warehousing and storage	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area
Self-service storage	1 per 3,500 square feet of storage area, plus 2 for

	any resident director's unit
Outdoor advertising services	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area
Heavy equipment repair	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of indoor repair areas
Office	1 per 300 square feet
<b>LAND USE</b>	<b>MINIMUM PARKING SPACES REQUIRED</b>
<b>RETAIL(<del>(WHOLESALE))</del> (K.C.C. 21A.08.070.A.):</b>	
Retail ( <del>(trade)</del> ) uses( <del>(:)</del> )	1 per 300 square feet
Exceptions:	
Food stores, less than 15,000 square feet	3 plus 1 per 350 square feet
Gasoline service stations ( <del>(w/o)</del> ) <u>without</u> grocery	3 per facility, plus 1 per service bay
Gasoline service stations ( <del>(w/)</del> ) <u>with</u> grocery, no service bays	1 per facility, plus 1 per 300 square feet of store
Restaurants	1 per 75 square feet in dining or lounge areas
Remote tasting rooms	1 per 300 square feet of tasting and retail areas
Wholesale trade uses	0.9 per 1,000 square feet
<del>((Retail and wholesale trade mixed use</del>	<del>1 per 300 square feet))</del>
<b>MANUFACTURING (K.C.C. 21A.08.080.A.):</b>	

Manufacturing uses	0.9 per 1,000 square feet
Winery/Brewery/Distillery Facility II and III	0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting and retail areas
<b>RESOURCES (K.C.C. 21A.08.090.A<sub>2</sub>):</b>	
Resource uses	(director)
<b>REGIONAL (K.C.C. 21A.08.100.A<sub>2</sub>):</b>	
Regional uses	(director)

8185 B. An applicant may request a modification of the minimum required number of  
8186 parking spaces by (~~providing~~) demonstrating that parking demand can be met with a  
8187 reduced parking requirement. In such cases, the director may approve a reduction of up  
8188 to fifty percent of the minimum required number of spaces.

8189 C. When the county has received a shell building permit application, off-street  
8190 parking requirements shall be based on the possible tenant improvements or uses  
8191 authorized by the zoning classification and compatible with the limitations of the shell  
8192 permit. When the range of possible uses result in different parking requirements, the  
8193 director will establish the amount of parking based on a likely range of uses.

8194 D. Where other provisions of this code stipulate maximum parking allowed or  
8195 reduced minimum parking requirements, those provisions shall apply.

8196 E.1. In any development required to provide six or more parking spaces, bicycle  
8197 parking shall be provided. Bicycle parking shall be bike racks or locker-type parking  
8198 facilities unless otherwise specified.

8199            ~~((1.))~~ 2. Off-street parking areas shall contain at least one bicycle parking space  
8200 for every twelve spaces required for motor vehicles except as follows:

8201            a. The director may reduce ~~((bike rack))~~ bicycle parking facilities for patrons  
8202 when it is demonstrated that bicycle activity will not occur at that location.

8203            b. The director may require additional spaces when it is determined that the  
8204 use or its location will generate a high volume of bicycle activity. Such a determination  
8205 will include, but not be limited to, the following uses:

8206            (1) Park/playfield~~((;))~~;

8207            (2) Marina~~((;))~~;

8208            (3) Library/museum/arboretum~~((;))~~;

8209            (4) Elementary/secondary school~~((;))~~;

8210            (5) Sports club~~((;))~~; or

8211            (6) Retail business (when located along a developed bicycle trail or  
8212 designated bicycle route).

8213            ~~((2.))~~ 3. Bicycle ~~((facilities))~~ parking for patrons shall be located within 100 feet  
8214 of the building entrance and shall be designed to allow either a bicycle frame or wheels to  
8215 be locked to a structure attached to the pavement.

8216            ~~((3.))~~ 4. All bicycle parking and storage shall be located in safe, visible areas  
8217 that do not impede pedestrian or vehicle traffic flow, and shall be well lit for nighttime  
8218 use.

8219            ~~((4.))~~ 5. When more than ten people are employed on-site, enclosed locker-type  
8220 parking facilities for employees shall be provided. The director shall allocate the

8221 required number of parking spaces between bike rack parking and enclosed locker-type  
8222 parking facilities.

8223 ~~((5.))~~ 6. One indoor bicycle storage space shall be provided for every two  
8224 dwelling units in townhouses and apartments ~~((residential uses))~~, unless individual  
8225 garages are provided for every unit. The director may reduce the number of ~~((bike rack))~~  
8226 bicycle parking spaces if indoor storage facilities are available to all residents.

8227 SECTION 180. Ordinance 10870, Section 410, as amended, and K.C.C.  
8228 21A.18.050 are hereby amended to read as follows:

8229 A. For community residential facilities and senior assisted housing, ~~((F))~~the  
8230 minimum parking requirement ~~((of one off-street parking space per two bedrooms for~~  
8231 ~~CRF's and one off-street parking space per two senior citizen assisted housing units))~~  
8232 may be reduced by up to ~~((50))~~ fifty percent, as determined by the director based on the  
8233 following considerations:

- 8234 1. Availability of private, convenient transportation services to meet the needs  
8235 of ~~((the CRF))~~ residents;
- 8236 2. Accessibility to and frequency of public transportation; and
- 8237 3. Pedestrian access to health, medical, and shopping facilities;

8238 B. If a ~~((CRF))~~ community residential facility or senior ~~((citizen))~~ assisted  
8239 housing is no longer used for such purposes, additional off-street parking spaces shall be  
8240 required in compliance with this chapter ~~((prior to))~~ before the issuance of a new  
8241 certificate of occupancy.

8242 SECTION 181. Ordinance 10870, Section 414, as amended, and K.C.C.  
8243 21A.18.100 are hereby amended to read as follows:

8244 A. ~~((Non-residential))~~ Nonresidential uses. All ~~((permitted))~~ nonresidential uses  
8245 shall provide pedestrian and bicycle ~~((access))~~ facilities within and onto the site~~((:))~~ as  
8246 follows:

8247 1. Access points onto the site shall be provided;

8248 ~~((a))~~ a. approximately every ~~((800))~~ eight hundred to ~~((1,000))~~ one thousand  
8249 feet along existing and proposed perimeter sidewalks and walkways~~((:))~~; and

8250 ~~((b))~~ b. at all arrival points to the site, including abutting street intersections,  
8251 crosswalks, and transit stops~~((:))~~;

8252 2. ~~((In addition, a))~~ Access points to and from adjacent lots shall be coordinated  
8253 to provide pedestrian and bicycle circulation patterns between developments; and

8254 3. In the urban area, sidewalks, walkways, and bicycle facilities in commercial  
8255 developments shall be sufficient width and surface material to support anticipated  
8256 bicyclist volumes and pedestrian access to all ages and abilities.

8257 B. Residential uses.

8258 ~~((:))~~ All ~~((permitted))~~ residential uses of five or more dwelling units shall  
8259 provide pedestrian and bicycle ~~((access))~~ facilities within and onto the site~~((:))~~ as follows:

8260 1. Access points onto the site shall be provided;

8261 ~~((a))~~ a. approximately every ~~((800))~~ eight hundred to ~~((1,000))~~ one thousand  
8262 feet along existing and proposed perimeter sidewalks and walkways~~((:))~~; and

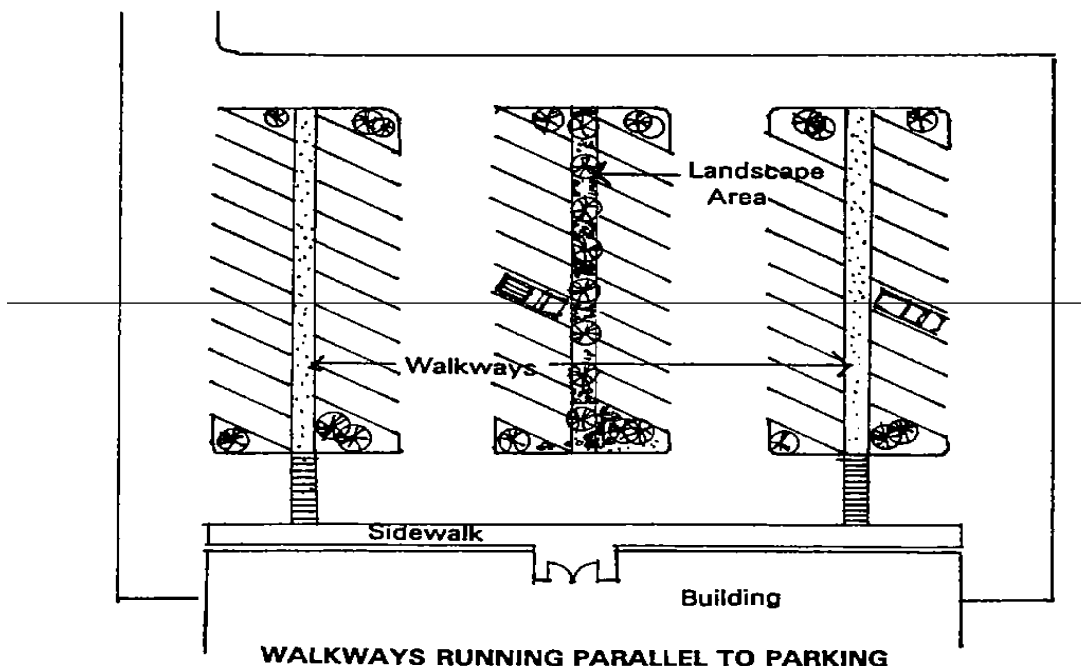
8263 ~~((b))~~ b. at all arrival points to the site, including abutting street intersections,  
8264 crosswalks, and transit and school bus stops~~((:))~~;

8265 2. ~~((In addition, a))~~ Access points to and from adjacent lots shall be coordinated  
8266 to provide pedestrian and bicycle circulation patterns between sites~~((:))~~;



8267 ((2-)) 3. Residential uses of five or more dwelling units shall provide for ((non-  
8268 motorized)) pedestrian and bicycle circulation between cul-de-sacs or groups of buildings  
8269 to allow ((pedestrian and bicycle)) access within and through the development to adjacent  
8270 activity centers, parks, common tracts, dedicated open space intended for active  
8271 recreation, schools or other public facilities, transit and school bus stops, and public  
8272 streets((-)); and

8273 ((3-)) 4. Access shall only be required to school bus stops that are within or  
8274 adjacent to a proposed residential use of five or more dwelling units and that are  
8275 identified by the affected school district in response to a Notice of Application. In order  
8276 to allow school districts to identify school bus stops, the department shall send a Notice  
8277 of Application to affected school districts on all applications for residential uses of five or  
8278 more dwelling units.



8279 (( ))

8280 C. Walkways shall form an on-site circulation system that minimizes the conflict  
8281 between pedestrians and traffic at all points of pedestrian access to on-site parking and

8282 building entrances. Walkways shall be provided when the pedestrian access point onto  
8283 the site, or any parking space, is more than ((75)) seventy-five feet from the building  
8284 entrance or principal on-site destination and as follows:

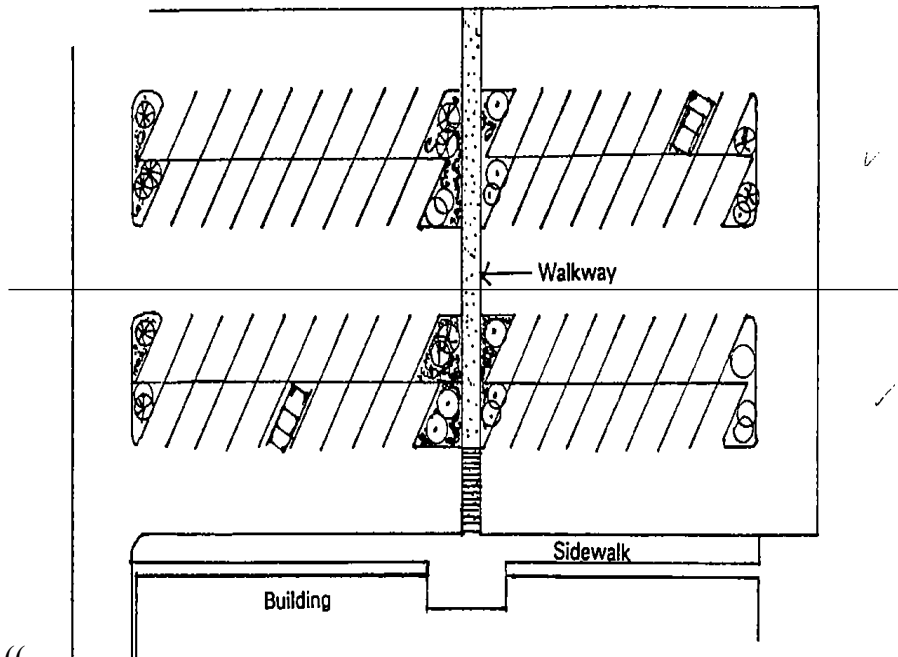
8285 1. All developments ((which)) that contain more than one building shall provide  
8286 walkways between the principal entrances of the buildings;

8287 2. All non-residential buildings set back more than ((100)) one hundred feet  
8288 from the public right-of-way shall provide for direct pedestrian access from the building  
8289 to buildings on adjacent lots; and

8290 3. Walkways across parking areas shall be located as follows:

8291 a. Walkways running parallel to the parking rows shall be provided for every  
8292 six rows. Rows without walkways shall be landscaped or contain barriers or other means  
8293 to encourage pedestrians to use the walkways; and

8294 b. Walkways running perpendicular to the parking rows shall be no further  
8295 than twenty parking spaces. Landscaping, barriers, or other means shall be provided  
8296 between the parking rows to encourage pedestrians to use the walkways((;)).



8297 ((

8298 **~~WALKWAYS RUNNING PERPENDICULAR TO PARKING~~**)

8299 D. Pedestrian and bicycle access and walkways shall meet the following  
 8300 minimum design standards:

8301 1. Access and walkways shall be well lit and physically separated from  
 8302 driveways and parking spaces by landscaping, berms, barriers, grade separation, or other  
 8303 means to protect pedestrians from vehicular traffic;

8304 2. Access and walkways shall be a minimum of ~~((48))~~ forty-eight inches of  
 8305 unobstructed width and meet the surfacing standards of the King County Road Standards  
 8306 for walkways or sidewalks;

8307 3. The minimum standard for walkways required to be accessible for persons  
 8308 with disabilities shall be designed and constructed to comply with the current State  
 8309 Building Code regulations for barrier-free accessibility; and

8310 4. A crosswalk shall be required when a walkway crosses a driveway or a paved  
 8311 area accessible to vehicles ~~((; and))~~.

8312 E. Blocks in excess of ~~((660))~~ six hundred sixty feet shall be provided with a  
8313 crosswalk at the approximate midpoint of the block.

8314 F.1. The director may waive or modify the requirements of this section when:

8315 ~~((1-))~~ a. ~~((E))~~ existing or proposed improvements would create an unsafe  
8316 condition or security concern;

8317 ~~((2-))~~ b. ~~((F))~~ there are topographical constraints, or existing or required  
8318 structures effectively block access;

8319 ~~((3-))~~ c. ~~((F))~~ the site is in ~~((a))~~ the rural area or natural resource lands outside  
8320 of or not contiguous to an activity center, park, common tract, dedicated open space,  
8321 school, transit stop, or other public facility;

8322 ~~((4-))~~ d. ~~((F))~~ the land use would not generate the need for pedestrian or bicycle  
8323 access; or

8324 ~~((5-))~~ e. the public is not allowed access to the subject land use~~((-))~~; and

8325 2. The director's waiver may not be used to modify or waive the requirements of  
8326 K.C.C. 21A.18.100 relating to sidewalks and safe walking conditions for students.

8327 G. ~~((The provisions of))~~ This section shall not apply on school district property.

8328 SECTION 182. Ordinance 10870, Section 415, as amended, and K.C.C.

8329 21A.18.110 are hereby amended to read as follows:

8330 A. Off-street parking areas shall not be located more than six hundred feet from  
8331 the building they are required to serve for all uses except those specified as follows~~((-))~~,  
8332 where an off-street parking area does not abut the building it serves, the required  
8333 maximum distance shall be measured from the nearest building entrance that the parking  
8334 area serves:

8335 1. For ~~((all))~~ single detached ~~((dwellings))~~ residences, duplex, or houseplexes,  
8336 the parking spaces shall be located on the same lot they are required to serve;

8337 2. For all other residential ~~((dwellings))~~ developments, at least a portion of  
8338 parking areas shall be located within one hundred fifty feet from the building or buildings  
8339 they are required to serve;

8340 3. For all nonresidential uses ~~((permitted))~~ allowed in ~~((rural area and~~  
8341 ~~residential))~~ RA, UR, and R zones, the parking spaces shall be located on the site they are  
8342 required to serve and at least a portion of parking areas shall be located within one  
8343 hundred fifty feet from the nearest building entrance they are required to serve;

8344 4. In ~~((designated))~~ unincorporated activity centers, community business  
8345 centers, and neighborhood business centers, parking lots shall be located to the rear or  
8346 sides of buildings. Relief from this subsection A.4. may be granted by the director only if  
8347 the applicant can demonstrate that there is no practical site design to meet this  
8348 requirement. The director may allow only the number of parking spaces that cannot be  
8349 accommodated to the rear or sides of buildings to be located to the front of buildings;

8350 5. Parking lots shall be so arranged as to permit the internal circulation of  
8351 vehicles between parking aisles without ~~((re-entering))~~ reentering adjoining public  
8352 streets; and

8353 6. Accessible ((P))parking stalls and access ~~((for the disabled))~~ shall be  
8354 provided in accordance with ~~((K.C.C. 21A.18.060))~~ chapter 19.27 RCW and chapter  
8355 70.92 RCW.

8356 B. The minimum parking space and aisle dimensions for the most common  
8357 parking angles are shown on the table in this subsection. For parking angles other than

8358 those shown on the chart, the minimum parking space and aisle dimensions shall be  
 8359 determined by the director. Regardless of the parking angle, one-way aisles shall be at  
 8360 least ten feet wide, and two-way aisles shall be at least twenty feet wide. If dead-end  
 8361 aisles are used in the parking layout, they shall be constructed as two-way aisles. Parking  
 8362 plans for angle parking shall use space widths no less than eight feet six inches for a  
 8363 standard parking space design and eight feet for a compact car parking space design.

8364 MINIMUM PARKING STALL AND AISLE DIMENSIONS

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

	Desired 9.0	10.5	21.0	18.0-20.0	60.0-62.0
90	8.0*	8.0*	16.0*	24.0-24.0	** **
	Min 8.5	8.5	18.0	24.0-24.0	60.0-60.0
	Desired 9.0	9.0	18.0	23.0-24.0	60.0-60.0))

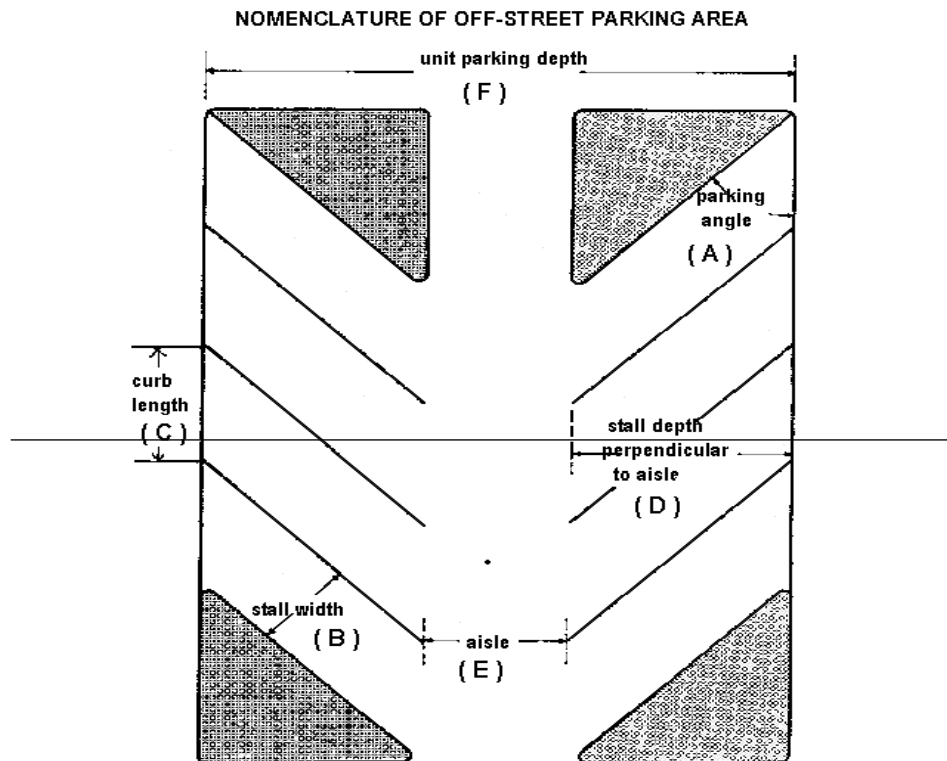
8365

<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	
<u>PARKING</u> <u>ANGLE</u>	<u>STALL</u> <u>WIDTH</u>	<u>CURB</u> <u>LENGTH</u>	<u>STALL</u> <u>DEPTH</u>	<u>AISLE WIDTH</u>	
				<u>1-WAY</u>	<u>2-WAY</u>
<u>0</u>	<u>Compact: 8.0 feet</u>	<u>20.0 feet</u>	<u>8.0 feet</u>	<u>12.0 feet</u>	<u>20.0 feet</u>
	<u>Minimum 8.5 feet</u>	<u>22.5 feet</u>	<u>8.5 feet</u>	<u>12.0 feet</u>	<u>20.0 feet</u>
	<u>Desired 9.0 feet</u>	<u>22.5 feet</u>	<u>9.0 feet</u>	<u>12.0 feet</u>	<u>20.0 feet</u>
<u>30</u>	<u>Compact: 8.0 feet</u>	<u>16.0 feet</u>	<u>15.0 feet</u>	<u>10.0 feet</u>	<u>20.0 feet</u>
	<u>Minimum 8.5 feet</u>	<u>17.0 feet</u>	<u>16.5 feet</u>	<u>10.0 feet</u>	<u>20.0 feet</u>
	<u>Desired 9.0 feet</u>	<u>18.0 feet</u>	<u>17.0 feet</u>	<u>10.0 feet</u>	<u>20.0 feet</u>
<u>45</u>	<u>Compact: 8.0 feet</u>	<u>11.5 feet</u>	<u>17.0 feet</u>	<u>12.0 feet</u>	<u>20.0 feet</u>
	<u>Minimum 8.5 feet</u>	<u>12.0 feet</u>	<u>18.5 feet</u>	<u>12.0 feet</u>	<u>20.0 feet</u>
	<u>Desired 9.0 feet</u>	<u>12.5 feet</u>	<u>19.0 feet</u>	<u>12.0 feet</u>	<u>20.0 feet</u>
<u>60</u>	<u>Compact: 8.0 feet</u>	<u>9.6 feet</u>	<u>18.0 feet</u>	<u>18.0 feet</u>	<u>20.0 feet</u>
	<u>Minimum 8.5 feet</u>	<u>10.0 feet</u>	<u>20.0 feet</u>	<u>18.0 feet</u>	<u>20.0 feet</u>
	<u>Desired 9.0 feet</u>	<u>10.5 feet</u>	<u>21.0 feet</u>	<u>18.0 feet</u>	<u>20.0 feet</u>
<u>90</u>	<u>Compact: 8.0 feet</u>	<u>8.0 feet</u>	<u>16.0 feet</u>	<u>24.0 feet</u>	<u>24.0 feet</u>
	<u>Minimum 8.5 feet</u>	<u>8.5 feet</u>	<u>18.0 feet</u>	<u>24.0 feet</u>	<u>24.0 feet</u>

	<u>Desired 9.0 feet</u>	<u>9.0 feet</u>	<u>18.0 feet</u>	<u>24.0 feet</u>	<u>24.0 feet</u>
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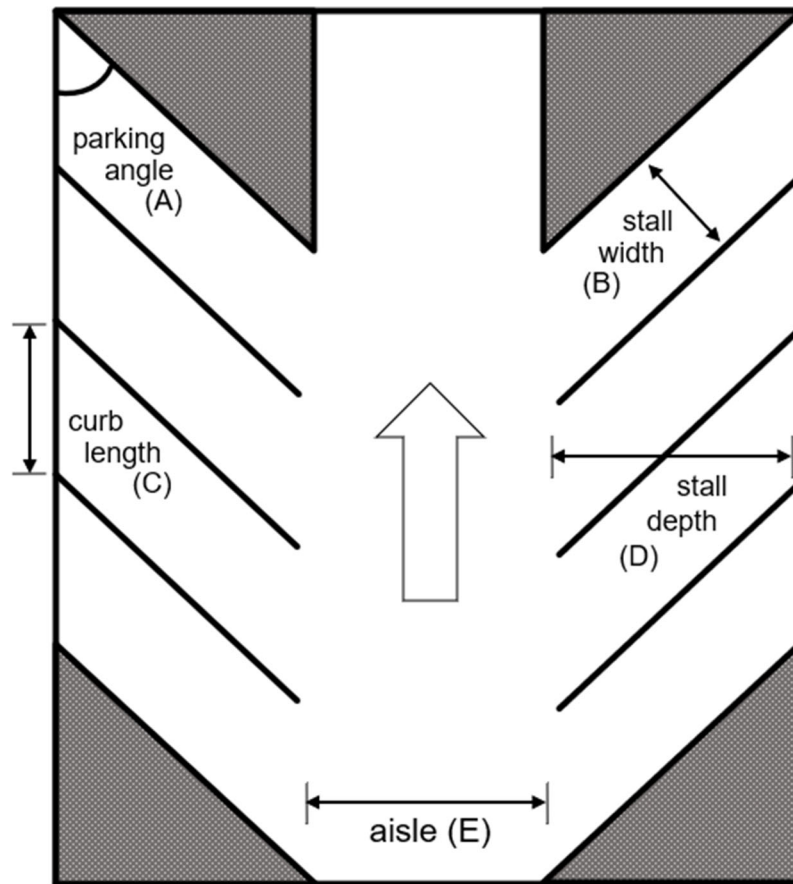
8366 ((\* for compact stalls only

8367 \*\* variable with compact and standard combinations



8368 ))





8369

8370 C. Any parking spaces abutting a required landscaped area on the driver or  
 8371 passenger side of the vehicle shall provide an additional eighteen inches above the  
 8372 minimum space width requirement to provide a place to step other than in the landscaped  
 8373 area. The additional width shall be separated from the adjacent parking space by a  
 8374 parking space division stripe.

8375 D. The parking stall depth may be reduced if vehicles overhang a walkway or  
 8376 landscaping under the following conditions:

- 8377 1. Wheelstops or curbs are installed;
- 8378 2. The remaining walkway provides a minimum of forty-eight inches of  
 8379 unimpeded passageway for pedestrians;

8380 3. The amount of space depth reduction is limited to a maximum of eighteen  
8381 inches; and

8382 4. Landscaping is designed in accordance with K.C.C. 21A.16.070.E.

8383 E. Driveways providing ingress and egress between off-street parking areas and  
8384 abutting streets shall be designed, located, and constructed in accordance with K.C.C.  
8385 chapter 14.42, Road Standards. Driveways for single detached (~~dwelling~~, ~~no more than~~  
8386 ~~twenty feet in width~~), residences may cross required setbacks or landscaped areas to  
8387 provide access between the off-street parking areas and the street, (~~provided~~) if the  
8388 driveway is no more than twenty feet in width and eliminates no more than fifteen  
8389 percent of the required landscaping or setback area (~~is eliminated by the driveway~~).

8390 Joint use driveways may be located within required landscaping or setback areas.

8391 Driveways for all other developments may cross or be located within required setbacks or  
8392 landscaped areas to provide access between the off-street parking areas and the street, if  
8393 no more than ten percent of the required landscaping is displaced by the driveway and the  
8394 driveway is located no closer than five feet from any property line except where  
8395 intersecting the street.

8396 F. Parking spaces (~~required under this title~~) shall be located as follows:

8397 1. For single detached (~~dwelling units~~) residences, duplex, or houseplexes the  
8398 required parking spaces shall be outside of any required setbacks or landscaping, but  
8399 driveways crossing setbacks and required landscaping may be used for parking.

8400 However, if the driveway is a joint use driveway, (~~no~~) a vehicle parked on the driveway  
8401 shall not obstruct any joint user's access to the driveway or parking spaces;

8402 2. For all other developments, parking spaces may be ~~((permitted))~~ allowed by  
8403 the director in setback areas in accordance with an approved landscape plan; and

8404 3. For nonresidential uses in ~~((rural area and residential))~~ RA, UR, and R zones,  
8405 parking is ~~((permitted))~~ allowed in setback areas in accordance with K.C.C. 21A.12.220.

8406 G. Lighting shall be provided for safety of traffic and pedestrian circulation on  
8407 the site. It shall be designed to minimize direct illumination of abutting properties and  
8408 adjacent streets. The director shall have the authority to waive the requirement to provide  
8409 lighting.

8410 H. Tandem or end-to-end parking is allowed in residential developments.  
8411 ~~((Apartment or townhouse-d))~~ Developments may have tandem parking areas for each  
8412 dwelling unit but shall not combine parking for separate dwelling units in tandem parking  
8413 areas.

8414 I. All vehicle parking and storage for single detached ~~((dwellings))~~ residences  
8415 ~~((must))~~ shall be in a garage~~((s))~~ or carport or on an approved impervious surface. Any  
8416 impervious surface used for vehicle parking or storage ~~((must))~~ shall have direct and  
8417 unobstructed driveway access.

8418 J. The total number of vehicles parked or stored outside of a building on a single  
8419 ~~((family))~~ detached lot in the R-1 through R-8 zones, excluding recreational vehicles and  
8420 trailers, shall not exceed six vehicles on lots that are twelve thousand five hundred square  
8421 feet or less and eight vehicles on lots that are greater than twelve thousand five hundred  
8422 square feet.

8423 K. Vanpool and carpool parking areas shall meet the following minimum design  
8424 standards:

8425 1. A minimum vertical clearance of seven feet three inches shall be provided to  
8426 accommodate van vehicles if designated vanpool and carpool parking spaces are located  
8427 in a parking structure; and

8428 2. A minimum turning radius of twenty-six feet four inches with a minimum  
8429 turning diameter, curb to curb, of fifty-two feet five inches shall be provided from  
8430 parking aisles to adjacent vanpool and carpool parking spaces.

8431 L. Direct access from the street right-of-way to off-street parking areas shall be  
8432 subject to K.C.C. 21A.28.120.

8433 M. No dead-end alley may provide access to more than eight off-street parking  
8434 spaces.

8435 N. Any parking stalls located in enclosed buildings (~~(must)~~) shall be totally  
8436 within the enclosed building.

8437 SECTION 183. Ordinance 10870, Section 417, and K.C.C. 21A.18.130 are  
8438 hereby amended to read as follows:

8439 A. (~~(In any d)~~) Development containing more than ((20)) twenty parking  
8440 spaces(~~(;))~~ may designate up to ((50)) fifty percent of the total number of spaces (~~(may be~~  
8441 ~~sized to accommodate))~~ for compact cars(~~(,))~~.

8442 B. Residential developments with less than twenty parking spaces may designate  
8443 up to 40 percent of the total number of spaces as compact.

8444 C. Parking spaces for compact cars are subject to the following:

8445 (~~(A-))~~ 1. Each space shall be clearly identified as a compact car space by  
8446 painting the word "COMPACT" in capital letters, a minimum of 8 inches high, on the  
8447 pavement at the base of the parking space and centered between the striping; and

8448            ~~((B-))~~ 2. Aisle widths shall conform to the standards set for standard size cars(~~(;~~  
8449 and)).

8450            ~~((C. Apartment developments with less than twenty parking spaces may  
8451 designate up to 40 percent of the required parking spaces as compact spaces.))~~

8452            SECTION 184. Ordinance 13022, Section 26, as amended, and K.C.C.  
8453 21A.20.190 are hereby amended to read as follows:

8454            Community identification signs are ~~((permitted))~~ allowed subject to the following  
8455 ~~((provisions))~~:

8456            A. ~~((Only Unincorporated Activity Center, urban planned development, Rural  
8457 Town))~~ Unincorporated activity centers and rural towns~~((, or designated and delineated  
8458 by the Comprehensive Plan,))~~ are eligible to be identified with community identification  
8459 signs~~((. Identification signs for Unincorporated Activity Centers, urban planned  
8460 developments or Rural Towns shall be))~~ placed along the boundaries identified by the  
8461 Comprehensive Plan;

8462            B. Two types of community identification signs are ~~((permitted))~~ allowed.  
8463 Primary signs are intended to mark the main arterial street entrances to a ~~((designated  
8464 community, Unincorporated Activity Center, urban planned development, Rural Town))~~  
8465 unincorporated activity center or rural town. Auxiliary signs are intended to mark  
8466 entrances to a ~~((designated community, Unincorporated Activity Center, urban planned  
8467 development, Rural Town,))~~ unincorporated activity center or rural town along local  
8468 access streets;

8469            C. Primary signs are subject to the following ~~((provisions))~~:

8470 1. No more than four primary signs shall be allowed per (~~Unincorporated~~  
8471 ~~Activity Center, urban planned development, Rural Town or designated community~~)  
8472 unincorporated activity center or rural town;

8473 2. Each primary sign shall be no more than thirty-two square feet in area and no  
8474 more than six feet in height; and

8475 3. Primary signs shall only be located along arterial streets, outside of the right-  
8476 of-way;

8477 D. Auxiliary community identification signs are subject to the following  
8478 (~~provisions~~):

8479 1. There shall be no limits on the number of auxiliary community identification  
8480 signs allowed per (~~Unincorporated Activity Center, urban planned development, Rural~~  
8481 ~~Town or designated community,~~) unincorporated activity center or rural town; and

8482 2. Each auxiliary sign shall be no more than two square feet, and shall be  
8483 located only outside of the right-of-way; (~~and~~)

8484 E. No commercial advertisement shall be (~~permitted~~) allowed on either primary  
8485 or auxiliary signs except as follows:

8486 1. When located on property within the RA, UR, and R-1(~~-8 and R-12~~) through  
8487 R-48 zones, signs may have a logo or other symbol of a community service or business  
8488 group, such as Kiwanis, Chamber of Commerce, or a similar group, sponsoring  
8489 construction of the sign or signs. Any (~~permitted~~) allowed logo or symbol shall be  
8490 limited to an area of no more than two square feet on primary signs and no more than  
8491 seventy-two square inches on auxiliary signs; or

8492 2. When located on properties within the NB, CB, RB, O<sub>2</sub> and I zones, signs  
8493 may have a logo or other symbol of the company, community service, or business group  
8494 sponsoring construction of the sign or signs. Any (~~permitted~~) allowed logo or symbol  
8495 shall be limited to an area of no more than four square feet on primary signs and no more  
8496 than seventy-two square inches on auxiliary signs; and

8497 F. Community identification signs shall be exempt from the provisions of K.C.C.  
8498 21A.20.060.A. that require signs to be on-premise.

8499 SECTION 185. Ordinance 10870, Section 444, as amended, and K.C.C.  
8500 21A.22.060 are hereby amended to read as follows:

8501 Except as otherwise provided in K.C.C. 21A.22.040, in addition to requirements  
8502 in this title, all uses regulated under this chapter shall comply with the following  
8503 standards:

8504 A. The minimum site area shall be ten acres;

8505 B. On sites larger than twenty acres, activities shall occur in phases to minimize  
8506 environmental impacts. The size of each phase shall be determined during the review  
8507 process(~~;~~) in accordance with the following:

8508 1. On sites one hundred acres or less, each phase shall not be more than twenty-  
8509 five acres;

8510 2. On sites more than one hundred acres, each phase shall not be more than fifty  
8511 acres. Phases that include areas of greater than twenty-five acres shall have setbacks  
8512 double those specified in subsections E. and F. of this section;

8513 3. A third phase shall not be initiated until reclamation of the first phase is  
8514 substantially complete. More than two phases shall not be allowed to operate at a time

8515 without previous phases having been reclaimed. The status of reclamation shall be  
8516 determined by:

8517 a. the Washington state Department of Natural Resources, unless authority has  
8518 been ceded to the county under RCW 78.44.390; or

8519 b. the county for sites that are exempt from chapter 78.44 RCW and that are  
8520 subject to K.C.C. 21A.22.081; and

8521 4. Minor variation from the standards in subsections B.1. through 3. of this  
8522 section may be requested and approved as part of the permit review process where it is  
8523 demonstrated to be needed or beneficial for compliant operation of the mineral extraction  
8524 based on regulations for protection of water quality, environmental conditions, or safety;

8525 C. If the department determines they are necessary to eliminate a safety hazard,  
8526 fences or alternatives to fences shall be:

8527 1. Provided in a manner that discourages access to areas of the site where:

8528 a. active extracting, processing, stockpiling, and loading of materials is  
8529 occurring;

8530 b. boundaries are in common with residential or commercial zone property or  
8531 public lands; or

8532 c. any unstable slope or any slope exceeding a grade of forty percent is present;

8533 2. At least six feet in height above the grade measured at a point five feet  
8534 outside the fence and the fence material shall have no opening larger than two inches;

8535 3. Installed with lockable gates at all openings or entrances;

8536 4. No more than four inches from the ground to fence bottom; and

8537 5. Maintained in good repair;



8538 D. Warning and trespass signs advising of the use shall be placed on the  
8539 perimeter of the site adjacent to RA, UR<sub>2</sub> or R zones at intervals no greater than two  
8540 hundred feet along any unfenced portion of the site where the items noted in subsection  
8541 C.1. of this section are present;

8542 E. Structural setbacks from property lines shall be as follows:

8543 1. Buildings, structures, and stockpiles used in the processing of materials shall  
8544 be no closer than:

8545 a. one hundred feet from any residential zoned properties except that the  
8546 setback may be reduced to fifty feet when the grade where such building or structures are  
8547 proposed is fifty feet or greater below the grade of the residential zoned property;

8548 b. fifty feet from any other zoned property, except when adjacent to another  
8549 use regulated under this chapter; and

8550 c. the greater of fifty feet from the edge of any public street or the setback from  
8551 residential zoned property on the far side of the street; and

8552 2. Offices, scale facilities, equipment storage buildings, and stockpiles,  
8553 including those for reclamation, shall not be closer than fifty feet from any property line  
8554 except when adjacent to another use regulated under this chapter or M or F zoned  
8555 property. Facilities necessary to control access to the site, when demonstrated to have no  
8556 practical alternative, may be located closer to the property line;

8557 F. On-site clearing, grading, or excavation, excluding that necessary for required  
8558 access, roadway, or storm drainage facility construction, or activities in accordance with  
8559 an approved reclamation plan, shall not be (~~permitted~~) allowed within fifty feet of any  
8560 property line except along any portion of the perimeter adjacent to another use regulated

8561 under this chapter or M or F zoned property. If native vegetation is restored, temporary  
8562 disturbance resulting from construction of noise attenuation features located closer than  
8563 fifty feet shall be ~~((permitted))~~ allowed;

8564 G. Landscaping consistent with type 1 screening under K.C.C. chapter 21A.16,  
8565 except using only plantings native to the surrounding area, shall be provided along any  
8566 portion of the site perimeter where site disturbances associated with a use regulated under  
8567 this chapter are performed, except where adjacent to another use regulated under this  
8568 chapter, forestry operation, or M or F-zoned property;

8569 H. Relevant clearing and grading operating standards from K.C.C. chapter 16.82  
8570 shall be applied; ~~((and))~~

8571 I. Lighting shall:

8572 1. Be limited to that required for security, lighting of structures and equipment,  
8573 and vehicle operations; and

8574 2. Not directly glare onto surrounding properties; and

8575 J. Uses, buildings, structures, storage of equipment, and stockpile of materials not  
8576 directly related to an approved mineral extraction use, reclamation plan, materials  
8577 processing use, or fossil fuel facility, are prohibited.

8578 SECTION 186. Ordinance 3688, Section 303 and K.C.C. 21A.25.050 are hereby  
8579 amended to read as follows:

8580 A. The requirements of the shoreline master program apply to all uses and  
8581 development occurring within the shoreline jurisdiction. The King County shoreline  
8582 jurisdiction consists of shorelines, shorelines of statewide significance, and shorelands as

8583 defined in RCW 90.58.030 and K.C.C. chapter 21A.06, and the one-hundred-year  
8584 floodplain.

8585 B. The shoreline jurisdiction does not include tribal reservation lands and lands  
8586 held in trust by the federal government for tribes. Nothing in the King County shoreline  
8587 master program or action taken under that program shall affect any treaty right to which  
8588 the United States is a party.

8589 C. The lakes and segments of rivers and streams constituting the King County  
8590 shoreline jurisdiction are set forth in Attachment H to Ordinance 19146. The King  
8591 County shoreline jurisdiction is shown on a map adopted in chapter 6 of the King County  
8592 Comprehensive Plan. If there is a discrepancy between the map and the criteria  
8593 established in subsection A. of this section, the criteria shall constitute the official King  
8594 County shoreline jurisdiction. The county shall update the shoreline master program to  
8595 reflect the new designation within three years of the discovery of the discrepancy.

8596 NEW SECTION. SECTION 187. There is hereby added to K.C.C. chapter  
8597 21A.25 a new section to read as follows:

8598 When a critical area report is required by this chapter, the applicant shall submit a  
8599 report documenting the presence, type, and function of ecological critical areas. If the  
8600 development proposal will affect only a part of the development proposal site, the  
8601 department may limit the scope of the critical area report to include only that part of the  
8602 site that is affected by the development proposal. The report shall document how the  
8603 proposal avoids and minimizes impacts to the greatest extent feasible and document  
8604 measures taken to mitigate unavoidable impacts to ensure the proposal causes no net loss

8605 of ecological function. The applicant may combine a critical area report with any studies  
8606 required by other laws and regulations.

8607 SECTION 188. Ordinance 16958, Section 31, as amended, and K.C.C.

8608 21A.25.100 are hereby amended to read as follows:

8609 A. The shoreline use table in this section determines whether a specific use is  
8610 allowed within each of the shoreline environments. The shoreline environment is located  
8611 on the vertical column and the specific use is located on the horizontal row of the table.  
8612 The specific uses are grouped by the shoreline use categories in WAC 173-26-241. The  
8613 specific uses are defined by those uses in K.C.C. chapter 21A.08. The table should be  
8614 interpreted as follows:

8615 1. If the cell is blank in the box at the intersection of the column and the row,  
8616 the use is prohibited in that shoreline environment;

8617 2. If the letter "P" appears in the box at the intersection of the column and the  
8618 row, the use may be allowed within the shoreline environment;

8619 3. If the letter "C" appears in the box at the intersection of the column and the  
8620 row, the use may be allowed within the shoreline environment subject to the shoreline  
8621 conditional use review procedures specified in K.C.C. 21A.44.100.

8622 4. If a number appears in the box at the intersection of the column and the row,  
8623 the use may be allowed subject to the appropriate review process in this section, the  
8624 general requirements of this chapter and the specific development conditions indicated  
8625 with the corresponding number in subsection C. of this section. If more than one number  
8626 appears after a letter, all numbers apply.

8627 5. If more than one letter-number combination appears in the box at the  
 8628 intersection of the column and the row, the use is allowed in accordance with each letter-  
 8629 number combination.

8630 6. A shoreline use may be allowed in the aquatic environment only if that  
 8631 shoreline use is allowed in the adjacent shoreland environment.

8632 7. This section does not authorize a land use that is not allowed by the  
 8633 underlying zoning, but may add additional restrictions or conditions or prohibit specific  
 8634 land uses within the shoreline jurisdiction. When there is a conflict between the  
 8635 ~~((permitted))~~ allowed land uses in K.C.C. chapter 21A.08 and shoreline uses in this  
 8636 section, preference for shoreline uses shall first be given to water-dependent uses, then to  
 8637 water related uses, and finally to water enjoyment uses. All uses in the shoreline  
 8638 jurisdiction ~~((must))~~ shall comply with all relevant county code provisions and with the  
 8639 King County Shoreline Master Program.

8640 B. Shoreline uses.

<del>((P – Permitted Use</del>	High	Resident	Rur	Conserva	Resour	Fores	Natur	Aqua
<del>C – Shoreline</del>	Intensi	ial	al	ncy	ce	try	al	tic
<del>Conditional Use</del>	ty							
<del>Blank – Prohibited</del>								
<del>Shoreline uses are</del>								
<del>allowed only if the</del>								
<del>underlying zoning</del>								
<del>allows the use.</del>								
<del>Shoreline uses are</del>								

allowed in the aquatic environment only if the adjacent upland environment allows the use.))								
<b>Agriculture</b>								
Agriculture (K.C.C. 21A.08.090)		P	P	P	P	P	P1	
<b>Aquaculture (fish and wildlife management K.C.C. 21A.08.090)</b>								
Nonnative marine finfish aquaculture								
Commercial salmon net pens								
Noncommercial native salmon net pens	P2	P2	P2	P2	P2	P2	P2	P2
Native non-		C2	C2	C2				C2

salmonid finfish net pens								
Geoduck aquaculture	C2	C2	C2	C2	C2	C2	C2	C2
Aquaculture, not otherwise listed	P2	P2	P2	P2	P2	P2	P2	P2
<b>Boating Facilities</b>								
Marinas (K.C.C. 21A.08.040)	C3	C3	C3					C3
<b>Commercial Development</b>								
General services (K.C.C. 21A.08.050)	P4	P5	P5					
Business services, except SIC Industry ((No-)) 1611, automotive parking, and off- street required parking lot (K.C.C. 21A.08.060)	P6							
Retail (K.C.C.	P7	P8						

21A.08.070)								
<b>Government Services</b>								
Government services except commuter parking lot, utility facility, and private stormwater management facility (K.C.C. 21A.08.060)	P9	P9	P9	P9	P9	P9	P9	C10
<b>Forest Practices</b>								
Forestry (K.C.C. 21A.08.090)		P11	P11	P11	P11	P11	C11	
<b>Industry</b>								
Manufacturing (K.C.C. 21A.08.080)	P12							
<b>In-stream structural uses</b>								
Hydroelectric generation facility,	C13	C13	C13			C13		C13



wastewater treatment facility <sub>2</sub> and municipal water production (K.C.C. 21A.08.100)								
In-stream utility facilities (K.C.C. 21A.08.060)	P14	P14	P14	P14	P14	P14	P14	C14
In-stream transportation portion of SIC 1611 highway and street construction (K.C.C. 21A.08.060)								C15
In-stream fish and wildlife management, except aquaculture (K.C.C. 21A.08.090)								C16
<b>Mining</b>								

Mineral uses (K.C.C. 21A.08.090)					C17	C17		C17
<b>Recreational Development</b>								
Recreational( <del>/</del> ) <u>and cultural except</u> for marinas and docks and piers (K.C.C. 21A.08.040)	P18	P19	P19	P20		P19	P21	C
<b>Residential Development</b>								
Single detached <del>((dwelling units))</del> <u>residences</u> (K.C.C. 21A.08.030) <u>and</u> <u>adult family homes</u> <u>and community</u> <u>residential facility I</u> (K.C.C. 21A.08.xxx (the <u>new section created</u>		P	P	P	P	C22	C22	

by section 148 of <u>this ordinance</u> )								
<u>Houseplex,</u> <del>((F))</del> townhouse, apartment, <del>((mobile))</del> <u>manufactured home</u> <del>((park))</del> <u>community, cottage</u> housing (K.C.C. 21A.08.030)	P23	P			P			
<del>((Group</del> <del>residences))</del> <u>Congregate</u> <u>residence and</u> <u>senior assisted</u> <u>housing (K.C.C.</u> 21A.08.030), <u>community</u> <u>residential facility</u> <u>II and permanent</u> <u>supportive housing</u> <u>(K.C.C.</u>	P23	P						

<u>21A.08.xxx (the new section created by section 148 of this ordinance))</u>								
Accessory uses (K.C.C. 21A.08.030)	P24	P24	P24	P24	P24	C22 and 24	C22 and 24	
Temporary lodging (K.C.C. 21A.08.030)	P23	P27	P27	C27	C27			
Live-aboards	P28	P28	P28					P28
<b>Transportation and parking</b>								
Transportation facilities	P29	P29	P29	C29	P29	P29	C29	C29
Commuter parking lot (K.C.C. 21A.08.060)								
Automotive parking (K.C.C. 21A.08.060)								
Off-street required parking lot (K.C.C.								

21A.08.060)								
<b>Utilities</b>								
Utility facility (K.C.C. 21A.08.060)	P26	P26	P26	P26	P26	P26	P26	C26
<b>Regional land uses</b>								
Regional uses except hydroelectric generation facility, wastewater treatment facility, and municipal water production (K.C.C. 21A.08.100)	P30							

8641 C. Development conditions:

8642 1. In the Natural environment, limited to low intensity agriculture, such as  
8643 livestock use with an animal unit density of no more than one per two acres in the  
8644 shoreline jurisdiction, seasonal hay mowing and related activities, and horticulture not to  
8645 exceed twenty percent of the site area located within the shoreline jurisdiction.

8646 2.a. The supporting infrastructure for aquaculture may be located landward of  
8647 the aquaculture operation, subject to the limitations of K.C.C. Title 21A.

8648                    b. The aquaculture operation (~~(must)~~) shall meet the standards in K.C.C.  
8649 21A.25.110.

8650                    c. In aquatic areas adjacent to the residential shoreline environment, net pen  
8651 facilities shall be located no closer than one thousand five hundred feet from the ordinary  
8652 high water mark of this environment, unless the department allows a specific lesser  
8653 distance that it determines is appropriate based upon a visual impact analysis. Other  
8654 types of floating culture facilities may be located within one thousand five hundred feet  
8655 of the ordinary high water mark if supported by a visual impact analysis.

8656                    d. In aquatic areas adjacent to the rural shoreline environment, net pen  
8657 facilities shall be located no closer than one thousand five hundred feet from the ordinary  
8658 high water mark of this environment, unless the department allows a specific lesser  
8659 distance that it determines is appropriate based upon a visual impact analysis.

8660                    e. In the natural shoreline environment and aquatic areas adjacent to the natural  
8661 shoreline environment, commercial net pens are prohibited and other aquaculture  
8662 activities are limited to activities that do not require structures, facilities, or mechanized  
8663 harvest practices and that will not alter the natural systems, features, or character of the  
8664 site.

8665                    f. Farm-raised geoduck aquaculture requires a shoreline substantial  
8666 development permit if a specific project or practice causes substantial interference with  
8667 normal public use of the surface waters.

8668                    g. A conditional use permit is required for new commercial geoduck  
8669 aquaculture only, consistent with WAC 173-26-241(3)(b). All subsequent cycles of  
8670 planting and harvest shall not require a new conditional permit.

8671 3.a. New marinas are not allowed along the east shore of Maury Island, from  
8672 Piner Point to Point Robinson.

8673 b. Marinas (~~((must))~~) shall meet the standards in K.C.C. 21A.25.120.

8674 4. Water dependent general services land uses in K.C.C. 21A.08.050 are  
8675 allowed. (~~(Non-water))~~ Nonwater-dependent general services land uses in K.C.C.  
8676 21A.08.050 are only allowed on sites that are not contiguous with the ordinary high water  
8677 mark or on sites that do not have an easement that provides direct access to the water.

8678 5.a. Water-dependent general services land uses in K.C.C. 21A.08.050 are  
8679 allowed.

8680 b. (~~(Non-water))~~ Nonwater-dependent general services land uses in K.C.C.  
8681 21A.08.050 are only allowed as part of a shoreline mixed-use development that includes  
8682 water-dependent uses.

8683 c. (~~(Non-water))~~ Nonwater-oriented general services land uses (~~((must))~~) shall  
8684 provide a significant public benefit by helping to achieve one or more of the following  
8685 shoreline master program goals:

8686 (1) economic development for water-dependent uses;  
8687 (2) public access;  
8688 (3) water-oriented recreation;  
8689 (4) conservation of critical areas, scenic vistas, aesthetics, or fish and wildlife  
8690 habitat; and  
8691 (5) protection and restoration of historic properties.

8692 6. Water-dependent business services uses in K.C.C. 21A.08.050 are allowed.  
8693 Water-related business services uses are only allowed as part of a shoreline mixed-use

8694 development and only if they support a water-dependent use. The water-related business  
8695 services uses ~~((must))~~ shall comprise less than one-half of the square footage of the  
8696 structures or the portion of the site within the shoreline jurisdiction.

8697 7.a Water-dependent retail uses in K.C.C. 21A.08.050 are allowed.

8698 b. ~~((Non-water))~~Nonwater-dependent retail uses in K.C.C. 21A.08.050 are  
8699 only allowed as part of a shoreline mixed-use development if the ~~((non-water))~~nonwater-  
8700 dependent retail use supports a water-dependent use. ~~((Non-water))~~Nonwater-dependent  
8701 uses ~~((must))~~ shall comprise less than one-half of the square footage of the structures or  
8702 the portion of the site within the shoreline jurisdiction.

8703 c. ~~((Non-water))~~Nonwater-oriented retail uses ~~((must))~~ shall provide a  
8704 significant public benefit by helping to achieve one or more of the following shoreline  
8705 master program goals:

8706 (1) economic development for water-dependent uses;

8707 (2) public access;

8708 (3) water-oriented recreation;

8709 (4) conservation of critical areas, scenic vistas, aesthetics, or fish and wildlife  
8710 habitat; and

8711 (5) protection and restoration of historic properties.

8712 8. Water-dependent retail uses in K.C.C. 21A.08.050 are allowed. ~~((Non-~~  
8713 ~~water))~~Nonwater-dependent retail uses in K.C.C. 21A.08.050 are only allowed if the  
8714 retail use provides a significant public benefit by helping to achieve one or more of the  
8715 following shoreline master program goals:

8716 a. economic development for water-dependent uses;



8717           b. public access;

8718           c. water-oriented recreation;

8719           d. conservation of critical areas, scenic vistas, aesthetics, or fish and wildlife

8720   habitat; and

8721           e. protection and restoration of historic properties.

8722           9.a. Water-dependent government services in K.C.C. 21A.08.060 are allowed.

8723           b. ~~((Non-water))~~Nonwater-dependent government services in K.C.C.

8724   21A.08.060 are only allowed as part of a shoreline mixed-use development if the ~~((non-~~

8725   ~~water))~~nonwater-dependent government use supports a water-dependent use. ~~((Non-~~

8726   ~~water))~~Nonwater-dependent uses ~~((must))~~ shall comprise less than one-half of the square

8727   footage of the structures or the portion of the site within the shoreline jurisdiction. Only

8728   low-intensity water-dependent government services are allowed in the Natural

8729   environment.

8730           10. The following standards apply to government services uses within the

8731   Aquatic environment:

8732           a. Stormwater and sewage outfalls are allowed if upland treatment and

8733   infiltration to groundwater, streams, or wetlands is not feasible and there is no impact on

8734   critical saltwater habitats, salmon migratory habitat, and the nearshore zone. However,

8735   stormwater and sewage outfalls are not allowed in the Maury Island Aquatic Reserve,

8736   except from Piner Point to Point Robinson;

8737           b. Water intakes shall not be located near fish spawning, migratory, or rearing

8738   areas. Water intakes ~~((must))~~ shall adhere to Washington state Department of Fish and

8739 Wildlife fish screening criteria. To the maximum extent practical, intakes should be  
8740 placed at least thirty feet below the ordinary high water mark;

8741 c. Desalinization facilities shall not be located near fish spawning, migratory,  
8742 or rearing areas. Intakes should generally be placed deeper than thirty feet below the  
8743 ordinary high water mark and (~~must~~) shall adhere to Washington state Department Fish  
8744 and Wildlife fish screening criteria. Discharge of desalination wastewater or  
8745 concentrated mineral is not allowed in the Maury Island Aquatic Reserve, except that  
8746 outside the Inner and Outer Harbormaster Harbor, discharge may be considered if there is  
8747 no impact on critical saltwater habitats, salmon migratory habitat, and the nearshore zone;

8748 d. Cable crossings for telecommunications and power lines shall:

8749 (1) be routed around or drilled below aquatic critical habitat or species;

8750 (2) be installed in sites free of vegetation, as determined by physical or video  
8751 seabed survey;

8752 (3) be buried, preferably using directional drilling, from the uplands to  
8753 waterward of the deepest documented occurrence of native aquatic vegetation; and

8754 (4) use the best available technology;

8755 e. Oil, gas, water, and other pipelines shall meet the same standards as cable  
8756 crossings and in addition:

8757 (1) pipelines (~~must~~) shall be directionally drilled to depths of seventy feet or  
8758 one half mile from the ordinary high water mark; and

8759 (2) use the best available technology for operation and maintenance;

8760 f. Breakwaters are not allowed within the Maury Island Aquatic Reserve or  
8761 within the Aquatic environment adjacent to the Conservancy and Natural shorelines.

8762 11. In the Natural environment, limited to low intensity forest practices that  
8763 conserve or enhance the health and diversity of the forest ecosystem or ecological and  
8764 hydrologic functions conducted for the purpose of accomplishing specific ecological  
8765 enhancement objectives. In all shoreline environments, forest practices (~~(must)~~) shall  
8766 meet the standards in K.C.C. 21A.25.130.

8767 12. Manufacturing uses in the shoreline environment (~~(must)~~) shall give  
8768 preference first to water-dependent manufacturing uses and second to water-related  
8769 manufacturing uses:

8770 a. (~~(Non-water))~~Nonwater-oriented manufacturing uses are allowed only:

8771 (1) as part of a shoreline mixed-use development that includes a water-  
8772 dependent use, but only if the water-dependent use comprises over fifty percent of the  
8773 floor area or portion of the site within the shoreline jurisdiction;

8774 (2) on sites where navigability is severely limited; or

8775 (3) on sites that are not contiguous with the ordinary high water mark or on  
8776 sites that do not have an easement that provides direct access to the water; and

8777 (4) all (~~(non-water))~~nonwater-oriented manufacturing uses (~~(must)~~) shall also  
8778 provide a significant public benefit, such as ecological restoration, environmental clean-  
8779 up, historic preservation, or water-dependent public education;

8780 b. public access is required for all manufacturing uses unless it would result in  
8781 a public safety risk or is incompatible with the use;

8782 c. shall be located, designed, and constructed in a manner that ensures that  
8783 there are no significant adverse impacts to other shoreline resources and values(~~(-)~~);

8784 d. restoration is required for all new manufacturing uses; and

8785 e. boat repair facilities are not (~~permitted~~) allowed within the Maury Island  
8786 Aquatic Reserve, except as follows:

8787 (1) engine repair or maintenance conducted within the engine space without  
8788 vessel haul-out;

8789 (2) topside cleaning, detailing, and bright work;

8790 (3) electronics servicing and maintenance;

8791 (4) marine sanitation device servicing and maintenance that does not require  
8792 haul-out;

8793 (5) vessel rigging; and

8794 (6) minor repairs or modifications to the vessel's superstructure and hull  
8795 above the waterline that do not exceed twenty-five percent of the vessel's surface area

8796 above the waterline.

8797 13. The water-dependent in-stream portion of a hydroelectric generation facility,  
8798 wastewater treatment facility, and municipal water production are allowed, including the  
8799 upland supporting infrastructure, and shall provide for the protection and preservation, of  
8800 ecosystem-wide processes, ecological functions, and cultural resources, including, but not  
8801 limited to, fish and fish passage, wildlife and water resources, shoreline critical areas,  
8802 hydrogeological processes, and natural scenic vistas.

8803 14. New in-stream portions of utility facilities may be located within the  
8804 shoreline jurisdiction if:

8805 a. there is no feasible alternate location;

8806 b. provision is made to protect and preserve ecosystem-wide processes,  
8807 ecological functions, and cultural resources, including, but not limited to, fish and fish

8808 passage, wildlife and water resources, shoreline critical areas, hydrogeological processes,  
8809 and natural scenic vistas; and

8810 c. the use complies with the standards in K.C.C. 21A.25.260.

8811 15. Limited to in-stream infrastructure, such as bridges, and ~~((must))~~ shall  
8812 consider the priorities of the King County Shoreline Protection and Restoration Plan  
8813 when designing in-stream transportation facilities. In-stream structures shall provide for  
8814 the protection and preservation~~((;))~~ of ecosystem-wide processes, ecological functions,  
8815 and cultural resources, including, but not limited to, fish and fish passage, wildlife and  
8816 water resources, shoreline critical areas, hydrogeological processes, and natural scenic  
8817 vistas.

8818 16. Limited to hatchery and fish preserves.

8819 17. Mineral uses:

8820 a. ~~((must))~~ shall meet the standards in K.C.C. chapter 21A.22;

8821 b. ~~((must))~~ shall be dependent upon a shoreline location;

8822 c. ~~((must))~~ shall avoid and mitigate adverse impacts to the shoreline  
8823 environment during the course of mining and reclamation to achieve no net loss of  
8824 shoreline ecological function. In determining whether there will be no net loss of  
8825 shoreline ecological function, the evaluation may be based on the final reclamation  
8826 required for the site. Preference shall be given to mining proposals that result in the  
8827 creation, restoration, or enhancement of habitat for priority species;

8828 d. ~~((must))~~ shall provide for reclamation of disturbed shoreline areas to achieve  
8829 appropriate ecological functions consistent with the setting;

8830 e. may be allowed within the active channel of a river only as follows:

8831 (1) removal of specified quantities of sand and gravel or other materials at  
8832 specific locations will not adversely affect the natural processes of gravel transportation  
8833 for the river system as a whole;

8834 (2) the mining and any associated permitted activities will not have  
8835 significant adverse impacts to habitat for priority species nor cause a net loss of  
8836 ecological functions of the shoreline; and

8837 (3) if no review has been previously conducted under this subsection C.17.e.,  
8838 ~~((prior to))~~ before renewing, extending, or reauthorizing gravel bar and other in-channel  
8839 mining operations in locations where they have previously been conducted, the  
8840 department shall require compliance with this subsection C.17.e. If there has been prior  
8841 review, the department shall review previous determinations comparable to the  
8842 requirements of this section C.17.e. to ensure compliance with this subsection under  
8843 current site conditions; and

8844 f. ~~((Must))~~ shall comply with K.C.C. 21A.25.190.

8845 18. Only water-dependent recreational uses are allowed, except for public parks  
8846 and trails, in the High Intensity environment and ~~((must))~~ shall meet the standards in  
8847 K.C.C. 21A.25.140 for public access and K.C.C. 21A.25.150 for recreation.

8848 19. Water-dependent and water-enjoyment recreational uses are allowed in the  
8849 Residential, Rural, and Forestry environments and ~~((must))~~ shall meet the standards in  
8850 K.C.C. 21A.25.140 for public access and K.C.C. 21A.25.150 for recreation.

8851 20. In the Conservancy environment, only the following recreation uses are  
8852 allowed and ~~((must))~~ shall meet the standards in K.C.C. 21A.25.140 for public access and  
8853 K.C.C. 21A.25.150 for recreation:

- 8854 a. parks; and
- 8855 b. trails.
- 8856 21. In the Natural environment, only passive and low-impact recreational uses  
8857 are allowed.
- 8858 22. Single detached (~~((dwelling units must))~~) residences shall be located outside  
8859 of the aquatic area buffer and set back from the ordinary high water mark to the  
8860 maximum extent practical.
- 8861 23. Only allowed as part of a water-dependent shoreline mixed-use development  
8862 where water-dependent uses comprise more than half of the square footage of the  
8863 structures on the portion of the site within the shoreline jurisdiction.
- 8864 24. Residential accessory uses (~~((must))~~) shall meet the following standards:
- 8865 a. docks, piers, moorage, buoys, floats, or launching facilities (~~((must meet))~~)  
8866 shall comply with the standards in K.C.C. 21A.25.180;
- 8867 b. residential accessory structures located within the aquatic area buffer shall  
8868 be limited to a total footprint of one-hundred fifty square feet; and
- 8869 c. accessory structures shall be sited to preserve visual access to the shoreline  
8870 to the maximum extent practical.
- 8871 25. New highway and street construction is allowed only if there is no feasible  
8872 alternate location. Only low-intensity transportation infrastructure is allowed in the  
8873 Natural environment.
- 8874 26. Utility facilities are subject to the standards in K.C.C. 21A.25.260.
- 8875 27. Only bed and breakfast guesthouses.
- 8876 28. Only in a marina.

8877 29. Transportation facilities are subject to the standards in K.C.C. 21A.25.280.

8878 30. Only solid waste transfer stations and subject to K.C.C. 21A.25.260.

8879 SECTION 189. Ordinance 16985, Section 32, as amended, and K.C.C.

8880 21A.25.110 are hereby amended to read as follows:

8881 An applicant for an aquaculture facility (~~((must))~~) shall use the sequential measures  
8882 in K.C.C. 21A.25.080. The following standards apply to aquaculture:

8883 A. Unless the applicant demonstrates that the substrate modification will result in  
8884 an increase in native habitat diversity, aquaculture that involves little or no substrate  
8885 modification shall be given preference over aquaculture that involves substantial  
8886 substrate modification and the degree of proposed substrate modification shall be limited  
8887 to the maximum extent practical.

8888 B. The installation of submerged structures, intertidal structures and floating  
8889 structures shall be limited to the maximum extent practical.

8890 C. Aquaculture proposals that involve substantial substrate modification or  
8891 sedimentation through dredging, trenching, digging, mechanical clam harvesting or other  
8892 similar mechanisms, shall not be (~~((permitted))~~) allowed in areas where the proposal would  
8893 adversely impact critical saltwater habitats.

8894 D. Aquaculture activities that after implementation of mitigation measures would  
8895 have a significant adverse impact on natural, dynamic shoreline processes or that would  
8896 result in a net loss of shoreline ecological functions shall be prohibited.

8897 E. Aquaculture should not be located in areas that will result in significant  
8898 conflicts with navigation or other water-dependent uses.

8899 F. Aquaculture facilities shall be designed, located and managed to prevent the



8900 spread of diseases to native aquatic life or the spread of new nonnative species.

8901 G. Aquaculture practices shall be designed to minimize use of artificial chemical  
8902 substances and shall use chemical compounds that are least persistent and have the least  
8903 impact on plants and animals. Herbicides and pesticides shall be used only in  
8904 conformance with state and federal standard and to the minimum extent needed for the  
8905 health of the aquaculture activity.

8906 H. Noncommercial native salmon net pen facilities that involve minimal  
8907 supplemental feeding and limited use of chemicals or antibiotics as provided in  
8908 subsection G. of this section may be located in King County marine waters if they are  
8909 consistent with subsections S. and Y. of this section and are:

- 8910 1. Native salmon net pens operated by tribes with treaty fishing rights;
- 8911 2. For the limited penned cultivation of wild salmon stocks during a limited  
8912 portion of their lifecycle to enhance restoration of native stocks; or
- 8913 3. For rearing to adulthood in order to harvest eggs as part of a captive brood  
8914 stock recovery program for endangered species.

8915 I. If uncertainty exists regarding potential impacts of a proposed aquaculture  
8916 activity and for all experimental aquaculture activities, unless otherwise provided for, the  
8917 department may require baseline and periodic operational monitoring by a county-  
8918 approved consultant, at the applicant's expense, and shall continue until adequate  
8919 information is available to determine the success of the project and the magnitude of any  
8920 probable significant adverse environmental impacts. Permits for such activities shall  
8921 include specific performance measures and provisions for adjustment or termination of  
8922 the project at any time if monitoring indicates significant, adverse environmental impacts

8923 that cannot be adequately mitigated.

8924 J. Aquaculture developments approved on an experimental basis shall not exceed  
8925 five acres in area, except land-based projects and anchorage for floating systems, and  
8926 three years in duration. The department may issue a new permit to continue an  
8927 experimental project as many times as it determines is necessary and appropriate.

8928 K. The department may require aquaculture operations to carry liability insurance  
8929 in an amount commensurate with the risk of injury or damage to any person or property  
8930 as a result of the project. Insurance requirements shall not be required to duplicate  
8931 requirements of other agencies.

8932 L. If aquaculture activities are authorized to use public facilities, such as boat  
8933 launches or docks, King County may require the applicant to pay a portion of the cost of  
8934 maintenance and any required improvements commensurate with the use of those  
8935 facilities.

8936 M. New aquatic species that are not previously cultivated in Washington state  
8937 shall not be introduced into King County saltwaters or freshwaters without prior written  
8938 approval of the Director of the Washington state Department of Fish and Wildlife and the  
8939 Director of the Washington Department of Health. This prohibition does not apply to:  
8940 Pacific, Olympia, Kumomoto, Belon or Virginica oysters; Manila, Butter, or Littleneck  
8941 clams; or Geoduck clams.

8942 N. Unless otherwise provided in the shoreline permit issued by the department,  
8943 repeated introduction of an approved organism after harvest in the same location shall  
8944 require approval by the county only at the time the initial aquaculture use permit is  
8945 issued. Introduction, for purposes of this section, shall mean the placing of any aquatic

8946 organism in any area within the waters of King County regardless of whether it is a native  
8947 or resident organism within the county and regardless of whether it is being transferred  
8948 from within or without the waters of King County.

8949 O. For aquaculture projects, over-water structures shall be allowed only if  
8950 necessary for the immediate and regular operation of the facility. Over-water structures  
8951 shall be limited to the((;)) storage of necessary tools and apparatus in containers of not  
8952 more than three feet in height, as measured from the surface of the raft or dock.

8953 P. Except for the sorting or culling of the cultured organism after harvest and the  
8954 washing or removal of surface materials or organisms before or after harvest, no  
8955 processing of any aquaculture product shall occur in or over the water unless specifically  
8956 approved by permit. All other processing and processing facilities shall be located  
8957 landward of the ordinary high water mark.

8958 Q. Aquaculture wastes shall be disposed of in a manner that will ensure strict  
8959 compliance with all applicable governmental waste disposal standards, including, but not  
8960 limited to, the Federal Clean Water Act, Section 401, and chapter 90.48 RCW, Water  
8961 Pollution Control. No garbage, wastes or debris shall be allowed to accumulate at the site  
8962 of any aquaculture operation.

8963 R. Unless approved in writing by the National Marine Fisheries Service or the  
8964 U.S. Fish and Wildlife Service, predator control shall not involve the killing or  
8965 harassment of birds or mammals. Approved controls include, but are not limited to,  
8966 double netting for seals, overhead netting for birds and three-foot high fencing or netting  
8967 for otters. The use of other nonlethal, nonabusive predator control measures shall be  
8968 contingent upon receipt of written approval from the National Marine Fisheries Service

8969 or the U.S. Fish and Wildlife Service, as required.

8970 S. Finfish net pens and rafts shall meet the following criteria in addition to the  
8971 other applicable regulations of this section:

8972 1. Finfish net pens shall not be located in Quartermaster Harbor. For the  
8973 purposes of this subsection, "Quartermaster Harbor" means the area of Puget Sound north  
8974 of a straight line drawn from the southwest tip of Vashon-Maury Island, which is Piner  
8975 Point, to the southeast tip of Vashon-Maury Island, which is Neill Point;

8976 2. Finfish net pens shall meet, at a minimum, state approved administrative  
8977 guidelines for the management of net pen cultures. In the event there is a conflict in  
8978 requirements, the more restrictive requirement shall prevail;

8979 3. Finfish net pens shall not occupy more than two surface acres of water area,  
8980 excluding booming and anchoring requirements. Anchors that minimize disturbance to  
8981 substrate, such as helical anchors, shall be employed. Such operations shall not use  
8982 chemicals or antibiotics;

8983 4. Aquaculture proposals that include new or added net pens or rafts shall not be  
8984 located closer than one nautical mile to any other aquaculture facility that includes net  
8985 pens or rafts. The department may authorize a lesser distance if the applicant  
8986 demonstrates to the satisfaction of the department that the proposal will be consistent  
8987 with the environmental and aesthetic policies and objectives of this chapter and the  
8988 shoreline master program. The applicant shall demonstrate to the satisfaction of the  
8989 department that the cumulative impacts of existing and proposed operations would not be  
8990 contrary to the policies and regulations of the program;

8991 5. Net cleaning activities shall be conducted on a frequent enough basis so as

8992 not to violate state water quality standards. When feasible, the cleaning of nets and other  
8993 apparatus shall be accomplished by air drying, spray washing or hand washing; and

8994 6. In the event of a significant fish kill at the site of a net pen facility, the finfish  
8995 aquaculture operator shall submit a timely report to public health – Seattle & King  
8996 County, environmental health division, and the department stating the cause of death and  
8997 shall detail remedial actions to be implemented to prevent reoccurrence.

8998 T. All floating and submerged aquaculture structures and facilities in navigable  
8999 waters shall be marked in accordance with United States Coast Guard requirements.

9000 U. The rights of treaty tribes to aquatic resources within their usual and  
9001 accustomed areas shall be addressed through direct coordination between the applicant  
9002 and the affected tribes through the permit review process.

9003 V. Aquaculture structures and equipment shall be of sound construction and shall  
9004 be so maintained. Abandoned or unsafe structures and equipment shall be removed or  
9005 repaired promptly by the owner. Where any structure might constitute a potential hazard  
9006 to the public in the future, the department shall require the posting of a bond  
9007 commensurate with the cost of removal or repair. The department may abate an  
9008 abandoned or unsafe structure in accordance with K.C.C. Title 23.

9009 W. Aquaculture shall not be approved where it will adversely impact eelgrass and  
9010 macroalgae.

9011 X. Commercial salmon net pens and nonnative marine finfish aquaculture are  
9012 prohibited.

9013 Y. Finfish net pens shall be consistent with the applicable aquaculture regulations  
9014 in this section and shall meet the following criteria and requirements:

9015           1. Each finfish net pen application shall provide a current, peer-reviewed  
9016 science review of environmental issues related to finfish net pen aquaculture;

9017           2. The department shall only approve a finfish net pen application if the  
9018 department determines the scientific review demonstrates:

9019           a. that the project construction and activities will achieve no net loss of  
9020 ecological function in a manner that has no significant adverse short-term impact and no  
9021 documented adverse long-term impact to applicable elements of the environment,  
9022 including, but not limited to, habitat for native salmonids, water quality, eel grass beds,  
9023 other aquaculture, other native species, the benthic community below the net pen or other  
9024 environmental attributes; and

9025           b. that the finfish net pen does not involve significant risk of cumulative  
9026 adverse effects, including, but not limited to, risk of interbreeding with wild salmon or  
9027 reduction of genetic fitness of wild stocks, parasite or disease transmission or other  
9028 adverse effects on native species or threatened or endangered species and their habitats;

9029           3. The department's review shall:

9030           a. include an assessment of the risk to endangered species, non-endangered  
9031 species, and other biota that could be affected by the finfish net pen; and

9032           b. evaluate and model water quality impacts utilizing current information,  
9033 technology, and assessment models. The project proponent shall be financially  
9034 responsible for this water quality assessment;

9035           4. Finfish net pens shall be designed, constructed and maintained to prevent  
9036 escapement of fish in all foreseeable circumstances, including, but not limited to, tide,  
9037 wind and wave events of record, floating and submerged debris, and tidal action;

9038 5. Finfish net pens shall not be located:  
9039 a. within three hundred feet of an area containing eelgrass or a kelp bed;  
9040 b. within one thousand five hundred feet of an ordinary high water mark; or  
9041 c. in a designated Washington state Department of Natural Resources aquatic  
9042 reserve;

9043 6. A finfish net pen may not be used to mitigate the impact of a development  
9044 proposal; and

9045 7. For finfish net pens that are not noncommercial native salmon net pens, the  
9046 conditional use permit for the net pen (~~(must)~~) shall be renewed every five years. An  
9047 updated scientific review shall be conducted as part of the renewal and shall include a  
9048 new risk assessment and evaluation of the impact of the operation of the finfish net pen  
9049 during the previous five years.

9050 Z. Geoduck aquaculture shall be consistent with WAC 173-26-241(3)(b).

9051 SECTION 190. Ordinance 16985, Section 36, as amended, and K.C.C.

9052 21A.25.140 are hereby amended to read as follows:

9053 A. Except as otherwise provided in subsection B. of this section, public access  
9054 shall be required for:

9055 1. Attached residential developments;

9056 2. New (~~(subdivisions)~~) land divisions of more than four lots;

9057 3. Developments for water enjoyment, water related and (~~(non-water)~~)nonwater-  
9058 dependent uses;

9059 4. Publicly owned land, including, but not limited to, land owned by public  
9060 agencies and public utilities;

- 9061           5. Marinas; and
- 9062           6. Publicly financed shoreline stabilization projects.
- 9063           B. Public access shall:
- 9064           1. Connect to other public and private public access and recreation facilities on
- 9065 adjacent parcels to the maximum extent practical;
- 9066           2. Be sited to ensure public safety is considered; and
- 9067           3. Be open to the general public;
- 9068           C. Public access is not required if the applicant demonstrates to the satisfaction of
- 9069 the department that public access would be incompatible with the proposed use because
- 9070 of safety or security issues, would result in adverse impacts to the shoreline environment
- 9071 that cannot be mitigated or there are constitutional or other legal limitations that preclude
- 9072 requiring public access;
- 9073           D. Public pedestrian and bicycle pathways and recreation areas constructed as
- 9074 part of a private development proposal should enhance access and enjoyment of the
- 9075 shoreline and provide features in scale with the development, such as:
- 9076           1. View points;
- 9077           2. Places to congregate in proportion to the scale of the development;
- 9078           3. Benches and picnic tables;
- 9079           4. Pathways; and
- 9080           5. Connections to other public and private public access and recreation
- 9081 facilities; and
- 9082           E. Private access from single detached residences to the shoreline shall:
- 9083           1. Not exceed three feet in width;



- 9084           2. Avoid removal of significant trees and other woody vegetation to the  
9085 maximum extent practical; and
- 9086           3. Avoid a location that is parallel to the shoreline to the maximum extent  
9087 practical.

9088           SECTION 191. Ordinance 16985, Section 39, as amended, and K.C.C.  
9089 21A.25.160 are hereby amended to read as follows:

9090           A. The shoreline modification table in this section determines whether a specific  
9091 shoreline modification is allowed within each of the shoreline environments. The  
9092 shoreline environment is located on the vertical column and the specific use is located on  
9093 the horizontal row of the table. The specific modifications are grouped by the shoreline  
9094 modification categories in WAC 173-26-231. The table should be interpreted as follows:

- 9095           1. If the cell is blank in the box at the intersection of the column and the row,  
9096 the modification is prohibited in that shoreline environment;
- 9097           2. If the letter "P" appears in the box at the intersection of the column and the  
9098 row, the modification may be allowed within the shoreline environment;
- 9099           3. If the letter "C" appears in the box at the intersection of the column and the  
9100 row, the modification may be allowed within the shoreline environment subject to the  
9101 shoreline conditional use review procedures specified in K.C.C. 21A.44.100;
- 9102           4. If a number appears in the box at the intersection of the column and the row,  
9103 the modification may be allowed subject to the appropriate review process indicated in  
9104 this section and the specific development conditions indicated with the corresponding  
9105 number immediately following the table, and only if the underlying zoning allows the

9106 modification. If more than one number appears at the intersection of the column and  
 9107 row, both numbers apply;

9108 5. If more than one letter-number combination appears in the box at the  
 9109 intersection of the column and the row, the modification is allowed within that shoreline  
 9110 environment subject to different sets of limitations or conditions depending on the review  
 9111 process indicated by the letter, the specific development conditions indicated in the  
 9112 development condition with the corresponding number immediately following the table;

9113 6. A shoreline modification may be allowed in the aquatic environment only if  
 9114 that shoreline modification is allowed in the adjacent shoreland environment; and

9115 7. This section does not authorize a shoreline modification that is not allowed  
 9116 by the underlying zoning, but may add additional restrictions or conditions or prohibit  
 9117 specific modifications within the shoreline jurisdiction. All shoreline modifications in  
 9118 the shoreline jurisdiction (~~must~~) shall comply with all relevant county code provisions  
 9119 and with the King County shoreline master program.

9120 B. Shoreline modifications.

	High Intens ity	Residenti al	Rur al	Conserva ncy	Resour ce	Fores try	Natur al	Aquat ic
<b>Shoreline stabilization</b>								
Shoreline stabilization, not including flood	P1	P1	P1	C1	P1	C1		P1 C1

protection facilities								
Flood protection facilities	P2	P2	P2	P2	P2		P2	P2
<b>Piers and docks</b>								
Docks, piers, moorage, buoys, floats, or launching facilities	P3	P3	P3	C3	C3	C3		P3 C3
<b>Fill</b>								
Filling	P4 C4	P4 C4	P4 C4	P4 C4	P4 C4	C4	C4	P4 C4
<b>Breakwaters, jetties, groins, and weirs</b>								
Breakwaters, jetties, groins, and weirs	P5 C5	P5 C5	P5 C5	P5 C5	P5 C5	P5 C5	P5 C5	P5 C5
<b>Dredging and dredge material disposal</b>								
Excavation, dredging, dredge material disposal	P6 C6	P6 C6	P6 C6	P6 C6	P6 C6	C6	C6	P6 C6

<b>Shoreline habitat and natural systems enhancement projects</b>								
Habitat and natural systems enhancement projects	P7	P7	P7	P7	P7	P7	P7	P7
<b>Vegetation management</b>								
Removal of existing intact native vegetation	P8	P8	P8	P9	P8	P8	P9	P9

9121 C. Development conditions.

9122 1. New and replacement shoreline stabilization, including bulkheads, (~~must~~)

9123 shall meet the standards in K.C.C. 21A.25.170;

9124 2.a. Flood protection facilities (~~must~~) shall be consistent with the standards in

9125 K.C.C. chapter 21A.24, the King County Flood Hazard Management Plan adopted

9126 January 16, 2007, and the Integrated Stream Protection Guidelines (Washington state

9127 departments of Fish and Wildlife, Ecology, and Transportation, 2003). New structural

9128 flood hazard protection measures are allowed in the shoreline jurisdiction only when the

9129 applicant demonstrates by a scientific and engineering analysis that the structural

9130 measures are necessary to protect existing development, that nonstructural measures are  
9131 not feasible and that the impact on ecological functions and priority species and habitats  
9132 can be successfully mitigated so as to assure no net loss of shoreline ecological functions.  
9133 New flood protection facilities designed as shoreline stabilization (~~((must meet))~~) shall  
9134 comply with the standards in K.C.C. 21A.25.170.

9135           b. Relocation, replacement, or expansion of existing flood control facilities  
9136 within the Natural environment are (~~((permitted))~~) allowed, subject to the requirements of  
9137 the King county Flood Hazard Reduction Plan and consistent with the Washington State  
9138 Aquatic Guidelines Program's Integrated Streambank Protection Guidelines and  
9139 bioengineering techniques used to the maximum extent practical. New facilities would  
9140 only be (~~((permitted))~~) allowed consistent with an approved watershed resources inventory  
9141 area (WRIA) salmon recovery plan under chapter 77.85 RCW.

9142           3. Docks, piers, moorage, buoys, floats, or launching facilities (~~((must meet))~~)  
9143 shall comply with the standards in K.C.C. 21A.25.180;

9144           4.a. Filling (~~((must meet))~~) shall comply with the standards in K.C.C.  
9145 21A.25.190.

9146           b. A shoreline conditional use permit is required to:

9147           (1) Place fill waterward of the ordinary high water mark for any use except  
9148 ecological restoration or for the maintenance and repair of flood protection facilities; and

9149           (2) Dispose of dredged material within shorelands or wetlands within a  
9150 channel migration zone;

9151           c. Fill shall not be placed in critical saltwater habitats except when all of the  
9152 following conditions are met:

9153 (1) the public's need for the proposal is clearly demonstrated and the proposal  
9154 is consistent with protection of the public trust, as embodied in RCW 90.58.020;

9155 (2) avoidance of impacts to critical saltwater habitats by an alternative  
9156 alignment or location is not feasible or would result in unreasonable and disproportionate  
9157 cost to accomplish the same general purpose;

9158 (3) the project including any required mitigation, will result in no net loss of  
9159 ecological functions associated with critical saltwater habitat; and

9160 (4) the project is consistent with the state's interest in resource protection and  
9161 species recovery((-)); and

9162 d. In a channel migration zone, any filling shall protect shoreline ecological  
9163 functions, including channel migration.

9164 5.a. Breakwaters, jetties, groins, and weirs:

9165 (1) are only allowed where necessary to support water dependent uses, public  
9166 access, approved shoreline stabilization, or other public uses, as determined by the  
9167 director;

9168 (2) are not allowed in the Maury Island Aquatic Reserve except as part of a  
9169 habitat restoration project or as an alternative to construction of a shoreline stabilization  
9170 structure;

9171 (3) shall not intrude into or over critical saltwater habitats except when all of  
9172 the following conditions are met:

9173 (a) the public's need for the structure is clearly demonstrated and the  
9174 proposal is consistent with protection of the public trust, as embodied in RCW 90.58.020;

9175 (b) avoidance of impacts to critical saltwater habitats by an alternative  
9176 alignment or location is not feasible or would result in unreasonable and disproportionate  
9177 cost to accomplish the same general purpose;

9178 (c) the project including any required mitigation, will result in no net loss of  
9179 ecological functions associated with critical saltwater habitat; and

9180 (d) the project is consistent with the state's interest in resource protection  
9181 and species recovery.

9182 b. Groins are only allowed as part of a restoration project sponsored or  
9183 cosponsored by a public agency that has natural resource management as a primary  
9184 function.

9185 c. A conditional shoreline use permit is required, except for structures installed  
9186 to protect or restore shoreline ecological functions.

9187 6. Excavation, dredging, and filling (~~((must meet))~~) shall comply with the  
9188 standards in K.C.C. 21A.25.190. A shoreline conditional use permit is required to  
9189 dispose of dredged material within shorelands, ~~((or))~~ wetlands, or side channels within a  
9190 channel migration zone.

9191 7.a. If the department determines the primary purpose is restoration of the  
9192 natural character and ecological functions of the shoreline, a shoreline habitat and natural  
9193 systems enhancement project may include shoreline modification of vegetation, removal  
9194 of nonnative or invasive plants, and shoreline stabilization, including the installation of  
9195 large woody debris, dredging, and filling. Mitigation actions identified through  
9196 biological assessments required by the National Marine Fisheries Services and applied to  
9197 flood hazard mitigation projects may include shoreline modifications of vegetation,

9198 removal of nonnative or invasive plants, and shoreline stabilization, including the  
9199 installation of large woody debris, dredging, and filling.

9200 b. Within the ~~((U))~~urban ~~((G))~~growth ~~((A))~~area, the county may grant relief  
9201 from shoreline master program development standards and use regulations resulting from  
9202 shoreline restoration projects consistent with criteria and procedures in WAC 173-27-  
9203 215.

9204 8. Within the critical area and critical area buffer, vegetation removal is subject  
9205 to K.C.C. chapter 21A.24.

9206 9. Except for forest practices conducted under K.C.C. 21A.25.130, existing  
9207 native vegetation located outside of the critical area and critical area buffer shall be  
9208 retained to the maximum extent practical. Within the critical area and critical area buffer,  
9209 vegetation removal is subject to K.C.C. chapter 21A.24.

9210 SECTION 192. Ordinance 3688, Section 413, as amended, and K.C.C.  
9211 21A.25.170 are hereby amended to read as follows:

9212 A. New structural ~~((S))~~shoreline stabilization, including additions that increase or  
9213 expand existing structural shoreline stabilization, shall not be ~~((considered an outright use~~  
9214 ~~and shall be permitted only))~~ allowed except when determined necessary by the  
9215 department ~~((determines that shoreline protection is necessary))~~ for the protection of  
9216 ~~((existing legally established primary))~~ structures and projects consistent with this  
9217 section. ~~((, new or existing non-water dependent development, new or existing water-~~  
9218 ~~dependent development or projects restoring ecological functions or remediating~~  
9219 ~~hazardous substance discharges. Vegetation, berms, bioengineering techniques and other~~  
9220 ~~nonstructural alternatives that preserve the natural character of the shore shall be~~



9221 ~~preferred over riprap, concrete revetments, bulkheads, breakwaters and other structural~~  
9222 ~~stabilization. Riprap using rock or other natural materials shall be preferred over~~  
9223 ~~concrete revetments, bulkheads, breakwaters and other structural stabilization. Lesser~~  
9224 ~~impacting measures should be used before more impacting measures.))~~

9225 B. New development shall be located and designed to avoid the need for future  
9226 shoreline stabilization measures.

9227 1. Subdivisions and short subdivisions shall not create lots that require shoreline  
9228 stabilization for reasonable development to occur.

9229 2. New development on steep slopes shall be set back a sufficient distance to  
9230 ensure that shoreline stabilization is not needed for the life of the development.

9231 C. ~~((Structural))~~ New or enlarged shoreline stabilization for existing primary  
9232 structures, including single detached residences, may be ((permitted subject to the  
9233 standards in this chapter and as follows)) allowed when:

9234 1. ~~((The applicant provides a))~~ A geotechnical analysis ((that)) demonstrates  
9235 that the structure is in danger from shoreline erosion ((from)) caused by tidal action,  
9236 currents, or waves, ((or currents is imminently threatening or that, unless the structural  
9237 shoreline stabilization is constructed, damage is expected to occur within three years))  
9238 and not upland drainage, erosion, landslide hazard areas, or unauthorized clearing or  
9239 grading;

9240 2. On-site drainage is directed away from the shoreline edge; ((The erosion is  
9241 not caused by upland conditions;))

9242 3. ~~((The proposed structural shoreline protection will provide greater protection~~  
9243 ~~than feasible, nonstructural alternatives such as slope drainage systems, vegetative~~

9244 ~~growth stabilization, gravel berms and beach nourishment;))~~ The shoreline stabilization  
9245 will not result in a net loss of shoreline ecological functions; and

9246 4. ~~((The proposal is the minimum necessary to protect existing legally~~  
9247 ~~established primary structures, new or existing non-water dependent development, new~~  
9248 ~~or existing water dependent development or projects restoring ecological functions or~~  
9249 ~~remediating hazardous substance discharges; and~~

9250 5. ~~Adequate mitigation measures will be provided to maintain existing shoreline~~  
9251 ~~processes and critical fish and wildlife habitat and ensure no net loss or function of~~  
9252 ~~intertidal or riparian habitat.))~~ The at-risk structure or use cannot be relocated in order to  
9253 remove the need for shoreline stabilization.

9254 D. New shoreline stabilization for new nonwater-dependent uses, including  
9255 single detached residences, may be allowed when:

9256 1. A geotechnical analysis documents a need to protect primary structures from  
9257 shoreline erosion caused by tidal action, currents, or waves, and not upland drainage,  
9258 erosion, or landslide hazard areas or unauthorized clearing or grading;

9259 2. Nonstructural measures, such as placing the development further from the  
9260 shoreline, planting vegetation, or installing on-site drainage improvements, are not  
9261 feasible or not sufficient; and

9262 3. The shoreline stabilization will not result in a net loss of shoreline ecological  
9263 functions.

9264 E. New shoreline stabilization for water-dependent uses, including single  
9265 detached residences, may be allowed when:

9266 1. A geotechnical analysis documents a need to protect primary structures from  
9267 imminent risk of damage of shoreline erosion;

9268 2. Nonstructural measures, such as planting vegetation, or installing on-site  
9269 drainage improvements, are not feasible or not sufficient; and

9270 3. The shoreline stabilization will not result in a net loss of shoreline ecological  
9271 functions.

9272 F. New shoreline stabilization for ecological function restoration projects or  
9273 hazardous substance remediation projects may be allowed when:

9274 1. Nonstructural measures, such as placing the development further from the  
9275 shoreline, planting vegetation, or installing on-site drainage improvements, are not  
9276 feasible or not sufficient; and

9277 2. The shoreline stabilization will not result in a net loss of shoreline ecological  
9278 functions.

9279 G. Existing structural shoreline stabilization may be replaced with a similar  
9280 structure provided the following is met:

9281 1. The existing shoreline stabilization can no longer adequately serve its  
9282 purpose;

9283 2. The ((C-S))shoreline stabilization ((to replace existing shoreline  
9284 stabilization)) shall be placed landward of the existing shoreline stabilization and moved  
9285 as far landward of the ordinary high water mark as possible;((-but may be placed  
9286 waterward directly abutting the old structure only in cases where removal of the old  
9287 structure would result in greater impact on ecological functions. In critical saltwater  
9288 habitats;))

9289           3. The existing shoreline stabilization shall ((not)) be removed; ((allowed to  
9290 remain in place if the existing shoreline stabilization is resulting in the loss of ecological  
9291 functions. Adequate mitigation measures that maintain existing shoreline processes and  
9292 critical fish and wildlife habitat must be provided that ensures no net loss or function of  
9293 intertidal or riparian habitat.))

9294           4. The replacement structure shall be the minimum size necessary to protect  
9295 upland development and uses;

9296           5. The replacement structure shall not enlarge or increase the size of the existing  
9297 shoreline stabilization; and

9298           6. The shoreline stabilization shall not result in a net loss of ecological function.

9299           H. Shoreline stabilization shall:

9300           1. Minimize the adverse impact on the property of others to the maximum extent  
9301 practical;

9302           2. Use the least impactful shoreline stabilization measure, such as softer or  
9303 nonstructural measures, unless demonstrated to not be sufficient to protect primary  
9304 structures. Measures are provided as follows in order from the most preferred to least  
9305 preferred:

9306           a. nonstructural actions;

9307           b. soft shoreline stabilization; and

9308           c. hard shoreline stabilization;

9309           ~~((D. The))~~ 3. Have a maximum height of ((the proposed shoreline stabilization  
9310 shall be)) no more than one foot above the elevation of ((extreme high water)) the highest  
9311 observed tide on tidal waters, as determined by ~~((the National Ocean Survey published~~

9312 by)) the nearest National Oceanic and Atmospheric Administration long-term tidal gauge,  
9313 or four feet in height on lakes((-);

9314 4. Be the minimum width necessary to provide protection against erosion from  
9315 waves, currents, and tidal action;

9316 ~~((E. Shoreline stabilization is))~~ 5. Be prohibited along feeder bluffs and critical  
9317 saltwater habitat, unless a geotechnical report demonstrates an imminent danger to a  
9318 legally established structure or public improvement. If allowed, shoreline stabilization  
9319 along feeder bluffs and critical saltwater habitat ((must)) shall be designed to have the  
9320 least impact on these resources and on sediment conveyance systems((-);

9321 ~~((F. Shoreline stabilization shall minimize the adverse impact on the property of~~  
9322 ~~others to the maximum extent practical.~~

9323 ~~G. Shoreline stabilization shall not))~~ 6. Not be used to create new lands((-);

9324 ~~((H. Shoreline stabilization shall not))~~ 7. Not interfere with surface or subsurface  
9325 drainage into the water body((-);

9326 ~~((I.))~~ 8. Not use creosote timbers, treated wood, ((A)) automobile bodies or other  
9327 ~~((junk or waste))~~ materials that may release ((undesirable)) toxic substances ((material  
9328 ~~shall not be used for shoreline stabilization.))~~;

9329 ~~((J. Shoreline stabilization shall be))~~ 9. Be designed so as not to constitute a  
9330 hazard to navigation and to not substantially interfere with visual access to the water((-);

9331 ~~((K. Shoreline stabilization shall be designed so as not to))~~ 10. Not create a need  
9332 for shoreline stabilization ((elsewhere.)) on adjacent or down-current properties; and

9333 ~~((L. Shoreline stabilization shall comply))~~ 11. Comply with the Marine Shoreline  
9334 Design Guidelines in marine waters (Washington state Department of Fish and Wildlife

9335 2014) or the Integrated Stream Protection Guidelines (Washington state departments of  
9336 Fish and Wildlife, Ecology, and Transportation, 2003) (~~and shall be designed to allow~~  
9337 for appropriate public access to the shoreline)) in fresh water.

9338 ~~((M.))~~ H. The department shall provide a notice to an applicant for new  
9339 development or redevelopment located within the shoreline jurisdiction on ~~((Vashon and~~  
9340 ~~Maury))~~ Vashon-Maury Island that the development may be impacted by sea level rise  
9341 and recommend that the applicant voluntarily consider setting the development back  
9342 further than required by this title to allow for future sea level rise.

9343 SECTION 193. Ordinance 16985, Section 47, as amended, and K.C.C.  
9344 21A.25.220 are hereby amended to read as follows:

9345 A. The shoreline dimensions table in subsections B. and C. of this section  
9346 establishes the shoreline standards within each of the shoreline environments. The  
9347 shoreline environment is located on the vertical column and the density and dimensions  
9348 standard is located on the horizontal row of the table. The table should be interpreted as  
9349 follows:

9350 1. If the cell is blank in the box at the intersection of the column and the row, the  
9351 standards are the same as for the underlying zoning.

9352 2. If the cell has a number in the box at the intersection of the column and the  
9353 row, that number is the density or dimension standard for that shoreline environment.

9354 3. If the cell has a parenthetical number in the box at the intersection of the  
9355 column and the row, that parenthetical number identifies specific conditions  
9356 ~~((immediately following the table))~~ in subsection C. of this section that ~~((are related))~~  
9357 apply to the density and dimension standard for that environment.

9358 B. The dimensions enumerated in this section apply within the shoreline  
 9359 jurisdiction. If there is a conflict between the dimension standards in this section and  
 9360 K.C.C. chapter 21A.12, the more restrictive shall apply.

9361 **Shoreline dimensions.**

	HIGH INTEN SITY	RESI DENT IAL	RUR AL	CONS ERVA NCY	RES OUR CE	FORE STRY	NATU RAL	AQU ATIC
<b>Standards</b>								
Base height	35 feet (1)	35 feet (1)	35 feet (1)	35 feet (1)	35 feet (1)	35 feet (1)	30 feet (1)	35 feet (1)
Maximum density ( <u>dwelling</u> units per acre)	6 (4)	6 (4)						
Minimum lot area			5 acres (2)	5 acres (2)	10 acres	80 acres	80 acres	
Minimum lot width		50 feet	100 feet	150 feet	150 feet	150 feet	330 feet	
Impervious surface				10% (3)				

9362 C. Development conditions.

9363           1. This height can be exceeded consistent with the base height for the zone only  
9364 if the structure will not obstruct the view of a substantial number of residences on areas  
9365 adjoining the shoreline or if overriding considerations of the public interest will be  
9366 served, and only for:

- 9367           a. agricultural buildings;
- 9368           b. water dependent uses and water related uses; and
- 9369           c. regional light rail transit support structures, but no more than is reasonably  
9370 necessary to address the engineering, operational, environmental issues at the location of  
9371 the structure;

9372           2. The minimum lot areas may be reduced as follows:

- 9373           a. to no less than 10,000 square feet or the minimum lot areas for the zone,  
9374 whichever is greater, through lot averaging; and
- 9375           b. when public access is provided and clustering is used, to no less than 8,000  
9376 square feet(( $\frac{7}{8}$ )) or the minimum lot area for the zone, whichever is greater((~~through~~  
9377 ~~cluster development, as provided in K.C.C. chapter 21A.14~~)).

9378           3. For lots created before the December 10, 2010, if achieving the ten percent  
9379 maximum impervious surface limit is not feasible, the amount of impervious surface shall  
9380 be limited to the maximum extent practical but not to exceed the amount of impervious  
9381 surface allowed under K.C.C. 21A.12.030 and 21A.12.040.

9382           4. Except for a mixed-use development, the density of the underlying zoning or  
9383 6 dwelling units per acre, whichever is lower. A mixed-use development may have the  
9384 density of the underlying zone.



9385            SECTION 194. Ordinance 13129, Section 2, as amended, and K.C.C.

9386            21A.27.010 are hereby amended to read as follows:

9387            A. When a new transmission support structure is proposed, a community meeting  
9388 shall be convened by the applicant (~~((prior to))~~) before submittal of an application.

9389            ~~((A-))~~ B. At least two weeks in advance, notice of the meeting shall be provided  
9390 as follows:

- 9391            1. Published in the local paper and mailed to the department, and
- 9392            2. Mailed notice shall be provided to all property owners within five hundred  
9393 feet or at least twenty of the nearest property owners, whichever is greater, as required by  
9394 K.C.C. 21A.26.170 of any potential sites, identified by the applicant for possible  
9395 development, to be discussed at the community meeting. When the proposed  
9396 transmission support structure exceeds a height of one hundred twenty feet, the mailed  
9397 notice shall be provided to all property owners within one thousand feet. The mailed  
9398 notice shall at a minimum contain a brief description and purpose of the project, the  
9399 estimated height, approximate location noted on an assessor map with address and parcel  
9400 number, a photo or sketch of the proposed facility, a statement that alternative sites  
9401 proposed by ~~((citizens))~~ the public can be presented at the meeting that will be considered  
9402 by the applicant, a contact name and telephone number to obtain additional information,  
9403 and other information deemed necessary by King County. Because the purpose of the  
9404 community meeting is to promote early discussion, applicants are encouraged to note any  
9405 changes to the conceptual information presented in the mailed notice when they submit  
9406 an application.

9407            ~~(B-)~~ C. At the community meeting at which at least one employee of the  
9408 department of local services, permitting division, assigned by the permitting division  
9409 manager or designee, shall be in attendance, the applicant shall provide information  
9410 relative to existing transmission support structures and other nonresidential structures,  
9411 such as water towers and electrical transmission lines, within one-quarter mile of  
9412 potential sites, and shall discuss reasons why those existing structures are unfeasible.  
9413 Furthermore, any alternative sites within one-quarter mile, identified by community  
9414 members and provided to the applicant in writing at least five days in advance of the  
9415 meeting, shall be evaluated by the applicant to the extent possible given the timeframe,  
9416 and discussed at the meeting. A listing of the sites, identified in writing and provided to  
9417 the applicant at or before the community meetings, shall be submitted to the department  
9418 with the proposed application. Applicants shall also provide a list of meeting attendees  
9419 and those receiving mailed notice and a record of the published meeting notice at the time  
9420 of application submittal.

9421            SECTION 195. Ordinance 13129, Section 11, as amended, and K.C.C.

9422 21A.27.110 are hereby amended to read as follows:

9423            A. The mounting of antenna upon existing structures, such as light and power  
9424 poles, located within publicly or privately maintained street, utility, and railroad rights-  
9425 of-way((s)) is permitted outright. If an existing structure within a street, utility, or  
9426 railroad rights-of-ways cannot accommodate an antenna due to structural deficiency or  
9427 does not have the height required to provide adequate signal coverage, the structure may  
9428 be replaced with a new structure that will serve the original purpose and will not exceed  
9429 the original height by forty feet. However, minor communication facilities within street,

9430 utility, and railroad right-of-way that propose the construction of a separate structure used  
9431 solely for antenna shall be subject to the zoning provisions applicable to the property  
9432 abutting the portion of right-of-way where the structure is proposed except that the  
9433 setbacks specified in the zoning code shall not apply. Setbacks shall be those specified in  
9434 the road design standards. In cases where the abutting property on either side of the  
9435 right-of-way has different zoning, the more restrictive zoning provisions shall apply.

9436 B. The placement of antenna on existing or replacement structures within street,  
9437 utility, or railroad rights-of-way is the preferred alternative in residential neighborhoods  
9438 and in the ((Rural Areas)) rural area and natural resource lands and the feasibility of such  
9439 placement shall be considered by the county whenever evaluating a proposal for a new  
9440 transmission support structure, except for a new structure that is proposed to collocate  
9441 antenna for two or more separate service providers.

9442 SECTION 196. Ordinance 10870, Section 512, as amended, and K.C.C.  
9443 21A.28.020 are hereby amended to read as follows:

9444 A. All new development proposals including any use, activity, or structure  
9445 allowed by K.C.C. chapter 21A.08 that requires King County approval shall be  
9446 adequately served by the following facilities and services ~~((prior to the time of))~~ before  
9447 occupancy, recording, or other land use approval, as further specified in this chapter:

- 9448 1. ~~((s))~~Sewage disposal;
- 9449 2. ~~((w))~~Water supply;
- 9450 3. ~~((s))~~Surface water management;
- 9451 4. ~~((r))~~Roads and access;
- 9452 5. ~~((f))~~Fire protection service; and

9453 6. ~~((s))~~Schools.

9454 B. All new development proposals for building permits, plats, short plats, ~~((urban~~  
9455 ~~planned developments, fully contained communities))~~ and binding site plans, that will be  
9456 served by a sewer or water district, shall include a certificate of water availability and a  
9457 certificate of sewer availability to demonstrate compliance with this chapter and other  
9458 provisions of the King County Code, the King County Comprehensive Plan, and the  
9459 Growth Management Act.

9460 C. Regardless of the number of sequential permits required, ~~((the provisions of))~~  
9461 this chapter shall be applied only once to any single development proposal. If changes  
9462 and modifications result in impacts not considered when the proposal was first approved,  
9463 the county shall consider the revised proposal as a new development proposal.

9464 SECTION 197. Ordinance 10870, Section 513, as amended, and K.C.C.  
9465 21A.28.030 are hereby amended to read as follows:

9466 All new development shall be served by an adequate public or private sewage  
9467 disposal system, including both collection and treatment facilities as follows:

9468 A. A public sewage disposal system is adequate for a development proposal  
9469 ~~((provided that))~~ only if:

9470 1. For the issuance of a building permit, preliminary plat or short plat approval,  
9471 or other land use approval, the applicant demonstrates that the site of the proposed  
9472 development is or can be served by an existing disposal system consistent with K.C.C.  
9473 Title 13, and the disposal system has been approved by the department as being  
9474 consistent with applicable state and local design and operating guidelines;

9475           2. For the issuance of a certificate of occupancy for a building or change of use  
9476 permit, the approved public sewage disposal system as ~~((set forth))~~ required in subsection  
9477 A.1. of this section is installed to serve each building or lot;

9478           3. For recording a final plat, final short plat, or binding site plan, the approved  
9479 public sewage disposal system ~~((set forth))~~ required in subsection A.1. of this section  
9480 shall be installed to serve each lot respectively~~((;))~~ or a bond or similar security shall be  
9481 deposited with King County for the future installation of an adequate sewage disposal  
9482 system. The bond may be assigned to a utility to assure the construction of the facilities  
9483 within two years of recording; and

9484           4. For a zone reclassification ~~((or urban planned development permit))~~, the  
9485 timing of installation of required sewerage improvements shall be contained in the  
9486 approving ordinance as specified in K.C.C. 20.22.250; and

9487           B. A private individual sewage system is adequate, if an on-site sewage disposal  
9488 system for each individual building or lot is installed to meet the requirements and  
9489 standards of ~~((the department of))~~ public health – Seattle & King County as to lot size,  
9490 soils, and system design ~~((prior to))~~ before issuance of a certificate of occupancy for a  
9491 building or change of use permit.

9492           NEW SECTION. SECTION 198. There is hereby added to K.C.C. chapter  
9493 21A.28 a new section to read as follows:

9494           Developments using a community on-site sewage system or large on-site sewage  
9495 system may be allowed only in the following circumstances in the rural area and natural  
9496 resource lands:

9497           A. Existing on-site systems are failing within an area and public health - Seattle  
9498 & King County concurs that long-term individual on-site sewage system repairs are not  
9499 feasible or water quality is threatened by the presence of or potential health hazards  
9500 resulting from inadequate on-site wastewater disposal methods;

9501           B. An authorized public agency will manage the system;

9502           C. The system is designed only to serve existing structures and lots.  
9503 Modifications to existing uses and lots shall not be allowed if the modification triggers an  
9504 expansion of sewage capacity above the original approval of the system.

9505           D. The system shall not be used to exceed base density for the zone, special  
9506 district overlays, or P-suffix conditions. Substandard vacant lots shall be combined to the  
9507 extent feasible to meet rural density policies and regulations;

9508           E. A system serving residentially developed lots cannot be used to:

9509               1. Expand existing nonresidential uses in size or scale;

9510               2. Establish new nonresidential uses; or

9511               3. Serve commercially zoned properties; and

9512           E. For a system serving commercially developed lots:

9513               1. The system is used only to serve commercially zoned properties;

9514               2. Property-specific development conditions are imposed that establish a range  
9515 of allowed uses that can be adequately served by the system at the time of its  
9516 construction; and

9517               3. The allowed uses are not more expansive than those allowed in the  
9518 underlying zone.

9519            SECTION 199. Ordinance 10870, Section 514, as amended, and K.C.C.  
9520 21A.28.040 are hereby amended to read as follows:

9521            All new development shall be served by an adequate public or private water  
9522 supply system as follows:

9523            A. A public water system is adequate for a development proposal only if:

9524            1. For the issuance of a building permit, preliminary plat or short plat approval,  
9525 or other land use approval, the applicant demonstrates that the site of the proposed  
9526 development is or can be served by an ((the)) existing water supply system ((available to  
9527 serve the site)) that:

9528            a. complies with the applicable planning, operating, and design requirements  
9529 of:

9530            (1) chapters WAC 246-290 and 246-291;

9531            (2) K.C.C. chapters 14.42 and 14.44 and K.C.C. Title 17;

9532            (3) coordinated water system plans;

9533            (4) K.C.C. Titles 12 and 13 and other applicable rules of the King County  
9534 board of health;

9535            (5) applicable rules of the Washington state Board of Health, Department of  
9536 Health, Utilities and Transportation Commission, and Department of Ecology;

9537            (6) applicable provisions of King County groundwater management plans and  
9538 watershed plans;

9539            (7) applicable provisions of the King County Comprehensive Plan and  
9540 development regulations; and

9541 (8) any limitation or condition imposed by the county-approved  
9542 comprehensive plan of the water purveyor;

9543 b. ~~((F))~~the proposed improvements to an existing water system have been  
9544 reviewed by the department and determined to comply with the design standards and  
9545 conditions specified in subsection A.1.a. of this section; and

9546 c. ~~((A))~~ a proposed new water supply system has been reviewed by the  
9547 department and determined to comply with the design standards and conditions specified  
9548 in subsection A.1.a. of this section;

9549 2. Before issuance of a certificate of occupancy for a building or change of use  
9550 permit, the approved public water system, and any system improvements required in  
9551 subsection A.1. of this section are installed to serve each building or lot respectively;

9552 3. For recording a final plat, final short plat, or binding site plan, either the  
9553 approved public water supply system or system improvements in required subsection  
9554 A.1. of this section ~~((are))~~ shall be installed to serve each lot or a bond or similar security  
9555 shall be deposited with King County and may be assigned to a purveyor to assure the  
9556 construction of required water facilities in Group A systems as defined by board of health  
9557 regulations, within two years of recording; and

9558 4. For a zone reclassification ~~((or urban planned development permit))~~, the  
9559 timing of installation of required water system improvements ~~((is included))~~ shall be  
9560 contained in the approving ordinance as specified in K.C.C. 20.22.250.

9561 B. An on-site individual water system is adequate and the plat or short plat may  
9562 receive preliminary and final approval, and a building or change of use permit may be  
9563 issued as provided in K.C.C. 13.24.138 and 13.24.140.



9564            SECTION 200. Ordinance 10870, Section 515, as amended, and K.C.C.

9565            21A.28.050 are hereby amended to read as follows:

9566            All new development shall be served by an adequate surface water management  
9567 system as follows:

9568            A. The proposed system is adequate if the development proposal site is served by  
9569 a surface water management system approved by the department as being consistent with  
9570 the design, operating, and procedural requirements of the King County Surface Water  
9571 Design Manual and K.C.C. Title 9;

9572            B. For a subdivision(~~(7)~~) or zone reclassification (~~(or urban planned~~  
9573 ~~development)~~), the phased installation of required surface water management  
9574 improvements shall be stated in the approving ordinance as specified in K.C.C.

9575            20.22.250. Such phasing may require that a bond or similar security be deposited with  
9576 King County; and

9577            C. A request for an adjustment of the requirements of the Surface Water Design  
9578 Manual and K.C.C. Title 9 shall be reviewed in accordance with K.C.C. 9.04.050 and  
9579 does not require a variance from this title unless relief is requested from a (~~(building~~  
9580 ~~height, setback, landscaping or other)~~) development standard in K.C.C. Title 21A  
9581 ~~((chapters 21A.12, 21A.14, 21A.16, 21A.18, 21A.20, 21A.22, 21A.24, 21A.26, 21A.28~~  
9582 ~~and 21A.30))~~.

9583            SECTION 201. Ordinance 10870, Section 523, as amended, and K.C.C.

9584            21A.28.130 are hereby amended to read as follows:

9585            All new development shall be served by adequate fire protection as follows:

9586 A. The site of the development proposed is served by a water supply system that  
9587 provides at least minimum fire flow and a road system or fire lane system that provides  
9588 life safety and rescue access, and other fire protection requirements for buildings as  
9589 required by K.C.C. Titles 16 and 17;

9590 B. For a zone reclassification (~~((or urban planned development))~~), the timing of  
9591 installation of required fire protection improvements shall be stated in the approving  
9592 ordinance as specified in K.C.C. 20.22.250, secured with a bond or similar security, and  
9593 deposited with King County; and

9594 C. A variance request from the requirements established by K.C.C. Title 17, Fire  
9595 Code, shall be reviewed in accordance with K.C.C. 17.08.090 or chapter 1 of the  
9596 currently adopted edition of the International Fire Code and does not require a variance  
9597 from this title unless relief is requested from a building height, setback, landscaping, or  
9598 other development standard in K.C.C. chapters 21A.12 through 21A.30.

9599 SECTION 202. Ordinance 10870, Section 524, as amended, and K.C.C.  
9600 21A.28.140 are hereby amended to read as follows:

9601 A. The school concurrency standard set out in (~~(Section))~~ K.C.C. 21A.28.160  
9602 shall apply to applications for preliminary plats (~~((or Urban Planned Development (UPD)~~  
9603 ~~approval))~~), (~~((mobile))~~ manufactured home (~~((parks))~~ communities, (~~((requests for~~  
9604 ~~multifamily zoning,))~~) and building permits for (~~((multifamily))~~ multiunit housing projects  
9605 (~~((which))~~ that have not been previously evaluated for compliance with the concurrency  
9606 standard.

9607 B. The county's finding of concurrency shall be made at the time of preliminary  
9608 plat (~~((or UPD))~~ or binding site plan approval(~~(, at the time that a request to actualize~~

9609 potential multifamily zoning is approved, at the time a mobile home park site plan is  
9610 approved,) or ((prior to)) before building permit issuance for ((multifamily)) multiunit  
9611 housing projects ((which)) that have not been previously established for compliance with  
9612 the concurrency standard. ((Once such a finding has been made, the development shall  
9613 be considered as vested for purposes of the concurrency determination.))

9614 C. Excluded from the application of the concurrency standard are:

9615 1. ((b))Building permits for individual single ((family dwellings)) detached  
9616 residences;

9617 2. ((any form of housing exclusively for senior citizens, including nursing  
9618 homes and retirement centers)) Senior assisted housing;

9619 3. ((shelters for temporary placement, relocation facilities and transitional  
9620 housing facilities.)) Uses identified in K.C.C. 21A.08.xxx (the new section created by  
9621 section 148 of this ordinance);

9622 4. Replacement, reconstruction, or remodeling of existing dwelling units;

9623 5. Short subdivisions; and

9624 6. ((Building permits for residential units in preliminary planned unit  
9625 developments which were under consideration by King County on January 22, 1991;

9626 7. Building permits for residential units in recorded planned unit developments  
9627 approved pursuant to K.C.C. Title 21 that have not yet expired per K.C.C. 21.56.060;

9628 8. Building permits applied for by December 31, 1993, related to rezone  
9629 applications to actualize potential zoning which were under consideration by King  
9630 County on January 22, 1991;

9631           9. ~~Building permits applied for by December 31, 1993, related to residential~~  
9632 ~~development proposals for site plan review to fulfill P-Suffix requirements of multifamily~~  
9633 ~~zoning which were under consideration by King County on January 22, 1991; and~~

9634           10.) Any residential building permit for any development proposal for which a  
9635 concurrency determination has already been made ~~((pursuant to the terms of))~~ in  
9636 accordance with K.C.C. Title 21A.

9637           D. All of the development activities ~~((which))~~ that are excluded from the  
9638 application of the concurrency standard are subject to school impact fees imposed  
9639 ~~((pursuant to))~~ under K.C.C. Title 27.

9640           E. The assessment and payment of impact fees are governed by and shall be  
9641 subject to the provisions in K.C.C. Title 27 addressing school impact fees.

9642           F. A ~~((certification))~~ finding of concurrency for a school district shall not  
9643 preclude the county from collecting impact fees for the district. Impact fees may be  
9644 assessed and collected as long as the fees are used to fund capital and system  
9645 improvements needed to serve the new development, and as long as the use of such fees  
9646 is consistent with ~~((the requirements of C))~~ chapter 82.02 RCW and this chapter.

9647 ~~((Pursuant to))~~ In accordance with ((C))chapter 82.02 RCW, impact fees may also be  
9648 used to recoup capital and system improvement costs previously incurred by a school  
9649 district to the extent that new growth and development will be served by the previously  
9650 constructed improvements or incurred costs.

9651           SECTION 203. K.C.C. 21A.28.160, as amended by this ordinance, is hereby  
9652 recodified as a new section in K.C.C. chapter 21A.28 to follow K.C.C. 21A.28.140.

9653            SECTION 204. Ordinance 10870, Section 526, as amended, and K.C.C.

9654            21A.28.160 are hereby amended to read as follows:

9655            A. Schools shall be considered to have been provided concurrently with the  
9656            development (~~(which)~~) that will impact the schools if:

9657            1. The permanent and interim improvements necessary to serve the development  
9658            are planned to be in place at the time the impacts of development are expected to occur;

9659            or

9660            2. The necessary financial commitments are in place to assure the completion of  
9661            the needed improvements to meet the school district's standard of service within ~~((3))~~  
9662            three years of the time that the impacts of development are expected to occur. Necessary  
9663            improvements are those facilities identified by the school district in its capital facilities  
9664            plan as reviewed and adopted by King County.

9665            B. Any combination of the following shall constitute the "necessary financial  
9666            commitments" for the purposes of subsection A~~((-))~~ of this section:

9667            1. The school district either has received voter approval of ~~((and/))~~ a bond or has  
9668            bonding authority, or both;

9669            2. The school district has received approval for federal, state, or other ~~((funds))~~  
9670            monies;

9671            3. The school district has received a secured commitment from a developer that  
9672            the developer will construct the needed permanent school facility, and the school district  
9673            has found such a facility to be acceptable and consistent with its capital facilities plan;

9674            ~~((and/))~~or

9675 4. The school district has other assured funding, including, but not limited to  
9676 school impact fees (~~((which))~~) that have been paid.

9677 C. Compliance with (~~((this))~~) the concurrency requirement of this section shall be  
9678 sufficient to satisfy (~~((the provisions of))~~) RCW 58.17.060 and (~~((RCW))~~) 58.17.110.

9679 SECTION 205. K.C.C. 21A.28.150, as amended by this ordinance, is hereby  
9680 recodified as a new section in K.C.C. chapter 21A.28 to follow K.C.C. 21A.28.160, as  
9681 recodified by this ordinance.

9682 SECTION 206. Ordinance 10870, Section 525, as amended, and K.C.C.  
9683 21A.28.150 are hereby amended to read as follows:

9684 A. In making a threshold determination (~~((pursuant to))~~) in accordance with SEPA,  
9685 either the director (~~((and/))~~) or the hearing examiner, or both, in the course of reviewing  
9686 proposals for residential development including applications for plats (~~((or UPD's))~~),  
9687 (~~((mobile))~~) manufactured home (~~((parks))~~) communities, (~~((or multi-family zoning))~~) binding  
9688 site plans, and (~~((multifamily))~~) multiunit building permits, shall consider the school  
9689 district's capital facilities plan as adopted by the council.

9690 B. Documentation (~~((which))~~) that the school district is required to submit  
9691 (~~((pursuant to section))~~) under K.C.C. 21A.28.152 or K.C.C. Title 20((-)) shall be  
9692 incorporated into the record in every case without requiring the school district to offer  
9693 such plans and data into the record. The school district is also authorized to present  
9694 testimony and documents demonstrating a lack of concurrency in the school district and  
9695 the inability of the school district to accommodate the students to be generated by a  
9696 specific development.

9697 C. Based upon a finding that the impacts generated by the plat, ~~((the UPD,))~~  
9698 ~~((mobile))~~ manufactured home ~~((park))~~ communities, or the ~~((multi-family))~~ multiunit  
9699 development were generally not anticipated at the time of the last council review and  
9700 approval of a school district capital plan and were not included in the school district's  
9701 long-range forecast, the director may require or recommend phasing or provision of the  
9702 needed facilities and~~((/or))~~ sites as appropriate to address the deficiency or deny or  
9703 condition approval, consistent with ~~((the provisions of))~~ this chapter, the State  
9704 Subdivision Act, and ~~((the State Environmental Policy Act))~~ SEPA.

9705 D. Determinations of the examiner or director regarding concurrency can be  
9706 appealed only ~~((pursuant to))~~ in accordance with the provisions for appeal of the  
9707 development permit process for which the determination has been made. Where no other  
9708 administrative appeal process is available, an appeal may be taken to the hearing  
9709 examiner using the appeal procedures for variances. Any errors in the formula identified  
9710 as a result of an appeal should be referred to the council for possible modifications.

9711 E. Where the council has not adopted an impact fee ordinance for a particular  
9712 school district, ~~((the language of))~~ this section shall not affect the authority or duties of  
9713 the examiner or the director ~~((pursuant to the State Environmental Policy Act))~~ under  
9714 SEPA or the State Subdivision Act.

9715 SECTION 207. Ordinance 11621, Section 89, and K.C.C. 21A.28.152 are hereby  
9716 amended to read as follows:

9717 A. On an annual basis, each school district shall electronically submit the  
9718 following materials to the chair of the ~~((S))~~ school ~~((T))~~ technical ~~((R))~~ review  
9719 ~~((C))~~ committee created ~~((pursuant to section))~~ in accordance with K.C.C. 21A.28.154:

9720 1. The school district's capital facilities plan adopted by the school board  
9721 ~~((which))~~ that is consistent with the Growth Management Act((-));

9722 2. The school district's enrollment projections over the next six ~~((6))~~ years, its  
9723 current enrollment, and ~~((the district's enrollment projections and))~~ actual enrollment  
9724 from the previous year((-);

9725 3. The school district's standard of service((-), which may include criteria such  
9726 as class size, student-teacher ratios, sports field sizes, building requirements, or other  
9727 criteria established by state statute or school district policy;

9728 4. An inventory and evaluation of school district facilities ~~((which))~~ that address  
9729 the school district's standard of service((-); and

9730 5. The school district's overall capacity over the next six ~~((6))~~ years, which  
9731 shall be a function of the school district's standard of service as measured by the number  
9732 of students ~~((which))~~ that can be housed in school district facilities.

9733 B. To the extent that the school district's standard of service reveals a deficiency  
9734 in its current facilities, the school district's capital facilities plan ~~((must))~~ shall  
9735 demonstrate a plan for achieving the standard of service, and ~~((must))~~ shall identify the  
9736 sources of funding for building or acquiring the necessary facilities to meet the standard  
9737 of service.

9738 C. Facilities to meet future demand shall be designed to meet the adopted  
9739 standards of service. If sufficient funding is not projected to be available to fully fund a  
9740 school district capital facilities plan ~~((which))~~ that meets the standard of service, the  
9741 school district's capital plan should document the reason for the funding gap.



9742 D. In accordance with RCW 82.02.070, ((F))if an impact fee ordinance has been  
9743 adopted on behalf of a school district, the King County finance and business operations  
9744 division, or successor agency, shall send the chair of the committee a report showing the  
9745 source and amount of all fees collected, interest earned on behalf of each school district,  
9746 the amount of funds distributed to each school district, and the system improvements that  
9747 were financed in whole or in part by impact fees and the amount of funds expended as  
9748 reported by the school district. The chair of the committee shall provide a copy of each  
9749 report to the respective school district.

9750 E. Each school district shall ((also submit an annual)) annually report on their use  
9751 of funds to the ((School Technical Review)) chair of the ((C))committee showing the  
9752 capital improvements ((which)) that were financed in whole or in part by the impact fees.  
9753 The chair of the committee shall use the information to confirm expenditures with the  
9754 department of executive services, finance and business operations division, and to verify  
9755 compliance with RCW 82.02.070.

9756 SECTION 208. Ordinance 11621, Section 90, as amended, and K.C.C.  
9757 21A.28.154 are hereby amended to read as follows:

9758 A. There is hereby created ((a)) the school technical review committee ((within  
9759 King County. The committee shall consist of three county staff persons,)) consisting of  
9760 the following representatives:

9761 1. ((o))One ((each)) from the department of local services((s));

9762 2. One from the regional planning unit of the office of performance, strategy,  
9763 and budget; and

9764 3. One from the county council staff, as an ex officio member.

9765 B. The representative from the department of local services shall serve as the  
9766 chair of the committee.

9767 C. The committee shall be charged with reviewing each school district's capital  
9768 facilities plan~~((;))~~; enrollment projections~~((;))~~; standard of service~~((, the district's))~~;  
9769 overall capacity for the next six years to ensure consistency with the Growth  
9770 Management Act, King County Comprehensive Plan, and adopted ~~((community))~~ subarea  
9771 plans~~((;))~~; and ~~((the district's))~~ calculation and rationale for proposed impact fees.

9772 ~~((C. Notice of the time and place of the committee meeting where the district's~~  
9773 ~~documents will be considered shall be provided to the district.))~~

9774 D. Committee meetings shall be open to the public. The chair of the committee  
9775 shall post online public notice of the time and place of a committee meeting least two  
9776 weeks in advance of the meeting. Materials submitted under K.C.C. 21A.28.152.A. shall  
9777 be posted online at the same time as the meeting notice.

9778 E. At the meeting where the committee will review or act upon the school  
9779 district's documents, ~~((the))~~ school district representatives ~~((shall have the right to))~~ may

9780 attend ~~((or to be represented, and shall be permitted to))~~ and present testimony to the  
9781 committee. ~~((Meetings shall also be open to the public.~~

9782 ~~E.))~~ E. In its review, the committee shall consider the following factors:

9783 1. Whether the school district's forecasting system for enrollment projections  
9784 has been demonstrated to be reliable and reasonable~~((;))~~;

9785 2. The historic levels of funding and voter support for bond issues in the school  
9786 district;

9787           3. The inability of the school district to obtain the anticipated state funding or to  
9788 receive voter approval for school district bond issues;

9789           4. An emergency or emergencies in the school district (~~((which))~~) that required  
9790 the closing of a school facility or facilities resulting in a sudden and unanticipated decline  
9791 in districtwide capacity; (~~((and))~~)

9792           5. The standards of service set by school districts in similar types of  
9793 communities. While community differences will be (~~((permitted))~~) allowed, the standard  
9794 established by the school district should be reasonably consistent with the standards set  
9795 by other school districts in communities of similar socioeconomic profile; and

9796           6. The standards identified by the state concerning the ratios of certificated  
9797 instructional staff to students.

9798           ~~((F-))~~ G. In the event that the school district's standard of service reveals a  
9799 deficiency in its current facilities, the committee shall review the school district's capital  
9800 facilities plan to determine whether the school district has identified all sources of  
9801 funding necessary to achieve the standard of service.

9802           ~~((G-))~~ H. The school district in developing the financing plan component of the  
9803 capital facilities plan shall plan on a six-year horizon and shall (~~((demonstrate its best  
9804 efforts by taking))~~) document that it took the following steps:

9805           1. Establish a six-year financing plan, and propose the necessary bond issues  
9806 and levies required by and consistent with that plan and as approved by the school board  
9807 and consistent with RCW 28A.53.020, 84.52.052 and 84.52.056, as amended; and

9808           2. Apply to the state for funding, and comply with the state requirement for  
9809 eligibility to the best of the school district's ability.

9810           ~~((H.))~~ I. The committee ~~((is authorized to))~~ may request ~~((the))~~ that a school  
9811 district ~~((to))~~ review and ~~((to))~~ resubmit its capital facilities plan, ~~((or to))~~ establish a  
9812 different standard of service, or ~~((to))~~ review its capacity for accommodating new  
9813 students, or any combination thereof, under any of the following circumstances:

9814           1. The standard of service established by the school district is not reasonable in  
9815 light of the factors ~~((set forth))~~ in subsection ~~((E.))~~ F. of this section~~((:))~~;

9816           2. The committee finds that the school district's standard of service cannot  
9817 reasonably be achieved in light of the secured financial commitments and the historic  
9818 levels of support in the school district; or

9819           3. Any other basis that is consistent with this section.

9820           ~~((F.))~~ J. If a school district fails to submit its capital facilities plan for review by  
9821 the committee, King County shall assume the school district has adequate capacity to  
9822 accommodate growth for the following six years.

9823           ~~((J.))~~ K. The chair of the committee shall document the outcome of the  
9824 committee meeting each school district's capital facility plan and associated proposed  
9825 impact fees in a report. The report shall include analysis consistent with subsections E.  
9826 through I. of this section. The chair of ~~((F))~~ the committee shall submit copies of its  
9827 ~~((recommendation of concurrency for each school district))~~ report to the director, ((to  
9828 ~~the))~~ hearing examiner, and ((to the)) school districts and shall post the report online.

9829           ~~((K.))~~ L. In accordance with K.C.C. 20.18.060 and 20.18.070 and based on  
9830 committee input, ((F))the chair of the committee shall recommend to the executive, and  
9831 the executive shall transmit to the council, a proposed Comprehensive Plan amendment  
9832 adopting the school district's capital facilities plan as part of the Comprehensive Plan, for

9833 any plan (~~which~~) that the committee concludes accurately reflects the school district's  
9834 facilities status. The transmittal shall include the report required by subsection K. of this  
9835 section.

9836 ~~((L.))~~ M. In the event that after reviewing ~~((the))~~ a school district's capital  
9837 facilities plan and other documents, the committee is unable to recommend ~~((certifying~~  
9838 ~~concurrency in a))~~ adoption of the school district's capital facilities plan, the chair of the  
9839 committee shall submit a statement to the council, ~~((the))~~ director, ~~((and the))~~ hearing  
9840 examiner, and school district stating ~~((that))~~ the committee's ~~((is unable to recommend~~  
9841 ~~certifying concurrency in a specific school district))~~ findings. The committee shall then  
9842 recommend to the executive ~~((that)), and~~ the executive ~~((propose))~~ shall transmit to the  
9843 council consistent with the school capital facility plan timelines established in K.C.C.  
9844 20.18.060 and 20.18.070, either proposed amendments to the land use element of the  
9845 King County Comprehensive Plan or proposed amendments to the development  
9846 regulations implementing the plan, or both, to more closely conform county land use  
9847 plans and school district capital facilities plans, including, but not limited to, requiring  
9848 mandatory phasing of plats~~((, UPDs))~~ or ~~((multifamily))~~ multiunit development located  
9849 within the school district's boundary. ~~((The necessary draft amendments shall~~  
9850 ~~accompany such recommendations.))~~

9851 SECTION 209. Ordinance 11621, Section 91, as amended, and K.C.C.  
9852 21A.28.156 are hereby amended to read as follows:

9853 A. On at least an annual basis in accordance with K.C.C. 20.18.060 and  
9854 20.18.070, the King County council shall ~~((certify))~~ adopt the school district's capital  
9855 facility plans. ~~((The review may occur in conjunction with any update of the Facilities~~

9856 ~~and Services chapter of the King County Comprehensive Plan proposed by the school~~  
9857 ~~technical review committee.))~~

9858 B. The council shall review and consider any proposal or proposals submitted by  
9859 the school technical review committee for amending the land use policies of the King  
9860 County Comprehensive Plan, or the development regulations implementing the plan,  
9861 including but not limited to requiring mandatory phasing of plats(~~(, UPDs)~~) or  
9862 ~~((multifamily))~~ multiunit development when the committee is unable to recommend ~~((a~~  
9863 ~~certification of concurrency in))~~ adoption for a specific school district in accordance with  
9864 K.C.C. 21A.28.154. Any proposed amendments to the ~~((e))~~Comprehensive ~~((p))~~Plan or  
9865 development regulations shall be subject to the public hearing and other procedural  
9866 requirements set out in K.C.C. Title 20 ~~((or 21A, as applicable))~~.

9867 C. The council may ~~((require the committee to submit proposed amendments or~~  
9868 ~~may itself))~~ initiate amendments to the land use policies of the King County  
9869 Comprehensive Plan, or amendments to the development regulations implementing the  
9870 plan, to more closely conform county land use plans and school district capital facilities  
9871 plans.

9872 SECTION 210. Ordinance 10870, Section 530, as amended, and K.C.C.

9873 21A.30.020 are hereby amended to read as follows:

9874 The raising, keeping, breeding, or boarding of small animals are subject to K.C.C.  
9875 chapter 11.04, King County ~~((B))~~board of ~~((H))~~health ~~((C))~~code chapter 8.03 and the  
9876 following requirements:

9877 A.1. Small animals that are kept as household pets in a dwelling unit in  
9878 aquariums, terrariums, cages, or similar containers shall not be limited in number, except

9879 as otherwise provided in King County ~~(B)~~board of ~~(H)~~health ~~(C)~~code chapter 8.03  
9880 or K.C.C. Title 11.

9881 2. Except as otherwise allowed for a facility licensed under King County  
9882 ~~(B)~~board of ~~(H)~~health ~~(C)~~code chapter 8.03 or K.C.C. chapter 11.04, other small  
9883 animals, excluding altered cats, kept as household pets in a dwelling unit shall be limited  
9884 to five.

9885 3. Altered cats kept as household pets in a dwelling unit shall not be limited in  
9886 numbers.

9887 B.1. Except as otherwise provided in subsection E. of this section, the number  
9888 of small animals kept outside a dwelling unit shall be limited as follows:

9889 a. for poultry, chicken, and squab, ten animals per lot on sites less than thirty-  
9890 five thousand square feet, with one additional animal allowed per additional half acre, up  
9891 to a maximum of twenty animals. Roosters are not allowed in the urban area.

9892 b. for all other small animals:

9893 (1) on sites of less than twenty thousand square feet, three per dwelling unit;

9894 ~~(b-)~~(2) on sites of between twenty thousand and thirty-five thousand square  
9895 feet, five per dwelling unit; and

9896 ~~(e-)~~(3) on sites greater than thirty-five thousand square feet, one additional  
9897 small animal per dwelling unit for each one-half acre of site area over thirty-five  
9898 thousand square feet up to a maximum of twenty.

9899 2. Unaltered animals kept outdoors ~~(must)~~ shall be kept on a leash or in a  
9900 confined area, except as otherwise allowed under K.C.C. chapter 11.04 for a hobby

9901 kennel, hobby cattery or under King County ((B))board of ((H))health ((C))code chapter  
9902 8.03 for a commercial kennel or commercial cattery.

9903 C. Unless otherwise allowed for a facility licensed under King County ((B))board  
9904 of ((H))health ((C))code chapter 8.03 or K.C.C. chapter 11.04, the total number of  
9905 unaltered adult cats and dogs per dwelling unit shall not exceed three.

9906 D. Small animals considered to be household pets shall be treated as other small  
9907 animals under subsection E. of this section when they are kept for breeding, boarding or  
9908 training.

9909 E. Small animals kept outside the dwelling unit for breeding, boarding or training  
9910 as an accessory use of a resident the dwelling unit are allowed, subject to the following  
9911 limitations:

9912 1. Birds shall be kept in an aviary or loft that meets the following standards:

9913 a. The aviary or loft shall provide one-half square foot for each parakeet,  
9914 canary or similarly sized birds, one square foot for each pigeon, small parrot or similarly  
9915 sized bird and two square feet for each large parrot, macaw, or similarly sized bird;

9916 b. Aviaries or lofts shall not exceed two thousand square feet, provided this  
9917 limit shall not apply in rural, forestry or agricultural zones; and

9918 c. The aviary is set back at least ten feet from any property line, and twenty  
9919 feet from any dwelling unit.

9920 2. Small animals other than birds shall be kept according to the following  
9921 standards:

9922 a. The minimum site area shall be one-half acre if more than three small  
9923 animals are being kept;



9924           b. All animals shall be confined within a building, pen, aviary, or similar  
9925 structure;

9926           c. Any covered structure used to house or contain such animals shall maintain  
9927 a distance of not less than ten feet to any property line, except structures used to house  
9928 mink and fox shall be a distance of not less than one hundred fifty feet.

9929           d. Poultry, chicken, squab, and rabbits are limited to a maximum of one animal  
9930 per one square foot of structure used to house such animals, up to a maximum of two  
9931 thousand square feet. This maximum structure size limit shall not apply in (~~rural area,~~  
9932 ~~forestry, or agricultural~~) RA, F, or A zones;

9933           e. Hamsters, nutria, and chinchilla are limited to a maximum of one animal per  
9934 square foot of structure used to house such animals, up to a maximum of two thousand  
9935 square feet(~~(;)~~). This maximum structure size limit shall not apply in (~~rural, forestry or~~  
9936 ~~agricultural~~) the RA, F, and A zones.

9937           f. Mink and fox are (~~permitted~~) allowed only on sites having a minimum area  
9938 of five acres.

9939           g. Beekeeping is limited as follows:

9940           (1) Beehives are limited to fifty on sites less than five acres;

9941           (2) The number of beehives shall not be limited on sites of five acres or  
9942 greater;

9943           (3) Colonies shall be maintained in movable-frame hives at all times;

9944           (4) Adequate space shall be provided in each hive to prevent overcrowding  
9945 and swarming;

9946 (5) Colonies shall be requeened following any swarming or aggressive  
9947 behavior;

9948 (6) All colonies shall be registered with the county extension agent before  
9949 April 1 of each year, on a state registration form acceptable to the county; and

9950 (7) Abandoned colonies, diseased bees, or bees living in trees, buildings, or  
9951 any other space except in movable-frame hives shall constitute a public nuisance, and  
9952 shall be abated as set forth in K.C.C. chapter 21A.50;

9953 3. Hobby kennels and hobby catteries are subject to the following requirements:

9954 a. For hobby kennels located on (~~resource rural area or residential~~) A, F, M,  
9955 RA, UR, or R zoned sites:

9956 (1) The minimum site area shall be five acres; and

9957 (2) Structures housing animals and outdoor animal runs shall be a minimum  
9958 distance of one hundred feet from property lines abutting (~~the resource, rural area or~~  
9959 ~~residential~~) A, F, M, RA, UR, or R zones;

9960 b. For hobby kennels located on nonresidential zoned sites, run areas shall be  
9961 completely surrounded by an eight foot solid wall or fence, and be subject to the  
9962 requirements in K.C.C. 11.04.060; and

9963 c. Hobby catteries shall be on sites of thirty-five thousand square feet or more,  
9964 and buildings used to house cats shall be a minimum distance of fifty feet from property  
9965 lines abutting the (~~rural area zone or residential~~) RA, UR, or R zones.

9966 F. Commercial kennels and commercial catteries are subject to the following  
9967 requirements:

9968 1. For commercial kennels located on ~~((the resource, rural area or residential))~~

9969 A, F, M, RA, UR, or R zoned sites:

9970 a. The minimum site area shall be five acres; and

9971 b. Structures housing animals and outdoor animal runs shall be a minimum  
9972 distance of one hundred feet from property lines abutting the resource, rural area or  
9973 residential zones;

9974 2. For commercial kennels located on nonresidential zoned sites, run areas shall  
9975 be completely surrounded by an eight foot solid wall or fence, and be subject to the  
9976 requirements in King County ~~((B))~~board of ~~((H))~~health ~~((C))~~code chapter 8.03; and

9977 3. Commercial catteries shall be on sites of thirty-five thousand square feet or  
9978 more, and buildings used to house cats shall be a minimum distance of fifty feet from  
9979 property lines abutting ~~((the rural area zone or residential))~~ RA, UR, or R zones.

9980 SECTION 211. Ordinance 11168, Section 14, as amended, and K.C.C.

9981 21A.30.075 are hereby amended to read as follows:

9982 In order to ensure that livestock standards and management plans are customized  
9983 as much as possible to the stream conditions in each of the various streams, the King  
9984 County agriculture commission will, in cooperation with ~~((the Washington State  
9985 Department of Fisheries and))~~ the Muckleshoot Indian Tribe, the Snoqualmie Indian  
9986 Tribe, ~~((and))~~ other affected Indian tribes, and the Washington State Department of  
9987 Fisheries, establish a livestock interdisciplinary team consisting of three members, with  
9988 expertise in fisheries, water quality, and animal husbandry, to make specific  
9989 recommendations to the Conservation District and livestock owners adjacent to the  
9990 streams with regard to buffer needs throughout the parts of each stream which have

9991 livestock operations adjoining such streams. The team shall take into account ~~((the~~  
9992 ~~recommendations of the adopted Basin Plans and))~~ WRIA recommendations~~((;))~~ and  
9993 shall work with the department of natural resources and parks to develop the  
9994 recommendations. The findings of the interdisciplinary team shall be reported to the  
9995 King County agriculture commission, which shall assist in the dissemination of the  
9996 recommendations to owners in the basin. The team shall work initially on those stream  
9997 systems in which specific problems have been identified and are believed to be livestock  
9998 related.

9999 SECTION 212. Ordinance 10870, Section 536, as amended, and K.C.C.

10000 21A.30.080 are hereby amended to read as follows:

10001 In the R, UR, NB, CB<sub>2</sub> and RB zones, residents of a dwelling unit may conduct  
10002 one or more home occupations as accessory activities, ~~((only if))~~ as follows:

10003 A. The total floor area of the dwelling unit devoted to all home occupations shall  
10004 not exceed twenty percent of the floor area of the dwelling unit~~((;))~~;

10005 B. Areas within garages and storage buildings shall not be considered part of the  
10006 dwelling unit and may be used for activities associated with the home occupation;

10007 C. All the activities of the home occupation or occupations shall be conducted  
10008 indoors, except for those related to growing or storing of plants used by the home  
10009 occupation or occupations;

10010 D. A home occupation or occupations is not limited in the number of employees  
10011 that remain off-site. No more than one nonresident employee shall be ~~((permitted))~~  
10012 allowed to work on-site for the home occupation or occupations;

10013 E. The following uses, by the nature of their operation or investment, tend to  
10014 increase beyond the limits (~~(permitted))~~ allowed for home occupations. Therefore, the  
10015 following shall not be (~~(permitted))~~ allowed as home occupations:

- 10016 1. Automobile, truck, and heavy equipment repair;
- 10017 2. Auto body work or painting;
- 10018 3. Parking and storage of heavy equipment;
- 10019 4. Storage of building materials for use on other properties;
- 10020 5. Hotels, motels, or organizational lodging;
- 10021 6. Dry cleaning;
- 10022 7. Towing services;
- 10023 8. Trucking, storage, or self service, except for parking or storage of one  
10024 commercial vehicle used in home occupation;
- 10025 9. Veterinary clinic;
- 10026 10. Recreational (~~(marijuana))~~ cannabis processor, recreational (~~(marijuana))~~  
10027 cannabis producer, or recreational (~~(marijuana))~~ cannabis retailer; and
- 10028 11. Winery, brewery, distillery facility I, II and III, and remote tasting room,  
10029 except that home occupation adult beverage businesses operating under an active  
10030 Washington state Liquor and Cannabis Board production license issued for their current  
10031 location before December 31, 2019, and where King County did not object to the location  
10032 during the Washington state Liquor and Cannabis Board license application process, shall  
10033 be considered legally nonconforming and allowed to remain in their current location  
10034 subject to K.C.C. 21A.32.020 through 21A.32.075 if the use is in compliance with this  
10035 section as of December 31, 2019. Such nonconforming businesses shall remain subject

10036 to all other requirements of this section and other applicable state and local regulations.

10037 The resident operator of a nonconforming winery, brewery or distillery home occupation

10038 shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.74;

10039 F. In addition to required parking for the dwelling unit, on-site parking is

10040 provided as follows:

10041 1. One stall for each nonresident employed by the home occupations; and

10042 2. One stall for patrons when services are rendered on-site;

10043 G. Sales are limited to:

10044 1. Mail order sales;

10045 2. Telephone, Internet, or other electronic commerce sales with off-site delivery;

10046 and

10047 3. Items accessory to a service provided to patrons who receive services on the

10048 premises;

10049 H. On-site services to patrons are arranged by appointment;

10050 I. The home occupation or occupations use or store a vehicle for pickup of

10051 materials used by the home occupation or occupations or the distribution of products

10052 from the site, only if:

10053 1. No more than one such a vehicle is allowed; and

10054 2. The vehicle is not stored within any required setback areas of the lot or on

10055 adjacent streets; and

10056 3. The vehicle does not exceed an equivalent licensed gross vehicle weight of

10057 one ton;

10058 J. The home occupation or occupations do not:

10059           1. Use electrical or mechanical equipment that results in a change to the  
10060 occupancy type of the structure or structures used for the home occupation or  
10061 occupations; or

10062           2. Cause visual or audible interference in radio or television receivers, or  
10063 electronic equipment located off-premises or fluctuations in line voltage off-premises;

10064           K. There shall be no exterior evidence of a home occupation, other than growing  
10065 or storing of plants under subsection C. of this section or an ~~an~~ ~~(permitted)~~ allowed sign,  
10066 that would cause the premises to differ from its residential character. Exterior evidence  
10067 includes, but is not limited to, lighting~~(s)~~ and the generation or emission of noise,  
10068 fumes, or vibrations as determined by using normal senses from any lot line or on  
10069 average increase vehicular traffic by more than four additional vehicles at any given time;

10070           L. Customer visits and deliveries shall be limited to ~~((the hours of))~~ 8:00 a.m. to  
10071 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends; and

10072           M. Uses not allowed as home occupations may be allowed as a home industry  
10073 under K.C.C. 21A.30.090.

10074           SECTION 213. Ordinance 15606, Section 20, as amended, and K.C.C.  
10075 21A.30.085 are hereby amended to read as follows:

10076           In the A, F<sub>1</sub> and RA zones, residents of a dwelling unit may conduct one or more  
10077 home occupations as accessory activities, ~~((under the following provisions))~~ as follows:

10078           A. The total floor area of the dwelling unit devoted to all home occupations shall  
10079 not exceed twenty percent of the dwelling unit~~((s))~~;

10080           B. Areas within garages and storage buildings shall not be considered part of the  
10081 dwelling unit and may be used for activities associated with the home occupation;

- 10082 C. Total outdoor area of all home occupations shall be ~~((permitted))~~ as follows:
- 10083 1. For any lot less than one acre: Four hundred forty square feet; and
- 10084 2. For lots one acre or greater: One percent of the area of the lot, up to a
- 10085 maximum of five thousand square feet~~((-))~~;
- 10086 D. Outdoor storage areas and parking areas related to home occupations shall be:
- 10087 1. No less than twenty-five feet from any property line; and
- 10088 2. Screened along the portions of such areas that can be seen from an adjacent
- 10089 parcel or roadway by the:
- 10090 a. planting of Type II landscape buffering; or
- 10091 b. use of existing vegetation that meets or can be augmented with additional
- 10092 plantings to meet the intent of Type II landscaping;
- 10093 E. A home occupation or occupations is not limited in the number of employees
- 10094 that remain off-site. Regardless of the number of home occupations, the number of
- 10095 nonresident employees is limited to no more than three who work on-site at the same
- 10096 time ~~((and no more than three who report to the site but primarily provide services off-~~
- 10097 ~~site))~~);
- 10098 F. In addition to required parking for the dwelling unit, on-site parking is
- 10099 provided as follows:
- 10100 1. One stall for each nonresident employed on-site; and
- 10101 2. One stall for patrons when services are rendered on-site;
- 10102 G. Sales are limited to:
- 10103 1. Mail order sales;
- 10104 2. Telephone, Internet, or other electronic commerce sales with off-site delivery;



10105 3. Items accessory to a service provided to patrons who receive services on the  
10106 premises;

10107 4. Items grown, produced, or fabricated on-site; and

10108 5. On sites five acres or larger, items that support agriculture, equestrian, or  
10109 forestry uses except for the following:

10110 a. motor vehicles and parts (~~((North American Industrial Classification System~~  
10111 ~~("NAICS" Code 441)))~~ SIC Major Group 55);

10112 b. electronics and appliances (~~((NAICS Code 443))~~ SIC Industry Groups and  
10113 Industries 504, 506, 5731, 5734, 5722, and 5946); and

10114 c. building material and garden equipment((s)) and supplies (~~((NAICS Code~~  
10115 ~~444))~~ SIC Major Group 52);

10116 H. The home occupation or occupations do not:

10117 1. Use electrical or mechanical equipment that results in a change to the  
10118 occupancy type of the structure or structures used for the home occupation or  
10119 occupations;

10120 2. Cause visual or audible interference in radio or television receivers, or  
10121 electronic equipment located off-premises or fluctuations in line voltage off-premises; or

10122 3. Increase average vehicular traffic by more than four additional vehicles at any  
10123 given time;

10124 I. Customer visits and deliveries shall be limited to (~~(the hours of)~~) 8:00 a.m. to  
10125 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;

10126 J. The following uses, by the nature of their operation or investment, tend to  
10127 increase beyond the limits (~~(permitted)~~) allowed for home occupations. Therefore, the  
10128 following shall not be (~~(permitted)~~) allowed as home occupations:

10129 1. Hotels, motels, or organizational lodging;

10130 2. Dry cleaning;

10131 3. Automotive towing services, automotive wrecking services, and tow-in  
10132 parking lots;

10133 4. Recreational (~~(marijuana)~~) cannabis processor, recreational (~~(marijuana)~~)  
10134 cannabis producer, or recreational (~~(marijuana)~~) cannabis retailer; and

10135 5. Winery, brewery, distillery facility I, II and III, and remote tasting rooms,  
10136 except that home occupation adult beverage businesses operating under an active  
10137 Washington state Liquor and Cannabis Board production license issued for their current  
10138 location before December 31, 2019, and where King County did not object to the location  
10139 during the Washington state Liquor and Cannabis Board license application process, shall  
10140 be considered legally nonconforming and allowed to remain in their current location  
10141 subject to K.C.C. 21A.32.020 through 21A.32.075 if the use is in compliance with this  
10142 section as of December 31, 2019. Such nonconforming businesses shall remain subject  
10143 to all other requirements of this section and all applicable state and local regulations. The  
10144 resident operator of a nonconforming home occupation winery, brewery or distillery shall  
10145 obtain an adult beverage business license in accordance with K.C.C. chapter 6.74;

10146 K. Uses not allowed as home occupation may be allowed as a home industry  
10147 under K.C.C. chapter 21A.30; and

10148 L. The home occupation or occupations may use or store vehicles, as follows:

- 10149 1. The total number of vehicles for all home occupations shall be:
- 10150 a. for any lot five acres or less: two;
- 10151 b. for lots greater than five acres: three; and
- 10152 c. for lots greater than ten acres: four;
- 10153 2. The vehicles are not stored within any required setback areas of the lot or on
- 10154 adjacent streets; and
- 10155 3. The parking area for the vehicles shall not be considered part of the outdoor
- 10156 storage area provided for in subsection C. of this section.

10157 SECTION 214. Ordinance 10870, Section 537, as amended, and K.C.C.

10158 21A.30.090 are hereby amended to read as follows:

10159 A resident may establish a home industry as an accessory activity, as follows:

10160 A. The site area is one acre or greater;

10161 B. The area of the dwelling unit used for the home industry does not exceed fifty

10162 percent of the floor area of the dwelling unit((-));

10163 C. Areas within attached garages and storage buildings shall not be considered

10164 part of the dwelling unit for purposes of calculating allowable home industry area but

10165 may be used for storage of goods associated with the home industry;

10166 D. No more than six nonresidents who work on-site at the time;

10167 E. In addition to required parking for the dwelling unit, on-site parking is

10168 provided as follows:

10169 1. One stall for each nonresident employee of the home industry; and

10170 2. One stall for customer parking;

10171 F. Additional customer parking shall be calculated for areas devoted to the home  
10172 industry at the rate of one stall per:

10173 1. One thousand square feet of building floor area; and

10174 2. Two thousand square feet of outdoor work or storage area;

10175 G. Sales are limited to items produced on-site, except for items collected, traded,  
10176 and occasionally sold by hobbyists, such as coins, stamps, and antiques;

10177 H. Ten feet of Type I landscaping are provided around portions of parking and  
10178 outside storage areas that are otherwise visible from adjacent properties or public rights-  
10179 of-way;

10180 I. The department ensures compatibility of the home industry by:

10181 1. Limiting the type and size of equipment used by the home industry to those  
10182 that are compatible with the surrounding neighborhood;

10183 2. Providing for setbacks or screening as needed to protect adjacent residential  
10184 properties;

10185 3. Specifying hours of operation;

10186 4. Determining acceptable levels of outdoor lighting; and

10187 5. Requiring sound level tests for activities determined to produce sound levels  
10188 that may be in excess of those in K.C.C. chapter 12.88;

10189 J. Recreational (~~((marijuana))~~) cannabis processors, recreational (~~((marijuana))~~)  
10190 cannabis producers, and recreational (~~((marijuana))~~) cannabis retailers shall not be allowed  
10191 as home industry; and

10192 K. Winery, brewery, distillery facility I, II and III, and remote tasting room shall  
10193 not be allowed as home industry, except that home industry adult beverage businesses

10194 that have, in accordance with K.C.C. 20.20.070, a vested conditional use permit  
10195 application before December 31, 2019, shall be considered legally nonconforming and  
10196 allowed to remain in their current location subject to K.C.C. 21A.32.020 through  
10197 21A.32.075. Such nonconforming businesses remain subject to all other requirements of  
10198 this section and all applicable state and local regulations. The resident operator of a  
10199 nonconforming winery, brewery or distillery home industry shall obtain an adult  
10200 beverage business license in accordance with K.C.C. chapter 6.74.

10201 SECTION 215. Ordinance 10870, Section 547, as amended, and K.C.C.  
10202 21A.32.100 are hereby amended to read as follows:

10203 Except as provided by K.C.C. 21A.32.110, a temporary use permit shall be  
10204 required for any of the following:

10205 A. A use not otherwise permitted in the zone that can be made compatible for a  
10206 period of up to ~~((sixty))~~ twenty-four days a year, subject to K.C.C. 21A.32.120;

10207 B. The expansion of an established use that:

10208 1. Is otherwise allowed in the zone;

10209 2. Is not inconsistent with the original land use approval;

10210 3. Exceeds the scope of the original land use approval; and

10211 4. Can be made compatible with the zone for a period of up to ~~((sixty))~~ twenty-  
10212 four days a year, subject to K.C.C. 21A.32.120; or

10213 C. Events at a winery, brewery, distillery facility or remote tasting room that  
10214 include one or more of the following activities:

10215 1. Exceeds the permitted building occupancy;

10216 2. Utilizes portable toilets;

- 10217 3. Utilizes parking that exceeds the maximum number of spaces allowed by this  
10218 title on-site or utilizes off-site parking;
- 10219 4. Utilizes temporary stages;
- 10220 5. Utilizes temporary tents or canopies that require a permit;
- 10221 6. Requires traffic control for public rights-of-way; or
- 10222 7. Extends beyond allowed hours of operation.

10223 SECTION 216. Ordinance 10870, Section 548, as amended, and K.C.C.

10224 21A.32.110 are hereby amended to read as follows:

10225 A. The following uses shall be exempt from requirements for a temporary use  
10226 permit when located in the RB, CB, NB, O<sub>2</sub> or I zones for the time period specified  
10227 below:

10228 1. Uses not to exceed a total of thirty days each calendar year:

10229 a. Christmas tree lots; and

10230 b. Produce stands.

10231 2. Uses not to exceed a total of fourteen days each calendar year:

10232 a. Amusement rides, carnivals, or circuses;

10233 b. Community festivals; and

10234 c. Parking lot sales.

10235 B. Any use not exceeding a cumulative total of two days each calendar year and

10236 five hundred attendees and employees per day shall be exempt from requirements for a

10237 temporary use permit.

10238 C. Any community event held in a park and not exceeding a period of seven days

10239 shall be exempt from requirements for a temporary use permit.

10240 D. Christmas tree sales not exceeding a total of thirty days each calendar year  
10241 when located on Rural Area (RA) zoned property with legally established non-residential  
10242 uses shall be exempt from requirements for a temporary use permit.

10243 E.1. Events at a winery, brewery, distillery facility II or III shall not require a  
10244 temporary use permit if:

10245 a. The business is operating under an active Washington state Liquor and  
10246 Cannabis Board production license issued for their current location before December 31,  
10247 2019, and where King County did not object to the location during the Washington state  
10248 Liquor and Cannabis Board license application process;

10249 b. The parcel is at least eight acres in size;

10250 c. The structures used for the event maintain a setback of at least one hundred  
10251 fifty feet from interior property lines;

10252 d. The parcel is located in the RA zone;

10253 e. The parcel has access directly from and to a principal arterial or state  
10254 highway;

10255 f. The event does not use amplified sound outdoors before 12:00 p.m. or after  
10256 8:00 p.m.

10257 2. Events that meet the provisions in this subsection E. shall not be subject to  
10258 ~~((the provisions of))~~ K.C.C. 21A.32.120, as long as the events occur no more frequently  
10259 than an annual average of eight days per month.

10260 SECTION 217. Ordinance 10870, Section 549, as amended, and K.C.C.

10261 21A.32.120 are hereby amended to read as follows:

10262 Except as otherwise provided in this chapter or in K.C.C. chapter 21A.45,  
10263 temporary use permits shall be limited in duration and frequency as follows:

10264 A. The temporary use permit shall be effective for one year from the date of  
10265 issuance and may be renewed annually as provided in subsection D. of this section;

10266 B.1. The temporary use shall not:

10267 a. ~~((e))~~Exceed a total of ~~((sixty))~~ twenty-four days in any ~~((three-hundred-~~  
10268 ~~sixty-five-day))~~ three hundred sixty-five-day period~~((:))~~, four days in any month, and  
10269 three days in any week. If the total duration of the temporary use is no more than ten  
10270 days in a three hundred sixty-five-day period, those ten days may be consecutive in any  
10271 month or any week or both. This subsection B.1.a. applies only to the days that the event  
10272 or events actually take place~~((:))~~; and

10273 b. Occur in more than six consecutive or non-consecutive months out of the  
10274 year.

10275 2. For a winery, brewery, distillery facility II and III in the A zone, the  
10276 temporary use shall not exceed a total of two events per month and all event parking must  
10277 be accommodated on-site or managed through a parking management plan approved by  
10278 the director. This subsection B.2. applies only to the days that the event or events  
10279 actually take place.

10280 3. For a winery, brewery, distillery facility II and III in the RA zone, the  
10281 temporary use shall not exceed a total of twenty-four days in any three-hundred-sixty-  
10282 five-day period and all event parking must be accommodated on-site or managed through  
10283 a parking management plan approved by the director. This subsection B.3. applies only  
10284 to the days that the event or events actually take place.



10285           4. For a winery, brewery, distillery facility II in the A or RA zones, in addition  
10286 to all other relevant facts, the department shall consider building occupancy and parking  
10287 limitations during permit review, and shall condition the number of guests allowed for a  
10288 temporary use based on those limitations. The department shall not authorize attendance  
10289 of more than one hundred fifty guests.

10290           5. For a winery, brewery, distillery facility III in the A or RA zones, in addition  
10291 to all other relevant facts, the department shall consider building occupancy and parking  
10292 limitations during permit review, and shall condition the number of guests allowed for a  
10293 temporary use based on those limitations. The department shall not authorize attendance  
10294 of more than two hundred fifty guests.

10295           6. Events for any winery, brewery, distillery facility I in the RA zone, any  
10296 nonconforming winery, brewery, distillery facility home occupation, or any  
10297 nonconforming winery, brewery, distillery facility home industry shall be limited to two  
10298 per year, and limited to a maximum of fifty guests. If the event complies with this  
10299 subsection B.6., a temporary use permit is not required for a special event for a winery,  
10300 brewery, distillery facility I in the RA zone, a nonconforming home occupation winery,  
10301 brewery, distillery facility or a nonconforming home industry winery, brewery, distillery  
10302 facility.

10303           7. For a winery, brewery, distillery facility II and III in the RA zone, events  
10304 exempted under K.C.C 21A.32.110.E. from the requirement to obtain a temporary use  
10305 permit shall not be subject to ~~((the provisions of))~~ this section;

10306           C. The temporary use permit shall specify a date upon which the use shall be  
10307 allowed, terminated, and removed; and

10308 D. A temporary use permit may be renewed annually for up to a total of ((five))  
10309 four consecutive years as follows:

10310 1. The applicant shall make a written request and pay the applicable permit  
10311 extension fees for renewal of the temporary use permit at least seventy days before the  
10312 end of the permit period;

10313 2. The department must determine that the temporary use is being conducted in  
10314 compliance with the conditions of the temporary use permit;

10315 3. The department must determine that site conditions have not changed since  
10316 the original temporary permit was issued; ((and))

10317 4. The temporary use must demonstrate compliance with current development  
10318 regulations; and

10319 5. At least forty-five days before the end of the permit period, the department  
10320 shall notify property owners within five hundred feet of the property boundaries that a  
10321 temporary use permit extension has been requested and contact information to request  
10322 additional information or to provide comments on the proposed extension.

10323 NEW SECTION. SECTION 218. There is hereby added to K.C.C. chapter  
10324 21A.32 a new section to read as follows:

10325 A. The size of a temporary use shall be scaled based upon building occupancies,  
10326 site area, access, and environmental considerations and be limited to no more than two  
10327 hundred fifty guests.

10328 B. Areas used for temporary uses shall comply with building setback  
10329 requirements for the zone in which they are located.

10330 C. Temporary use shall adequately provide the following, as approved by the  
10331 county and commensurate with the size and scale of the temporary use, including for  
10332 customers, guests, and workers associated with the temporary use:

- 10333 1. Temporary sanitary facilities;
- 10334 2. Potable water;
- 10335 3. Safe vehicle parking, access, and traffic control, as specified by the sheriff's  
10336 office or department of local services, roads division, or both;
- 10337 4. Accessibility for persons with disabilities; and
- 10338 5. Noise compliance consistent with K.C.C. chapter 12.86.

10339 SECTION 219. Ordinance 10870, Section 555, as amended, and K.C.C.  
10340 21A.32.180 are hereby amended to read as follows:

10341 One temporary real estate office may be located on any new residential  
10342 development, provided that activities are limited to the initial sale or rental of property or  
10343 units within the development. The office use shall be discontinued within one year of  
10344 recording of a (~~short subdivision~~) final short plat or issuance of a final certificate of  
10345 occupancy for a (~~an~~) duplex, houseplex, apartment, or townhouse development, and  
10346 within two years of the recording of a (~~formal subdivision~~) final plat.

10347 SECTION 220. Ordinance 10870, Section 559, and K.C.C. 21A.32.220 are  
10348 hereby amended to read as follows:

10349 In order to (~~insure~~) ensure that significant features of the property are protected  
10350 (~~pursuant to~~) under K.C.C. chapter 20.62, the following standards shall apply to  
10351 conversion of historic buildings:

10352 A. Gross floor area of building additions or new buildings required for the  
10353 conversion shall not exceed ((20)) twenty percent of the gross floor area of the historic  
10354 building, unless otherwise allowed by ((the zone)) K.C.C. chapter 21A.12;

10355 B. Conversions to duplexes, houseplex, apartments, or townhouses shall not  
10356 exceed one dwelling unit for each ((3,600)) three thousand six hundred square feet of lot  
10357 area, unless allowed by the zone; and

10358 C. Any construction required for the conversion shall require certification of  
10359 appropriateness from the King County Landmark Commission.

10360 SECTION 221. Ordinance 17710, Section 14, as amended, and K.C.C.  
10361 21A.32.250 are hereby amended to read as follows:

10362 For those recreational ((marijuana)) cannabis production and processing facilities  
10363 requiring a conditional use permit under this title, as part of the permit review process,  
10364 the department may require the applicant to submit an odor management plan for any  
10365 areas of indoor processing or ventilation of any structure used to produce or process  
10366 ((marijuana)) cannabis. The purpose of such a plan is to minimize odors and fumes from  
10367 chemicals or products used in or resulting from either production or processing, or both,  
10368 of ((marijuana)) cannabis.

10369 SECTION 222. Ordinance 13274, Section 1, as amended, and K.C.C.  
10370 21A.37.010 are hereby amended to read as follows:

10371 A. The purpose of the transfer of development rights ("TDR") program is to  
10372 transfer residential density from eligible sending sites to eligible receiving sites through a  
10373 voluntary process that permanently preserves urban, rural, and resource lands that  
10374 provide a public benefit. The TDR provisions are intended to supplement land use

10375 regulations, resource protection efforts, and open space acquisition programs and to  
10376 encourage increased residential development density or increased commercial square  
10377 footage, especially inside cities, where it can best be accommodated with the least  
10378 impacts on the natural environment and public services by:

10379           1. Providing an effective and predictable incentive process for property owners  
10380 of rural, resource ~~((and))~~, urban separator, and other eligible urban land to preserve lands  
10381 with a public benefit as described in K.C.C. 21A.37.020; and

10382           2. Providing an efficient and streamlined administrative review system to ensure  
10383 that transfers of development rights to receiving sites are evaluated in a timely way and  
10384 balanced with other county goals and policies, and are adjusted to the specific conditions  
10385 of each receiving site.

10386           B. The TDR provisions in this chapter shall only apply to TDR receiving site  
10387 development proposals:

10388           1. Submitted on or after September 17, 2001, and applications for approval of  
10389 TDR sending sites submitted on or after September 17, 2001; and

10390           2. For properties within the Skyway-West Hill or North Highline ~~((community  
10391 service area))~~ subarea geographies, only as provided in K.C.C. chapter 21A.48.

10392           C. For the purposes of this chapter, the term "conservation easement" may  
10393 include other similar encumbrances.

10394           SECTION 223. Ordinance 13274, Section 3, as amended, and K.C.C.  
10395 21A.37.020 are hereby amended to read as follows:

10396           A. For the purpose of this chapter, sending site means the entire tax lot or lots  
10397 qualified under this subsection. Sending sites shall:

10398 1. Contain a public benefit such that preservation of that benefit by transferring  
10399 residential development rights to another site is in the public interest;

10400 2. Meet at least one of the following criteria:

10401 a. designation in the King County Comprehensive Plan or a functional plan as an  
10402 agricultural production district or zoned A;

10403 b. designation in the King County Comprehensive Plan or a functional plan as  
10404 forest production district or zoned F;

10405 c. designation in the King County Comprehensive Plan as ~~((R))~~rural ~~((A))~~area,  
10406 zoned RA-2.5, RA-5 or RA-10, and meeting the definition in RCW 84.34.020 of open  
10407 space or farm and agricultural land;

10408 d. designation in the King County Comprehensive Plan or a functional plan as a  
10409 proposed ~~((R))~~rural ~~((A))~~area or ~~((N))~~natural ~~((R))~~resource ~~((L))~~land regional trail or  
10410 ~~((R))~~rural ~~((A))~~area or ~~((N))~~natural ~~((R))~~resource ~~((L))~~land open space site, through  
10411 either:

10412 (1) designation of a specific site; or

10413 (2) identification of proposed ~~((R))~~rural ~~((A))~~area or ~~((N))~~natural ~~((R))~~resource  
10414 ~~((L))~~land regional trail or ~~((Rural Area or Natural Resource Land))~~ open space sites  
10415 which meet adopted standards and criteria, and for ~~((R))~~rural ~~((A))~~area or ~~((N))~~natural  
10416 ~~((R))~~resource ~~((L))~~land open space sites, meet the definition of open space land, as  
10417 defined in RCW 84.34.020;

10418 e. identification as habitat for federally listed endangered or threatened species in  
10419 a written determination by the King County department of natural resources and parks,  
10420 Washington state Department of Fish and Wildlife, United States Fish and Wildlife

10421 Services or a federally recognized tribe that the sending site is appropriate for  
10422 preservation or acquisition;

10423 f. designation in the King County Comprehensive Plan as urban separator (~~and~~)  
10424 or zoned R-1; or

10425 g.(1) designation in the King County Comprehensive Plan as urban residential  
10426 medium or urban residential high;

10427 (2) zoned R-4, R-6, R-8, R-12, R-18, R-24, or R-48; and

10428 (3) approved for conservation futures tax funding by the King County council;

10429 3. Consist of one or more contiguous lots that have a combined area that meets or  
10430 exceeds the minimum lot area for construction requirements in K.C.C. 21A.12.100 for  
10431 the zone in which the sending site is located. For purposes of this subsection, lots divided  
10432 by a street are considered contiguous if the lots would share a common lot line if the  
10433 street was removed. This provision may be waived by the interagency committee if the  
10434 total acreage of a rural or resource sending site application exceeds one hundred acres;  
10435 and

10436 4. Not be in public ownership, except:

10437 a. as provided in K.C.C. 21A.37.110.C.;

10438 b. for lands zoned RA that are managed by the Washington state Department  
10439 of Natural Resources as state grant or state forest lands; (~~or~~)

10440 c. for lands that are managed by King County for purposes of residential or  
10441 commercial development; or

10442 d. for lands participating in the county's forest carbon program established by  
10443 K.C.C. 18.35.

10444 B. For the purposes of the TDR program, acquisition means obtaining fee simple  
10445 rights in real property or a property right in a form that preserves in perpetuity the public  
10446 benefit supporting the designation or qualification of the property as a sending site. A  
10447 sending site shall be maintained in a condition that is consistent with the criteria in this  
10448 section under which the sending was qualified.

10449 C. If a sending site has any outstanding code violations, the person responsible  
10450 for code compliance should resolve these violations, including any required abatement,  
10451 restoration, or payment of civil penalties, before a TDR sending site may be qualified by  
10452 the interagency review committee created under K.C.C. 21A.37.070. However, the  
10453 interagency may qualify and certify a TDR sending site with outstanding code violations  
10454 if the person responsible for code compliance has made a good faith effort to resolve the  
10455 violations and the proposal is in the public interest.

10456 D. For lots on which the entire lot or a portion of the lot has been cleared or  
10457 graded in accordance with a Class II, III or IV special forest practice as defined in chapter  
10458 76.09 RCW within the six years before application as a TDR sending site, the applicant  
10459 (~~must~~) shall provide an affidavit of compliance with the reforestation requirements of  
10460 the Forest Practices Act, and any additional reforestation conditions of their forest  
10461 practice permit. Lots on which the entire lot or a portion of the lot has been cleared or  
10462 graded without any required forest practices or county authorization, shall be not  
10463 qualified or certified as a TDR sending site for six years unless the six-year moratorium  
10464 on development applications has been lifted or waived or the landowner has a  
10465 reforestation plan approved by the Washington state Department of Natural Resources  
10466 and King County.



10467            SECTION 224. Ordinance 13274, Section 5, as amended, and K.C.C.  
10468 21A.37.030 are hereby amended to read as follows:  
10469            A. Receiving sites shall be:  
10470            1. King County unincorporated urban sites, except as limited in subsection D. of  
10471 this section, zoned R-4 through R-48, NB, CB, RB<sub>2</sub> or O(~~(, or any combination thereof)~~).  
10472 The sites may also be within potential annexation areas established under the  
10473 ~~((e))~~Countywide ~~((p))~~Planning ~~((p))~~Policies; ~~((e))~~  
10474            2. Sites in rural towns, when in accordance with the inclusionary housing  
10475 program in K.C.C. chapter 21A.48, the TDR maximum density standards in K.C.C.  
10476 21A.12.030, or the duplex allowances in K.C.C. 21A.08.030, and except as limited in  
10477 subsection E. of this section;  
10478            3. Cities where new growth is or will be encouraged under the Growth  
10479 Management Act and the countywide planning policies and where facilities and services  
10480 exist or where public investments in facilities and services will be made, or  
10481 ~~((3))~~4. RA-2.5 zoned parcels, except as limited in subsection E. of this section,  
10482 that meet the criteria listed in this subsection A.3. may receive development rights  
10483 transferred from rural forest focus areas, and accordingly may be subdivided and  
10484 developed at a maximum density of one dwelling per two and one-half acres. Increased  
10485 density allowed through the designation of rural receiving areas shall:  
10486            a. ~~((must))~~ be eligible to be served by domestic Group A public water service;  
10487            b. ~~((must))~~ be located within one-quarter mile of an existing predominant  
10488 pattern of rural lots smaller than five acres in size;

10489 c. ~~((must))~~ not adversely impact regionally or locally significant resource areas  
10490 or critical areas;

10491 d. ~~((must))~~ not require public services and facilities to be extended to create or  
10492 encourage a new pattern of smaller lots;

10493 e. ~~((must))~~ not be located within rural forest focus areas; and

10494 f. ~~((must))~~ not be located on Vashon~~((Island or))~~ Maury Island.

10495 B. Except as provided in this chapter, development of an unincorporated King  
10496 County receiving site shall remain subject to all zoning code provisions for the base zone,  
10497 except TDR receiving site developments shall comply with dimensional standards of the  
10498 zone with a base density most closely comparable to the total approved density of the  
10499 TDR receiving site development.

10500 C. Except as otherwise provided in this title, ((A))an unincorporated King County  
10501 receiving site may accept development rights from one or more sending sites, as follows:

10502 1. ~~((For short subdivisions, u))~~Up to the maximum density ~~((permitted))~~ allowed  
10503 under K.C.C. 21A.12.030 and 21A.12.040; and

10504 2. For ~~((formal))~~ subdivisions, only ~~((as authorized in a subarea study that~~  
10505 ~~includes a comprehensive analysis of the impacts of receiving development rights))~~ if the  
10506 hearing examiner finds that the additional density from use of TDRs at the proposed  
10507 subdivision does not create unmitigated impacts beyond those created by development at  
10508 base density.

10509 D. Property located within the outer boundaries of the Noise Remedy Areas as  
10510 identified by the Seattle-Tacoma International Airport may not accept development  
10511 rights.

10512 E. Property located within the shoreline jurisdiction or located on Vashon-Maury  
10513 Island (~~or Maury Island may~~) shall not accept development rights.

10514 SECTION 225. Ordinance 13274, Section 6, as amended, and K.C.C.  
10515 21A.37.040 are hereby amended to read as follows:

10516 A. The number of residential development rights that an unincorporated sending  
10517 site is eligible to send to a receiving site shall be determined by applying the TDR  
10518 sending site base density established in subsection D. of this section to the area of the  
10519 sending site, after deducting the area associated with any existing development allowed  
10520 to remain under the terms of the conservation easement conserving the site, any retained  
10521 development rights, and any portion of the sending site already in a conservation  
10522 easement (~~or other similar encumbrance~~). For each existing dwelling unit or retained  
10523 development right, the sending site area shall be reduced by an area equivalent to the base  
10524 density for that zone under K.C.C. 21A.12.030.

10525 B. Any fractions of development rights that result from the calculations in  
10526 subsection A. of this section shall (~~not be included in the final determination of total~~  
10527 ~~development rights available for transfer~~) be rounded up to the next largest whole  
10528 number if the calculation results in a fraction of 0.5 or greater, or shall be rounded down  
10529 to the next smallest whole number if the calculation results in a fraction less than 0.5.

10530 C. For purposes of calculating the amount of development rights a sending site  
10531 can transfer, the amount of land contained within a sending site shall be determined as  
10532 follows:

10533 1. If the sending site is an entire tax lot, the square footage or acreage shall be  
10534 determined by:

10535 a. ~~((by))~~ the King County department of assessments records; ~~((or))~~  
10536 b. ~~((by))~~ geographic information system mapping confirmed by King County;

10537 or

10538 c. a survey funded by the applicant that has been prepared and stamped by a  
10539 surveyor licensed in the state of Washington; and

10540 2. If the sending site consists of a lot that is divided by a zoning boundary, the  
10541 square footage or acreage shall be calculated separately for each zoning classification.

10542 The square footage or acreage within each zoning classification shall be determined by  
10543 the King County record of the action that established the zoning and property lines, such  
10544 as an approved lot line adjustment. When such records are not available or are not

10545 adequate to determine the square footage or acreage within each zoning classification,

10546 TDR program staff shall calculate, and the department of local services, permitting

10547 division, shall ~~((calculate))~~ confirm, the square footage or acreage through the geographic  
10548 information system ~~((GIS))~~ mapping system.

10549 D. For the purposes of the ~~((transfer of development rights-))~~TDR~~((t))~~ program  
10550 only, the following TDR sending site base densities apply:

10551 1. Sending sites designated in the King County Comprehensive Plan as urban  
10552 separator ~~((and))~~ or zoned R-1 shall have a base density of four dwelling units per acre;

10553 2. Sending sites zoned RA-2.5 shall have a base density of one unit for each two  
10554 and one-half acres. Sending sites zoned RA-2.5 that are vacant and are smaller than 1.25  
10555 acres shall be allocated one additional TDR for each vacant lot that is smaller than 1.25  
10556 acres;

10557           3. Sending sites zoned RA-5 or RA-10 shall have a base density of one dwelling  
10558 unit per five acres. Vacant sending sites that are zone RA-5 and are smaller than two and  
10559 one-half acres or that are zoned RA-10 and are smaller than five acres shall be allocated  
10560 one additional TDR for each vacant lot that is smaller than two and one-half acres or five  
10561 acres, respectively;

10562           4. Sending sites zoned RA and that have a designation under the King County  
10563 Shoreline Master Program of conservancy or natural environment shall be allocated one  
10564 additional TDR per legal lot;

10565           5. Sending sites zoned A-10 and A-35 shall have a base density of one dwelling  
10566 unit per five acres for transfer purposes only;

10567           6. Sending sites zoned F within the forest production district shall have a base  
10568 density of one dwelling unit per eighty-acres or one dwelling unit per each lot that is  
10569 between fifteen and eighty acres in size. A TDR sending site zoned F that is awarded  
10570 certified TDRs under K.C.C. 21A.37.070 may be qualified for one additional TDR for  
10571 each legal lot that is eligible to create a verified carbon credits under K.C.C. chapter  
10572 18.35. Certification of any additional TDRs qualified under this subsection D.6. of this  
10573 section is contingent upon applicant enrolling in a verified carbon program under K.C.C.  
10574 chapter 18.35, which shall occur within five years of initial sending site certification,  
10575 subject to interagency committee review and approval; ((or:))

10576           7. Vacant marine shoreline sending sites without any hard shoreline stabilization  
10577 shall be allocated one additional TDR per legal lot; and

10578           8. Sending sites in the urban unincorporated area that meet the criteria in K.C.C.  
10579 21A.37.020.A.2.g. shall be allocated TDRs that are equivalent to the zoning base density  
10580 established in K.C.C. 21A.12.030 for every one acre of gross land area.

10581           E. A sending site zoned RA, A<sub>2</sub> or F may send one development right for every  
10582 legal lot larger than five thousand square feet that was created on or before September 17,  
10583 2001, with no retained development rights, if that number is greater than the number of  
10584 development rights determined under subsection A. of this section. A sending site zoned  
10585 R-1 may send one development right for every legal lot larger than two thousand five  
10586 hundred square feet that was created on or before September 17, 2001, with no retained  
10587 development rights, if that number is greater than the number of development rights  
10588 determined under subsection A. of this section.

10589           F. The number of development rights that a (~~King County unincorporated~~) rural  
10590 area or natural resources land sending site is eligible to send to a (~~King County~~)  
10591 incorporated urban area receiving site shall be determined through the application of a  
10592 conversion ratio established by King County and the (~~incorporated municipal~~  
10593 ~~jurisdiction~~) city or town. The conversion ratio will be applied to the number of  
10594 available sending site development rights determined under subsection A. or E. of this  
10595 section.

10596           G. Development rights from one sending site may be allocated to more than one  
10597 receiving site and one receiving site may accept development rights from more than one  
10598 sending site.

10599           H. The determination of the number of residential development rights a sending  
10600 site has available for transfer to a receiving site shall be valid for transfer purposes only,

10601 shall be documented in a TDR qualification report prepared by the department of natural  
10602 resources and parks and sent to the applicant. The qualification report (~~and~~) shall be  
10603 considered a final determination, not to be revised due to changes to the sending site's  
10604 zoning, and shall be valid unless conditions on the sending site property that would affect  
10605 the number of development rights the sending site has available for transfer have  
10606 changed.

10607 I. Each residential (~~(transferable development right)~~) TDR that originates from a  
10608 sending site zoned RA, A<sub>2</sub> or F shall be designated "Rural" and is equivalent to two  
10609 additional units above base density in eligible receiving sites located in unincorporated  
10610 urban King County. Each residential (~~(transferable development right)~~) TDR that  
10611 originates from a sending site zoned R-1 or designated as urban separator shall be  
10612 designated "Urban" and is equivalent to one additional unit above base density. Each  
10613 residential (~~(transferable development right)~~) TDR that originates from a sending site in  
10614 urban unincorporated area lands meeting the criteria in K.C.C. 21A.37.020.A.2.g. shall be  
10615 designated "Urban" and is equivalent to one additional unit above the base density.

10616 SECTION 226. Ordinance 14190, Section 7, as amended, and K.C.C.  
10617 21A.37.050 are hereby amended to read as follows:

10618 A. Following the transfer of residential development rights, a sending site may  
10619 subsequently accommodate remaining residential dwelling units, if any, on the buildable  
10620 portion of the parcel or parcels or be subdivided, consistent with the zoned base density  
10621 (~~(provisions of the density and dimensions tables)~~) in K.C.C. 21A.12.030 and  
10622 21A.12.040, the allowable dwelling unit calculations in K.C.C. 21A.12.070, and other  
10623 King County development regulations. Any remaining residential dwelling units and

10624 associated accessory units shall be located in a single and contiguous reserved residential  
10625 area that shall be adjacent to any existing development or roadways on the property. The  
10626 reserved residential area shall ~~((be equal to))~~ not exceed the acreage associated with the  
10627 minimum lot size of the zone for each remaining residential dwelling unit. For sending  
10628 sites zoned RA, the subdivision potential remaining after a density transfer may only be  
10629 actualized through a clustering~~((ed subdivision, short subdivision or binding site plan))~~  
10630 that creates a permanent preservation tract as large or larger than the portion of the  
10631 subdivision set aside as lots. Within rural forest focus areas, resource use tracts shall be  
10632 at least fifteen acres of contiguous forest land.

10633 B. Only those nonresidential uses directly related to, and supportive of the  
10634 criteria under which the site qualified are allowed on a sending site.

10635 C. The applicable limitations in this section shall be included in the sending site  
10636 conservation easement.

10637 SECTION 227. Ordinance 14190, Section 8, as amended, and K.C.C.  
10638 21A.37.060 are hereby amended to read as follows:

10639 A. ~~((Prior to))~~ Before issuing a certificate for ~~((transferable development rights~~  
10640 ~~to))~~ TDRs for a sending site, the department of natural resources and parks, or its  
10641 successor, shall record deed restrictions in the form of a conservation easement  
10642 documenting the development rights that have been removed from the property ~~((and~~  
10643 ~~shall place a notice on the title of the sending site))~~. The department of local services,  
10644 permitting division, or its successor, shall establish and maintain an internal tracking  
10645 system that identifies all certified ~~((transfer of developments rights))~~ TDR sending sites.



10646 B. A conservation easement granted to the county or other appropriate land  
10647 management agency and that meets the requirements of K.C.C. 21A.37.050 shall be  
10648 required for land contained in the sending site. The conservation easement shall be  
10649 documented by a map. The conservation easement shall be placed on the entire lot or  
10650 lots. The conservation easement shall identify limitations in perpetuity on future  
10651 residential and nonresidential development consistent with this chapter, as follows:

10652 1. A conservation easement(~~(, which)~~) that contains the easement map(~~(,)~~) shall  
10653 be recorded on the entire sending site to indicate development limitations on the sending  
10654 site;

10655 2. For a sending site zoned A-10 or A-35, the conservation easement shall be  
10656 consistent in form and substance with the purchase agreements used in the agricultural  
10657 land development rights purchase program. The conservation easement shall preclude  
10658 subdivision of the subject property but may permit not more than one dwelling per  
10659 sending site, and shall permit agricultural uses as provided in the A-10 or A-35 zone;

10660 3. For a rural sending site, the conservation easement shall allow for restoration,  
10661 maintenance, or enhancement of native vegetation. A present conditions report shall be  
10662 required to document the location of existing structures and existing native vegetation  
10663 and the baseline conservation values of protected property at the time the conservation  
10664 easement is put in place. If residential development will be allowed on the site under the  
10665 conservation easement, the present conditions report shall be used to guide the location of  
10666 residential development;

10667 4. For a sending site qualifying as habitat for federal listed endangered or  
10668 threatened species, the conservation easement shall protect habitat and allow for

10669 restoration, maintenance, or enhancement of native vegetation. A present conditions  
10670 report shall be required to document the location of existing structures. If existing or  
10671 future residential development will be allowed on the site under the conservation  
10672 easement, the present conditions report shall be used by the owner to guide the location  
10673 of residential development; and

10674         5.a. For a sending site zoned F, the conservation easement shall encumber the  
10675 entire sending site. ~~((Lots between fifteen acres and eighty acres in size are not eligible  
10676 to participate in the TDR program if they include any existing dwelling units intended to  
10677 be retained, or if a new dwelling unit is proposed.))~~ For eligible lots between fifteen  
10678 acres and eighty acres in size, the sending site ~~((must))~~ shall include the entire lot. For  
10679 lots greater than eighty acres in size, the sending site shall be a minimum of eighty acres.

10680         b. The conservation easement shall permit forestry uses subject to a forest  
10681 stewardship plan prepared by the applicant and approved by the county for ongoing forest  
10682 management practices. The ~~((F))~~forest ~~((S))~~stewardship ~~((P))~~plan shall serve as a present  
10683 conditions report documenting the baseline conditions of the property and shall include a  
10684 description of the site's forest resources and the long term forest management objectives  
10685 of the property owner~~((, and shall not impose standards that exceed Title 222 WAC)).~~

10686         c. Lots between fifteen acres and eighty acres in size are not eligible to  
10687 participate in the TDR program if they include any existing dwelling units intended to be  
10688 retained, or if a new dwelling unit is proposed.

10689         SECTION 228. Ordinance 13274, Section 7, as amended, and K.C.C.  
10690 21A.37.070 are hereby amended to read as follows:

10691 A. ~~((An interagency review committee, chaired by the department of local~~  
10692 ~~services permitting division manager and the director of the department of natural~~  
10693 ~~resources and parks, or designees, shall be responsible for qualification of sending sites.~~  
10694 ~~Determinations on sending site certifications made by the committee are appealable to the~~  
10695 ~~examiner under K.C.C. 20.22.040. The department of natural resources and parks shall~~  
10696 ~~be responsible for preparing a TDR qualification report, which shall be signed by the~~  
10697 ~~director of the department of natural resources and parks or designee, documenting the~~  
10698 ~~review and decision of the committee. The qualification report shall:~~

10699 1. ~~Specify all deficiencies of an application, if the decision of the committee is~~  
10700 ~~to disqualify the application;~~

10701 2. ~~For all qualifying applications, provide a determination as to whether or not~~  
10702 ~~additional residential dwelling units and associated accessory units may be~~  
10703 ~~accommodated in accordance with K.C.C. 21A.37.050.A.; and~~

10704 3. ~~Be issued a TDR certification letter within sixty days of the date of submittal~~  
10705 ~~of a completed sending site certification application.~~

10706 B)). Responsibility for preparing a completed application rests exclusively with  
10707 the applicant. Application for sending site certification shall include:

10708 1. A legal description of the site;

10709 2. A title report;

10710 3. A brief description of the site resources and public benefit to be preserved;

10711 4. A site plan showing the existing and proposed dwelling units, nonresidential  
10712 structures, driveways, submerged lands, and any area already subject to a conservation  
10713 easement ~~((or other similar encumbrance));~~

10714 5. Assessors map or maps of the lot or lots;

10715 6. A statement of intent indicating whether the property ownership, after TDR  
10716 certification, will be retained in private ownership or dedicated to King County or another  
10717 public or private nonprofit agency;

10718 7. Any or all of the following written in conformance with criteria established  
10719 through a public rule consistent with K.C.C. chapter 2.98, if the site is qualifying as  
10720 habitat for a threatened or endangered species:

10721 a. a wildlife habitat conservation plan;

10722 b. a wildlife habitat restoration plan; or

10723 c. a wildlife present conditions report;

10724 8. If the site qualifies as an urban unincorporated area sending site meeting the  
10725 criteria in K.C.C. 21A.37.020.A.2.g.;

10726 9. A forest stewardship plan, written in conformance with criteria established  
10727 through a public rule consistent with K.C.C. chapter 2.98, if required under K.C.C.  
10728 21A.37.060.B.3. and 6.;

10729 10. An affidavit of compliance with the reforestation requirements of the Forest  
10730 Practices Act and any additional reforestation conditions of the forest practices permit for  
10731 the site, if required under K.C.C. 21A.37.020.D.;

10732 11. A completed density calculation worksheet for estimating the number of  
10733 available development rights; and

10734 12. The application fee consistent with K.C.C. 27.10.170.

10735 NEW SECTION. SECTION 229. There is hereby added to K.C.C. chapter  
10736 21A.37 a new section to read as follows:

10737 A. An interagency review committee, chaired by the department of local services  
10738 permitting division manager and the director of the department of natural resources and  
10739 parks, or designees, shall be responsible for qualification of sending sites.

10740 Determinations on sending site certifications made by the committee are appealable to the  
10741 examiner under K.C.C. 20.22.040. The department of natural resources and parks shall  
10742 be responsible for preparing a TDR qualification report, which shall be signed by the  
10743 director of the department of natural resources and parks or designee, documenting the  
10744 review and decision of the committee. The qualification report shall:

10745 1. Specify all deficiencies of an application, if the decision of the committee is  
10746 to disqualify the application;

10747 2. For all qualifying applications, provide a determination as to whether  
10748 additional residential dwelling units and associated accessory units may be  
10749 accommodated in accordance with K.C.C. 21A.37.050.A.; and

10750 3. Be issued a TDR certification letter within sixty days of the date of submittal  
10751 of a completed sending site certification application.

10752 SECTION 230. Ordinance 13274, Section 8, as amended, and K.C.C.  
10753 21A.37.080 are hereby amended to read as follows:

10754 A. ~~((TDR development rights w))~~Where both the proposed sending and receiving  
10755 sites would be within unincorporated King County, development rights shall be  
10756 transferred using the following process:

10757 1. Following interagency review committee review and approval of the sending  
10758 site application as described in K.C.C. 21A.37.070, the interagency review committee  
10759 shall issue a TDR qualification report((;)) agreeing to issue a TDR certificate in exchange

10760 for the proposed sending site conservation easement. After signing and notarizing the  
10761 conservation easement and receiving the TDR certificate from the county, the sending  
10762 site owner may market the TDRs ~~((sending site development rights))~~ to potential  
10763 purchasers. The TDR certificate shall be in the name of the property owner and separate  
10764 from the land title. If a TDR sending site that has been reviewed and approved by the  
10765 interagency review committee changes ownership, the TDR qualification report may be  
10766 transferred to the new owner if requested in writing to the department of natural resources  
10767 and parks by the person or persons that owned the property when the TDR qualification  
10768 report was issued, if documents evidencing the transfer of ownership are also provided to  
10769 the department of natural resources and parks;

10770           2. In applying for receiving site approval, the applicant shall provide the  
10771 department of local services, permitting division, with one of the following:

10772           a. a TDR qualification report issued in the name of the applicant~~((;))~~;

10773           b. a TDR qualification report issued in the name of another person or persons  
10774 and a copy of a signed option to purchase those TDRs ~~((sending site development  
10775 rights,))~~;

10776           c. a TDR certificate issued in the name of the applicant~~((;))~~; or

10777           d. a TDR certificate issued in the name of another person or persons and a  
10778 copy of a signed option to purchase those TDRs ~~((sending site development rights))~~;

10779           3. Following building permit approval, but before building permit issuance by  
10780 the department of local services, permitting division, or following preliminary plat  
10781 approval or preliminary short plat approval, but before final plat or short plat recording of  
10782 a receiving site development proposal ~~((which))~~ that includes the use of TDRs

10783 ~~((development rights))~~, the receiving site applicant shall deliver the TDR certificate  
10784 issued in the applicant's name for the number of TDRs ~~((development rights))~~ being used  
10785 and the TDR extinguishment document to the county;

10786 4. When the receiving site development proposal requires a public hearing  
10787 under this title or K.C.C. Title 19A ~~((or its successor))~~, that public hearing shall also  
10788 serve as ~~((the))~~ a hearing on the TDR proposal. The reviewing authority shall make a  
10789 consolidated decision on the proposed development and use of TDRs ~~((development~~  
10790 ~~rights))~~ and consider any appeals of the TDR proposal under the same appeal procedures  
10791 ~~((set forth))~~ for the development proposal; ~~((and))~~

10792 5. When the development proposal does not require a public hearing under this  
10793 title or K.C.C. Title 19A, the TDR proposal shall be considered along with the  
10794 development proposal, and any appeals of the TDR proposal shall be considered under  
10795 the same appeal procedures ~~((set forth))~~ for the development proposal~~((:))~~; and

10796 6. Development rights from a sending site shall be considered transferred to a  
10797 receiving site when a final decision is made on the TDR receiving area development  
10798 proposal, the sending site is permanently protected by a completed and recorded ~~((land~~  
10799 ~~dedication or))~~ conservation easement, notification has been provided to the King County  
10800 assessor's office and a TDR extinguishment document has been provided to the  
10801 department of natural resources and parks, or its successor.

10802 B. ~~((TDR development rights w))~~Where the proposed receiving site would be  
10803 within ~~((an incorporated King County municipal jurisdiction))~~ a city or town, the  
10804 development proposal shall be reviewed and transferred using that jurisdiction's  
10805 development application review process.

10806            SECTION 231. Ordinance 13733, Section 8, as amended, and K.C.C.

10807    21A.37.100 are hereby amended to read as follows:

10808            The purpose of the TDR bank is to assist in the implementation of the ~~((transfer of~~  
10809 ~~development rights ()))TDR((+))~~ program by bridging the time gap between willing sellers  
10810 and buyers of development rights by purchasing and selling development rights,  
10811 purchasing conservation easements, and facilitating interlocal TDR agreements with  
10812 cities in King County through the provision of amenity funds. The TDR bank may  
10813 acquire development rights and conservation easements only from sending sites ~~((located~~  
10814 ~~in the rural area or in an agricultural or forest land use designation in the King County~~  
10815 ~~Comprehensive Plan, or in the urban unincorporated area only from sites meeting the~~  
10816 ~~criteria in K.C.C. 21A.37.020.A.2.g))~~ allowed in K.C.C. 21A.37.020. Except for  
10817 development rights purchased for use in affordable housing developments in accordance  
10818 with K.C.C. 21A.37.130, ((D))development rights purchased from the TDR bank may  
10819 only be used for receiving sites in cities, in Snoqualmie Pass Rural Town as provided in  
10820 this title, or in the urban unincorporated area as designated in the King County  
10821 Comprehensive Plan.

10822            SECTION 232. Ordinance 13733, Section 10, as amended, and K.C.C.

10823    21A.37.110 are hereby amended to read as follows:

10824            A. The TDR bank may purchase development rights from qualified sending sites  
10825 at prices not to exceed fair market value and ~~((to))~~ sell development rights at prices not  
10826 less than fair market value, except as allowed in K.C.C. 21A.37.130. The TDR bank may  
10827 accept donations of development rights from qualified TDR sending sites.



10828           B. The TDR bank may purchase a conservation easement only if the property  
10829 subject to the conservation easement is qualified as a sending site as evidenced by a TDR  
10830 qualification report, the conservation easement restricts development of the sending site  
10831 in the manner required by K.C.C. 21A.37.060<sub>2</sub> and the development rights generated by  
10832 encumbering the sending site with the conservation easement are issued to the TDR bank  
10833 at no additional cost.

10834           C. Any development rights, generated by encumbering property with a  
10835 conservation easement, may be issued to the TDR bank if:

10836           1.a. The conservation easement is acquired through a county park, open space,  
10837 trail, agricultural, forestry<sub>2</sub> or other natural resource acquisition program for a property  
10838 that is qualified as a TDR sending site as evidenced by a TDR qualification report; or

10839           b. the property is acquired by the county with the intent of conveying the  
10840 property encumbered by a reserved conservation easement. The number of development  
10841 rights generated by this reserved conservation easement shall be determined by the TDR  
10842 qualification report; and

10843           2. Under either subsection C.1.a. or b. of this section, there will be no additional  
10844 cost to the county for acquiring the development rights.

10845           D. The TDR bank may use funds to facilitate development rights transfers.  
10846 These expenditures may include, but are not limited to, establishing and maintaining  
10847 ~~((internet web pages))~~ websites, marketing TDR receiving sites, procuring title reports  
10848 and appraisals<sub>2</sub> and reimbursing the costs incurred by the department of natural resources  
10849 and parks, water and land resources division, or its successor, for administering the TDR  
10850 bank fund and executing development rights purchases and sales.

10851 E. The TDR bank fund may be used to cover the cost of providing staff support  
10852 for identifying and qualifying sending and receiving sites, and the costs of providing staff  
10853 support for the TDR interagency review committee.

10854 F. Upon approval of the TDR executive board, proceeds from the sale of TDR  
10855 bank development rights shall be available for acquisition of additional development  
10856 rights and as amenity funds to facilitate interlocal TDR agreements with cities in King  
10857 County and for projects in receiving areas located in urban unincorporated King County.  
10858 Amenity funds provided to a city from the sale of TDR bank development rights to that  
10859 city are limited to one-third of the proceeds from the sale.

10860 SECTION 233. Ordinance 13733, Section 11, as amended, and K.C.C.

10861 21A.37.120 are hereby amended to read as follows:

10862 A. The department of natural resources and parks, water and land resources  
10863 division, or its successor, shall administer the TDR bank fund and execute purchases of  
10864 development rights and conservation easements and sales of development rights in a  
10865 timely manner consistent with policy set by the TDR executive board. These  
10866 responsibilities include, but are not limited to:

- 10867 1. Managing the TDR bank fund;
- 10868 2. Authorizing and monitoring expenditures;
- 10869 3. Keeping records of the dates, amounts, and locations of development rights  
10870 purchases and sales, and conservation easement purchases;
- 10871 4. Executing development rights purchases, sales, and conservation easements;
- 10872 and

10873 5. Providing periodic summary reports of TDR bank activity for TDR executive  
10874 board consideration.

10875 B. The department of natural resources and parks, water and land resources  
10876 division, or its successor, in executing purchase and sale agreements for acquisition of  
10877 development rights and conservation easements shall ensure sufficient values are being  
10878 obtained and that all transactions~~((;))~~ or conservation easements ~~((or fee simple~~  
10879 ~~acquisitions))~~ are consistent with public land acquisition guidelines.

10880 SECTION 234. Ordinance 13733, Section 12, as amended, and K.C.C.  
10881 21A.37.130 are hereby amended to read as follows:

10882 A.1. The sale of ~~((development rights))~~ TDRs by the TDR bank shall be at a price  
10883 that equals or exceeds the fair market value of the ~~((development rights))~~ TDRs, except  
10884 as provided in subsection A.2. of this section. The fair market value of the ~~((development~~  
10885 ~~rights))~~ TDRs shall be established by the department of natural resources and parks and  
10886 shall be based on the amount the county paid for the development rights and the  
10887 prevailing market conditions.

10888 2.a. The department of natural resources and parks shall undertake a "TDR for  
10889 affordable housing" pilot program, in which ~~((transferable development rights necessary~~  
10890 ~~to construct up to one hundred total units))~~ TDRs sold to build up to one hundred total  
10891 units of affordable housing in accordance with K.C.C. 21A.48.020 and K.C.C  
10892 21A.08.030 shall be ~~((sold))~~ priced at the administrative cost incurred by the county or  
10893 fifteen percent of the fair market value of the development rights, whichever is less.

10894 b. In order to qualify for this program, all units built using the development  
10895 rights ~~((must))~~ shall be either:

10896 (1) rental housing permanently priced to serve households with a total  
10897 household income at or below sixty percent of AMI. A covenant on the property that  
10898 specifies the income level being served, rent levels, and requirements for reporting to  
10899 King County shall be recorded at final approval; or

10900 (2) housing reserved for income- and asset-qualified home buyers with total  
10901 household income at or below sixty percent of AMI. The units shall be limited to owner-  
10902 occupied housing with prices restricted based on typical underwriting ratios and other  
10903 lending standards, and with no restriction placed on resale. Final approval conditions  
10904 shall specify requirements for reporting to King County on both buyer eligibility and  
10905 housing prices.

10906 ~~c.((1) In areas where the inclusionary housing regulations adopted in K.C.C.~~  
10907 ~~chapter apply, development rights to build units through this pilot program shall only be~~  
10908 ~~sold for units in accordance with K.C.C. 21A.48.020 or K.C.C. 21.48.030.~~

10909 ~~(2) For all other areas in unincorporated King County, in the R-4 through R-~~  
10910 ~~48 zones, development rights to build units through this pilot program shall only be sold~~  
10911 ~~for units between one hundred fifty percent and two hundred percent of the receiving~~  
10912 ~~site's base density as set forth in K.C.C. 21A.12.030.~~

10913 ~~d.))~~(1) The department of natural resources and parks shall track the sale of  
10914 development rights and completion of units constructed through this program. When the  
10915 one hundred unit threshold is reached, the department shall, within six months of that  
10916 date, transmit a report to the council that includes, but is not limited to:

10917 (a) the location of the receiving sites where development rights under this  
10918 pilot program were used;

10919 (b) lessons learned from the pilot program, including feedback from  
10920 developers who purchased development rights through the program; and  
10921 (c) a recommendation on whether to make the pilot program permanent,  
10922 repeal the program, or modify the program.

10923 (2) the report shall be accompanied by a proposed ordinance effectuating the  
10924 recommendation in subsection ~~((A.2.d.(1)(e)))~~ A.2.c.(1)(c) of this section.

10925 (3) the report and proposed ordinance shall be electronically filed ~~((in the  
10926 form of a paper original and an electronic copy))~~ with the clerk of the council, who shall  
10927 retain the original and provide an electronic copy to all councilmembers, the council chief  
10928 of staff, and the lead staff to the ~~((mobility))~~ transportation, economy, and environment  
10929 committee, or its successor.

10930 B. When selling development rights, the TDR bank may select prospective  
10931 purchasers based on the price offered for the development rights, the number of  
10932 development rights offered to be purchased, and the potential for the sale to achieve the  
10933 purposes of the TDR program.

10934 C. The TDR bank may sell development rights only in whole or half increments  
10935 ~~((to incorporated receiving sites through an interlocal agreement or, after the county  
10936 enacts legislation that complies with chapter 365-198 WAC, to incorporated receiving  
10937 sites in a city that has enacted legislation that complies with chapter 365-198 WAC. The  
10938 TDR bank may sell development rights only in whole increments to unincorporated King  
10939 County receiving sites))~~.

10940 D. All offers to purchase ~~((development rights))~~ TDRs from the TDR bank shall  
10941 be in writing, shall include a certification that the ~~((development rights))~~ TDRs, if used,

10942 shall be used only inside an identified city or within the urban unincorporated area,  
10943 ~~((include a minimum ten percent down payment with purchase option,))~~ shall include the  
10944 number of ~~((development rights))~~ TDRs to be purchased, location of the receiving site,  
10945 proposed purchase price, and the required date or dates for completion of the sale, not  
10946 later than three years after the date of receipt by King County of the purchase offer.

10947 E. Payment for purchase of ~~((development rights))~~ TDRs from the TDR bank  
10948 shall be in full at the time the ~~((development rights))~~ TDRs are transferred unless  
10949 otherwise authorized by the department of natural resources and parks.

10950 SECTION 235. Ordinance 13733, Section 13, as amended, and K.C.C.  
10951 21A.37.140 are hereby amended to read as follows:

10952 A. For development rights sold by the TDR bank to be used in incorporated  
10953 receiving site areas, the county and the affected city or cities ~~((must))~~ shall either have  
10954 executed an interlocal agreement and the city or cities ~~((must))~~ shall have enacted  
10955 appropriate legislation to implement the program for the receiving area or the county and  
10956 the affected city or cities ~~((must))~~ shall each have enacted legislation that complies with  
10957 chapter 365-198 WAC.

10958 B.1. At a minimum, each interlocal agreement shall:

10959 a. ~~((shall))~~ describe the legislation that the receiving jurisdiction adopted or  
10960 will adopt to allow the use of ~~((development rights))~~ TDR;

10961 b. ~~((shall))~~ identify the receiving area;

10962 c. ~~((shall))~~ require the execution of a TDR extinguishment document in  
10963 conformance with K.C.C. 21A.37.080; and

10964 d. ~~((shall))~~ address the conversion ratio to be used in the receiving site area.

10965           2. If the city is to receive any amenity funds, the interlocal agreement shall ((set  
10966 forth)) establish the amount of funding and the amenities to be provided in accordance  
10967 with K.C.C. 21A.37.150\_I. Such an interlocal agreement may also indicate that a priority  
10968 should be given by the county to acquiring ((development rights)) TDRs from sending  
10969 sites in specified geographic areas. If a city has a particular interest in the preservation of  
10970 land in a rural or resource area or in the specific conditions on which it will be preserved,  
10971 then the interlocal agreement may provide for periodic inspection or special terms in the  
10972 conservation easement to be recorded against the sending site as a preacquisition  
10973 condition to purchases of ((development rights)) TDRs within specified areas by the TDR  
10974 bank.

10975           C. A TDR conversion ratio for development rights purchased from a sending site  
10976 and transferred to an incorporated receiving site area may express the amount of  
10977 additional ((development rights)) TDRs in terms of any combination of units, floor area,  
10978 height, or other applicable development standards that may be modified by the city to  
10979 provide incentives for the purchase of ((development rights)) TDRs.

10980           NEW SECTION. SECTION 236. There is hereby added to K.C.C. chapter  
10981 21A.37 a new section to read as follows:

10982           A. The TDR bank may establish in-lieu fee TDRs by collecting a fee-in-lieu of  
10983 selling TDRs from the TDR bank when TDR inventory is unavailable.

10984           1. TDR executive board shall determine when in-lieu fee TDRs may be made  
10985 available by considering the following:

- 10986           a. inventory of TDR bank and privately-owned TDRs;
- 10987           b. type of TDR needed by receiving site;

10988 c. price of available privately-owned TDRs; and  
10989 d. opportunities to obtain new TDRs from eligible sending sites.  
10990 2. In-lieu fee TDRs may be designated as rural or urban.  
10991 3. The TDR bank shall sell in-lieu fee TDRs in accordance with K.C.C.  
10992 21A.37.130 and 21A.37.140.  
10993 4. In-lieu fee TDRs shall not be used for rural receiving sites.  
10994 B. The TDR bank shall establish and maintain an internal tracking system that  
10995 identifies all funds collected through the sale of in-lieu fee TDRs, the quantity of in-lieu  
10996 fee TDRs purchased through the TDR bank, and all TDRs purchased using funds  
10997 collected from the sale of in-lieu fee TDRs.  
10998 C. The TDR bank shall use funds collected from the sale of in-lieu fee TDRs to  
10999 purchase TDRs from qualified sending sites in a type and amount that is appropriate for  
11000 the development use and in accordance with K.C.C. 21A.37.110. Funds collected from  
11001 the sale of in-lieu fee TDRs that were designated as rural shall be used to purchase TDRs  
11002 from rural or resource lands.  
11003 NEW SECTION. SECTION 237. There is hereby added to K.C.C. chapter  
11004 21A.37 a new section to read as follows:  
11005 By May 1, 2026, and every two years thereafter, the executive shall electronically  
11006 file a TDR program report with the clerk of the council, who shall retain the original and  
11007 provide an electronic copy to all councilmembers, the council chief of staff, and the lead  
11008 staff for the transportation, economy, and environment committee, or its successor. The  
11009 TDR program report should address the following:  
11010 A. Information on sending site enrollments;



- 11011 B. Information on uses of TDRs at receiving sites;
- 11012 C. An accounting of revenues received and expenditures made through the TDR
- 11013 bank; and
- 11014 D. The status of amenity funding for receiving areas.

11015 SECTION 238. Ordinance 10870, Section 579, as amended, and K.C.C.  
11016 21A.38.030 are hereby amended to read as follows:

11017 A. Property-specific development standards, denoted by the zoning map symbol -  
11018 P after the zone's map symbol or a notation in the geographic information system data  
11019 layers, shall be established on individual properties through either reclassifications or  
11020 area zoning. All property-specific development standards are contained in Appendix  
11021 ~~((of))~~ A to Ordinance 12824 ~~((as currently in effect or hereinafter amended))~~, as  
11022 amended, and shall be maintained by the department of local services, permitting  
11023 division, in the Property Specific Development Conditions notebook. Upon the effective  
11024 date of reclassification of a property to a zone with a "-P" suffix, the property-specific  
11025 development standards adopted thereby shall apply to any development proposal on the  
11026 subject property subject to county review, including, but not limited to, a building permit,  
11027 grading permit, subdivision, short subdivision, subsequent reclassification to a potential  
11028 zone, ~~((urban planned development,))~~ conditional use permit, variance, and special use  
11029 permit.

11030 B. Property-specific development standards shall address problems unique to  
11031 individual properties or a limited number of neighboring properties that are not addressed  
11032 or anticipated by general minimum requirements of this title or other regulations.

11033 C. Property-specific development standards shall cite the provisions of this title,  
11034 if any, that are to be augmented, limited, or increased, shall be supported by  
11035 documentation that addresses the need for such a condition or conditions, and shall  
11036 include street addresses, tax lot numbers, or other clear means of identifying the  
11037 properties subject to the additional standards. Property-specific development standards  
11038 are limited to:

- 11039 1. Limiting the range of (~~permitted~~) allowed land uses;
- 11040 2. Requiring special development standards for property with physical  
11041 constraints (~~(e.g.)~~, such as environmental hazards(~~(s)~~) or view corridors(~~(s)~~);
- 11042 3. Requiring specific site design features (~~(e.g.)~~, such as building orientation,  
11043 lot layout, clustering, trails, or access location(~~(s)~~);
- 11044 4. Specifying the phasing of the development of a site;
- 11045 5. Requiring public facility site dedications or improvements (~~(e.g.)~~, such as  
11046 roads, utilities, parks, open space, trails, or school sites(~~(s)~~); or
- 11047 6. Designating sending and receiving sites for transferring density credits as  
11048 provided in K.C.C. chapter (~~(21A.36)~~) 21A.37.

11049 D. Property-specific development standards shall not be used to expand  
11050 (~~permitted~~) allowed uses or reduce minimum requirements of this title.

11051 SECTION 239. Ordinance 10870, Section 578, as amended, and K.C.C.  
11052 21A.38.050 are hereby amended to read as follows:

11053 A. The purpose of the pedestrian-oriented commercial development special  
11054 district overlay is to provide for high-density, pedestrian-oriented retail and employment  
11055 uses. The pedestrian-oriented commercial districts shall only be established in areas

11056 designated as a center on the adopted Urban Centers map of the King County  
11057 Comprehensive Plan and zoned CB, RB<sub>2</sub> or O.

11058 B. (~~Permitted~~) Allowed uses shall be those uses (~~permitted~~) allowed in the  
11059 underlying zone, excluding the following:

11060 1. Motor vehicle, boat<sub>2</sub> and (~~mobile~~) manufactured home dealer;  
11061 2. Gasoline service station;  
11062 3. Uses with drive-through facilities, except SIC Industry (~~Number~~) 5812  
11063 (Eating places) in buildings existing before July 2017;  
11064 4. SIC Industry Group 598 (Fuel dealers);  
11065 5. Uses with outside storage, (~~e.g.~~) such as lumber yards, miscellaneous  
11066 equipment rental<sub>2</sub> or machinery sales;  
11067 6. Bulk retail;  
11068 7. (~~Recreation/~~) Recreational and cultural uses (~~as set forth~~) in K.C.C.  
11069 21A.08.040, except parks, sports clubs, theaters, libraries<sub>2</sub> and museums;  
11070 8. SIC Major Group 75 (Automotive repair, services<sub>2</sub> and parking) except 7521  
11071 (automobile parking; but excluding tow-in parking lots);  
11072 9. SIC Major Group 76 (Miscellaneous repair services), except 7631 (Watch,  
11073 clock and jewelry repair);  
11074 10. SIC Major Group 78 (Motion pictures);  
11075 11. SIC Major Group 80 (Health services), except offices and outpatient clinics  
11076 (801-804);  
11077 12. SIC Industry Group 421 (Trucking and courier service);  
11078 13. Public agency archive;

- 11079           14. Self-service storage;
- 11080           15. Manufacturing land uses ((~~as set forth~~)) in K.C.C. 21A.08.080, except SIC
- 11081   Industry ((~~Code~~)) 2759 (Commercial printing);
- 11082           16. Resource land uses ((~~as set forth~~)) in K.C.C. 21A.08.090;
- 11083           17. SIC Industry ((~~Code~~)) 7261 (Funeral home/crematory);
- 11084           18. Cemetery, columbarium, or mausoleum;
- 11085           19. Interim recycling facility;
- 11086           20. Utility facility, except underground water, gas, or wastewater pipelines; and
- 11087           21. Vector waste receiving facility.
- 11088           C. The following development standards shall apply to development located in
- 11089   pedestrian-oriented commercial overlay districts:
- 11090           1. For properties that have frontage on a public street, the following conditions
- 11091   shall apply:
- 11092           a. main building entrances shall be oriented to the public street;
- 11093           b. at the ground floor (at grade), buildings shall be located no more than five
- 11094   feet from the sidewalk or sidewalk improvement, but shall not encroach on the public
- 11095   right-of-way. For buildings existing before August 20, 2020, with setbacks greater than
- 11096   five feet and that have substantial improvements made to them after August 20, 2020, a
- 11097   minimum five-foot-wide pedestrian walkway shall be constructed that connects the main
- 11098   building entrance to the public sidewalk or sidewalk improvement;
- 11099           c. building facades shall comprise at least seventy-five percent of the total
- 11100   street frontage for a property and if applicable, at least seventy-five percent of the total
- 11101   pedestrian route frontage for a property;

11102 d. minimum setbacks of the underlying zoning are waived;

11103 e. building facades that front onto a street shall incorporate windows into at

11104 least thirty percent of the building facade surface area and overhead protection above all

11105 building entrances and along at least fifty percent of length of the building facade, which

11106 may extend over the sidewalk if it does not impede use of the sidewalk by the public;

11107 f. ground floor building facades shall include ornamentation such as decorative

11108 architectural treatments or finishes, pedestrian scale lighting, and window and door trim;

11109 and

11110 g. buildings facades shall not be comprised of uninterrupted glass curtain walls or

11111 mirrored glass;

11112 2. vehicle access shall be limited to the rear access alley or rear access street

11113 where such an alley or street exists;

11114 3. Floor-to-lot area ratio shall not exceed 5:1 for nonresidential structures, not

11115 including parking structures;

11116 4. The landscaping requirements of K.C.C. chapter 21A.16 shall apply to all

11117 new development and buildings existing before August 20, 2020, that have substantial

11118 improvements made to them after August 20, 2020; and

11119 5. Off-street parking requirements K.C.C. 21A.18.110 and K.C.C. 21A.48.050

11120 shall apply, except that the relief from K.C.C. 21A.18.110.A.4. that may be granted by

11121 the director shall only allow use of on-street parallel parking in front of or adjacent to the

11122 subject parcel for the parking spaces that cannot be accommodated to the rear or sides of

11123 buildings.

11124            SECTION 240. Ordinance 11567, Section 1, as amended, and K.C.C.

11125    21A.38.100 are hereby amended to read as follows:

11126            A. The purpose of the North Highline commercial and industrial special district  
11127    overlay is to accommodate and support existing commercial and industrial areas by  
11128    permitting a range of appropriate uses consistent with nearby residential areas.

11129            B. The special district overlay shall be designated only through the area zoning  
11130    process and applied to areas substantially developed with a mix of commercial and light  
11131    industrial uses and zoned CB, RB, O<sub>2</sub> or I.

11132            C. The standards of this title and other county codes shall be applicable to  
11133    development within the special district overlay except as follows:

11134            1. Legally established commercial or industrial uses that exist within an area as  
11135    of November 28, 1994, but that are not otherwise (~~permitted~~) allowed by the zoning,  
11136    shall be considered permitted uses upon only the lots that they occupied as of that date.

11137            2. Permitted uses shall include those of the base zone and I zone, except that the  
11138    following are not allowed:

11139            a. any use (~~permitted~~) allowed in the I zone requiring a conditional use  
11140    permit;

11141            b. auction houses;

11142            c. livestock sales;

11143            d. motor vehicle and boat dealers;

11144            e. SIC Major Group 24 (lumber and wood products, except furniture) except  
11145    2431 (millwork) and 2434 (wood kitchen cabinets);

11146            f. SIC Major Group 32 (stone, clay, glass and concrete products);

11147 g. SIC Industry 7534 (tire retreading);  
11148 h. SIC Major Group 02 (raising livestock and small animals);  
11149 i. SIC Industry 2951 (asphalt paving mixtures and blocks);  
11150 j. resource accessory uses;  
11151 k. outdoor storage of equipment or materials occupying more than twenty-five  
11152 percent of the site associated with SIC Industry 7312 (outdoor advertising services); and  
11153 l. interim recycling facilities on lots that directly abut properties outside of the  
11154 special district overlay.

11155 3. Use limitations of the base zone shall not apply to commercial/industrial  
11156 accessory uses.

11157 4. For nonresidential development, off-street parking shall be no less than  
11158 twenty-five percent and no more than seventy-five percent of the minimum required in  
11159 K.C.C. chapter 21A.18.

11160 ~~((D. For properties that have frontage on a pedestrian street or streets or route or~~  
11161 ~~routes as designated in an applicable plan or area zoning process, except for gasoline~~  
11162 ~~service stations (SIC 5541) and grocery stores (SIC 5411) that also sell gasoline, the~~  
11163 ~~following conditions shall apply:~~

11164 1. ~~Main building entrances shall be oriented to the pedestrian street;~~  
11165 2. ~~At the ground floor (at grade), buildings shall be located no more than five~~  
11166 ~~feet from the sidewalk or sidewalk improvement, but in no instance shall encroach on the~~  
11167 ~~public right of way;~~

11168           3. ~~Building facades shall comprise at least seventy-five percent of the total~~  
11169 ~~pedestrian street frontage for a property, and if applicable, at least seventy-five percent of~~  
11170 ~~the total pedestrian route frontage for a property;~~

11171           4. ~~Minimum side setbacks of the underlying zoning are waived;~~

11172           5. ~~Building facades of ground floor retail, general business service and~~  
11173 ~~professional office land uses, that front onto a pedestrian street or route shall include~~  
11174 ~~windows and overhead protection;~~

11175           6. ~~Building facades, along a pedestrian street or route, that are without~~  
11176 ~~ornamentation or are comprised of uninterrupted glass curtain walls or mirrored glass are~~  
11177 ~~not permitted; and~~

11178           7. ~~Vehicle access shall be limited to the rear access alley or rear access street~~  
11179 ~~where such an alley or street exists.))~~

11180           SECTION 241. Ordinance 12809, Section 5, as amended, and K.C.C.

11181 21A.38.120 are hereby amended to read as follows:

11182           A. The purpose of the wetland management area special overlay district is to  
11183 provide a means to designate certain unique and outstanding wetlands when necessary to  
11184 protect their functions and values from the impacts created from geographic and  
11185 hydrologic isolation and impervious surface.

11186           B. the following development standards shall be applied in addition to all  
11187 applicable requirements of K.C.C. chapter 21A.24 to development proposals located  
11188 within a wetland management area district overlay:

11189           1. All subdivisions and short subdivisions on residentially zoned ~~((properties~~  
11190 ~~that are identified in an adopted basin plan for impervious surface limitations.))~~ lands



11191 located within the wetland management area shall have a maximum impervious surface  
11192 area of eight percent of the gross acreage of the plat. ~~((For areas that are not covered by~~  
11193 ~~an adopted basin plan, this limit shall apply to all residentially zoned lands located within~~  
11194 ~~the wetland management area.))~~ Distribution of the allowable impervious area among the  
11195 platted lots shall be recorded on the face of the plat. Impervious surface of existing roads  
11196 ~~((need))~~ shall not be counted towards the allowable impervious area. This condition may  
11197 be modified by the director for the minimum necessary to accommodate unusual site  
11198 access conditions; and

11199 2. All ~~((subdivisions and short subdivisions on properties identified in an~~  
11200 ~~adopted basin plan for clustering and setback requirements))~~ development shall be  
11201 ~~((required to cluster))~~ sited away from wetlands or the axis of corridors along stream  
11202 tributaries and identified swales connecting wetlands in order to minimize land  
11203 disturbance and maximize distance from ~~((these sensitive features))~~ critical areas. At  
11204 least sixty-five percent of affected portions of RA-zoned properties and at least fifty  
11205 percent of all other affected portions of the property shall be left in native vegetation,  
11206 preferably forest, and placed in a permanent open space tract. ~~((In the absence of a basin~~  
11207 ~~plan, these requirements shall apply to all lands containing or adjacent to a wetland, a~~  
11208 ~~stream tributary corridor or a swale connecting wetlands; and~~

11209 3. ~~Clearing and grading activity from October 1 through March 31 shall meet~~  
11210 ~~the provisions of K.C.C. 16.82.150D wherever not already applicable.))~~

11211 SECTION 242. Ordinance 12823, Section 10, and K.C.C. 21A.38.150 are hereby  
11212 amended to read as follows:

11213 A. The purpose of the (~~(ground water)~~) groundwater protection special district  
11214 overlay is to limit land uses that have the potential to severely contaminate groundwater  
11215 supplies and to provide increased areas of permeable surface to allow for infiltration of  
11216 surface water into ground resources.

11217 B. For all commercial and industrial development proposals, at least (~~(40)~~) forty  
11218 percent of the site shall remain in natural vegetation or planted with landscaping, which  
11219 area shall be used to maintain predevelopment infiltration rates for the entire site. For  
11220 purposes of this special district overlay, the following shall be considered commercial  
11221 and industrial land uses:

11222 1. (~~(amusement/entertainment)~~) Recreational and cultural land uses as defined  
11223 by K.C.C. 21A.08.040, except trails, golf facilities, and arboretums;

11224 2. (~~(g)~~)General services land uses as defined by K.C.C. 21A.08.050, except  
11225 health (~~(and educational)~~) services land uses, education services land uses, daycare (~~(l)~~)  
11226 I, (~~(churches, synagogues, and temples)~~) and religious facilities;

11227 3. (~~(g)~~)Government/business services land uses as defined by K.C.C.  
11228 21A.08.060, except government services land uses;

11229 4. (~~(r)~~)Retail(~~(/wholesale)~~) land uses as defined by K.C.C. 21A.08.070, except  
11230 forest product sales and agricultural product sales;

11231 5. (~~(m)~~)Manufacturing land uses as defined by K.C.C. 21A.08.080; and(~~(s)~~)

11232 6. (~~(mineral extraction and processing)~~) Resource land uses as defined by  
11233 K.C.C. 21A.08.090, except agriculture land uses, forestry and uses, fish and wildlife  
11234 management land uses, and accessory uses.

11235 C. (~~Permitted~~) Allowed uses within the area of the ground water protection  
11236 special district overlay shall be those (~~permitted~~) allowed in the underlying zone,  
11237 excluding the following (~~as defined by Standard Industrial Classification number and~~  
11238 ~~type~~):

- 11239 1. (~~SIC 4581, airports, flying fields, and airport terminal services;~~
- 11240 2. ~~SIC 4953, refuse systems, (including landfills and garbage transfer stations~~  
11241 ~~operated by a public agency);~~
- 11242 3. ~~SIC 4952, sewerage systems (including wastewater treatment facilities); and~~
- 11243 4. ~~SIC 7996, amusement parks; SIC 7948, racing, including track operation; or~~  
11244 ~~other commercial establishments or enterprises involving large assemblages of people or~~  
11245 ~~automobiles except where excluded by section B above;~~
- 11246 5. ~~SIC 0752, animal boarding and kennel services;~~
- 11247 6. ~~SIC 1721, building painting services;~~
- 11248 7. ~~SIC 3260, pottery and related products manufacturing;~~
- 11249 8. ~~SIC 3599, machine shop services;~~
- 11250 9. ~~SIC 3732,)) Aircraft, ship, and boat building and repairing;~~
- 11251 (~~10. SIC 3993, electric and neon sign manufacturing;~~
- 11252 11. ~~SIC 4226, automobile storage services;~~
- 11253 12. ~~SIC 7334, blueprinting and photocopying services;~~
- 11254 13.)) 2. Warehousing and wholesale trade;
- 11255 3. SIC Industry 7534, tire retreading ((and repair services));
- 11256 (~~14. SIC 7542, car washes;~~
- 11257 15. ~~SIC 8731, commercial, physical and biological research laboratory services;~~

- 11258           16. ~~SIC 02, interim agricultural crop production and livestock quarters or~~  
11259 ~~grazing on properties 5 acres or larger in size;~~
- 11260           17. ~~SIC 0752, public agency animal control facility;~~
- 11261           18. ~~SIC 2230, 2260, textile dyeing;~~
- 11262           19. ~~SIC 2269, 2299, textile and textile goods finishing;~~
- 11263           20. ~~SIC 2700, printing and publishing industries;~~
- 11264           21. ~~SIC 2834, pharmaceuticals manufacturing;~~
- 11265           22. ~~SIC 2844, cosmetics, perfumes and toiletries manufacturing;~~
- 11266           23. ~~SIC 2893, printing ink manufacturing;~~
- 11267           24. ~~SIC 3000, rubber products fabrication;~~
- 11268           25. ~~SIC 3111, leather tanning and finishing;~~
- 11269           26. ~~SIC 3400, metal products manufacturing and fabrication;~~
- 11270           27. ~~SIC 3471, metal electroplating;~~
- 11271           28. ~~SIC 3691, 3692, battery rebuilding and manufacturing;~~
- 11272           29. ~~SIC 3711, automobile manufacturing; and~~
- 11273           30. ~~SIC 4600, petroleum pipeline operations))~~ 4. SIC Group 754, automotive  
11274 service; and
- 11275           5. SIC Major Group 36, electronic and other electric equipment.

11276           SECTION 243. Ordinance 17485, Section 43, as amended, and K.C.C.

11277           21A.38.260 are hereby amended to read as follows:

11278           A. The purpose of the Fall City business district special district overlay is to  
11279 allow commercial development in Fall City (~~to occur with on-site septic systems until~~  
11280 ~~such time as an alternative wastewater system is available))~~ that is consistent with the

11281 design and operation of the Fall City business district's large on-site sewage system and  
11282 that is compatible with rural character. The special district overlay shall only be  
11283 established in areas of Fall City Rural Town zoned CB ~~((and shall be evaluated to~~  
11284 ~~determine if it is applicable to other rural commercial centers)).~~

11285 B. The standards of this title and other county codes shall be applicable to  
11286 development within the ~~((Fall City business district))~~ special district overlay except as  
11287 follows:

11288 1. The ~~((permitted))~~ allowed uses in K.C.C. ~~((C))~~chapter 21A.08 ~~((do not apply~~  
11289 ~~and))~~ are replaced with the following~~((s))~~ uses. Where one or more development  
11290 conditions is identified in a land use table in K.C.C. chapter 21A.08 for a specific use in  
11291 the CB zone, they shall also apply to the following uses.

11292 a. Residential land uses ~~((as set forth in K.C.C. 21A.08.030))~~:

11293 i. As a permitted use:

11294 (A) ~~((Multifamily residential units shall only be allowed))~~ Mixed-use  
11295 development provided residential units are limited only to ~~((on))~~ the upper floors of a  
11296 building~~((s))~~;

11297 (B) Senior assisted housing, up to eleven units, and limited only to the upper  
11298 floors of a building; and

11299 ~~((B))~~ (C) Home occupations under K.C.C. chapter 21A.30;

11300 ~~((ii. As a conditional use:~~

11301 (A) ~~Bed and Breakfast (five rooms maximum); and~~

11302 (B) ~~Hotel/Motel.)~~

- 11303                    b. Recreational(~~(/)~~) and cultural land uses (~~(as set forth in K.C.C.~~  
11304    ~~21A.08.040)~~):
- 11305                    i. As a permitted use:
- 11306                    (A) Library;
- 11307                    (B) Museum;
- 11308                    (C) Arboretum; (~~and~~)
- 11309                    (D) Park;
- 11310                    (E) Trails; and
- 11311                    (F) Theater; and
- 11312                    ii. As a conditional use:
- 11313                    (A) Sports Club(~~(/Fitness Center)~~);
- 11314                    (B) Amusement(~~(/)~~) and Recreation Services(~~(/Arcades (Indoor))~~), indoor  
11315    only; and
- 11316                    (C) Bowling Center;
- 11317                    c. General services land uses (~~(as set forth in K.C.C. 21A.08.050)~~):
- 11318                    i. As a permitted use:
- 11319                    (A) General Personal Services, except escort services;
- 11320                    (B) Funeral Home/Crematory;
- 11321                    (C) (~~(Appliance/Equipment)~~) Miscellaneous Repair;
- 11322                    (D) (~~(Medical or Dental Office/Outpatient Clinic)~~;
- 11323                    ~~(E) Medical or Dental Lab~~;
- 11324                    ~~(F) Day Care~~) Daycare I;
- 11325                    (~~(G) Day Care~~) (E) Daycare II;

- 11326                    ~~((H))~~ (F) Veterinary Clinic;
- 11327                    ~~((I) Social Services;~~
- 11328                    ~~(J))~~ (G) Animal Specialty Services;
- 11329                    ~~((K))~~ (H) Artist Studios;
- 11330                    ~~((L) Nursing and Personal Care Facilities));~~
- 11331                    (I) Specialized Instruction School; and
- 11332                    (J) Religious Facilities; and
- 11333                    ii. As a conditional use:
- 11334                    (A) Bed and Breakfast Guesthouse (five rooms maximum);
- 11335                    (B) Hotel/Motel;
- 11336                    (C) Automotive Repair; and
- 11337                    ~~((A) Theater (Movie or Live Performance);~~
- 11338                    ~~(B) Religious Use))~~ (D) Automotive Service;
- 11339                    d. Health care services and residential care services land uses:
- 11340                    i. As a permitted use:
- 11341                    (A) Doctor's Office/Outpatient Clinic;
- 11342                    (B) Nursing and Personal Care Facilities;
- 11343                    (C) Medical/Dental Lab;
- 11344                    (D) Miscellaneous Health;
- 11345                    (E) Social Services; and
- 11346                    (F) Residential Care Services;
- 11347                    ~~((d.))~~ e. Government/Business services land uses ((as set forth in K.C.C.
- 11348                    21A.08.060)):

- 11349 i. As a permitted use:
- 11350 (A) General Business Service;
- 11351 (B) Professional Office(~~(Bank, Credit Union, Insurance Office.)~~);
- 11352 (C) Private stormwater management facilities;
- 11353 (D) Passenger Transportation Service;
- 11354 (E) Communication Offices; and
- 11355 (F) Off-street Required Parking Lot;
- 11356 ii. As a conditional use:
- 11357 (A) Public Agency or Utility Office;
- 11358 (B) Police ~~((Substation))~~ Facility;
- 11359 (C) Fire ~~((Station))~~ Facility;
- 11360 (D) Utility Facility; and
- 11361 (E) ~~((Self Service Storage))~~ Farm Product Warehousing, Refrigeration, and
- 11362 Storage;
- 11363 ~~((e.))~~ f. Retail(~~(/commercial))~~ land uses ~~((as set forth in K.C.C. 21A.08.070))~~:
- 11364 i. As a permitted use on the ground floor:
- 11365 (A) Food Stores;
- 11366 (B) Drug Stores~~((Pharmacy))~~;
- 11367 (C) ~~((Retail Store: includes f))~~ Florist shops~~((s))~~;
- 11368 (D) ~~((b))~~Book, Stationary, Video and Art Supply ~~((s))~~Stores~~((s))~~;
- 11369 (E) ~~((a))~~Apparel and ~~((accessories))~~ Accessory ~~((s))~~Stores~~((s))~~;
- 11370 (F) ~~((f))~~Furniture~~((f))~~ and ~~((h))~~Home ~~((f))~~Furnishings stores~~((s))~~;



11371 (G) Used goods: ((a))Antiques/((recycled goods store)) Secondhand  
11372 Shops)((:));

11373 (H) ((s))Sporting goods and Related ((s))Stores((:)); ((video store, art supply  
11374 store,))

11375 (I) ((h))Hobby ((store)), Toy, Game Shops((:));

11376 (J) ((j))Jewelry ((s))Stores((:)); ((toy store, game store, photo store,  
11377 electronic/appliance store,))

11378 (K) Photographic and Electronic Shops;

11379 (L) ((f))Fabric ((s))Shops((:));

11380 (M) ((p))Pet ((s))Shops((, and other retail stores (excluding adult only  
11381 retail)));

11382 ((D)) (N) Eating and Drinking Places((, including coffee shops and  
11383 bakeries));

11384 ((E)) (O) Remote tasting rooms((:); and

11385 (P) Auto Supply Store; and

11386 ii. As a conditional use:

11387 (A) Liquor Store or any ((R))retail ((S))store ((Selling)) otherwise allowed  
11388 as a permitted use in this section and that sells ((A))alcohol;

11389 (B) ((Hardware/Building Supply)) Building Materials and Hardware Stores;

11390 (C) Retail Nursery((A) Garden Center and Farm Supply Stores;

11391 (D) Department and Variety Stores; and

11392 (E) ((Auto Dealers (indoor sales rooms only) Cannabis Retailer;

11393 f. Manufacturing land uses as set forth in K.C.C. 21A.08.080 are not allowed.))

11394 g. Resource land uses ~~((as set forth in K.C.C. 21A.08.090))~~);

11395 i. As an ~~((permitted))~~ accessory use:

11396 (A) ~~((Solar photovoltaic/solar thermal energy systems;~~

11397 ~~(B) Private storm water management facilities;~~

11398 ~~(C)) Growing and Harvesting Crops ~~((within rear/internal side yards or~~~~

11399 ~~roof gardens, and with organic methods only))~~);

11400 (D) ~~Raising Livestock and Small Animals (per the requirements of Section~~

11401 ~~21A.30 of the Zoning Code)~~

11402 ii. ~~As a conditional use: Wind Turbines)~~

11403 h. Regional land uses ~~((as set forth in K.C.C. 21A.08.100 with))~~; as a

11404 ~~((special))~~ permitted use ~~((permit))~~: ~~((Communication))~~ Transit Comfort Facility.

11405 2. In new buildings, recreational and cultural land uses, general services land

11406 uses, health care and residential care services land uses, government/business land uses,

11407 retail land uses, resource land uses, and regional land uses shall only be allowed on the

11408 ground floor.

11409 3. The densities and dimensions ~~((set forth))~~ in K.C.C. chapter 21A.12 apply,

11410 except as follows:

11411 a. Residential density is limited to ~~((six))~~ four dwelling units per acre~~((;))~~,

11412 except that the density may be increased to six dwelling units per acre if ~~((For any~~

11413 ~~building with more than ten dwelling units,))~~ at least ten percent of the dwelling units

11414 ~~((shall be classified as))~~ are affordable to households at or below eighty percent area

11415 median income for ownership or sixty percent area median income for rental ~~((under~~

11416 ~~21A.34.040F.1))~~);

- 11417           b. Buildings are limited to two floors, plus an optional basement;
- 11418           c. The elevation of the ground floor may be elevated a maximum of six feet
- 11419 above the average grade of the site along the front facade of the building;
- 11420           d. If the ground floor is designed to accommodate non((-)residential uses, the
- 11421 elevation of the ground floor should be placed near the elevation of the sidewalk to
- 11422 minimize the need for stairs and ((~~ADA~~)) ramps;
- 11423           e. If the ground floor is designed to accommodate non((-)residential space, the
- 11424 height of the ceiling, as measured from finished floor, shall be no more than eighteen
- 11425 feet; and
- 11426           f. Building height shall not exceed forty feet, as measured from the average
- 11427 grade of the site along the front facade of the building.

11428           C.1. The business district's large on-site sewage system shall comply with the

11429 requirements in K.C.C. 21A.28.xxx (the new section created in Section 198 of this

11430 ordinance); and

11431           2. Residential development in the business district using the large on-site

11432 sewage system is limited to the densities in subsection B.3. of this section.

11433           SECTION 244. Ordinance 19146, Section 83, and K.C.C. 21A.38.265 are hereby

11434 amended to read as follows:

11435           A. The purpose of the Martin Luther King Jr. Way South mixed-use special district

11436 overlay is to facilitate linkages to the existing Martin Luther King Jr Way South

11437 Neighborhood Business Center, incentivize commercial opportunities close to existing

11438 high-density housing, incentivize commercial development by allowing more uses than

11439 traditionally found in mixed-use developments and provide flexibility in current square  
11440 footage limitations.

11441 B. The following development standards shall be applied to all development  
11442 proposals within the Martin Luther King Jr. Way South mixed-use special district overlay:

11443 1. New buildings shall be limited to mixed-use as defined in K.C.C. 21A.06.753;  
11444 and

11445 2. A professional office as defined in K.C.C. 21A.06.910 is an allowed use as part  
11446 of a mixed-use building in subsection B.1. of this section(~~;~~ and

11447 ~~3. Any nonresidential component of the building that is personal services allowed~~  
11448 ~~in the zone under K.C.C. 21A.08.050 or retail use allowed in the zone under K.C.C.~~  
11449 ~~21A.08.070 shall comply with K.C.C. 21A.12.230, except that K.C.C. 21A.12.230.A., B.~~  
11450 ~~and C. do not apply to the development)).~~

11451 SECTION 245. Ordinance 19555, Section 20, and K.C.C. 21A.38.280 are  
11452 hereby amended to read as follows:

11453 A. The purpose of the North Highline pedestrian-oriented special district overlay  
11454 is to require pedestrian-oriented development that facilitates walkability and connectivity  
11455 between commercial areas and community amenities in North Highline's downtown core.

11456 B. ~~((In addition to the development standards in this title, the following~~  
11457 ~~development standards shall also apply to new and substantially improved development~~  
11458 ~~within the special district overlay. Where a conflict exists, the following standards shall~~  
11459 ~~apply:~~

11460 1. ~~Main building entrances shall be oriented to a public street;~~

11461           2. ~~At the ground floor, also known as "at grade," buildings shall be located no~~  
11462 ~~more than five feet from the sidewalk or sidewalk improvement, but shall not encroach~~  
11463 ~~on the public right of way;~~

11464           3. ~~Building facades shall comprise at least seventy five percent of the total street~~  
11465 ~~frontage for a property;~~

11466           4. ~~Building facades shall include windows and overhead protection;~~

11467           5. ~~Building facades that are without ornamentation or are comprised of~~  
11468 ~~uninterrupted glass curtain walls or mirrored glass are not permitted; and~~

11469           6. ~~Vehicle access shall be limited to the rear access alley where such an alley~~  
11470 ~~exists.~~

11471           C.)) For nonresidential development, off-street parking shall be no less than  
11472 twenty-five percent and no more than seventy-five percent of the minimum required in  
11473 K.C.C. chapter 21A.18.

11474           ~~((D. Marijuana))~~ C. Cannabis processors and producers are ~~((not allowed uses))~~  
11475 prohibited.

11476           NEW SECTION. SECTION 246. There is hereby added to K.C.C. chapter  
11477 21A.38 a new section to read as follows:

11478           A. The purpose of the Vashon Rural Town Community Business special district  
11479 overlay is to allow compatible land uses in the Vashon Rural Town.

11480           B. The standards of this title and other county codes shall be applicable to  
11481 development within the Vashon Rural Town Community Business special district overlay  
11482 except as follows:

11483           1. The allowed uses in K.C.C. chapter 21A.08 are replaced with the following  
11484 uses. Where one or more development conditions is identified in a land use table in  
11485 K.C.C. chapter 21A.08 for a specific use and applicable zoning district, they shall also  
11486 apply to the following uses.

11487           a. Residential land uses:

11488           i. Townhouses;

11489           ii. Apartments;

11490           iii. Senior Assisted Housing; and

11491           iv. Home Occupations under K.C.C. chapter 21A.30;

11492           b. Recreational and cultural land uses:

11493           i. Park;

11494           ii. Theater;

11495           iii. Bowling center;

11496           iv. Sports Club;

11497           v. Library;

11498           vi. Museum;

11499           vii. Arboretum; and

11500           viii. Conference Center;

11501           c. General services land uses:

11502           i. General Personal Services;

11503           ii. Funeral Home/Crematory;

11504           iii. Daycare I;

11505           iv. Daycare II;

- 11506 v. Veterinary Clinic, subject to K.C.C. 21A.08.050.B.10.;
- 11507 vi. Automotive Repair;
- 11508 vii. Miscellaneous Repair;
- 11509 viii. Religious Facility;
- 11510 ix. Commercial Kennel;
- 11511 x. Interim Recycling Facility;
- 11512 xi. Hotel/Motel;
- 11513 xii. Bed and Breakfast Guesthouse;
- 11514 xiii. Secondary or High School; and
- 11515 xiv. Specialized Instruction School;
- 11516 d. Health care services and residential care services land uses:
  - 11517 i. Doctor's Office/Outpatient Clinic;
  - 11518 ii. Medical or Dental Lab;
  - 11519 iii. Social Services;
  - 11520 iv. Nursing and Personal Care Facilities;
  - 11521 v. Hospital; and
  - 11522 vi. Community Residential Facility I and II;
- 11523 e. Government/Business services land uses:
  - 11524 i. Public Agency or Utility Office;
  - 11525 ii. Police Facility;
  - 11526 iii. Utility Facility;
  - 11527 iv. Private Stormwater Management Facility;
  - 11528 v. Individual Transportation and Taxi;

- 11529 vi. Trucking and Courier Service;
- 11530 vii. Self-service Storage;
- 11531 viii. Passenger Transportation Service;
- 11532 ix. Telegraph and other Communications (excluding towers);
- 11533 x. General Business Service;
- 11534 xi. Professional Office;
- 11535 xii. Miscellaneous Equipment Rental;
- 11536 xiii. Automotive Parking; and
- 11537 xiv. Commercial/Industrial Accessory Uses (Administrative Offices,
- 11538 employee exercise & food service facilities, storage of agricultural raw materials or
- 11539 products manufactured on-site, owner/caretaker residence, grounds maintenance);
- 11540 f. Retail land uses:
  - 11541 i. Building Materials and Hardware Store and Garden Materials;
  - 11542 ii. Retail Nursery, Garden Center, and Farm Supply Stores;
  - 11543 iii. Department and Variety Store;
  - 11544 iv. Food Stores;
  - 11545 v. Farmers Market;
  - 11546 vi. Auto Supply Stores;
  - 11547 vii. Apparel and Accessory Stores;
  - 11548 viii. Furniture and Home Furnishings Stores;
  - 11549 ix. Eating and Drinking Places;
  - 11550 x. Remote Tasting Rooms;
  - 11551 xi. Drug Stores;



- 11552           xii. Liquor Stores;
- 11553           xiii. Used Goods: Antiques/Secondhand Shops;
- 11554           xiv. Sporting Goods and Related Stores;
- 11555           xv. Book, Stationery, Video, and Art Supply Stores;
- 11556           xvi. Jewelry Stores;
- 11557           xvii. Hobby, Toy Game Shops;
- 11558           xviii. Photographic and Electronic Shops;
- 11559           xix. Photographic and Electronic Shops;
- 11560           xx. Fabric Shops;
- 11561           xxi. Florist Shops;
- 11562           xxii. Personal Medical Supply Stores;
- 11563           xxiii. Pet Shops; and
- 11564           xxiv. Cannabis Retailer, subject to K.C.C. 21A.08.070 and applicable state
- 11565   law;
- 11566           g. Manufacturing land uses:
  - 11567           i. Cannabis Processor I, subject to K.C.C. 21A.08.080 and applicable state
  - 11568   law;
  - 11569           ii. Printing and Publishing; and
  - 11570           iii. Wineries, Breweries and Distilleries, subject to K.C.C. 21A.08.080; and
- 11571           h. Regional land uses:
  - 11572           i. Wastewater Treatment Facility; and
  - 11573           ii. Commuter Parking Lot.

11574           2. The densities and dimensions in K.C.C. chapter 21A.12 apply, except the  
11575 maximum height limit is three stories, not to exceed forty feet. Floors above two stories  
11576 shall be set back an additional ten feet from the street property line.

11577           NEW SECTION. SECTION 247. There is hereby added to K.C.C. chapter  
11578 21A.38 a new section to read as follows:

11579           A. The purpose of the Vashon-Maury Island Industrial special district overlay is  
11580 to allow compatible land uses on industrially zoned properties on Vashon-Maury Island.

11581           B. The standards of this title and other county codes shall be applicable to  
11582 development within the Vashon-Maury Island Industrial special district overlay except as  
11583 follows:

11584           1. The allowed uses in K.C.C. chapter 21A.08 are replaced with the following  
11585 uses. Where one or more development conditions is identified in a land use table in  
11586 K.C.C. chapter 21A.08 for a specific use and applicable zoning district, they shall also  
11587 apply to the following uses.

11588           b. Recreational and cultural land uses:

11589           i. Park;

11590           ii. Trails;

11591           iii. Campgrounds;

11592           iv. Theater;

11593           v. Bowling Center;

11594           vi. Amusement and Recreation Services; and

11595           vii. Museum;

11596           c. General services land uses:

- 11597 i. General Personal Services;
- 11598 ii. Drycleaning Plants;
- 11599 iii. Industrial Launderers;
- 11600 iv. Daycare I;
- 11601 v. Daycare II;
- 11602 vi. Veterinary Clinic, subject to K.C.C. 21A.08.050.B.10.;
- 11603 vii. Automotive Repair;
- 11604 vii. Automotive Service;
- 11605 viii. Miscellaneous Repair;
- 11606 ix. Animal Specialty Services;
- 11607 x. Artist Studios;
- 11608 xi. Interim Recycling Facility;
- 11609 xii. Dog Training Facilities;
- 11610 xiii. Vocational School;
- 11611 xiv. Specialized Instruction School; and
- 11612 xv. School District Support Facility;
- 11613 d. Health care services and residential care services land uses:
  - 11614 i. Doctor's Office/Outpatient Clinic; and
  - 11615 ii. Medical or Dental Lab;
- 11616 e. Government/Business services land uses:
  - 11617 i. Public Agency or Utility Office;
  - 11618 ii. Public Agency or Utility Yard;
  - 11619 iii. Public Agency Archives;

- 11620 iv. Police Facility;
- 11621 v. Fire Facility;
- 11622 vi. Utility Facility;
- 11623 vii. Commuter Parking Lot;
- 11624 viii. Private Stormwater Management Facility;
- 11625 ix. Vactor Waste Receiving Facility;
- 11626 x. Construction and Trade;
- 11627 xi. Individual Transportation and Taxi;
- 11628 xii. Trucking and Courier Service;
- 11629 xiii. Warehousing and Wholesale Trade;
- 11630 xiv. Self-service Storage;
- 11631 xv. Farm Product Warehousing, Refrigeration, and Storage;
- 11632 xvi. Log Storage;
- 11633 xvii. Transportation Service;
- 11634 xviii. Freight and Cargo Service;
- 11635 xix. Communication Offices;
- 11636 xx. Telegraph and other Communications;
- 11637 xxi. General Business Service;
- 11638 xxii. Professional Office;
- 11639 xxiii. Outdoor Advertising Service;
- 11640 xxiv. Miscellaneous Equipment Rental;
- 11641 xxv. Automotive Rental and Leasing;
- 11642 xxvi. Automotive Parking;

- 11643            xxvii. Off-Street Required Parking Lot;
- 11644            xxviii. Research, Development, and Testing;
- 11645            xxix. Heavy Equipment and Truck Repair;
- 11646            xxx. Commercial/Industrial Accessory Uses (Administrative Offices,  
11647 employee exercise & food service facilities, storage of agricultural raw materials or  
11648 products manufactured on-site, owner/caretaker residence, grounds maintenance); and
- 11649            xxxi. Helistop, as a conditional use;
- 11650            f. Retail land uses:
- 11651            i. Food Stores;
- 11652            ii. Agricultural Product Sales;
- 11653            iii. Farmers Market;
- 11654            iv. Motor Vehicles and Boat Dealers;
- 11655            v. Auto Supply Stores;
- 11656            vi. Gasoline Service Stations;
- 11657            vii. Eating and Drinking Places;
- 11658            viii. Sporting Goods and Related Stores;
- 11659            ix. Fuel Dealers;
- 11660            x. Auction Houses; and
- 11661            xi. Livestock Sales;
- 11662            g. Manufacturing land uses:
- 11663            i. Food and Kindred Products;
- 11664            ii. Winery/Brewery/Distillery Facility II;
- 11665            iii. Winery/Brewery/Distillery Facility III;

- 11666 iv. Materials Processing Facility;
- 11667 v. Textile Mill Products;
- 11668 vi. Apparel and other Textile Products;
- 11669 vii. Wood Products, except furniture;
- 11670 viii. Furniture and Fixtures;
- 11671 ix. Paper and Allied Products, limited to ten thousand square feet;
- 11672 x. Printing and Publishing;
- 11673 xi. Cannabis Processor II;
- 11674 xii. Leather and Leather Goods, limited to ten thousand square feet;;
- 11675 xiii. Stone, Clay, Glass, and Concrete Products, limited to ten thousand
- 11676 square feet;
- 11677 xiv. Fabricated Metal Products;
- 11678 xv. Industrial and Commercial Machinery;
- 11679 xvi. Computer and Office Equipment;
- 11680 xvii. Electronic and other Electric Equipment;
- 11681 xviii. Measuring and Controlling Instruments;
- 11682 xix. Miscellaneous Light Manufacturing;
- 11683 xx. Aircraft, Ship, and Boat Building, limited to small boats under 30 feet
- 11684 length; and
- 11685 xxi. Movie Production/Distribution;
- 11686 h. Resource land uses:
- 11687 i. Growing and Harvesting Crops;
- 11688 ii. Raising Livestock and Small Animals, excluding feed lots and auctions;

- 11689           iii. Cannabis producer;
- 11690           iv. Growing and Harvesting Forest Production;
- 11691           v. Forest Research;
- 11692           vi. Hatchery/Fish Preserve;
- 11693           vii. Aquaculture; and
- 11694           vii. Resource Accessory Uses;
- 11695           i. Regional land uses:
  - 11696           i. Public Agency Animal Control Facility;
  - 11697           ii. Public Agency Training Facility;
  - 11698           iii. Renewable Energy Generation Facility;
  - 11699           iv. Communication Facility;
  - 11700           v. Municipal Water Production;
  - 11701           vi. Airport/Heliport, limited to heliports only;
  - 11702           vii. Rural Public Infrastructure Maintenance Facility;
  - 11703           viii. Transit Bus Base;
  - 11704           ix. Transit Comfort Facility;
  - 11705           x. School Bus Base; and
  - 11706           xi. Fairground.

11707           NEW SECTION. SECTION 248. There is hereby added to K.C.C. chapter

11708           21A.38. a new section to read as follows:

11709           A. The purpose of the Green Energy special district overlay is to advance the  
 11710           county's climate action goals by reducing barriers to generating renewable energy in King  
 11711           County, on properties whose location within one thousand feet of utility corridors and

11712 existing and historical waste management and mineral extraction sites makes them  
11713 uniquely situated for maximizing green and renewable energy production while reducing  
11714 transportation costs.

11715 B. The standards of this title and other county codes shall be applicable to  
11716 development within the special district overlay, except that the permit requirements and  
11717 conditions for the uses listed below shall replace those found for these uses in K.C.C.  
11718 chapter 21A.08:

11719 1. The following uses are allowed as permitted uses:

11720 a. non-hydroelectric generation facility, anaerobic digester, and production of  
11721 biogas from waste management processes on-site, regardless of whether electricity is  
11722 generated on-site from the gas; and

11723 b. local distribution gas storage tank, only to support the biogas use in  
11724 subsection B.1.a. of this section.

11725 2. The following uses are allowed as conditional uses:

11726 a. production of renewable hydrogen through electrolyzing water; and

11727 b. only when the use supports the regional solid waste or recycling system, or  
11728 the county's diversion efforts:

11729 (1) energy resource recovery facility;

11730 (2) transfer station;

11731 (3) landfill; and

11732 (4) interim recycling facility.

11733 C. Uses and development within the mineral extraction portion of the overlay  
11734 shall comply with state and county reclamation requirements.



11735            NEW SECTION. SECTION 249. There is hereby added to K.C.C. chapter  
11736 21A.38 a new section to read as follows:

11737            A. The purpose of the Fall City Rural Town Residential special district overlay is  
11738 to maintain the historic character and predominant development pattern in the residential  
11739 zone in Fall City Rural Town.

11740            B. The standards of this title and other county codes shall be applicable to  
11741 development within the special district overlay except as follows:

11742            1. The maximum density is four dwelling units per acre, except manufactured  
11743 home communities are allowed a maximum density of twelve dwelling units per acre;

11744            2. The minimum density shall not apply;

11745            3. The minimum lot area is twelve thousand five hundred square feet;

11746            4. The minimum lot width is sixty feet;

11747            5. The minimum street setback is fifteen feet;

11748            6. The minimum interior setback is ten feet, except for vehicle access points in  
11749 K.C.C. 21A.12.030.B.16;

11750            7. The maximum impervious surface is forty percent. An additional five percent  
11751 may be granted for driveway access to a detached garage set back further from the street  
11752 than the footprint of the residence;

11753            8. The base height is twenty-five feet; and

11754            9. The maximum height is thirty-five feet for:

11755            a. buildings with pitched roofs with a minimum slope of six over twelve; or

11756            b. duplexes and houseplexes within two-hundred and fifty feet of the Fall City  
11757 business district special district overlay in K.C.C. 21A.38.260.

11758 C. Development using a community on-site sewage system or large on-site  
11759 sewage system shall comply with the requirements in K.C.C. 21A.28.xxx (the new  
11760 section created in Section 198 of this ordinance).

11761 SECTION 250. Ordinance 11621, Section 112, as amended, and K.C.C.  
11762 21A.43.030 are hereby amended to read as follows:

11763 A. The fee for each district shall be calculated based on the formula set out in  
11764 Attachment A to Ordinance 11621.

11765 B. Separate fees shall be calculated for single ~~((family))~~ detached and ~~((multi-~~  
11766 ~~family))~~ multiunit residential units and separate student generation rates ~~((must))~~ shall be  
11767 determined by the district for each type of residential unit. For purposes of this chapter,  
11768 "single ~~((family)) detached units~~" shall mean single detached ~~((dwelling-units))~~  
11769 residences, and ~~((multi-family))~~ "multiunit units" shall mean duplexes, houseplexes,  
11770 cottage housing, townhouses, and apartments.

11771 C. The fee shall be calculated on a district-by-district basis using the appropriate  
11772 factors and data to be supplied by the district, as indicated in Attachment A to Ordinance  
11773 11621. The fee calculations shall be made on a district-wide basis to assure maximum  
11774 utilization of all school facilities in the district used currently or within the last two years  
11775 for instructional purposes.

11776 D. The formula in Attachment A to Ordinance 11621 also provides a credit for  
11777 the anticipated tax contributions that would be made by the development based on  
11778 historical levels of voter support for bond issues in the school district.

11779 E. The formula in Attachment A to Ordinance 11621 also provides for a credit  
11780 for school facilities or sites actually provided by a developer (~~(which)~~) that the school  
11781 district finds to be acceptable.

11782 SECTION 251. Ordinance 11621, Section 114, as amended, and K.C.C.  
11783 21A.43.050 are hereby amended to read as follows:

11784 A. In school districts where impact fees have been adopted by county ordinance  
11785 and except as provided in K.C.C. 21A.43.080, the county shall collect impact fees, based  
11786 on the schedules (~~(set forth)~~) in each ordinance establishing the fee to be collected for the  
11787 district, from any applicant seeking development approval from the county where such  
11788 development activity requires final plat(~~(, PUD or UPD)~~) approval or the issuance of a  
11789 residential building permit or a (~~(mobile)~~) manufactured home permit and the fee for the  
11790 lot or unit has not been previously paid. (~~(No a)~~)Approval shall not be granted and (~~(no)~~)  
11791 a permit shall not be issued until the required school impact fees (~~(set forth)~~) in the  
11792 district's impact fee schedule contained in K.C.C. Title 27 have been paid.

11793 B. For a plat(~~(, PUD or UPD)~~) applied for on or after the effective date of the  
11794 ordinance adopting the fee for the district in question receiving final approval, fifty  
11795 percent of the impact fees due on the plat(~~(, PUD or UPD)~~) shall be assessed and  
11796 collected from the applicant at the time of final approval, using the impact fee schedules  
11797 in effect when the plat(~~(, PUD or UPD)~~) was approved. The balance of the assessed fee  
11798 shall be allocated to the dwelling units in the project, and shall be collected when the  
11799 building permits are issued. Residential developments proposed for short plats shall be  
11800 governed by subsection D<sub>2</sub> of this section.

11801 C. If, on the effective date of an ordinance adopting an impact fee for a district, a  
11802 plat(~~(, PUD or UPD)~~) has already received preliminary approval, such plat(~~(, PUD or~~  
11803 ~~UPD)~~) shall not be required to pay fifty percent of the impact fees at the time of final  
11804 approval, but the impact fees shall be assessed and collected from the lot owner at the  
11805 time the building permits are issued, using the impact fee schedules in effect at the time  
11806 of building permit application. If, on the effective date of a district's ordinance, an  
11807 applicant has applied for preliminary plat(~~(, PUD or UPD)~~) approval, but has not yet  
11808 received such an approval, the applicant shall follow the procedures (~~(set forth)~~) in  
11809 subsection B<sub>2</sub> of this section.

11810 D. For existing lots or lots not covered by subsection B<sub>2</sub> of this section,  
11811 application for (~~(single family)~~) single detached and (~~(multifamily)~~) multiunit residential  
11812 building permits, (~~(mobile)~~) manufactured home permits, and site plan approval for  
11813 (~~(mobile)~~) manufactured home (~~(parks)~~) communities, the total amount of the impact fees  
11814 shall be assessed and collected from the applicant when the building permit is issued,  
11815 using the impact fee schedules in effect at the time of permit application.

11816 E. Any application for preliminary plat(~~(, PUD or UPD)~~) approval or  
11817 (~~(multifamily zoning which)~~) rezone that has been approved subject to conditions  
11818 requiring the payment of impact fees established (~~(pursuant to)~~) in accordance with this  
11819 chapter, shall be required to pay the fee in accordance with the condition of approval.

11820 F. In lieu of impact fee payment (~~(pursuant to)~~) under subsections A. through E.  
11821 of this section, each applicant for a (~~(single family)~~) single detached residential  
11822 construction permit may request deferral of impact fee collection for up to the first twenty  
11823 (~~(single family)~~) single detached residential construction building permits per year.

11824 Applicants shall be identified by their contractor registration numbers. Deferred payment  
11825 of impact fees shall occur either at the time of final permit inspection by the department  
11826 of local services, permitting division, or eighteen months after the building permit is  
11827 issued, whichever is earlier.

11828 SECTION 252. Ordinance 11621, Section 116, as amended, and K.C.C.  
11829 21A.43.070 are hereby amended to read as follows:

11830 A. The following are excluded from the application of the impact fees:

11831 1. ~~((Any form of housing exclusively for the senior citizen, including nursing~~  
11832 ~~homes and retirement centers, so long as these uses are maintained)) Senior assisted  
11833 housing;~~

11834 2. Reconstruction, remodeling, or replacement of existing dwelling units  
11835 ~~((which))~~ that does not result in additional new dwelling units. In the case of replacement  
11836 of a dwelling, a complete application for a building permit ~~((must))~~ shall be submitted  
11837 within three years after it has been removed or destroyed;

11838 3. ~~((Shelters for temporary placement, relocation facilities, transitional housing~~  
11839 ~~facilities)) Uses identified in K.C.C. 21A.08.xxx (the new section created by section 148  
11840 of this ordinance) and ~~((C))~~community ~~((R))~~residential ~~((F))~~facilities as defined in K.C.C.  
11841 21A.06.220;~~

11842 4. Any development activity that is exempt from the payment of an impact fee  
11843 ~~((pursuant to))~~ under RCW 82.02.100, due to mitigation of the same system improvement  
11844 under ~~((the State Environmental Policy Act))~~ SEPA;

11845 5. Any development activity for which school impacts have been mitigated  
11846 ~~((pursuant to))~~ in accordance with a condition of plat~~((, PUD or UPD))~~ approval to pay

11847 fees, dedicate land, or construct or improve school facilities, unless the condition of the  
11848 plat(~~(, PUD or UPD)~~) approval provides otherwise; (~~provided that~~) but only if the  
11849 condition of the plat(~~(, PUD or UPD)~~) approval predates the effective date of a school  
11850 district's fee implementing ordinance;

11851 6. Any development activity for which school impacts have been mitigated  
11852 (~~pursuant to~~) in accordance with a voluntary agreement entered into with a school  
11853 district to pay fees, dedicate land, or construct or improve school facilities, unless the  
11854 terms of the voluntary agreement provide otherwise; provided that the agreement  
11855 predates the effective date of a school district's fee implementing ordinance;

11856 7. Housing units (~~which~~) that fully qualify as housing for persons (~~(age 55)~~)  
11857 aged fifty-five and over meeting the requirements of the Federal Housing Amendments  
11858 Act of 1988, 42 U.S.C. 3607(b)(2)(c) and (b)(3), as subsequently amended, and (~~which~~)  
11859 that have recorded covenants or other legal arrangements precluding school-aged children  
11860 as residents in those units;

11861 8. (~~Mobile~~) Manufactured homes permitted as temporary dwellings (~~pursuant~~  
11862 ~~to~~) in accordance with K.C.C. 21A.32.170; and

11863 9. Accessory dwelling units as defined in K.C.C. 21A.06.350 and K.C.C.  
11864 21A.08.030.B.7.a.

11865 B. Arrangement may be made for later payment with the approval of the school  
11866 district only if the district determines that (~~(#)~~) the school district will be unable to use or  
11867 will not need the payment until a later time, provided that sufficient security, as defined  
11868 by the district, is provided to assure payment. Security shall be made to and held by the

11869 school district, which will be responsible for tracking and documenting the security  
11870 interest.

11871 C. The fee amount established in the schedule shall be reduced by the amount of  
11872 any payment previously made for the lot or development activity in question, either as a  
11873 condition of approval or ~~((pursuant to))~~ in accordance with a voluntary agreement with a  
11874 school district entered into after the effective date of a school district's fee implementing  
11875 ordinance.

11876 D. After the effective date of a school district's fee implementing ordinance,  
11877 whenever a development is granted approval subject to a condition that the developer  
11878 actually provide school sites, school facilities, or improvements to school facilities  
11879 acceptable to the district, or whenever the developer has agreed, ~~((pursuant to))~~ in  
11880 accordance with the terms of a voluntary agreement with the school district, to provide  
11881 land, provide school facilities, or make improvements to existing facilities, the developer  
11882 shall be entitled to a credit for the value of the land or actual cost of construction against  
11883 the fee that would be chargeable under the formula provided by this chapter. The land  
11884 value or cost of construction shall be estimated and documented at the time of approval  
11885 ~~((, but must be documented))~~. If construction costs are estimated, the documentation  
11886 shall be confirmed after the construction is completed to assure that an accurate credit  
11887 amount is provided. If the land value or construction costs are less than the calculated fee  
11888 amount, the difference remaining shall be chargeable as a school impact fee.

11889 E. Impact fees may be adjusted by the county, at the county's discretion, if one of  
11890 the following circumstances exist, ~~((provided that))~~ but only if the discount ~~((set forth))~~ in

11891 the fee formula fails to adjust for the error in the calculation or fails to ameliorate for the  
11892 unfairness of the fee:

11893 1. The developer demonstrates that an impact fee assessment was incorrectly  
11894 calculated; or

11895 2. Unusual circumstances identified by the developer demonstrate that if the  
11896 standard impact fee amount was applied to the development, it would be unfair or unjust.

11897 F. A developer may provide studies and data to demonstrate that any particular  
11898 factor used by the district may not be appropriately applied to the development proposal,  
11899 but the district's data shall be presumed valid unless clearly demonstrated to be otherwise  
11900 by the proponent.

11901 G. Any appeal of the decision of the director or the hearing examiner with regard  
11902 to imposition of an impact ~~((for))~~ fee or fee amounts shall follow the appeal process for  
11903 the underlying permit and not be subject to a separate appeal process. Where no other  
11904 administrative appeal process is available, an appeal may be taken to the hearing  
11905 examiner using the appeal procedures for variances. Any errors in the formula identified  
11906 as a result of an appeal should be referred to the council for possible modification.

11907 H. Impact fees may be paid under protest in order to obtain a building permit or  
11908 other approval of development activity, when an appeal is filed.

11909 SECTION 253. Ordinance 11621, Section 117, and K.C.C. 21A.43.080 are  
11910 hereby amended to read as follows:

11911 A. Low~~((or moderate))~~-income housing projects, including permanent  
11912 supportive housing projects, ~~((being developed by public housing agencies or private~~  
11913 ~~nonprofit housing developers))~~ shall be exempt from the payment of school impact fees.



11914 The amount of the school impact fees not collected from low(~~(-or moderate))~~)-income  
11915 household development shall be paid from public funds other than impact fee accounts.  
11916 The impact fees for these units shall be considered paid for by the district through its  
11917 other funding sources, without the district actually transferring funds from its other  
11918 funding sources into the impact fee account. The (~~(planning and community~~  
11919 ~~development)) housing, homelessness, and community development division shall review  
11920 proposed developments of low(~~(-or moderate))~~)-income housing (~~(by such public or~~  
11921 ~~nonprofit developers))~~) pursuant to criteria and procedures adopted by administrative rule,  
11922 and shall advise the department of local services, permitting division, as to whether the  
11923 project qualifies for the exemption.~~

11924 B. (~~(Private-d))~~Developers who dedicate residential units for occupancy by low  
11925 (~~(or moderate))~~ income-households may apply to the housing, homelessness, and  
11926 community development division for reductions in school impact fees (~~(pursuant to the~~  
11927 ~~criteria established for public housing agencies and private non-profit housing developers~~  
11928 ~~pursuant to))~~ in accordance with subsection A. of this section(~~(, and subject to the~~  
11929 ~~provisions of subsection A. of this section))~~). The housing, homelessness, and community  
11930 development division shall review proposed developments of low(~~(-or moderate))~~)-income  
11931 housing by such private developers pursuant to criteria and procedures adopted by  
11932 administrative rule, and shall advise the department of local services, permitting division,  
11933 as to whether the project qualifies for the exemption. If the housing, homelessness, and  
11934 community development division recommends the exemption, the department of local  
11935 services, permitting division, shall reduce the calculated school impact fee for the

11936 development by an amount that is proportionate to the number of units in the  
11937 development that satisfy the adopted criteria.

11938 C. ~~((Individual))~~ Developments for low~~((or moderate))~~-income homeownership  
11939 ~~((purchasers))~~ units (as defined pursuant to the King County Comprehensive Housing  
11940 Affordability Strategy (CHAS)) who are purchasing homes at prices within their  
11941 eligibility limits based on standard lending criteria and meet other means tests established  
11942 by rule by the housing, homelessness, and community development division are  
11943 exempted from payment of the impact fee, provided that at such time as the property in  
11944 question is transferred to another owner who does not qualify for the exemption, at which  
11945 time the fee shall be due and payable.

11946 D. The housing, homelessness, and community development division is hereby  
11947 instructed and authorized to adopt, pursuant to K.C.C. chapter 2.98, administrative rules  
11948 to implement this section. Such rules shall provide for the administration of this program  
11949 and shall:

11950 1. Encourage the construction of housing for low~~((or moderate))~~-income  
11951 households ~~((by public housing agencies or private non-profit housing developers~~  
11952 ~~participating in publicly sponsored or subsidized housing programs))~~;

11953 2. Encourage the construction ~~((in private developments))~~ of housing units for  
11954 low~~((or moderate))~~-income households that are in addition to units required by another  
11955 housing program or development condition;

11956 3. Ensure that housing that qualifies as low~~((or moderate))~~ cost meets  
11957 appropriate standards regarding household income, rent levels or sale prices, location,  
11958 number of units and development size; and

11959 4. Ensure that developers who obtain an exemption from or reduction of school  
11960 impact fees will in fact build the proposed low ~~((or moderate))~~ cost housing and make it  
11961 available to low~~((or moderate))~~-income households ~~((for a minimum of fifteen years))~~.

11962 5. Ensure that individual low~~((or moderate))~~-income purchasers meet  
11963 appropriate eligibility standards based on income and other financial means tests.

11964 E. As a condition of receiving an exemption under subsection B. or C. of this  
11965 section, the ~~((owner must))~~ developer shall execute and record a ~~((county drafted lien,))~~  
11966 covenant~~((, and/or other contractual provision))~~ against the property ~~((for a period of ten~~  
11967 ~~years for individual owners, and fifteen years for private developers,))~~ guaranteeing that  
11968 the proposed development will continue to be used for low~~((or moderate))~~-income  
11969 housing. In the event that ~~((the pattern of development or))~~ the use of the development is  
11970 no longer for low~~((or moderate))~~-income housing, then the owner shall pay the impact  
11971 fee amount from which the owner or any prior owner was exempt. The ~~((lien,))~~  
11972 covenant~~((, or other contractual provision))~~ shall run with the land and apply to  
11973 subsequent owners.

11974 F. All school impact fee exemptions, reductions, or waivers shall be approved by  
11975 the school district that would collect the school impact fee, except for fee exemptions  
11976 allowed under K.C.C. 21A.43.070 and K.C.C. 21A.43.080, fee reductions based on  
11977 modifications to permits after issuance, or fee waivers for construction not begun.

11978 SECTION 254. Ordinance 19555, Section 22, and K.C.C. 21A.48.010 are hereby  
11979 amended to read as follows:

11980           A. The purpose of the inclusionary housing regulations is to provide for the creation  
11981 of new affordable dwelling units, particularly in areas where there is a high risk for  
11982 displacement.

11983           B. The regulations and incentives in this chapter shall apply only to the ~~((Skyway-~~  
11984 ~~West Hill and North Highline community service area subarea geographies, as follows))~~  
11985 following geographies:

11986           1. The standards in K.C.C. 21A.48.020 shall apply to areas with an unincorporated  
11987 activity center land use designation;

11988           2. The voluntary incentives in K.C.C. 21A.48.030 shall apply to:

11989           a. areas in the Skyway-West Hill and North Highline community service area  
11990 subarea geographies that do not have an unincorporated activity center land use designation;  
11991 and

11992           b. except as provided for in subsection B.1. and B.2. of this section, sites that are  
11993 served by public sewers and that are in the following zones in the urban area or rural towns:

11994           (1) the R-4 through R-48 zones; and

11995           (2) the NB, CB, RB, and O zones when part of a mixed-use development; and

11996           3. The standards in K.C.C. 21A.48.040, K.C.C. 21A.48.050, K.C.C. 21A.48.060,  
11997 K.C.C. 21A.48.070, K.C.C. 21A.48.080, and K.C.C. 21A.48.090 shall apply to any  
11998 inclusionary housing project.

11999           C. Development or substantial improvement of one dwelling unit, an accessory  
12000 dwelling unit, mobile home parks, cottage housing, or senior ~~((citizen))~~ assisted housing  
12001 shall not be subject to this chapter. Accessory dwelling units shall not be used to meet the  
12002 requirements of this section.

12003 NEW SECTION. SECTION 255. There is hereby added to K.C.C. chapter

12004 21A.48 a new section to read as follows:

12005 A. This section shall apply to the unincorporated activity center land use  
 12006 designation.

12007 B. New or substantially improved residential or mixed-use developments shall  
 12008 provide affordable dwelling units, and may exceed the base density, in accordance with  
 12009 the standards listed below.

<b>Mandatory Affordability Requirements</b>		<b>Maximum Density</b>	
<b>Occupancy Type and AMI</b>	<b>Minimum Percentage of Total Units Required to be Affordable</b>	<b>Maximum Density (as percentage of base density)</b>	<b>Additional Maximum Density Allowed with purchase of TDRs</b>
<b>xxxxx at xx% AMI</b>	xx%	xx%	xx%
<b>xxxxx at xx% AMI</b>	xx%	xx%	xx%
<b>xxxxx at xx% AMI</b>	xx%	xx%	xx%
<b>xxxxx at xx% AMI</b>	xx%	xx%	xx%
<b>xxxxx at xx% AMI</b>	xx%	xx%	xx%
<b>xxxxx at xx% AMI</b>	xx%	xx%	xx%

<b>AMI</b>			
<b>xxxxx at xx%</b>	xx%	xx%	xx%
<b>AMI</b>			
<b>xxxxx at xx%</b>	xx%	xx%	xx%
<b>AMI</b>			
<b>xxxxx at xx%</b>	xx%	xx%	xx%
<b>AMI</b>			
<b>xxxxx at xx%</b>	xx%	xx%	xx%
<b>AMI</b>			
<b>xxxxx at xx%</b>	xx%	xx%	xx%
<b>AMI</b>			

12010

12011            SECTION 256. Ordinance 19555, Section 24, and K.C.C. 21A.48.030 are hereby  
12012 amended to read as follows:

12013            A. This section shall apply:

12014            1. ~~((w))~~Within the Skyway-West Hill and North Highline ((community service  
12015 area)) subarea geographies except for areas with an unincorporated activity center land  
12016 use designation; and

12017            2. Except as provided for in subsection A.1. of this section and K.C.C.  
12018 21A.48.010, on sites that are served by public sewers and that are in the following zones  
12019 in the urban area or rural towns:

12020 a. the R-4 through R-48 zones; and

12021 b. the NB, CB, RB, and O zones when part of a mixed-use development.

12022 B.1. New or substantially improved development may only exceed the base density

12023 allowed in the zoning classification in accordance with the standards listed (~~(below)~~) in the

12024 table in subsection B.2 of this section. Additional density is authorized with the use of

12025 transfers of development rights in accordance with K.C.C. chapter 21A.37, as shown in the

12026 table in this subsection. Additional units derived from TDRs shall conform with the

12027 percentages at the affordability levels listed in the table in this section. The price of the

12028 TDR shall be determined in accordance with K.C.C. 21A.37.130.

12029 2. Affordability requirements.

<u>Affordability Requirements</u>		<u>Maximum Density</u>	
<u>Occupancy Type and AMI</u>	<u>Minimum Percentage of Total Units Required to be Affordable</u>	<u>Maximum Density (as percentage of base density)</u>	<u>Additional Maximum Density Allowed with purchase of TDRs</u>
<u>xxxxx at xx% AMI</u>	<u>xx%</u>	<u>xx%</u>	<u>xx%</u>
<u>xxxxx at xx% AMI</u>	<u>xx%</u>	<u>xx%</u>	<u>xx%</u>
<u>xxxxx at xx% AMI</u>	<u>xx%</u>	<u>xx%</u>	<u>xx%</u>
<u>xxxxx at xx% AMI</u>	<u>xx%</u>	<u>xx%</u>	<u>xx%</u>
<u>xxxxx at xx% AMI</u>	<u>xx%</u>	<u>xx%</u>	<u>xx%</u>
<u>xxxxx at xx% AMI</u>	<u>xx%</u>	<u>xx%</u>	<u>xx%</u>
<u>xxxxx at xx% AMI</u>	<u>xx%</u>	<u>xx%</u>	<u>xx%</u>

<u>xxxxx at xx% AMI</u>	<u>xx%</u>	<u>xx%</u>	<u>xx%</u>
<u>xxxxx at xx% AMI</u>	<u>xx%</u>	<u>xx%</u>	<u>xx%</u>
<u>xxxxx at xx% AMI</u>	<u>xx%</u>	<u>xx%</u>	<u>xx%</u>
<u>xxxxx at xx% AMI</u>	<u>xx%</u>	<u>xx%</u>	<u>xx%</u>
<u>xxxxx at xx% AMI</u>	<u>xx%</u>	<u>xx%</u>	<u>xx%</u>
<b>((Affordability Requirements</b>			<b>TDR Allowance</b>
<b>Occupancy Type and AMI</b>	<b>Minimum Percentage of Total Units Required to be Affordable</b>	<b>Maximum Density (as percentage of base density)</b>	<b>Additional Maximum Density Allowed with purchase of TDRs</b>
<b>Developments with 9 or fewer units</b>	0%	100%	Up to 150% base density
<b>Rental at 60% AMI</b>	100%	200%	None
	20%	150%	Additional 50%, up to 200% of base density
	10%	125%	Additional 50%, up to 175% of base density
<b>Rental at 50% AMI</b>	100%	200%	None
	15%	150%	Additional 50%, up to 200% of base



			density
	7%	125%	Additional 50%, up to 175% of base density
<b>Owner Occupied at 80% AMI</b>	100%	200%	None
	30%	150%	Additional 50%, up to 200% of base density
	15%	125%	Additional 50%, up to 175% of base density
<b>Any combination of 80% AMI (Owner) and 60% AMI (Rental)</b>	100%	200%	None
	25%	150%	Additional 50%, up to 200% of base density
	12%	125%	Additional 50%, up to 175% of base density))

12030 SECTION 257. Ordinance 19555, Section 25, and K.C.C. 21A.48.040 are hereby

12031 amended to read as follows:

12032 A. The number of required affordable dwelling units shall be calculated by

12033 multiplying the total number of dwelling units to be constructed by the applicable

12034 percentages of affordable dwelling units as established in K.C.C. 21A.48.020 or K.C.C.

12035 21A.48.030, and for purposes of providing an affordable dwelling unit, fractions shall be  
12036 rounded in accordance with K.C.C. 21A.12.070, except as follows:

12037 1. For fractions below 0.50, the applicant shall pay a fee based on the fraction  
12038 multiplied by the value of a single affordable dwelling unit. The fee and affordable  
12039 dwelling unit value shall be calculated using the same method as required for payment in  
12040 lieu of providing affordable dwelling units in K.C.C. 21A.48.080. The revenues  
12041 generated from the fee shall be dedicated to affordable housing projects in the same  
12042 ~~((community service area))~~ subarea geography where the development is occurring; and

12043 2. Affordable dwelling units in the development shall be calculated as follows:

12044 a. Studio dwelling units shall be counted as one-half of one affordable  
12045 dwelling unit;

12046 b. One-bedroom and two-bedroom dwelling units shall be counted as one  
12047 affordable dwelling unit;

12048 c. Three-bedroom dwelling units shall be counted as one and one-half  
12049 affordable dwelling units; and

12050 d. Dwelling units with four or more bedrooms shall be counted as two  
12051 affordable dwelling units.

12052 B. The total number of market-rate dwelling units and affordable dwelling units  
12053 shall not exceed the total allowed density as established in this chapter and K.C.C.  
12054 chapter 21A.12 or as established in property-specific development conditions or special  
12055 district overlays, where applicable. In cases of conflict, the maximum density in the  
12056 property-specific development condition or special district overlay shall apply.

12057            SECTION 258. Ordinance 19555, Section 26, and K.C.C. 21A.48.050 are hereby  
12058 amended to read as follows:

12059            For developments subject to this chapter:

12060            A. The affordable dwelling units shall:

12061            1. Have a similar or larger unit size and bedroom composition as the market-rate  
12062 dwelling units in the development;

12063            2. Be integrated throughout the development;

12064            3. Be constructed with materials and finishes of comparable quality to the  
12065 market-rate dwelling units in the development;

12066            4. Meet accessibility standards at the same ratio as required by the development;

12067 and

12068            5. Have access equal to that of the market-rate dwelling units to on-site  
12069 amenities including, but not limited to, parks, outdoor play areas, pools, exercise facilities  
12070 and equipment, gathering spaces, bicycle repair facilities, shared work spaces, and similar  
12071 on-site amenities.

12072            B. All the dimensional standards of K.C.C. chapter 21A.12 and any applicable  
12073 property-specific development standards and special district overlays apply, except as  
12074 specifically prescribed by this chapter. The following modifications shall only be utilized  
12075 for developments that provide housing in conformance with K.C.C. 21A.48.020 or  
12076 K.C.C. 21A.48.030:

12077            1. The maximum height limits are as follows:

12078            a. In the R-18, R-24, and R-48 zones, eighty feet;

12079            b. In the NB zone, sixty-five feet;

12080 c. In the CB zone, eighty feet;

12081 d. In the RB and O zones, eighty-five feet; ~~((and))~~

12082 e. For properties subject to P-Suffix ~~((NH-PXX (the p suffix established in~~

12083 ~~Map Amendment 17 of Attachment D to Ordinance 19555)))~~ NH-P04: the height limits

12084 set in the P-Suffix;

12085 f. In the CB zone in Snoqualmie Pass Rural Town, sixty-five feet; and

12086 g. In Vashon Rural Town, forty feet;

12087 2. In the R-18, R-24<sub>2</sub> and R-48 zones, any portion of a building that exceeds the

12088 base height for the zone ~~((set forth))~~ in K.C.C. chapter 21A.12 shall be set back an

12089 additional ten feet from the street property line and interior property line;

12090 3. In the NB, CB, RB<sub>2</sub> and O zones, any portion of a building that exceeds the

12091 maximum height allowed for the zone by K.C.C. 21A.12.040.B.6. shall be set back an

12092 additional ten feet from the street property line and interior property line;

12093 4. The percentages of residential uses in mixed-use developments in K.C.C.

12094 21A.14.110 do not apply. The percentages are as follows:

12095 a. a maximum of seventy-five percent of the total built floor area when located

12096 in NB zones; and

12097 b. a maximum of eighty-five percent of the total built floor area when located

12098 in CB, RB<sub>2</sub> and O zones;

12099 5. The building floor area ratios in K.C.C. 21A.14.130 do not apply.

12100 Developments subject to this chapter shall not have a floor area ratio maximum; and

12101 6. The parking and circulation standards of K.C.C. chapter 21A.18 apply,

12102 except:

12103 a. The minimum required parking spaces for ~~((apartments and townhouses))~~  
12104 the residential portion of inclusionary housing developments shall be one space per  
12105 dwelling unit;

12106 b. The minimum required parking spaces for nonresidential uses of the project  
12107 shall be the minimum required in K.C.C. 21A.18.020, or the minimum required in any  
12108 applicable property-specific development standard or special district overlay, whichever  
12109 is less; and

12110 c. The director may authorize a reduction of up to fifty percent of the minimum  
12111 required number of spaces for inclusionary housing projects without a required a parking  
12112 study. The director shall consider proximity to transit, bedroom composition, availability  
12113 of on-street parking, and proposed nonresidential uses when determining the size of the  
12114 reduction.

12115 SECTION 259. Ordinance 19555, Section 27, and K.C.C. 21A.48.060 are hereby  
12116 amended to read as follows:

12117 A. As a condition of development permit issuance, the department shall approve  
12118 the calculation of the number of required affordable dwelling units and allowed market-  
12119 rate dwelling units.

12120 B. Before issuance of the certificate of occupancy, the applicant shall record a  
12121 covenant or deed restriction on the property, in a form and substance acceptable to the  
12122 prosecuting attorney's office and department of community of human services, reflecting  
12123 the following:

- 12124           1. A statement that the length of the term of the affordability shall be for the life  
12125 of the development project for renter-occupied dwelling units or fifty years from the date  
12126 of initial occupancy for owner-occupied dwelling units;
- 12127           2. The total number of units;
- 12128           3. The number of market-rate dwelling units;
- 12129           4. The number and affordability of owner-occupied and rental affordable  
12130 dwelling units based on the standards of this chapter;
- 12131           5. A statement that for any owner-occupied dwelling units, the covenants or  
12132 declarations have been reviewed by the director and the terms ensure that the purposes of  
12133 this chapter are accomplished;
- 12134           6. Reporting requirements as required by the department of community and  
12135 human services, including subsequent community preference and affirmative marketing  
12136 reports after the certificate of occupancy is issued, where applicable under K.C.C.  
12137 21A.48.070; and
- 12138           7. Signatures of the property owner and the director.

12139           SECTION 260. Ordinance 19555, Section 28, and K.C.C. 21A.48.070 are hereby  
12140 amended to read as follows:

12141           For developments in the Skyway-West Hill and North Highline subarea  
12142 geographies subject to this chapter:

12143           A. As part of a complete permit application, the applicant shall submit a  
12144 community preference and affirmative marketing plan. The plan shall include:

- 12145           1. A tenant selection process for the affordable dwelling units that provides a  
12146 preference for housing applicants with a current or past connection to the respective

12147 subarea geography where the project is located. The plan should provide no more than  
12148 and aim to provide forty percent of the affordable dwelling units to tenants that meet the  
12149 requirements for community preference;

12150           2. An advertising and outreach plan designed to provide information to and  
12151 attract potential housing applicants who would otherwise be less likely to apply, without  
12152 regard to protected class status as established by federal, state, and local laws. An  
12153 affirmative advertising and outreach plan should generally help potential housing  
12154 applicants know about vacancies, feel welcome to apply, and have the opportunity to rent  
12155 units; and

12156           3. A process for housing applicants to file an appeal regarding the tenant  
12157 selection process and verification of eligibility for preference.

12158           B. Before issuance of the building permit or subdivision approval, the community  
12159 preference and affirmative marketing plan shall be reviewed and approved by the  
12160 department of community and human services.

12161           C.1. At least sixty days before issuance of certificate of occupancy, the applicant  
12162 shall submit a community preference and affirmative marketing initial report. The initial  
12163 report shall include:

12164           a. information describing the activities conducted to implement the community  
12165 preference and affirmative marketing plan; and

12166           b. information regarding the number of housing applicants:

12167           (1) that requested a preference;

12168           (2) deemed eligible under the preference criteria;

12169           (3) eligible for the preference that were selected for housing; and

12170 (4) that appealed the preference selection process and the outcome of each  
12171 appeal.

12172 2. Before issuance of the certificate of occupancy, the community preference  
12173 and affirmative marketing initial report shall be subject to review and approval by the  
12174 department of community and human services.

12175 D. The department of community and human services shall provide guidance and  
12176 technical assistance to the applicant to ensure the community preference and affirmative  
12177 marketing plan and community preference and affirmative marketing report complies  
12178 with federal, state, and local laws and regulations.

12179 SECTION 261. Ordinance 19555, Section 29, and K.C.C. 21A.48.080 are hereby  
12180 amended to read as follows:

12181 A. The director may, at their discretion, approve a request for alternative  
12182 compliance for the inclusionary housing requirements. Requests for such modifications  
12183 shall clearly ~~((set forth))~~ state the facts upon which the request for relief is sought.

12184 Alternative compliance may include:

12185 1. Providing affordable housing units off-site at another location within the  
12186 same ~~((community service area))~~ subarea geography where the project is proposed;

12187 2. For developments subject to K.C.C. 21A.48.020, ((P))payment to the county  
12188 in lieu of constructing affordable housing units to be used to create affordable housing  
12189 units within the same ~~((community services area))~~ subarea geography; or

12190 3. Such other means proposed by the applicant and approved at the discretion of  
12191 the director, consistent with the following criteria for alternative compliance.



12192 B. Alternative compliance requests may only be approved when all of the  
12193 following requirements are met:

12194 1. The applicant demonstrates that the proposed alternative compliance method  
12195 provides the same number and quality affordable housing units as those provided on-site;

12196 2. The affordable housing units provided through the alternative compliance  
12197 method will provide the same mix of rental or owner-occupied units as would have  
12198 otherwise been provided on-site; and

12199 3. In no case shall the director approve an alternative compliance request that  
12200 results in zero affordable housing units being constructed on-site.

12201 C. If an alternative compliance request is approved that includes off-site  
12202 affordable housing units, any building permits required for off-site affordable housing  
12203 units shall be submitted before issuance of building permits or final subdivision approval  
12204 for the subject property. Certificates of occupancy for off-site affordable housing units  
12205 shall be issued before issuance of the final certificate of occupancy for the subject  
12206 property.

12207 D. If an alternative compliance request is approved that includes payment in lieu  
12208 of constructing affordable housing units, the formula for payments shall be established by  
12209 department of community and human services through a public rule under K.C.C. chapter  
12210 2.98. The formula should be based on the cost to the county to construct and maintain an  
12211 affordable dwelling unit. The payment obligation shall be paid before issuance of any  
12212 building permits or final subdivision approval for the project.

12213 E. As part of the application review process for an inclusionary housing proposal,  
12214 the director may authorize modifications to the dimensional standards in K.C.C. Title

12215 21A. Approval of modifications may only be granted if the applicant demonstrates that  
12216 the subject property cannot otherwise reasonably achieve the minimum density.

12217 F.1. As part of the application review process for an inclusionary housing  
12218 proposal, the director may modify or waive the requirements for affordable dwelling  
12219 units under this chapter if the applicant demonstrates that the cost of complying with this  
12220 chapter would deprive the property owner of all economically beneficial use of the  
12221 property or would create severe economic impact that unduly burdens the property  
12222 owner.

12223 2. Requests for such modifications shall clearly ~~((set forth))~~ state the facts upon  
12224 which the request for relief is sought.

12225 3. Review of a modification or waiver of the requirements of this subsection F.  
12226 may include the director considering the following factors, at a minimum:

12227 a. The severity of the economic impact caused by the application of the  
12228 requirements of this chapter;

12229 b. A modification under subsection E. of this section is not sufficient to  
12230 alleviate the severity of economic impact caused by the application of the requirements of  
12231 this chapter;

12232 c. The extent to which alternative uses of the property or configurations of the  
12233 proposed development would alleviate the need for the requested waiver or modification;

12234 d. The extent to which any economic impact was due to decisions by the  
12235 applicant or property owner; and

12236 e. Other factors relevant to whether the burden should be borne by the property  
12237 owner.

12238           4. The waiver or modification may be approved only to the extent necessary to  
12239 grant relief from the deprivation of all economically beneficial use of the property or  
12240 severe economic impact.

12241           5. The following factors, on their own, shall not be a sufficient basis for the  
12242 director to grant a waiver or modification for the requirements of this chapter:

12243           a. decrease in property value;

12244           b. inability for a property owner to fully utilize the increase in residential  
12245 development capacity through implementation of this chapter; or

12246           c. the fact that any such increase in residential development capacity,  
12247 combined with the requirements of this chapter, did not leave the property owner in a  
12248 better financial position than would have been the case with no increase in residential  
12249 development capacity and no application of the requirements of this chapter.

12250           SECTION 262. Ordinance 16650, Section 1, as amended, and K.C.C.

12251 21A.55.101 are hereby amended to read as follows:

12252           A.1. The purpose of the sustainable communities and housing demonstration  
12253 projects is to provide affordable housing and workforce housing integrated into  
12254 developments containing market rate housing and maximize sustainable development,  
12255 which includes: bike, pedestrian, and transit connections~~((;))~~; a mix of housing types~~((;))~~;  
12256 and the use of recyclable materials. The demonstration projects will provide information  
12257 on the application of these techniques to urban infill redevelopment and ~~((urban single  
12258 family))~~ single detached residential development, some of which may ~~((include mixed  
12259 use))~~ be mixed-use. The demonstration projects will also assist the county in refining  
12260 regulations relating to zoning, subdivision, roads, and stormwater as they relate to

12261 sustainable development.

12262           2. The demonstration projects will also enable the county to evaluate whether  
12263 consolidated administrative approval of zoning and subdivision-related modifications or  
12264 waivers and any subsequent hearings, if required, effectively speeds the development  
12265 review process while maintaining land use coordination and environmental protection  
12266 and whether that leads to administrative costs savings for project applicants and King  
12267 County.

12268           B. The expected benefits from the demonstration projects include: the use of  
12269 innovative design and development techniques to promote sustainable communities((5));  
12270 reduced impervious surface areas for site infrastructure; a greater use of recycled-content  
12271 building materials and more efficient use of energy and natural resources; and the  
12272 opportunity to identify and evaluate potential substantive changes to land use  
12273 development regulations that support the development of sustainable and affordable  
12274 housing.

12275           C. A request by the applicant to modify or waive development standards for the  
12276 development proposals shall be evaluated by the department of local services, permitting  
12277 division, based on the criteria in subsection J. of this section. A request shall first be  
12278 either approved or denied administratively and may be further reviewed as described in  
12279 subsection H.3. of this section. Approval or denial of the proposed modification or  
12280 waiver shall not be construed as applying to any other development application either  
12281 within the demonstration project area or elsewhere in the county.

12282           D. A modification or waiver approved by the department of local services,  
12283 permitting division, in accordance with this section shall be in addition to those

12284 modifications or waivers that are currently allowed by this title. The proposed  
12285 modifications or waivers to development regulations that may be considered regarding  
12286 sustainable communities and housing demonstration projects shall include only the  
12287 following chapters and related public rules:

- 12288 1. Drainage review requirements: K.C.C. chapter 9.04 and the Surface Water  
12289 Design Manual;
- 12290 2. King County road standards: K.C.C. chapter 14.42 and the county road  
12291 standards(~~(, 2007 update)~~);
- 12292 3. Density and dimensions: K.C.C. chapter 21A.12;
- 12293 4. Design requirements: K.C.C. chapter 21A.14;
- 12294 5. Landscaping and water use: K.C.C. chapter 21A.16;
- 12295 6. Parking and circulation: K.C.C. chapter 21A.18;
- 12296 7. Signs: K.C.C. chapter 21A.20;
- 12297 8. Critical areas: K.C.C. chapter 21A.24, if the modification results in a net  
12298 improvement to the functions of the critical area; and
- 12299 9. Landscape installation timing: K.C.C. chapters 27A.30 and 27A.40.

12300 E. A demonstration project authorized by this section may contain residential and  
12301 limited nonresidential uses subject to the following:

- 12302 1. The demonstration project may include any residential uses as allowed as a  
12303 permitted use in the R-12 through R-48 zones, subject to any development conditions in  
12304 K.C.C. 21A.08.030, without the need to request a modification or waiver as described in  
12305 subsection H. of this section. The applicant may request a modification or waiver of any  
12306 of the development conditions for residential uses contained in K.C.C. 21A.08.030,

12307 subject to the review process described in subsection H. of this section and the criteria in  
12308 subsection J. of this section;

12309           2. The demonstration project may include, as part of a residential project, any  
12310 nonresidential use allowed as a permitted use in the NB zone under K.C.C. 21A.08.030,  
12311 21A.08.040, K.C.C. 21A.08.xxx (the new section created by section 148 of this  
12312 ordinance), 21A.08.050, 21A.08.060, and 21A.08.070, subject to any development  
12313 conditions contained in those sections without the need to request a modification or  
12314 waiver as described in subsection H. of this section, except the following uses are not  
12315 allowed:

12316           a. automotive parking;

12317           b. automotive repair(~~(-and)~~);

12318           c. automotive service(~~(, K.C.C. 21A.08.050)~~);

12319           ~~((e-))~~ d. commuter parking lot, (~~(K.C.C. 21A.08.060-))~~) unless as part of a  
12320 transit-oriented development. For the purposes of this subsection (~~(E.2.e-))~~ E.2.d.,

12321 "transit-oriented development" means a development that is designated as a transit-

12322 oriented development in an agreement with the county and that includes the construction

12323 of new housing units at or within one quarter mile of a county transit center or park and

12324 ride lot;

12325           ~~((d-))~~ e. gasoline service stations(~~(-as defined in K.C.C. 21A.08.070)~~);

12326           ~~((e-))~~ f. off-street required parking lot;

12327           g. commercial and industrial accessory uses;

12328           ~~((f-))~~ h. private stormwater management facility;

12329           ~~((g-))~~ i. self-service storage; and

12330            (~~(h-))~~ j. vactor waste receiving facility.

12331            3. The nonresidential uses shall be no greater than three thousand square feet  
12332 per use, with a total maximum of all nonresidential uses not to exceed ten percent of the  
12333 area of the demonstration project site or twenty thousand square feet, whichever is  
12334 smaller. The applicant may request a modification or waiver of the development  
12335 conditions for nonresidential uses in K.C.C. 21A.08.030, 21A.08.040, K.C.C.  
12336 21A.08.xxx (the new section created by section 148 of this ordinance), 21A.08.050,  
12337 21A.08.060, and 21A.08.070, subject to the review process described in subsection H. of  
12338 this section and the criteria in subsection J. of this section.

12339            F. A demonstration project authorized by this section allows a residential basics  
12340 program for townhouse and apartment building types, consistent with the department of  
12341 local services public rules chapter 16-04: residential basics program.

12342            G. All related review processes such as subdivision, building permit, inspection,  
12343 and similar processes for a demonstration project shall be expedited if:

12344            1. Fifty percent or more of all residential units proposed for the demonstration  
12345 project are affordable to households at eighty percent of area median income, as defined  
12346 by Department of Housing and Urban Development income guidelines for King County  
12347 and below; or

12348            2. Seventy percent or more of all residential units for the demonstration project  
12349 are affordable to households at eighty to one hundred fifteen percent of area median  
12350 income, as defined by Department of Housing and Urban Development income  
12351 guidelines for King County.

12352            H.1. Requests for a modification or waiver made in accordance with this section

12353 may only be submitted in writing in relation to the following types of applications:

12354 a. a site development permit;

12355 b. a binding site plan;

12356 c. a building permit;

12357 d. a short subdivision; or

12358 e. a subdivision.

12359 2. Requests shall be submitted to the department in writing before or in

12360 conjunction with an application for one or more of the permits listed in subsection H.1. of

12361 this section, together with any supporting documentation. The supporting documentation

12362 ~~((must))~~ shall illustrate how the proposed modification meets the criteria in subsection J.

12363 of this section.

12364 3. Except for an applicant's request for a modification or waiver submitted in

12365 conjunction with an application for a subdivision, the notice of application, review and

12366 approval of a proposed modification or waiver shall be treated as a Type 2 land use

12367 decision in accordance with K.C.C. 20.20.020. The request for a modification or waiver

12368 submitted in conjunction with an application for a subdivision shall be treated as a Type 3

12369 land use decision in accordance with K.C.C. 20.20.020.

12370 4. A preapplication meeting with the applicant and the department of local

12371 services, permitting division, to determine the need for and the likely scope of a proposed

12372 modification or waiver is required before submittal of such a request. If a modification or

12373 waiver requires approval of the department of natural resources and parks or the

12374 department of local services, road services division, that department or division shall be

12375 invited to participate in the preapplication meeting.



12376           5. If the applicant requests an adjustment from the county drainage standards,  
12377 the director shall refer the request to the department of natural resources and parks for  
12378 decision under K.C.C. chapter 9.04, with the right to appeal within the department of  
12379 natural resources and parks as provided in K.C.C. 9.04.050.C.6. The department of  
12380 natural resources and parks shall consider the purposes of this demonstration ordinance as  
12381 a factor relative to the public interest requirement for drainage adjustments described in  
12382 K.C.C.9.04.050.C.

12383           6. If the applicant requests a variance from the county road standards, the  
12384 director shall refer the request to the county road engineer for decision under K.C.C.  
12385 14.42.060, with the right to appeal within the department of local services, road services  
12386 division, as provided in K.C.C. 14.42.060 and the associated public rule. The department  
12387 of local services, road services division, shall consider the purposes of this demonstration  
12388 ordinance as a factor relative to the public interest requirement for road variances  
12389 described in K.C.C. 14.42.060.

12390           7. Administrative appeals of modifications or waivers approved by the director  
12391 shall be combined with any appeal of the underlying permit decision, if the underlying  
12392 permit is subject to appeal.

12393           I. An approved development proposal for any of the applications listed in  
12394 subsection H.1. of this section, including site plan elements or conditions of approval  
12395 may be amended or modified at the request of the applicant or the applicant's successor in  
12396 interest designated by the applicant in writing. The director may administratively  
12397 approve minor modifications to an approved development proposal. Modifications that  
12398 result in major changes as determined by the department or as defined by the approval

12399 conditions shall be treated as a new application for purposes of vesting and shall be  
12400 reviewed as applicable to the underlying application pursuant to K.C.C. 20.20.020. Any  
12401 increase in the total number of dwelling units above the maximum number set forth in the  
12402 development proposal permit or approval shall be deemed a major modification. The  
12403 county, through the applicable development proposal permit or approval conditions, may  
12404 specify additional criteria for determining whether proposed modifications are major or  
12405 minor. The modifications allowed under this section supersede other modification or  
12406 revision provisions of K.C.C. Title 16 and Title 19A and this title.

12407 J.1. To be eligible to use the provisions of this section, a demonstration project  
12408 ~~((must))~~ shall be located on a demonstration project site identified in ~~((Ordinance 16650,~~  
12409 ~~Section 2,))~~ Attachment I to this ordinance, and the applicant has accepted the site as a  
12410 King County sustainable communities and housing demonstration project.

12411 2. Proposals to modify or waive development regulations for a development  
12412 application ~~((must))~~ shall be consistent with general health, safety, and public welfare  
12413 standards, and ~~((must))~~ not violate state or federal law.

12414 3.a. Applications ~~((must))~~ shall demonstrate how the proposed project, when  
12415 considered as a whole with the proposed modifications or waivers to the code, will meet  
12416 all of the criteria in this subsection J., as compared to development without the  
12417 modification or waiver, and:

- 12418 (1) achieves higher quality urban development;
- 12419 (2) provides quality infill development;
- 12420 (3) optimizes site utilization; and
- 12421 (4) enhances pedestrian experiences and sense of place and community.

12422            b. Any individual request for a modification or waiver (~~(must)~~) shall meet two  
12423 or more of the following criteria:

12424            (1) contributes to the creation of a sustainable community, which includes  
12425 features such as a connected street network, a mix of housing types, pedestrian or bike  
12426 routes throughout the development, direct bus connections, no front garages, and front  
12427 porches.

12428            (2) uses the natural site characteristics to protect the natural systems;

12429            (3)(a) contributes to achievement of a three-star rating for the project site  
12430 under the Built Green Communities program administered by the Master Builders  
12431 Association of King and Snohomish Counties;

12432            (b) contributes to achievement of a four-star or higher rating for the single  
12433 (~~(family units)~~) detached residences under the Built Green program administered by the  
12434 Master Builders Association of King and Snohomish Counties or achieve a gold  
12435 certification under the U.S. Green Building Council, LEED program, or equivalent  
12436 program; or

12437            (c) contributes to achievement of a four-star or higher rating for (~~(the~~  
12438 ~~multifamily units)~~) multiunit developments under the Built Green program administered  
12439 by the Master Builders Association of King and Snohomish Counties or achieve a gold  
12440 certification under the U.S. Green Building Council, LEED program, or other equivalent  
12441 program; and

12442            (4) provides attractive, well-designed development that will assist in  
12443 improving safety and preventing crime in the development and surrounding area,  
12444 including: adequate outdoor lighting along walkways(~~(/)~~) and trails(~~(/)~~); walkways(~~(/)~~)

12445 and trails ((5')) five feet or wider; and low vegetation along walkways((/)) and trails.

12446 4. The criteria in this subsection supersede other variance, modification, or  
12447 waiver criteria and provisions of K.C.C. Title 21A.

12448 K. Regulatory modification and waiver applications, or both, authorized by this  
12449 section shall be filed with the department of local services, permitting division, within  
12450 three years of the approval of the development proposal, which includes issuance of a  
12451 building permit or site development permit, recording of a plat, short plat, or binding site  
12452 plan, or by such a later date as may be specified in the conditions of any development  
12453 approval for any type of modification or waiver for which the opportunity for future  
12454 application is expressly granted in those conditions. Modifications or waivers contained  
12455 within an approved development proposal are valid as long as the underlying permit or  
12456 development application approval is valid. If modifications or waivers are approved as  
12457 separate applications, they ((must)) shall be incorporated into a valid permit or  
12458 development application within three years of approval of the development proposal.  
12459 The director may extend the date for filing the demonstration project permit and  
12460 development applications for a maximum of twelve months. Any deadline in this  
12461 subsection shall be adjusted to include the time for appeal of all or any portion of the  
12462 project approval.

12463 SECTION 263. Ordinance 19119, Section 2, and K.C.C. 21A.55.125 are hereby  
12464 amended to read as follows:

12465 A.1. The purpose of the alternative housing demonstration project is to:

12466 a. encourage private market development of housing options that are  
12467 affordable to different segments of the county's population by testing removal of certain

12468 regulatory barriers to developing such housing;

12469           b. compare ~~((at least two))~~ alternative housing options and their accessibility

12470 for populations who are otherwise unable to find suitable housing, such as lower-income

12471 one-person households, low-income seniors, people with disabilities, veterans, and

12472 persons experiencing homeless; and

12473           c. evaluate the public benefit of providing housing options with smaller living

12474 spaces and shared facilities~~((; and~~

12475           d. ~~implement Phase I of King County Comprehensive Plan Workplan Action 6,~~

12476 ~~as adopted in Ordinance 18427, and as amended by Ordinances 18427 and 18810))~~.

12477           2. The expected benefits from the alternative housing demonstration project

12478 include:

12479           a. the use of innovative design and development techniques to promote

12480 alternative housing options;

12481           b. the development of new affordable housing built to modern building

12482 standards; and

12483           c. the opportunity to identify and evaluate potential substantive changes to land

12484 use and development regulations that support the development of affordable housing

12485 while maintaining community character.

12486           B. ~~((For purposes of this section:~~

12487           1. ~~"Congregate residence" means one or more buildings that contain either~~

12488 ~~sleeping units or dwelling units, or both, and where residents share either sanitation~~

12489 ~~facilities or kitchen facilities, or both.~~

12490           2. ~~"Sleeping unit" means a room or space in which people sleep, and can also~~

12491 ~~include permanent provisions for living, eating, and either sanitation or kitchen facilities~~  
12492 ~~but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping~~  
12493 ~~units.~~

12494 (E)) The alternative housing demonstration project shall be implemented in North  
12495 Highline as described in Attachment A to Ordinance 19119, ~~((and))~~ in the Vashon Rural  
12496 Town as described in Attachment B to Ordinance 19119, and in the Snoqualmie Pass  
12497 Rural Town as described in Map Amendment 31 in Attachment I to this ordinance.

12498 ~~((D-))~~C. Applications shall demonstrate how the proposed project, when  
12499 considered as a whole with the proposed modifications or waivers to the code, will meet  
12500 the criteria in this section and, as compared to development without the modification or  
12501 waiver, the degree to which the project will:

12502 a. increase the range of affordable housing options, including providing  
12503 housing types that meet the needs of the local community;

12504 b. provide housing options for low- to moderate-income households;

12505 c. provide for the development of lower rent housing options through  
12506 construction of buildings with shared facilities;

12507 d. seek to prevent displacement of the local community's residents;

12508 e. for projects with public funding, meet or exceed the sustainable  
12509 development standards adopted by Washington state Department of Commerce under  
12510 RCW 39.35D.080;

12511 f. for projects without public funding, meet or exceed Master Builders  
12512 Association of King and Snohomish Counties 4-star Built Green standard; and

12513 g. provide attractive and well-designed development.

12514            ~~(E.)~~D. The following apply to a demonstration project development proposal  
12515 under this section and supersede development regulations under this title that are in  
12516 conflict:

12517            1. A demonstration project development proposal for a congregate residence in  
12518 North Highline identified in Attachment A to Ordinance 19119, is a permitted use under  
12519 K.C.C. 21A.08.030 and the maximum residential density provisions and the base height  
12520 provisions of K.C.C. 21A.12.030 and of K.C.C. 21A.12.040 do not apply if:

12521            a. the proposal is for no more than a combined total of sixty dwelling units and  
12522 sleeping units;

12523            b. each sleeping unit or dwelling unit contains no more than two hundred  
12524 twenty square feet of floor area; ~~((and))~~

12525            c. the proposed development does not exceed sixty feet in height; and

12526            d. The proposed development does not use the provisions of K.C.C. chapter  
12527 21A.48.

12528            2. A demonstration project development proposal for a congregate residence, in  
12529 Vashon Rural Town as identified in Attachment B to Ordinance 19119 is a permitted use  
12530 under K.C.C. 21A.08.030 and the maximum residential density provisions of K.C.C.

12531 21A.12.030 do not apply if:

12532            a. the development proposal is for no more than five buildings with each  
12533 building containing no more than a combined total of eight dwelling units and sleeping  
12534 units; and

12535            b. except for accessibility units designed to house persons with physical  
12536 disabilities, sleeping units and dwelling units shall not contain more than three hundred

12537 fifty square feet of floor area. Sleeping units and dwelling units designed as accessible  
12538 for persons with physical disabilities shall contain no more than three hundred eight five  
12539 feet of net floor area; and

12540 d. The proposed development does not use the provisions of K.C.C. chapter  
12541 21A.48.

12542 3. A demonstration project development proposal for a congregate residence in  
12543 the Snoqualmie Pass Rural Town as identified in Map Amendment 31 in Attachment I to  
12544 this ordinance, is a permitted use under K.C.C. 21A.08.030 and the maximum residential  
12545 density provisions and the base height provisions of K.C.C. 21A.12.030 and of K.C.C.  
12546 21A.12.040 do not apply if:

12547 a. the proposal is for no more than a combined total of forty dwelling units  
12548 and sleeping units;

12549 b. each sleeping unit or dwelling unit contains no more than two hundred  
12550 twenty square feet of floor area;

12551 c. the proposed development does not exceed sixty-five feet in height; and

12552 d. The proposed development does not use the provisions of K.C.C. chapter  
12553 21A.48.

12554 ~~((F.))~~ E. A congregate residence under this section shall meet the following  
12555 standards:

12556 1. A congregate residence shall include at least one common kitchen facility. In  
12557 a congregate residence with more than two floors, at least one common kitchen facility is  
12558 required on each floor with sleeping units. In a congregate residence consisting of more  
12559 than one building, at least one common kitchen facility is required in each building.



12560           2. A sleeping unit that does not include sanitation facilities in the sleeping unit  
12561 shall have access to shared sanitation facilities on the same floor as the sleeping unit.

12562           3. Communal areas, such as common kitchen facilities, lounges, recreation  
12563 rooms, dining rooms, living rooms, laundry rooms, foyers<sub>2</sub> and lobbies, shall be open to  
12564 all residents of the congregate residence and shall meet the following standards:

12565           a. The total floor area of communal areas shall be at least twelve percent of the  
12566 total floor area of all sleeping and dwelling units; and

12567           b. Service areas, including, but not limited to, hallways and corridors, supply  
12568 or janitorial storage areas, operations and maintenance areas, staff areas<sub>2</sub> and offices<sub>2</sub> may  
12569 not be counted toward the communal area total floor area requirement.

12570           ~~((G-))~~F.1. An application for a development permit or building permit under this  
12571 section shall include a proposed agreement with the department of local services,  
12572 permitting division, that addresses at least the following to be undertaken by the  
12573 applicant:

12574           a. measures to ensure that rents remain affordable, such as rent and income  
12575 restrictions or the inherent affordability of smaller units;

12576           b. measures to reduce displacement of the local community's residents, such as  
12577 affirmative marketing or maintaining wait lists;

12578           c. measures to ensure that residents have available transportation choices to  
12579 enable them reasonable access to retail and services, such as the Metro transit department  
12580 Access paratransit services, community service vans, bike storage rooms or carshare  
12581 services;

12582           d. for projects in the Vashon Rural Town, services that will be available to

12583 residents of the project, such as case management for vulnerable populations or social  
12584 connectivity programming;

12585 e. measures to incorporate housing needs of the local community into the  
12586 proposed development;

12587 f. measures to involve the local community in the proposed development; and

12588 g. what information the applicant will collect and when and how it will be  
12589 reported to the department of local services, permitting division, and the department of  
12590 community and human services to assist in evaluation of the demonstration project.

12591 2. The department shall not approve a development permit or building permit  
12592 application under this section until the proposed agreement under this subsection has  
12593 been approved by the department of local services, permitting division.

12594 ((H)) G.1. A modification or waiver approved by the department of local  
12595 services, permitting division, in accordance with this section shall be in addition to those  
12596 modifications or waivers that are currently allowed by this title, K.C.C. Title 9, K.C.C.  
12597 Title 14, and K.C.C. Title 16.

12598 2. An applicant under this section, in conjunction with an application for a site  
12599 development permit or a building permit, may request in writing a modification or waiver  
12600 of the development regulations under the following chapters and titles. Proposals to  
12601 modify or waive development regulations for a development application ((~~must~~)) shall be  
12602 consistent with general health, safety, and public welfare standards and ((~~must~~)) shall not  
12603 violate state or federal law:

12604 a. drainage review requirements: K.C.C. chapter 9.04 and the Surface Water  
12605 Design Manual;

12606                   b. King County road standards: K.C.C. chapter 14.42 and the county road  
12607 standards, 2016 update;

12608                   c. King County building code: K.C.C. Title 16;

12609                   d. permitted uses: K.C.C. chapter 21A.08;

12610                   e. density and dimensions: K.C.C. chapter 21A.12;

12611                   f. design requirements: K.C.C. chapter 21A.14;

12612                   g. landscaping and water use: K.C.C. chapter 21A.16;

12613                   h. parking and circulation: K.C.C. chapter 21A.18; and

12614                   i. school impact fees: K.C.C. chapter 21A.43.

12615                   3. Requests for a waiver or modification made in accordance with this section  
12616 shall be submitted to the department of local services, permitting division, in writing  
12617 before or in conjunction with a development permit or building permit application  
12618 together with any supporting documentation. The supporting documentation (~~must~~)  
12619 shall illustrate how the proposed modification meets the criteria in this section.

12620                   4. The notice of application, review, and approval of a proposed modification or  
12621 waiver under this section shall be treated as a Type 2 land use decision in accordance  
12622 with K.C.C. 20.20.020. Approval or denial of the proposed modification or waiver shall  
12623 not be construed as applying to any other development application either within a  
12624 demonstration project area or elsewhere in the county.

12625                   5. A preapplication conference with the applicant and the department of local  
12626 services, permitting division, to determine the need for and the likely scope of a proposed  
12627 modification or waiver is required before submittal of such a request. If a modification or  
12628 waiver requires approval of the department of natural resources and parks or the

12629 department of local services, roads services division, that department or division shall be  
12630 invited to participate in the preapplication conference.

12631           6. If the applicant requests an adjustment from the county drainage standards,  
12632 the director shall refer the request to the department of natural resources and parks for  
12633 decision under K.C.C. chapter 9.04, with the right to appeal within the department of  
12634 natural resources and parks as provided in K.C.C. 9.04.050.C.6. The department of  
12635 natural resources and parks shall consider the purposes of this demonstration project as a  
12636 factor relative to the public interest requirement for drainage adjustments described in  
12637 K.C.C. 9.04.050.C.

12638           7. If the applicant requests a variance from the county road standards, the  
12639 director shall refer the request to the county road engineer for decision under K.C.C.  
12640 14.42.060, with the right to appeal to the department of local services, road services  
12641 division, as provided in K.C.C. 14.42.060 and the associated public rules. The  
12642 department of local services, road services division, shall consider the purposes of this  
12643 demonstration project as a factor relative to the public interest requirement for road  
12644 variances described in K.C.C. 14.42.060.

12645           8. Administrative appeals of modifications or waivers approved by the director  
12646 shall be combined with any appeal of the underlying permit decision.

12647           ~~((F))~~ H. An approved development permit or a building permit under this section,  
12648 including site plan elements or conditions of approval, may be amended or modified at  
12649 the request of the applicant or the applicant's successor in interest designated by the  
12650 applicant in writing. The director may administratively approve minor modifications to  
12651 an approved permit. Modifications that result in major changes as determined by the

12652 department of local services, permitting division, or as defined by the approval  
12653 conditions, shall be treated as a new application for purposes of vesting and shall be  
12654 reviewed as applicable to the underlying application in accordance with K.C.C.  
12655 20.20.020. Any increase in the total number of sleeping units and dwelling units above  
12656 the maximum number set forth in the development permit or building permit approval  
12657 shall be deemed a major modification. The county, through the applicable development  
12658 permit or building permit approval conditions, may specify additional criteria for  
12659 determining whether proposed modifications are major or minor. The modifications  
12660 allowed under this section supersede other modification or revision provisions of K.C.C.  
12661 Title 16 and this title.

12662 ((F)) I. Demonstration project applications shall be accepted by the department of  
12663 local services, permitting division, for ((four)) ten years from ((July 19, 2020)) the  
12664 effective date of this ordinance. Complete applications submitted before the end of the  
12665 ((four)) ten years, shall be reviewed and decided on by the department of local services,  
12666 permitting division.

12667 ((K)) J.1. The executive shall electronically file the following reports ((~~in the~~  
12668 ~~form of a paper original and an electronic copy~~)) with the clerk of the council, who shall  
12669 retain the original and provide an electronic copy to all councilmembers, the council chief  
12670 of staff, and the lead staff to the local services((~~and~~)) and land use committee or its  
12671 successor ((~~and the lead staff to the community health and housing services committee or~~  
12672 ~~its successor~~)):

12673 a. A preliminary report within two years of the final certificate of occupancy  
12674 for the first project completed under the demonstration project, as adopted in either

12675 ordinance 19119 or this ordinance, that describes and evaluates the pertinent preliminary  
12676 results; and

12677           b. A final report within two years of the final certificate of occupancy for the  
12678 second project completed under the demonstration project, as adopted in either ordinance  
12679 19119 or this ordinance, that describes and evaluates the pertinent results and  
12680 recommends changes, if appropriate based on evaluation, that should be made to the  
12681 county processes and development regulations.

12682           2. If only insufficient or inconclusive data are available when the report required  
12683 under subsection ~~((K))~~J.1. of this section is due, the executive ~~((must))~~ shall  
12684 electronically file ~~((in the form of a paper original and an electronic copy))~~ with the clerk  
12685 of the council, who shall retain the original and provide an electronic copy to all  
12686 councilmembers, the council chief of staff, and the lead staff to the local services and  
12687 land use committee or its successor ~~((and the lead staff to the community health and~~  
12688 ~~housing services committee or its successor))~~ a report on the demonstration projects that  
12689 indicates the date a subsequent report or reports will be transmitted to fully evaluate  
12690 outcomes of the demonstration project sites and recommend changes, if appropriate,  
12691 based on the evaluation, that should be made to the county processes and development  
12692 regulations.

12693           SECTION 264. Ordinance 19687, Section 13, and K.C.C. 21A.60.050 are hereby  
12694 amended to read as follows:

12695           A. Parking shall be accessed from alleys, where an alley exists. If there is no alley,  
12696 parking entries shall prioritize pedestrians by limiting the maximum width to twenty feet  
12697 for two-way driveways.

12698 B. Developments with over two hundred linear feet on a single street frontage or  
12699 two hundred linear feet of total street frontage on properties that abut two parallel streets  
12700 shall provide a midblock connection. The route may be through the building interior if the  
12701 building is open to the public during business hours.

12702 C. Developments on corner lots shall either orient a building façade toward the  
12703 street corner within fifteen feet of the property line or provide pedestrian-oriented space at  
12704 the corner leading directly to a building entrance or entrances.

12705 D. Minimum interior setbacks of the underlying zone are waived.

12706 E. Service areas including loading docks, refuse containers, compactors, and  
12707 mechanical equipment shall be located and screened to avoid negative visual, auditory,  
12708 olfactory, or physical impacts on the property and adjacent street frontages. Service areas  
12709 shall be located within buildings or screened with acceptable materials including brick,  
12710 concrete block, stone, or wood. Chain-link fencing is not permitted as a screening material.

12711 SECTION 265. Ordinance 3269, Section 2, and K.C.C. 24.08.010 are hereby  
12712 amended to read as follows:

12713 ~~((For the purpose of this title, the following terms have the meanings ascribed to~~  
12714 ~~them in this chapter.)) The definitions in K.C.C. chapter 21A.06 and the definitions in  
12715 this chapter apply to this title.~~

12716 NEW SECTION. SECTION 266. There is hereby added to K.C.C. chapter 24.08  
12717 a new section to read as follows:

12718 Rotating shelter: an emergency shelter where the hosting organizations host  
12719 shelter operations on a temporary basis, rotating the shelter operations between its  
12720 participating host locations.

12721            SECTION 267. Sections 268 through 273 of this ordinance should constitute a  
12722 new chapter in K.C.C. Title 24.

12723            NEW SECTION. SECTION 268.

12724            The purpose of this chapter is to provide standards for certain residential care uses  
12725 and to address the potential impacts to neighborhoods.

12726            NEW SECTION. SECTION 269.

12727            Recuperative housing is subject to the following criteria:

12728            A. Prospective residents shall be referred to the facility by off-site providers of  
12729 housing and services for people experiencing homelessness;

12730            B. Recuperative housing facilities shall be staffed and in operation twenty-four  
12731 hours per day;

12732            C. Specific rooms or units shall be assigned to specific residents for the duration  
12733 of their stay;

12734            D. On-site services such as laundry, hygiene, meals, case management, and social  
12735 programs are limited to residents;

12736            E. All vehicles on-site shall be licensed and in operational condition; and

12737            F. A lease agreement for residents is allowed but not required.

12738            NEW SECTION. SECTION 270.

12739            A. Emergency shelters that operate twenty-four hours per day, seven days per  
12740 week, are subject to the following criteria:

12741            1. Facilities shall be staffed twenty-four hours per day; and

12742            2. Beds or rooms shall be assigned to specific residents for the duration of their  
12743 stay;



12744 B. Emergency shelters that operate only overnight and rotating shelters shall  
12745 provide on-site supervision while in operation; and

12746 C. A lease agreement for residents is allowed but not required.

12747 NEW SECTION. SECTION 271.

12748 Emergency supportive housing is subject to the following criteria:

12749 A. Facilities shall be staffed and in operation twenty-four hours per day;

12750 B. Specific rooms or units shall be assigned to specific residents for the duration  
12751 of their stay;

12752 C. On-site services such as laundry, hygiene, meals, case management, and social  
12753 programs shall be limited to residents;

12754 D. All vehicles on-site shall be licensed and in operational condition; and

12755 E. A lease agreement for residents is allowed but not required.

12756 NEW SECTION. SECTION 272.

12757 Microshelter villages are subject to the following criteria:

12758 A. On-site services such as laundry, hygiene, meals, case management, and social  
12759 programs shall be limited to residents;

12760 B. Supervision shall be provided by on-site staff at all times, unless it can be  
12761 demonstrated that this level of supervision is not warranted for the population being  
12762 housed;

12763 C. The organization managing and operating the facility shall provide sanitation  
12764 and basic safety measures;

12765 D. All vehicles on-site shall be licensed and in operational condition; and

12766 E. A lease agreement for residents is allowed but not required.

12767            NEW SECTION. SECTION 273.

12768            Safe parking sites are allowed subject to the following criteria:

12769            A. A six-foot clearance shall be provided around each recreational vehicle;

12770            B. All vehicles on-site shall be:

12771                1. Licensed and in operable condition; and

12772                2. Parked within the designated parking area;

12773            C. All personal property shall be stored inside the vehicles;

12774            D. All propane tanks shall be securely fastened to a recreational vehicle's propane

12775 tank mounting bracket;

12776            E. The following are prohibited:

12777                1. Tents, tarps, and other temporary structures, such as lean-tos;

12778                2. Vehicles that leak the following:

12779                    a. domestic sewage or other waste fluids or solids; or

12780                    b. gasoline, transmission or radiator fluid, engine oil, or other similar fluids,

12781 excluding potable water;

12782                3. Fires; and

12783                4. Audio, video, generator, or other amplified sound that is audible outside the

12784 vehicles; and

12785            F. The organization managing or operating the safe parking site shall comply and

12786 enforce compliance of applicable state statutes and regulations and local ordinances

12787 concerning, but not limited to, drinking water connections, solid waste disposal, human

12788 waste, outdoor fire burning, and electrical systems.

12789            SECTION 274. Ordinance 13332, Section 34, as amended, and K.C.C. 27.10.190  
12790 are hereby amended to read as follows:

12791            Preliminary subdivision, short subdivision, (~~(urban-planned development)~~) or  
12792 binding site plan applications shall be charged fees for planning, fire flow and access, site  
12793 engineering, critical area, survey<sub>2</sub>, and state Environmental Policy Act review as follows:

12794	A.	Short plat - urban 2 to 4 lots, simple	\$22,944.00
12795	B.	Short plat - urban 2 to 4 lots, complex	\$26,925.00
12796	C.	Short plat - urban 5 to 9 lots	\$34,036.00
12797	D.	Short plat - rural	\$26,925.00
12798	E.	Subdivision( <del>(,urban-planned development,)</del> ) or binding site plan -	
12799		base fee	\$42,174.00
12800	F.	Subdivision - additional fee per lot	\$142.00
12801	G.	<u>Lot split</u>	<u>\$500</u>
12802	<u>H.</u>	Minor plan revisions before or after preliminary approval	
12803	1.	Short plat	\$2,417.00
12804	2.	Subdivision( <del>(,urban-planned development)</del> ) or binding site plan	\$6,186.00
12805	<del>(H)</del> I.	Extension of plat approval	\$284.00

12806            SECTION 275. Ordinance 13332, Section 35, as amended, and K.C.C. 27.10.200  
12807 are hereby amended to read as follows:

12808            Final subdivision, short subdivision, (~~(urban-planned development,)~~) binding site  
12809 plan, subdivisional legal description<sub>2</sub>, or title review, approval<sub>1</sub>, and resubmittal shall be  
12810 charged fees as follows:

12811            A.     Final plan review and approval

12812	1.	Short plat - urban 2 to 4 lots, simple	\$7,223.00
12813	2.	Short plat - urban 2 to 4 lots, complex	\$10,068.00
12814	3.	Short plat - urban 5 to 9 lots	\$15,471.00
12815	4.	Short plat - rural	\$10,068.00
12816	5.	Subdivision((;)) <u>or</u> binding site plan(( <del>or urban planned</del>	
12817		<del>development</del> ))	\$15,471.00
12818	B.	Final plan resubmittal	
12819	1.	Short plat - urban 2 to 4 lots, simple	\$996.00
12820	2.	Short plat - urban 2 to 4 lots, complex	\$1,421.00
12821	3.	Short plat - urban 5 to 9 lots	\$2,845.00
12822	4.	Short plat - rural	\$1,421.00
12823	5.	Subdivision((;)) <u>or</u> binding site plan(( <del>or urban planned development</del> ))	\$2,845.00
12824	C.	Alteration after recordation	
12825	1.	Short plat - urban 2 to 4 lots, simple	\$4,835.00
12826	2.	Short plat - urban 2 to 4 lots, complex	\$6,825.00
12827	3.	Short plat - urban 5 to 9 lots	\$10,380.00
12828	4.	Short plat - rural	\$6,825.00
12829	5.	Subdivision((;)) <u>or</u> binding site plan (( <del>or urban planned</del>	
12830		<del>development</del> ))	\$12,372.00
12831	D.	Subdivisional legal description review	
12832	1.	1-50 lots - base fee	\$700.00
12833	2.	1-50 lots - per lot	\$168.00
12834	3.	51-100 lots - base fee	\$9,100.00

12835	4.	51-100 lots - per lot	\$68.00
12836	5.	More than 100 lots - base fee	\$12,500.00
12837	6.	More than 100 lots - per lot	\$16.00
12838	7.	Name change	\$517.00

12839            SECTION 276. No later than June 30, 2025, the executive shall transmit the  
12840 thirty-year forest plan, clean water healthy habitat strategic plan, and wildfire risk  
12841 reduction strategy to the council, along with motions accepting each document. The  
12842 documents and motions required by this section shall be filed with the clerk of the  
12843 council, who shall retain an electronic copy and provide an electronic copy to all  
12844 councilmembers, the council chief of staff, and the lead staff to the transportation,  
12845 economy, and environment committee, or its successor.

12846            SECTION 277. The following are hereby repealed:

- 12847            A. Ordinance 14050, Section 17, and K.C.C. 14.70.300;
- 12848            B. Ordinance 9614, Section 103, as amended, and K.C.C. 16.82.150;
- 12849            C. Ordinance 16267, Section 6, and K.C.C. 16.82.151;
- 12850            D. Ordinance 15053, Section 15, as amended, and K.C.C. 16.82.152;
- 12851            E. Ordinance 15053, Section 16, and K.C.C. 16.82.154;
- 12852            F. Ordinance 18810, Section 6, and K.C.C. 20.08.175;
- 12853            G. Ordinance 1096, Sections 1 and 2, as amended, and K.C.C. 20.12.090;
- 12854            H. Ordinance 8279, Section 1, as amended, and K.C.C. 20.12.150;
- 12855            I. Ordinance 18623, Section 8, and K.C.C. 20.12.329;
- 12856            J. Ordinance 11620, Section 18, and K.C.C. 20.12.433;
- 12857            K. Ordinance 11620, Section 19, and K.C.C. 20.12.435;

- 12858 L. Ordinance 8380, Section 1, and K.C.C. 20.14.010;
- 12859 M. Ordinance 8380, Appendix A;
- 12860 N. Ordinance 8380, Appendix B;
- 12861 O. Ordinance 10238, Section 1, as amended, and K.C.C. 20.14.020;
- 12862 P. Ordinance 10293, Attachment A, as amended;
- 12863 Q. Ordinance 10293, Sections 1, 2, 6, 7, and 9, as amended, and K.C.C.
- 12864 20.14.025;
- 12865 R. Ordinance 10293, Attachment A, as amended;
- 12866 S. Ordinance 10513, Section 1, as amended, and K.C.C. 20.14.030;
- 12867 T. Ordinance 10513, Attachment A, as amended;
- 12868 U. Ordinance 11087, Section 1, as amended, and K.C.C. 20.14.040;
- 12869 V. Ordinance 11087, Attachment A, as amended;
- 12870 W. Ordinance 11111, Section 1, as amended, and K.C.C. 20.14.050;
- 12871 X. Ordinance 11111, Attachment A, as amended;
- 12872 Y. Ordinance 11886, Sections 1 and 4, as amended, and K.C.C. 20.14.060;
- 12873 Z. Ordinance 11886, Attachment A, as amended;
- 12874 AA. Ordinance 12809, Section 1, as amended, and K.C.C. 20.14.070;
- 12875 BB. Ordinance 12809, Attachment A, as amended;
- 12876 CC. Ordinance 14091, Section 1, and K.C.C. 20.14.080;
- 12877 DD. Ordinance 14091, Attachment A;
- 12878 EE. Ordinance 13147, Section 28, as amended, and K.C.C. 20.18.120;
- 12879 FF. Ordinance 8998, Section 6, and K.C.C. 20.44.145;
- 12880 GG. Ordinance 17191, Section 20, and K.C.C. 21A.06.318;

12881 HH. Ordinance 10870, Section 106 and K.C.C. 21A.06.330;  
12882 II. Ordinance 12171, Section 3, and K.C.C. 21A.06.533;  
12883 JJ. Ordinance 10870, Section 196, and K.C.C. 21A.06.780;  
12884 KK. Ordinance 10870, Section 239, and K.C.C. 21A.06.995;  
12885 LL. Ordinance 10870, Section 255, and K.C.C. 21A.06.1075;  
12886 MM. Ordinance 10870, Section 301, and K.C.C. 21A.06.1305;  
12887 NN. Ordinance 10870, Section 308, and K.C.C. 21A.06.1340;  
12888 OO. Ordinance 10870, Section 360, and K.C.C. 21A.12.230;  
12889 PP. Ordinance 16267, Section 30, and K.C.C. 21A.12.250;  
12890 QQ. Ordinance 10870, Section 368, and K.C.C. 21A.14.080;  
12891 RR. Ordinance 10870, Section 369, and K.C.C. 21A.14.090;  
12892 SS. Ordinance 10870, Section 379, and K.C.C. 21A.14.190;  
12893 TT. Ordinance 10870, Section 410, as amended, and K.C.C. 21A.18.060;  
12894 UU. Ordinance 10870, Section 550, and K.C.C. 21A.32.130;  
12895 VV. Ordinance 10870, Section 140, and K.C.C. 21A.32.140;  
12896 WW. Ordinance 10870, Section 560, and K.C.C. 21A.34.010;  
12897 XX. Ordinance 10870, Section 561, and K.C.C. 21A.34.020;  
12898 YY. Ordinance 10870, Section 562, as amended, and K.C.C. 21A.34.030;  
12899 ZZ. Ordinance 10870, Section 563, as amended, and K.C.C. 21A.34.040;  
12900 AAA. Ordinance 10870, Section 564, as amended, and K.C.C. 21A.34.050;  
12901 BBB. Ordinance 10870, Section 565, as amended, and K.C.C. 21A.34.060;  
12902 CCC. Ordinance 10870, Section 566, and K.C.C. 21A.34.070;  
12903 DDD. Ordinance 10870, Section 567, and K.C.C. 21A.34.080;

12904           EEE. Ordinance 16267, Section 68, as amended, and K.C.C. 21A.37.055;  
12905           FFF. Ordinance 10870, Section 581, as amended, and K.C.C. 21A.38.080;  
12906           GGG. Ordinance 12823, Section 13, and K.C.C. 21A.38.180;  
12907           HHH. Ordinance 18623, Section 9, and K.C.C. 21A.38.270;  
12908           III. Ordinance 10870, Section 582, and K.C.C. 21A.39.010;  
12909           JJJ. Ordinance 10870, Section 583, as amended, and K.C.C. 21A.39.020;  
12910           KKK. Ordinance 10870, Section 584, as amended, and K.C.C. 21A.39.030;  
12911           LLL. Ordinance 10870, Section 585, and K.C.C. 21A.39.040;  
12912           MMM. Ordinance 10870, Section 586, as amended, and K.C.C. 21A.39.050;  
12913           NNN. Ordinance 10870, Section 587, and K.C.C. 21A.39.060;  
12914           OOO. Ordinance 10870, Section 588, and K.C.C. 21A.39.070;  
12915           PPP. Ordinance 10870, Section 589, and K.C.C. 21A.39.080;  
12916           QQQ. Ordinance 10870, Section 590, and K.C.C. 21A.39.090;  
12917           RRR. Ordinance 10870, Section 591, and K.C.C. 21A.39.100;  
12918           SSS. Ordinance 10870, Section 592, and K.C.C. 21A.39.110;  
12919           TTT. Ordinance 10870, Section 593, and K.C.C. 21A.39.120;  
12920           UUU. Ordinance 10870, Section 594, and K.C.C. 21A.39.130;  
12921           VVV. Ordinance 12171, Section 8, and K.C.C. 21A.39.200;  
12922           WWW. Ordinance 10870, Section 628, and K.C.C. 21A.44.070;  
12923           XXX. Ordinance 12171, Section 9, and K.C.C. 21A.44.080;  
12924           YYY. Ordinance 19555, Section 23, K.C.C. 21A.48.020;  
12925           ZZZ. Ordinance 13275, Section 1, as amended, and K.C.C. 21A.55.050;  
12926           AAAA. Ordinance 14662, Section 1, as amended, and K.C.C. 21A.55.060;



12927 BBBB. Ordinance 17877, Section 1;  
12928 CCCC. Ordinance 17877, Section 2;  
12929 DDDD. Ordinance 17877, Section 3;  
12930 EEEE. Ordinance 17878, Section 1;  
12931 FFFF. Ordinance 17878, Section 2;  
12932 GGGG. Ordinance 17878, Section 3;  
12933 HHHH. Ordinance 17950, Section 5;  
12934 IIII. Ordinance 15170, Section 16, as amended;  
12935 JJJJ. Ordinance 15170, Section 17, as amended;  
12936 KKKK. Ordinance 15170, Section 18, and K.C.C. 21A.32.145;  
12937 LLLL. Attachment A to Ordinance 13875, as amended; and  
12938 MMMM. Ordinance 16650, Attachment B.  
12939 SECTION 278. The executive shall submit sections 47, 186, 187, 188, 189, 190,  
12940 191, 192, and 193 of this ordinance and amendments to King County Comprehensive  
12941 Plan chapter six in Attachment A to this ordinance to the state Department of Ecology for  
12942 its approval, as provided in RCW 90.58.090.  
12943 SECTION 279. Sections 47, 186, 187, 188, 189, 190, 191, 192, and 193 of this  
12944 ordinance and amendments to King County Comprehensive Plan chapter six in  
12945 Attachment A to this ordinance take effect within the shoreline jurisdiction fourteen days  
12946 after the state Department of Ecology provides written notice of final action stating that  
12947 the proposal is approved, in accordance with RCW 90.58.090. The executive shall  
12948 provide the written notice of final action to the clerk of the council.

12949            SECTION 280. The "Designated Mineral Resource Sites" table shown in Chapter  
12950 3 of the King County Comprehensive Plan shall not take effect until the latter of the  
12951 following:

12952            A. Sixty days after the date of publication of notice of adoption for this  
12953 ordinance; or

12954            B. If a petition for review to the growth management hearings board is timely  
12955 filed, upon issuance of the board's final order.

12956            SECTION 281. The executive is authorized to submit an application to the  
12957 Growth Management Planning Council to designate the Skyway and White Center  
12958 Unincorporated Activity Centers as countywide centers, as provided in Appendix 6 to the  
12959 2021 King County Countywide Planning Policies.

12960            SECTION 282. Severability. If any provision of this ordinance or its application  
12961 to any person or circumstance is held invalid, the remainder of the ordinance or the  
12962 application of the provision to other persons or circumstances is not affected."

12963  
12964 Strike Attachment A, 2024 King County Comprehensive Plan, and insert Attachment A,  
12965 2024 King County Comprehensive Plan, dated June 2024. The clerk of the council is  
12966 instructed to engross changes from any adopted amendments and correct any scrivener's  
12967 errors. Upon final adoption, council staff is instructed to reflect the enactment number  
12968 throughout Attachment A, incorporate adopted changes into the King County  
12969 Comprehensive Plan, modify all Comprehensive Plan and technical maps in Attachment  
12970 A to reflect the changes in any adopted amendments, update the tables of contents as  
12971 necessary, update footnote numbers as necessary, remove the line numbers, remove

12972 background shading, make the formatting consistent throughout, and provide an  
12973 electronic copy of each to the executive.  
12974  
12975 Strike Attachment B, Appendix A Capital Facilities and Utilities, and insert Attachment  
12976 B, Appendix A Capital Facilities and Utilities, dated June 2024. The clerk of the council  
12977 is instructed to engross changes from any adopted amendments and correct any  
12978 scrivener's errors. The clerk of the council is instructed to remove line numbers and  
12979 update headers to reflect the enactment number in the attachment on the final version of  
12980 this legislation adopted by the council before presentation to the executive.  
12981  
12982 Strike Attachment C, Appendix B Housing Needs Assessment, and insert Attachment C,  
12983 Appendix B Housing Needs Assessment, dated June 2024. The clerk of the council is  
12984 instructed to engross changes from any adopted amendments and correct any scrivener's  
12985 errors. The clerk of the council is instructed to remove line numbers and update headers  
12986 to reflect the enactment number in the attachment on the final version of this legislation  
12987 adopted by the council before presentation to the executive.  
12988  
12989 Strike Attachment D, Appendix C Transportation, and insert Attachment D, Appendix C  
12990 Transportation, dated June 2024. The clerk of the council is instructed to engross  
12991 changes from any adopted amendments and correct any scrivener's errors. The clerk of  
12992 the council is instructed to remove line numbers and update headers to reflect the  
12993 enactment number in the attachment on the final version of this legislation adopted by the  
12994 council before presentation to the executive.

12995

12996 Strike Attachment E, Appendix C1 Transportation Needs Report, and insert Attachment  
12997 E, Appendix C1 Transportation Needs Report, dated June 2024. The clerk of the council  
12998 is instructed to engross changes from any adopted amendments and correct any  
12999 scrivener's errors. The clerk of the council is instructed to remove line numbers and  
13000 update headers to reflect the enactment number in the attachment on the final version of  
13001 this legislation adopted by the council before presentation to the executive.

13002

13003 Strike Attachment F, Appendix C2 Regional Trail Needs Report, and insert Attachment  
13004 F, Appendix C2 Regional Trail Needs Report, dated June 2024. The clerk of the council  
13005 is instructed to engross changes from any adopted amendments and correct any  
13006 scrivener's errors. The clerk of the council is instructed to remove line numbers and  
13007 update headers to reflect the enactment number in the attachment on the final version of  
13008 this legislation adopted by the council before presentation to the executive.

13009

13010 Strike Attachment G, Appendix D1 Growth Targets and the Urban Growth Area, and  
13011 insert Attachment G, Appendix D1 Growth Targets and the Urban Growth Area, dated  
13012 June 2024. The clerk of the council is instructed to engross changes from any adopted  
13013 amendments and correct any scrivener's errors. The clerk of the council is instructed to  
13014 remove line numbers and update headers to reflect the enactment number in the  
13015 attachment on the final version of this legislation adopted by the council before  
13016 presentation to the executive.

13017

13018 Strike Attachment H, Amendments to Vashon-Maury Island Community Service Area  
13019 Subarea Plan, As Amended, and insert Attachment H, Vashon-Maury Island Community  
13020 Service Area Subarea Plan, As Amended, dated June 2024. The clerk of the council is  
13021 instructed to engross changes from any adopted amendments and correct any scrivener's  
13022 errors. Upon final adoption, council staff is instructed to reflect the enactment number  
13023 throughout Attachment H, incorporate adopted changes into the Vashon-Maury Island  
13024 CSA Subarea Plan, update the tables of contents as necessary, update footnote numbers  
13025 as necessary, and provide an electronic copy of each to the executive.  
13026  
13027 Strike Attachment I, Land Use and Zoning Map Amendments, and insert Attachment I,  
13028 Land Use and Zoning Map Amendments, dated June 2024. The clerk of the council is  
13029 instructed to engross changes from any adopted amendments and correct any scrivener's  
13030 errors. Upon final adoption, council staff is instructed to reflect the enactment number  
13031 throughout Attachment I, and coordinate with executive staff to assign new P-suffix or  
13032 Special District Overlay numbers, modify all Comprehensive Plan and technical maps,  
13033 including those that show the urban growth boundary, and provide an electronic copy of  
13034 each to the executive.  
13035  
13036 Insert Attachment J, Snoqualmie Valley-Northeast King County Subarea Plan, dated June  
13037 2024. The clerk of the council is instructed to engross changes from any adopted  
13038 amendments and correct any scrivener's errors. Upon final adoption, council staff is  
13039 instructed to reflect the enactment number throughout Attachment A, incorporate adopted  
13040 changes into the King County Comprehensive Plan, modify all Comprehensive Plan and

13041 technical maps in Attachment J to reflect the changes in any adopted amendments, update  
13042 the tables of contents as necessary, update footnote numbers as necessary, remove the  
13043 line numbers, and provide an electronic copy of each to the executive.

13044

13045 **EFFECT prepared by E. Auzins, J. Ngo, J. Tracy:**

13046 Striking Amendment S1 would make the following changes:

13047 Proposed Ordinance 2023-0440:

- 13048 1. Updates various terminology for consistency, makes technical and clarifying edits,  
13049 engrosses changes made by other ordinances, and addresses code reviser notes in  
13050 Titles 20 and 21A.
- 13051 2. Adds a Finding regarding a Map Amendment near the City of Kent.
- 13052 3. Adds Findings regarding a Map Amendment and Special District Overlay (SDO)  
13053 regarding green energy.
- 13054 4. In the responsibilities for the Department of Local Services (DLS):
- 13055 a. Requires subarea plans and Community Service Area (CSA) work programs to be  
13056 completed with the "County and community work together" level of community  
13057 engagement.
- 13058 b. Requires community needs lists to be transmitted to the Council with the subarea  
13059 plan during mid-biennium budget reviews, or with the biennial budget.
- 13060 c. Requires CSA work programs to restart in 2025.
- 13061 d. Requires DLS to include monitoring and reporting of performance metrics for  
13062 subarea plans, community needs lists, and CSA work programs. Transmittal of  
13063 reports to council is required every two years. In the other years, the reporting is  
13064 required to be posted to the website.
- 13065 e. Updates language around transportation network company licensing and active  
13066 transportation.
- 13067 5. Makes updates to the Code regarding cultural programs, to require the County to  
13068 consider equity and racial, social, and environmental justice in the promotion and  
13069 protection of cultural resources.

- 13070 6. Establishes a Rural Area Advisory Commission, with a purpose section, membership  
13071 requirements, rules of operation, and staffing.
- 13072 7. Updates the boundary of the sewer local service area to reflect a change in a Map  
13073 Amendment.
- 13074 8. Modifies the duties of the Utilities Technical Review Committee to remove language  
13075 regarding coordinated water system plans.
- 13076 9. Adds a new section to K.C.C. Chapter 13.28 to state that the Comprehensive Plan  
13077 governs over an adopted coordinated water system plan.
- 13078 10. Removes regulatory language from the transmitted definitions of "active  
13079 transportation" and "transportation facilities" in Title 14.
- 13080 11. Maintains existing language regarding criteria for road vacations, so that a road  
13081 vacation application could be denied if it has a "future transportation use," and adds  
13082 language "including use as a public trail."
- 13083 12. Adds that the Department of Local Services consult with the Department of Natural  
13084 Resources and Parks in implementing the active transportation program.
- 13085 13. In the grading permit exemption table:
- 13086 a. Adds a date for cumulative fill for excavation less than 5 feet or fill less than 3  
13087 feet. Sets the date as January 1, 2005.
- 13088 b. Adds a date for cumulative clearing of invasive species. Sets the date as January  
13089 1, 2005.
- 13090 14. In the requirements for the Strategic Climate Action Plan (SCAP):
- 13091 a. Requires the SCAP to be transmitted to the Council by ordinance starting in 2030.
- 13092 b. Changes language on the definition of green jobs to match the definition used in  
13093 the KCCP.
- 13094 c. Removes language regarding an initial green jobs strategy that was completed.
- 13095 d. Removed unnecessary explanatory language.
- 13096 e. Modifies the reporting to require it with the SCAP transmittal and at the midpoint  
13097 between updates, to reflect current practice.
- 13098 f. Requires the creation of a labor advisory council *and* input from labor and  
13099 workforce development organizations.

- 13100 g. Requires collaboration with Indian tribes, and the King County-Cities Climate  
13101 Collaboration, with each SCAP update.
- 13102 15. For Metro's transit carbon offset and environmental attributes program, requires that  
13103 revenue collected be used solely for providing "mobility services" rather than  
13104 "additional transit service hours."
- 13105 16. Removes allowance for longer preliminary plat expirations. Adds a one-time, one-  
13106 year extension for preliminary plat expirations.
- 13107 17. For boundary line adjustments, allows the creation of no more than two additional  
13108 building sites in the urban area. Maintains one in the rural area or natural resource  
13109 lands.
- 13110 18. In the definition of "subarea plan," removes examples.
- 13111 19. In the list of Shoreline Master Program elements, adds additional subsections of  
13112 K.C.C. 21A.24.070 (critical area alteration exceptions), and removes K.C.C.  
13113 20.18.040 (site-specific land use and zoning map amendments).
- 13114 20. Modifies the language for emergency comprehensive plan amendments language to  
13115 say that public notice and testimony be "commensurate with the nature of the  
13116 emergency" and to require such an amendment to be adopted as an emergency  
13117 ordinance as defined by the King County Charter.
- 13118 21. Separates site-specific land use map amendments and shoreline master program map  
13119 amendments into separate sections of code. Allows shoreline master program map  
13120 amendments with annual and midpoint updates, in addition to 10-year updates.
- 13121 22. For land use and zoning map amendments, requires additional mailings if there is not  
13122 a local area newspaper. Combines this provision with other public hearing  
13123 requirements.
- 13124 23. For docket proposals, requires those that are received between the scoping and  
13125 transmittal of midpoint and 10-year updates to have supplemental material be  
13126 provided with transmittal. For docket proposals received between transmittal and  
13127 adoption of midpoint and 10-year updates that are not addressed in the update,  
13128 requires that the Executive include those in the next docket report.
- 13129 24. Requires a public summary of the Executive's transmitted Comprehensive Plan that is  
13130 translated into the top six languages other than English.



- 13131 25. The code sections regarding the Four-to-One Program are modified as part of the  
13132 package with the CPP and KCCP changes to remove duplication between the three  
13133 documents, put the broadest policies in the CPPs, more detail in KCCP policies, and  
13134 regulations in the K.C.C. Substantive changes include:
- 13135 a. Requires the tri-party agreement to be transmitted and approved concurrent with  
13136 the Four-to-One proposal.
  - 13137 b. Removes an option for use of transfer of development rights for off-site  
13138 conservation, instead allows an off-site conservation easement.
  - 13139 c. Modifies the landscaping requirement to require, for the on-site natural area, a 50  
13140 foot landscaped buffer to create a screen between the natural area and the new  
13141 urban area. And allows for additional and different vegetation if it better protects  
13142 the natural area or restores habitat.
  - 13143 d. Limits active recreation to the total area of natural area dedicated, including off-  
13144 site.
  - 13145 e. Adds a placeholder for the affordable housing section.
- 13146 26. Modifies community meeting section to reflect current practice, that community  
13147 meetings are required in sections of Title 21A besides the permitted use table.
- 13148 27. Modifies the purpose of the RA zone so that so that if a proposed rezone (to RA-5)  
13149 fails to meet any one criterion, it would be denied. Adds, for RA-10, language  
13150 regarding "moderate or significant" critical areas being on-site.
- 13151 28. In the purpose of the CB, NB, and O zones, removing language limiting mixed-use to  
13152 urban areas and Rural Towns, and in the NB zone, that residential uses are limited to  
13153 in urban areas on properties with the land use designation of commercial outside of  
13154 center.
- 13155 29. Adds a new definition for "adult family home" that matches the RCW.
- 13156 30. Adds a definition for "natural area."
- 13157 31. Middle housing:
- 13158 a. Modifies/adds definitions for "apartment," "community residential facility,"  
13159 "cottage housing," "congregate residence," "duplex," "dwelling unit,"  
13160 "household," "houseplex," "manufactured home," "manufacture home  
13161 community," "mixed-use," "mobile home," "sleeping unit," and "townhouse."

- 13162 b. Removes definition for "triplex" and "fourplex."  
13163 c. Removes regulations from the definition of "family."  
13164 d. Removes a requirement for a CUP to locate more than one dwelling unit on an  
13165 individual lot.  
13166 e. Removes requirement for duplexes, houseplexes, apartments, and permanent  
13167 supportive housing to comply with net buildable area requirements.  
13168 f. Allows manufactured home communities as a Permitted use in the R-4 through R-  
13169 8 zones. Changes the residential density from 6 to 12 units per acre in these  
13170 zones. Removes provision for a bonus related to "displaced" units.  
13171 g. Allows cottage housing a Permitted use, with development conditions, in the R-12  
13172 through R-48 zones. Removes community meeting requirement. The same  
13173 conditions would apply as apply for R-4 through R-8 zones.  
13174 h. Allows congregate housing (replaces "dormitory" use, for which the definition is  
13175 also repealed) in the R-1 as a CUP with development conditions, in the R-12  
13176 through R-48 zones as a Permitted use, and in the NB, CB, RB, and O zones as a  
13177 Permitted use with development conditions requiring mixed use. Adds design  
13178 standards for congregate housing requiring shared kitchen and sanitation facilities  
13179 and communal areas.  
13180 32. Emergency housing:  
13181 a. Modifies/adds definitions for "crisis care center," "emergency shelter,"  
13182 "emergency supportive housing," "microshelter," "microshelter village,"  
13183 "permanent supportive housing," "recuperative housing," "safe parking," "social  
13184 services," and "unsheltered."  
13185 b. Removes definitions and allowances for "emergency housing" and "interim  
13186 housing."  
13187 c. Creates a new land use table for health care services and residential care services.  
13188 Clarifies that these uses are considered residential development for the purposes  
13189 of the landscaping requirements.  
13190 d. Allows "doctor's office/outpatient" as a Permitted use in the R-12 to R-48 zones.  
13191 Allows doctor's office/outpatient use as a Permitted use with a reuse of a public  
13192 building in the RA and UR zones.

- 13193 e. Allows a "hospital" as a Permitted use in the R-12 to R-48 zone with development  
13194 conditions limited to SIC Industries 8063-Psychiatric Hospitals and 8069-  
13195 Specialty Hospitals, Except Psychiatric.
- 13196 f. Allows "social services" in the R-12 through R-48 as a Permitted use.
- 13197 g. Allows "crisis care center:"
- 13198 1) in the RA zone as a Permitted use when reusing a public school building or  
13199 surplus nonresidential building, or as a CUP on a site at least 4.5 acres and  
13200 within 1 mile of an interstate.
- 13201 2) in the R-1 through R-8 zones, as a Permitted use when reusing a public school  
13202 building or surplus nonresidential building, or as a CUP.
- 13203 3) As a Permitted Use in the R-12 through R-48 zones, NB, CB, RB, O zones.
- 13204 4) As a Permitted use in the I zone, limited to the Preston Industrial center.
- 13205 h. Allows "nursing and personal care services:"
- 13206 1) In the R-4 through R-8 zones, as a Permitted use when reusing a public school  
13207 building or surplus nonresidential building, or as a CUP.
- 13208 2) As a Permitted use in the R-12 through R-48, NB, and O zones.
- 13209 i. "Adult family home" is added as an allowed use where residential uses are  
13210 permitted and with the same permissions.
- 13211 j. Allows "permanent supportive housing" in the NB zone, and in Rural Towns.  
13212 Removes landscaping and design requirements exemptions.
- 13213 k. Allows "recuperative housing" in the NB zone, and in Rural Towns. Removes  
13214 landscaping and design requirements exemption.
- 13215 l. Allows "emergency supportive housing" in the NB zone, and in Rural Towns.  
13216 Allows this use in the R-4 through R-8 zones with a CUP and with development  
13217 conditions. Removes landscaping and design requirements exemption.
- 13218 m. Allows "microshelter villages" in the NB zone, and in Rural Towns.
- 13219 n. Allows "safe parking" in the NB zone, and in Rural Towns.
- 13220 o. Allows "other residential care" as a CUP in the R-4 through R-8 zones, and as a  
13221 Permitted use in the R-12 through R-48, NB, CB, RB, and O zones.
- 13222 33. Other housing changes:

- 13223 a. Modifies the definition and regulations for clustered development, to only allow  
13224 clustered development for protection of critical areas, or to preserve forestry or  
13225 agricultural land. Removes requirement to cluster land in the UR zone.
- 13226 b. Allows mixed-use development in Rural Neighborhood Commercial Centers.
- 13227 c. Maintains language restricting the height for detached accessory dwelling units to  
13228 not exceed the base height.
- 13229 d. Removes a requirement that attached accessory dwelling units have a "continuous  
13230 roofline that appears to be one single building."
- 13231 e. Changes allowance for the number of accessory dwelling units in the urban area  
13232 from two per primary dwelling unit to two per lot.
- 13233 f. Removes a requirement that future accessory dwelling units are prohibited if a lot  
13234 with an accessory dwelling unit is subdivided unless the lot is double the  
13235 minimum lot size.
- 13236 g. Maintains existing language for accessory living quarters that they are limited to  
13237 one per lot.
- 13238 34. Modifies the definition of "grading" in Title 21A to match the definition in Title 16.
- 13239 35. Moves temporary lodging uses to the General Services land use table.
- 13240 36. Allows "sports clubs" in the UR and R-1 through R-48 zones, with development  
13241 conditions limiting the size, noise, parking, and hours of operation.
- 13242 37. Allows "general personal services" in the R-4 through R-48 zones with development  
13243 conditions limiting the size, noise, parking and hours of operation.
- 13244 38. Removes development conditions for "daycare I and II" in the A, RA, UR, R-1, R-4  
13245 through R-48 zones. Requires a conditional use permit for daycares caring for more  
13246 than 36 individuals in the RA, UR, and R-1 through R-48 zones.
- 13247 39. Allows "department and variety stores," "food stores," "eating and drinking places,"  
13248 "drug stores," "book, stationery, video, and art supply stores," "florist shops," as a  
13249 Permitted Use in the R-4 through R-8 zones with development conditions limiting  
13250 size, drive-throughs, noise, parking and hours of operation. Allows these uses with a  
13251 CUP to raise the size from 1,000 square feet to 2,500 square feet. Allows these uses  
13252 in the R-12 through R-48 zones as a Permitted Use, similar conditions, and a

- 13253 maximum size of 5,000 square feet. Removes other requirements in K.C.C. 21A.12  
13254 that conflict with these standards.
- 13255 40. Limits retail uses in the NB zone in the Rural Neighborhood Commercial Centers to  
13256 15,000 square feet and adds this limitation to "retail nursery, garden center, and farm  
13257 supply stores," "book, stationery, video, and art supply stores," "hobby, toy, game  
13258 shops," "photographic and electronic shops," and "florist shops."
- 13259 41. Adds a new definition for "anaerobic digester." Allows this use (replacing  
13260 agricultural anaerobic digester, definition of this is also deleted):
- 13261 a. In the A and RA zones as a Permitted use with development conditions limiting  
13262 the type of waste and as an accessory use to a dairy or livestock use. Allowed  
13263 with a CUP if these limitations cannot be met.
- 13264 b. In the F, M, NB, CB, RB, O, and I zones with a CUP.
- 13265 c. In the R-1 through R-48 zones and UR zone with a CUP and with development  
13266 conditions limiting the use for waste generated on-site.
- 13267 42. Modifies the development conditions for urban agriculture, applying to the R-1  
13268 through R-48, NB, CB, RB, and O zones, to:
- 13269 a. Align size limitations between primary and accessory use.
- 13270 b. Change retail sales from beginning at 7am to beginning at 8am.
- 13271 c. Remove farm plan requirement.
- 13272 d. Remove requirement in R-1 zone that the lot be 75 percent cleared; instead  
13273 prohibits agricultural activities on R-1 properties 20 acres or greater that are  
13274 designated as urban separators.
- 13275 e. Allow the residential-specific limitations to be exceeded with a CUP, except on  
13276 urban separators.
- 13277 f. Prohibit animal mortality management, on-site animal waste storage, disposal,  
13278 and processing.
- 13279 43. Modifies the requirements for "hydroelectric generation facility" and "non-  
13280 hydroelectric generation facility to complete an equity impact review for new,  
13281 modified, or expanded uses.
- 13282 44. Adds conditions for "fossil fuel facilities" for consistency with Policy F-536.

- 13283 45. Requires an equity impact review for new, modified, or expanded gas or hazardous  
13284 liquid transmission pipelines.
- 13285 46. In the dimensional tables (not captured elsewhere):
- 13286 a. Clarifies that maximum density that is 200% over the base is only allowed  
13287 through inclusionary housing or using the TDR affordable housing pilot.
- 13288 b. The height limit in Vashon Rural Town zoning is changed to a maximum of 3  
13289 stories, not to exceed 40 feet (was 35 feet without a maximum number of stories).
- 13290 c. Repeals a requirement for additional setbacks when 3 or more dwelling units are  
13291 provided in the R-12 through R-48 zones.
- 13292 d. Removes 36 dwelling unit per acre base density for the RB zone. Forty-eight  
13293 units per acre is proposed/allowed now.
- 13294 e. Allows up to 4 dwelling units per acre in Rural Neighborhood Commercial  
13295 Centers, in the NB, CB, and O zones.
- 13296 47. Removes requirement that freestanding air conditions and heat pumps be set back 5'  
13297 from lot lines, or have a recorded agreement with the neighboring property.
- 13298 48. Modifies the trigger for design requirements and recreational space from 4 to 9  
13299 dwelling units or sleeping units, and consolidates some sections in this chapter.
- 13300 49. Clarifies that for subdivisions in the RA zone, a condition be recorded prohibiting  
13301 covenants that would restrict "farming or forestry" to align with KCCP language.
- 13302 50. Changes parking ratios:
- 13303 a. Dwelling units within ½ mile of a high-capacity or frequent transit stop: 1.2 per  
13304 dwelling unit.
- 13305 b. Adult family home: 2 per home.
- 13306 c. Clarifies that recuperative housing and emergency supportive housing is per  
13307 sleeping unit, not per bedroom.
- 13308 51. Separates the requirement for a critical area report in the shoreline area, into a new  
13309 section in K.C.C. chapter 21A.25, from the mitigation sequencing section.
- 13310 52. Adds phasing requirements for mineral extraction, to limit the size of each phase, and  
13311 not allow more than 2 phases to be operating at any one time and reclamation must  
13312 occur before third phase can begin.
- 13313 53. Clarifies that the fossil fuel facilities are regulated under the mineral extraction code.

- 13314 54. Modifies the definition and regulations for shoreline stabilization to better align with  
13315 state law.
- 13316 55. Moves the new section on large on-site septic systems from K.C.C. 21A.44 (decision  
13317 criteria) to K.C.C.21A.28 (adequacy of facilities and services).
- 13318 56. Modifies the sections regarding school capital facilities planning to:
- 13319 a. Modify the Council staff person on the School Technical Review Committee to be  
13320 ex officio.
- 13321 b. Makes changes to align school impact fee exemptions with state law  
13322 requirements.
- 13323 57. Modifies the allowance for animals to allow 10 poultry, chicken, and squab on lots  
13324 less than 35,000 square feet, and a maximum of 20 animals on larger sites. Prohibits  
13325 roosters in the urban area.
- 13326 58. Under the TDR program, allows publicly owned land participating in the forest  
13327 carbon program to be a sending site.
- 13328 59. Incorporates changes from Proposed Ordinance 2023-0439, the Snoqualmie  
13329 Valley/Northeast King County Subarea Plan.
- 13330 60. In the Fall City business district SDO, adds additional allowed uses, to create more  
13331 consistency with the CB zoning countywide. Prohibits nonresidential uses from  
13332 being on the upper floors. Limits residential density to 4 dwelling units per acre, and  
13333 up to 6 dwelling units per acre if affordable housing is provided.
- 13334 61. Creates a new Vashon Rural Town Commercial Business SDO, converting it from P-  
13335 suffix condition VS-P29. Adds additional allowed uses, to create more consistency  
13336 with the CB zoning countywide. Only allows residential uses on upper floors.
- 13337 62. Creates a new Vashon-Maury Industrial SDO, converting it from P-suffix condition  
13338 VS-P30. Adds additional allowed uses, to create more consistency with the I zoning  
13339 countywide.
- 13340 63. Creates a new green energy SDO that would change permit requirements for certain  
13341 uses on five parcels on/in close proximity to utility corridors and waste management  
13342 and mineral extraction sites. This would allow (in addition to what is allowed by the  
13343 underlying zoning):

- 13344 a. As Permitted uses: non-hydroelectric generation facility, anaerobic digester, and  
13345 production of biogas from waste management processes; local distribution gas  
13346 storage tanks to support biogas uses.
- 13347 b. As a CUP: renewable hydrogen generation; and to support the regional solid  
13348 waste system: energy resource recovery facility, transfer station, landfill, and  
13349 interim recycling facility.
- 13350 64. Converts the Executive's transmitted Fall City Rural Town Residential P-suffix into  
13351 an SDO. Adds a base height of 25 feet and a maximum height of 35 feet.
- 13352 65. Repeals existing mandatory inclusionary housing requirements, and inserts a  
13353 placeholder to determine affordability requirements, including occupancy type, AMI,  
13354 minimum percent of affordable units, and maximum density. Removes the specific  
13355 affordability requirements for the voluntary inclusionary housing requirements.
- 13356 66. In the green building code, specifies that if a project doesn't use LEED, Evergreen  
13357 Sustainable Development Standard, or the Sustainable Infrastructure Scorecard, then  
13358 it is required to achieve the "highest rating" in an alternative rating system, in line  
13359 with KCCP requirements.
- 13360 67. Modifies the alternative housing demonstration project to extend it for an additional  
13361 10 years in North Highline and Vashon Rural Town.
- 13362 68. Requires the Executive's 30-year forest plan, Clean Water Health Habitat Strategic  
13363 Plan, Wildfire Risk Reduction Strategy to be transmitted to the Council by June 2025,  
13364 for approval by motion.
- 13365 69. Adds additional sections to be repealed:
- 13366 a. K.C.C. 20.44.145: an old SEPA rule.
- 13367 b. Definition of "relocation facility," "shelter for temporary placement," "transitional  
13368 housing facility
- 13369 c. 21A.12.230: Specific requirements for personal services, retail uses in the R-4 to  
13370 R-48 zones
- 13371 d. 21A.12.250: Specific requirements for general personal services and doctor's  
13372 office/outpatient use.
- 13373 e. 21A.32.145: expiration of homeless encampment code.



13374 70. Establishes an effective date for the change to the Designated Mineral Resources  
 13375 Sites table in Chapter 3 of the Comprehensive Plan.

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13377 Attachment A, 2024 King County Comprehensive Plan, dated June 2024

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13379 *Global*

13380 71. Formatting changes to give the Plan a more modern look. Moves of policies are  
 13381 shaded in yellow, and then edits are shown in legislative markup.

13382 72. Removes repetitive, unnecessary, and outdated information and language in lead-in  
 13383 text and policies.

13384 73. Names Indian tribes first, where multiple partners are listed.

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13386 *Chapter 1*

13387 74. Reorganizes the chapter to improve flow.

13388 75. Revises lead-in text to pull in more information from the Housing Needs Assessment  
 13389 Appendix.

13390 76. Replaces hierarchy of planning diagram to remove reference to Annual Plans.

13391 77. Moves policies related to the Four-to-One Program to Chapter 1, from Chapter 2.

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Ch 1	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
78.	n/a	RP-101	Equity in planning	New policy stating that planning should implement the County's equity and racial and social justice principles.
79.	RP-109a	RP-112	Mixed-use development near Rural Area or Natural Resource Lands	Modifies the language to more-closely track the Countywide Planning Policy.
80.	R-510	RP-113	Coordination with Cities in the Rural Area.	Moves this policy from Chapter 3.  Broadens the language regarding partnerships.
81.	RP-113	RP-116	Constitutional	Broadens the policy to apply

Ch 1	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
			provisions	to King County planning, programming, and operations.
82.	RP-115	Deleted	Subarea plans	This policy is moved to Chapter 11.
83.	U-185, U-189, U-186, U-187, U-188, U-190, U-190a	RP-119 through RP-125	Four-to-One Program KCCP Policies	These policies are modified as part of the package with the CPP and K.C.C. changes to remove duplication between the three documents, put the broadest policies in the CPPs, more detail in KCCP policies, and regulations in the K.C.C.
84.	RP-201	RP-201	Guiding Principle: Creating Sustainable Neighborhoods	Adds "healthy, thriving" to a description of the neighborhoods and communities King County is promoting.  Modifies "shall seek to" to "shall ensure" in language on ensuring that County actions support the principle.
85.	RP-207	RP-207	Guiding Principle: Preparing for and Responding to Climate Change	Moves the subsections into lead-in text, to set a broad policy.

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*Chapter 2*

86. Reorganizes the chapter to improve flow.  
87. Clarifies the use of "centers" to differentiate between the county's land use designations the centers use in the Regional Growth Strategy.  
88. Adds lead-in text describing heat islands.  
89. Adds lead-in text describing food innovation districts.

Ch 2	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
90.	U-107	U-201	Public health in urban communities	Adds language regarding "geographic" disparate health outcomes, and adds "prioritizing" housing in high

Ch 2	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
				opportunity areas
91.	U-154, U-158, U-163, U-168	U-202	Design criteria in urban centers	Combines Policies into U-202
92.	U-111	U-203	Connection between density and environmental protection	Removes language regarding environmental mitigation covered in Chapter 5.
93.	U-159	U-211	Uses permitted in Community Business Centers	Clarifies that in Community Business Centers, industrial uses and heavy commercial uses should be "limited," as some uses are permitted in these areas.
94.	U-164	U-215	Uses permitted in Neighborhood Business Centers	Clarifies that in Neighborhood Business Centers industrial uses and heavy commercial uses should be "prohibited."
95.	U-147	U-222	Locations for business and office parks	Consolidates different types of transit use under the term 'transit.'
96.	U-165	U-216	Expansions of Neighborhood Business Centers	Removes language regarding infill, already covered by Policy U-248.
97.	n/a	U-225	Awareness of industrial uses	Adds language about "addressing impacts" of industrial uses in addition to identifying them for neighbors.
98.	U-175	U-228	Clean up and reclamation of polluted industrial areas	Replaced "create and fund a process to" with "support" cleanup of polluted areas to better reflect the County's role.
99.	U-129	U-229	Allowance for mixed-use developments in commercial land use designations	Removed proposed language stating mixed-use is allowed in "in the urban area," as this policy addresses the urban area, and there equivalent policy direction for the rural area in Chapter 3.

Ch 2	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
100.	U-118	U-234	Facilities and services for residential development	Added varying housing "sizes" to a list of housing types
101.	U-121	U-239	Character of multiunit development	Deletes subsections. Where multiunit housing should be located is covered in Policies U-208, U-211, and U-215
102.	U-122a	Deleted	Location of affordable housing and dense housing	Adds language from former U-122a to U-239 and deletes former U-122a
103.	n/a	U-240	Lot splitting	Adds a new policy
104.	U-125, H-125a	U-245	Zoning reclassifications	Replaces "within walking distance" to "within one-quarter mile" of transit corridors to add specificity. Adds a requirement that for a rezone initiated by a property owner, a summary of the community meeting, and information on how the proposal incorporates public feedback, be provided to the County.  Deletes language on working with cities.
105.	U-141	Deleted	Infill and redevelopment	Consolidates language from former U-141 into U-248
106.	U-134	U-249	Allowance for residences in urban residential zones	Removes regulatory language.
107.	U-137, U-144	U-259	Design features and improvements for residential developments	Combined language from former Policy U-137 into Policy U-259.
108.	U-142, U-171	U-257	Design of developments	Combined language from former Policy U-142 into Policy U-257.
109.	U-145, U-146	U-260	Providing children's play areas	Combined language from former Policy U-145 into Policy U-260.

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*Chapter 3*

- 110. Reorganizes the chapter to improve flow.
- 111. Further clarifies the difference between the rural area geography and the Rural Area zone.
- 112. Incorporates changes from Proposed Ordinance 2023-0439, the Snoqualmie Valley/Northeast King County Subarea Plan.
- 113. Maintains existing language describing different rural areas.
- 114. Removes references to agency-level plans that are not adopted County policy.
- 115. Adds lead-in text regarding Policy R-325 to reflect that the policy may be out of date, but is maintained for clarity.
- 116. Clarifies lead-in text on existing industrial areas in the Rural Area.
- 117. Adds lead-in text describing the unique features of each Rural Town.
- 118. Incorporates changes from Executive's critical area policy transmittal in lead-in text.
- 119. Modifies the size of the Raging River/Cadman site (Map #16) to reflect change to land use designation and zoning classification of this parcel.

<b>Ch 3</b>	<b>Transmitted Policy Number</b>	<b>Striker Policy Number</b>	<b>Topic</b>	<b>Description of Change</b>
120.	R-201	R-201	Rural Area zone and character	Moves descriptive, non-directive language into lead-in text. Clarifies in subsection f. that parks, trails, and open space are provided for all residents. Clarifies subsection j.
121.	R-203	R-203	Rural area land conversion to urban	Adds the Comprehensive Plan as a component to allowing conversion of rural area land to urban.
122.	R-205	R-205	Allowable uses in the Rural Area	Changes "cottage industries" to "home occupations and home industries."
123.	R-207	R-207	Rural Forest Focus Areas	Maintains language on creating strategies for each Rural Forest Focus Area, and changing this from "shall" to "should."
124.	R-209	R-209	Agricultural activities outside APDs	Adds "regenerative agriculture" to a type of best management practice.
125.	R-302	R-302	Residential uses in the Rural Area	Adds an allowance for residential uses in Rural Neighborhood Commercial

Ch 3	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
				Centers, with mixed-use, consistent with rural character and service levels.
126.	R-303	R-303	Rural Area zone density	Modifies the policy from "should" to "shall."
127.	R-306	R-306	RA-10 zoning criteria	Changes "significant environmentally constrained areas" to "moderate or significant critical areas."
128.	R-308	R-307	RA-5 zoning criteria	Changes the subsections, and the criteria in subsection c., from "and" to "or," so that if a proposed rezone fails to meet any one criterion, it would be denied.
129.	R-310	Deleted	Accessory dwelling units	This policy is deleted.
130.	R-311	R-309	Residential density incentives in the Rural Area zone	Broadens the language from "inclusionary housing" to "density-based affordable housing programs."
131.	R-331	R-311	New subdivisions in the Rural Area	Adds language calling for continual evaluation of subdivisions on the environment, resource uses, and adjacent land uses.
132.	R-334	R-315	Clustering in the Rural Area	Changes subsection c. to acknowledge open space tracts, which is allowed by the code.
133.	R-516	R-318	Active transportation in Rural Towns and Rural Neighborhood Commercial Centers	Maintains language on encouraging active transportation connectivity in larger Rural Neighborhood Commercial Centers.
134.	R-324	R-321	Nonresidential uses in the Rural Area	In subsection c., adds in "economic vitality" for resource-based industries. Adds subsections f. and g., to reflect other existing policies that describes the uses allowed. Clarifies that nonresidential uses are also

Ch 3	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
				subject to the other applicable policies in the chapter.
135.	R-325	R-323	Golf facilities	Adds critical area policy changes (removing references from basin plans).
136.	R-402	R-331	Public facilities in the Rural Area and Natural Resource Lands	Changes "foster" to "promote" for clarity.
137.	R-514	R-335	Development regulations for industrial development in the Rural Area	In subsection d., broadens language to require a building design compatible with a rural setting. The detail is left to the Code requirements.  In subsection e., changes "be sized to not require" to "be sized to avoid" investment in infrastructure.
138.	R-501	R-401	Uses allowed in Rural Neighborhood Commercial Centers	Adds housing, at a size and scale compatible with rural character.
139.	R-501a	R-402	Prohibition on new Rural Neighborhood Commercial Centers	Allows new Rural Neighborhood Commercial Centers through an area zoning and land use study.
140.	R-501a, R-501b	Deleted	Expansions of Rural Neighborhood Commercial Centers	Combines language into R-402
141.	R-504	R-406	Rural Town designation	Maintains existing language that no new Rural Towns are needed to serve the Rural Area.
142.	n/a	R-408	Universal design and complete streets	Adds a new policy calling for universal design and complete street infrastructure when practical, allowed by law, and consistent with rural character.
143.	R-312, R-313, R-314	R-501	TDR purpose	Combines these polices into R-501.

Ch 3	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
144.	R-316	R-503	TDR sending site focus	Removes regulatory language.  Adds a focus for flood hazard areas.
145.	R-318	Deleted	TDR sending site protection	This policy is deleted, permanent protection is covered in R-501.
146.	U-110	R-504	Collaboration on TDR	This policy is moved from Chapter 2.
147.	R-320	Deleted	TDR-related amenities	This policy is deleted.
148.	R-315, R-320a	Deleted	TDR-related amenities	Combines language into Policy R-502
149.	R-213	R-603 R-604	Equestrian use	Splits this policy into two policies.
150.	R-616	R-714	Practices for resource-based industries	Modifies the language to give King County directive, rather than private entities.
151.	R-627	R-725	Promotion of forest products	Changes "forest area" to "Forest Production District."
152.	R-634	Deleted	Promotion of timber	This policy is deleted; policy intent is covered by R-725.
153.	R-623, R-635	R-721	Long-term forest productivity	Combines language into Policy R-623.
154.	R-639	R-734	Organic-based soil amendments	Adds "scientists" as a partner.
155.	R-641e	R-741	Partnering on forest resilience and wildfire risk	Adds a new subsection h., calling for research on fire suppression methods that have less impact on the environment.
156.	R-645, R-646	R-747	Zoning for APDs	These policies are combined.
157.	R-647	R-748	Principal land use in APD	Changes "should be" to "shall." to align with language previously in R-649 (new policy R-750)
158.	R-649	R-750 R-751 R-752	Principal land use in APD	Splits into three policies. Policy R-750 requires long-term viability of commercial agriculture. (Language taken from Executive's proposed language.)



Ch 3	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
				<p>New Policy R-751 requires a collaborative process for setting acreage targets for agricultural lands, for evaluation of climate change impacts, development of a tracking system.</p> <p>Policy R-752 removes language duplicative to Policy R-748, adds a reference to new Policy R-751, maintains existing language on criteria for aquatic habitat projects.</p>
159.	R-650	R-753	Collaborative review process for habitat or floodplain restoration projects.	Adds drainage improvement projects or agriculture improvement projects that could impact habitat or floodplain function.
160.	R-650b	R-755	Snoqualmie Valley APD Fish, Farm, Flood effort	Changes the language to commit the County support the Fish, Farm, Flood work through the completion of the task force's work and establishment of goals for agriculture, habitat, and floodplain in the Snoqualmie Valley APD
161.	R-661	R-767 R-768	Incentivizing food production	Splits policy into two policies.
162.	R-667	Deleted	Expedited review and reduced fees for agriculture	This policy is deleted.
163.	R-669a	R-779	Agricultural best management practices	Language from Policy P-116 is included here.
164.	R-675 R-677c	R-784	Food and agriculture industry prioritization	Combined into Policy R-784, and deleted.
165.	R-678	R-788	Farmers markets	Removed language about electronic payments.

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Chapter 4

- 13421 166. Reorganizes the chapter to improve flow.
- 13422 167. Revises lead-in text to pull in more information from the Housing Needs  
13423 Assessment Appendix.
- 13424 168. Replaces some population-specific description with "those with special housing  
13425 needs."
- 13426 169. Names specific AMI levels rather than use of "extremely low, very low, etc."
- 13427 170. Adds language for consistency with terms used in the Veterans, Seniors, and  
13428 Human Services Levy and Implementation Plan.
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Ch 4	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
171.	H-125	H-101	Accommodating housing allocations	Removes specificity of housing types.
172.	H-102	H-102	Planning for a wide range of housing types	Removes language on partnerships, simplifies language on transit use.  Adds a priority for housing and supportive services for households at or below 30 percent AMI.
173.	n/a	H-104	Regional collaboration on housing	New Policy requiring collaboration at a regional level to advance equitable affordable housing.
174.	n/a	H-15	Regional reporting	New Policy requiring participation in regional efforts related to housing element goals and GMPC processes.
175.	H-100	H-106	GMPC-related requirements	Removes language that are outside the County's role.
176.	H-101	H-107	Engagement on meeting housing goals in CPPs	Names "cities" instead of "jurisdictions," adds "people with lived experience" as a partner, adds housing "choice," and broadens the language by removing specific tools.
177.	n/a	H-108	Engagement with underrepresented populations	Adds a new Policy requiring engagement with historically underrepresented populations in monitoring countywide affordable housing goals.

<b>Ch 4</b>	<b>Transmitted Policy Number</b>	<b>Striker Policy Number</b>	<b>Topic</b>	<b>Description of Change</b>
178.	H-152	H-109	County funding priorities for affordable housing	<p>Adds a priority for permanent supportive housing.</p> <p>Adds a priority for reducing time and cost of achieving the County's goals, such as through leveraging additional public and private loans.</p>
179.	H-148	H-110	Partnership on affordable housing funding	Adds language directing this work towards housing at or below 30 percent AMI.
180.	H-149	H-111	Partnership on lobbying federal and state governments	Adds language directing this work towards housing at or below 120 percent AMI.
181.	H-151, H-152	H-109	Reducing time and cost of providing affordable housing	Combined into Policy H-109.
182.	H-157	H-112	Surplus County property	<p>Adds language that affordable housing prioritization target at or below 80 percent AMI.</p> <p>Removes regulatory language.</p> <p>Adds crisis care centers and community development as priorities for surplus County-owned land.</p>
183.	n/a	H-114	Property tax relief	Adds a new Policy calling for property tax relief to provide assistance to builders and create affordable housing.
184.	H-160	Deleted	Priorities in affordable housing	This policy is deleted.
185.	H-165a	H-116	Providers in the community	Maintains the "shall" in this policy.
186.	n/a	H-118	Housing near employment	New policy calling for a mix of housing and affordability levels so that people can live

<b>Ch 4</b>	<b>Transmitted Policy Number</b>	<b>Striker Policy Number</b>	<b>Topic</b>	<b>Description of Change</b>
				near where they work.
187.	n/a	H-119	Housing for families	New policy calling for housing suitable for large households and multigenerational living.
188.	H-114	H-120	Sustainable housing and smaller scale units	Modifies language to call for sustainable housing.
189.	H-136	H-121	Residential uses with shared facilities	Removes specific examples.
190.	n/a	H-122	Housing for below 30 percent AMI	New policy encouraging development of housing for at or below 30 percent AMI.
191.	H-176	H-123	Community-driven affordable homeownership	Adds language regarding supply and stability.
192.	H-111	H-125	Employer-assisted housing	Maintains this policy and rewords it to focus on workforce housing
193.	n/a	H-126	Households with children	New policy calling for development of family-sized housing.
194.	H-123	Deleted	Transit oriented development	This policy is deleted.
195.	H-129, H-130	H-130	Housing in urban residential zones	Adds housing "access" to the list of items to increase.  Removes language on language near transit, covered by Policy H-128.
196.	H-126	H-131	ADUs and middle housing in urban residential zones	Adds "Rural Towns" to areas where these uses are allowed.
197.	H-133	H-132	New housing models	Changes "encourage" to "incentivize."  Adds "Rural Towns" to areas where new housing models are allowed.
198.	H-127	H-133	Sustainable housing	Changes "encourage" to "incentivize."
199.	H-131	H-135	Permit processing	Changes "should" to "shall" for expediting permit review

<b>Ch 4</b>	<b>Transmitted Policy Number</b>	<b>Striker Policy Number</b>	<b>Topic</b>	<b>Description of Change</b>
				for housing projects.
200.	H-135	H-136	Impact fee exemptions	Adds language recognizing state law limitations.
201.	H-107	H-137	Integration of mixed-income neighborhoods	Removes "racially."
202.	n/a	H-138	Integration of multi-generational communities	New Policy requiring support for integrated multi-generational communities.
203.	n/a	H-139	Lot splitting	New Policy requiring encouragement of lot splitting.
204.	n/a	H-140	Anti-displacement	New Policy requiring the County to seek opportunities to fund anti-displacement tools and programs.
205.	H-118	H-141	Fair housing	Adds language about "housing and neighborhood" choice.  Streamlines language regarding systematic underinvestment and lack of access and opportunity.
206.	H-108	H-146	Universal design	Adds language to target this policy to people aged 62 years and older and people with special housing needs.
207.	H-120a	H-147	Repairing harms from racially exclusive and discriminatory practices	Adds new subsection g. calling for anti-displacement measures.  Adds new subsection h. supporting state efforts to fund down payment and closing cost assistance.
208.	H-120b	H-148	Equitable outcomes	Names North Highline and Skyway-Hill communities.
209.	H-120d	H-151	Culturally relevant and multi-generational housing	Removes language specifying size of units.  Adds language with strategies identified.
210.	H-120e	H-152	Equitable development	Adds strategies.

<b>Ch 4</b>	<b>Transmitted Policy Number</b>	<b>Striker Policy Number</b>	<b>Topic</b>	<b>Description of Change</b>
211.	n/a	H-154	Anti-displacement	New policy encouraging implementation of anti-displacement measures prior to capacity increases or capital development.
212.	n/a	H-155	Minimizing displacement	New policy supporting policies and programs that minimize risks of displacement.
213.	n/a	H-156	Property tax exemptions	New policy requiring outreach about the County's property tax exemptions.
214.	H-104	H-157, H-158	Preservation of housing	Splits the policy into two policies. In the second policy, preservation is prioritized in communities at risk of displacement.
215.	H-161	H-159	Subsidies for affordable housing	Changes "should develop" to "shall explore."
216.	n/a	H-165	Advancing homeownership opportunities	New Policy calling for advocating for state reforms.
217.	H-168	H-166	Housing stability	Adds language on coordinated intake system.
218.	n/a	H-167	Rent price coordination	New Policy supporting prohibition of coordinated pricing.
219.	H-112	H-168	Redevelopment of nonresidential buildings	Adds language targeting the policy to households at or below 80 percent AMI.
220.	n/a	H-170	Rental housing stability	New policy calling for code changes to provide housing stability.
221.	H-170	H-171	Funding for direct assistance	Removes language on programs that help prevent homelessness covered by other policies.
222.	n/a	H-173	Prevention of homelessness	New policy calling for collaboration with partners to prevent and end homelessness.
223.	H-139	H-174	Healthy housing	Removes language regarding sustainable housing covered

<b>Ch 4</b>	<b>Transmitted Policy Number</b>	<b>Striker Policy Number</b>	<b>Topic</b>	<b>Description of Change</b>
				by other policies.
224.	n/a	H-175	Red-list	New policy encouraging promotion of non-toxic and red-list free materials through use of the Evergreen Sustainable Development Standard.
225.	H-113	H-176	Sustainable housing	Adds "healthy" housing.  Removes language regarding "advancing climate equity."
226.	H-204	H-177	Healthy communities	Removes sentence on public health investments.
227.	H-141	Deleted	Improvement of existing housing	This policy is deleted.
228.	H-145	Deleted	Evergreen Sustainable Development Standards	This policy is deleted.
229.	H-201b	H-204	Regional partnerships on human services	Adds language describing "climate-related emergencies."

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*Chapter 5*

230. Reorganizing the chapter to improve flow.

231. Removes references to agency-level plans that are not adopted County policy.

<b>Ch 5</b>	<b>Transmitted Policy Number</b>	<b>Striker Policy Number</b>	<b>Topic</b>	<b>Description of Change</b>
232.	E-105	E-101	Protecting environmental quality and ecological functions.	Broadens language by removing names of specific plans and programs.
233.	E-112a	E-105	Critical area description	Updates based on Executive's critical area policy transmittal.
234.	E-109	E-109	Exempting minor activities from critical area regulations	Updates based on Executive's critical area policy transmittal.
235.	E-107	Deleted	Prevention of unmitigated impacts	Updates based on Executive's critical area policy transmittal.

<b>Ch 5</b>	<b>Transmitted Policy Number</b>	<b>Striker Policy Number</b>	<b>Topic</b>	<b>Description of Change</b>
				This policy is deleted.
236.	E-108	E-110	Substantive authority under SEPA	Updates based on Executive's critical area policy transmittal.
237.	E-203	E-204	DNRP net carbon neutrality	Maintains the "shall."
238.	E-204	E-205	Wastewater and Solid Waste carbon neutral	Maintains the "shall."
239.	E-205	E-206	Social cost of carbon	Maintains language to consider social cost of carbon in broader County planning.
240.	F-215a	E-213	Net-zero greenhouse gas emission in private development	Moved from Chapter 9.
241.	E-215, T-321	T-131	Healthy community design	Combined with Policy T-131 and deleted.
242.	E-217	E-216	Reporting on County's operational energy and greenhouse gas impacts	Maintains "shall."  Adds a timeframe of reporting at every 5 years.
243.	E-219	E-218	Climate education	Clarifies culturally "contextualized" and linguistically "appropriate."
244.	E-220	E-219, E-220	Investments in climate solutions	Moves subsection f. to a new policy.
245.	F-323	E-221	Availability of energy efficiency measures	New policy based on former Policy F-323.
246.	E-222	E-222	Climate change impacts on County facilities.	Adds language from former Policy T-324 (which is deleted).
247.	E-223	E-223	Climate change resiliency	Updates based on Executive's critical area policy transmittal.
248.	E-225	E-225	Climate change-related severe weather.	Adds "extreme cold."
249.	E-228, E-229	E-228	Collaboration on climate change impacts	Combines former Policies E-228 and E-229 into E-228
250.	E-237	E-234	Climate change-related engagement	Changes from "should" to "shall."
251.	E-239	E-236, E-237	Carbon pricing	Splits this Policy into two policies.
252.	E-402	E-302,	Quality environment	Splits this Policy into two



<b>Ch 5</b>	<b>Transmitted Policy Number</b>	<b>Striker Policy Number</b>	<b>Topic</b>	<b>Description of Change</b>
		E-303		policies.
253.	E-418	E-312	Assessment of land types	Updates based on Executive's critical area policy transmittal.
254.	E-432	E-316	Fish and Wildlife Habitat Conservation Areas	Updates based on Executive's critical area policy transmittal.
255.	E-410, E-433	E-321	Mapping of Fish and Wildlife Habitat Conservation Areas	Combined into Policy E-321.
256.	E-425	E-317	Protection of Species of Local Importance	Updates based on Executive's critical area policy transmittal.  Includes language from Policy E-475 (which is deleted).
257.	E-423	E-319	Use of native plant communities	Updates based on Executive's critical area policy transmittal.
258.	E-499m	E-326	Endangered Species Act conservancy	Broadens language by removing "salmonid."
259.	E-434	E-327	Habitats for endangered species	Changes "should be conserved" to "shall be preserved and protected," consistent with Policy E-331.
260.	E-499p	Deleted	Housing capacity balanced with endangered species protection	Updates based on Executive's critical area policy transmittal. This policy is deleted.
261.	E-435	E-328	List of Species of Local Importance	Updates based on Executive's critical area policy transmittal.
262.	E-437	E-330	List of Habitats of Local Importance	Updates based on Executive's critical area policy transmittal.
263.	E-499j	E-336	WRIA salmon recovery planning	Removes subsection f., which is covered by Policy E-107.
264.	E-499k	E-338	Using WRIA recommendations to	Includes components of former Policy E-499n

<b>Ch 5</b>	<b>Transmitted Policy Number</b>	<b>Striker Policy Number</b>	<b>Topic</b>	<b>Description of Change</b>
			inform other planning	(which is deleted) and E-344.
265.	E-499l	E-339	Intact natural landscapes	Removes subsections a. and d., which are not related to maintaining intact natural landscapes.
266.	E-499q	E-341	Implementing habitat restoration and protection actions	Remove limitation on Indian tribes with "treaty-reserved fishing rights."
267.	E-412a	E-342	Fish barrier removal	Changes "should" to "shall."
268.	E-465	E-343	Water supply planning with WRIA	This policy is refocused on water comprehensive planning instead of water supply planning, which is covered by Policy F-480.
269.	E-466	E-344	Watershed-based plans	The first sentence is combined with Policy E-338.
270.	E-114	E-346, E-347	Partnerships on watershed-based plans	The Executive's transmitted language is made into a new policy.
271.	E-706	Deleted	Monitoring of salmon recovery actions	Policy is deleted. Covered by Policies E-337 and E-336.
272.	E-707	Deleted	Monitoring and Adaptive Management of salmon recovery actions	Policy is deleted. Covered by Policies E-337 and E-336.
273.	E-429	E-350	Incentives for invasive plants and noxious weed removal	Updates based on Executive's critical area policy transmittal.
274.	E-115a	E-353	Noxious Weed Control Board	Adds language calling for close coordination between the Noxious Weed Control Board and the King Conservation District.
275.	E-468	E-402	Tiered system of protection	Removes reference to Shoreline Master Program, which is covered in Chapter 6.
276.	E-472	E-404	Uniform countywide wetlands policies	The Executive's critical area policy transmittal proposed to delete this policy. The

<b>Ch 5</b>	<b>Transmitted Policy Number</b>	<b>Striker Policy Number</b>	<b>Topic</b>	<b>Description of Change</b>
				striker maintains the policy and is reworked to focus on the County's role in participating in this process.
277.	E-474	Deleted	Developments adjacent to wetlands	Updates based on Executive's critical area policy transmittal.  This policy is deleted.
278.	E-478	E-408	Public access to wetlands	Updates based on Executive's critical area policy transmittal.
279.	E-486	E-416	Wetland mitigation banks	Removes second sentence as redundant.
280.	n/a	E-419	In-lieu fee mitigation	Moves language from lead-in text into a new Policy.
281.	E-498a	E-421	Flood storage and conveyance	Updates based on Executive's critical area policy transmittal.
282.	E-499b	E-424	River and stream channels	Updates based on Executive's critical area policy transmittal.
283.	E-499f	E-428	Alluvial fans	Updates based on Executive's critical area policy transmittal.
284.	R-671	E-429	Alluvial fan hazards	Moved from Chapter 3.  Updates based on Executive's critical area policy transmittal.
285.	E-490	E-434, E-435	Lake management	Splits this policy into two policies.  In the new policy, adds language regarding coordination on lake management between jurisdictions.
286.	E-499i	E-444	Failing septic systems	Updates based on Executive's critical area policy transmittal.
287.	E-494	E-446, E-447,	Groundwater protection	Splits one policy into four policies.

Ch 5	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
		E-448, E-449		
288.	E-495	Deleted	Groundwater recharge	This policy is deleted. The strategies described are requirements.
289.	E-496	E-450	Groundwater monitoring	Changes "should" to "shall" in second sentence requiring avoidance or mitigation of degradation and consideration of replacement sources of groundwater.
290.	E-446	E-454	Contaminants in water	Adds a reference to 6PPD.  Moves subsection d. to Policy F-455.
291.	E-110	Deleted	Clean Water Act requirements	This policy is deleted.
292.	E-705	Deleted	NPDES requirements	This policy is deleted.
293.	E-449a	E-504	Large blocks of forest	Changes "should" to "shall."  Broadens policy by removing specific strategies.
294.	E-507b	E-604	Landslide hazard information	Changes "should" to "shall."
295.	E-303	E-803	Indoor air quality	Changes "should" to "shall."  Adds people over 62 as a target population.

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*Chapter 6*

296. Changes to better reflect state law requirements.

Ch 6	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
297.	S-101	Deleted	Compliance with the Shoreline Management Act.	Policy is deleted.
298.	S-103	Deleted	Compliance with Washington Administrative Code	Former S-103 is combined into S-101.
299.	S-104	Deleted	Interpretation of Shoreline Master	Policy is deleted.

<b>Ch 6</b>	<b>Transmitted Policy Number</b>	<b>Striker Policy Number</b>	<b>Topic</b>	<b>Description of Change</b>
			Program	
300.	S-106	Deleted	Shoreline jurisdictions	Former S-106 is combined into S-102.
301.	n/a	S-202	Shoreline exemptions	New policy, moved from lead-in text.
302.	S-320	S-320	Historic resources in the shoreline area	Removed "substantial development" so that the policy would apply to all modifications in the shoreline area.
303.	n/a	S-501	Undesignated areas	New policy, moved from lead-in text, to state that undesignated areas are assigned a Conservancy Shoreline Environment designation.
304.	n/a	S-502	High Intensity Shoreline Environment	New policy, moved from lead-in text, to state the purpose of this Shoreline Environment.
305.	n/a	S-510	Residential Shoreline Environment	New policy, moved from lead-in text, to state the purpose of this Shoreline Environment.
306.	n/a	S-515	Rural Shoreline Environment	New policy, moved from lead-in text, to state the purpose of this Shoreline Environment.
307.	S-514	S-518	Public access in Rural Shoreline Environment	Removes multiunit references, as this use is not permitted in the Rural Shoreline Environment
308.	n/a	S-519	Conservancy Shoreline Environment	New policy, moved from lead-in text, to state the purpose of this Shoreline Environment.
309.	n/a	S-523	Resource Shoreline Environment	New policy, moved from lead-in text, to state the purpose of this Shoreline Environment.
310.	n/a	S-527	Forestry Shoreline Environment	New policy, moved from lead-in text, to state the purpose of this Shoreline

Ch 6	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
				Environment.
311.	n/a	S-532	Natural Shoreline Environment	New policy, moved from lead-in text, to state the purpose of this Shoreline Environment.
312.	n/a	S-542	Aquatic Environment	New policy, moved from lead-in text, to state the purpose of this Shoreline Environment.
313.	S-602	Deleted	Protection and restoration of shorelines	Policy is deleted. Duplicative to S-605.
314.	S-604	Deleted	No net loss of shoreline ecological functions	Policy is deleted. Duplicative to S-602 and S-601.
315.	S-606	Deleted	Habitat restoration	Policy is deleted. Duplicative to S-605.
316.	S-607	Deleted	Rural stewardship plans	Updates based on Executive's critical area policy transmittal.  This policy is deleted.
317.	S-616	S-609	Sequencing of mitigation	Updated language to more closely align to state law requirements.
318.	S-619	S-614	Alterations to wetlands	Added language that the alteration must be consistent with critical area regulations.
319.	S-621	Deleted	Sequencing of mitigation	Policy is deleted. Duplicative to S-609.
320.	S-641	S-632	Vegetation conservation	Removed "substantial development" so that the policy would apply to all shoreline permits.
321.	S-644	Deleted	Vegetation conservation and riparian area vegetation regulations	Combined into S-635.
322.	S-646	Deleted	Applicability of water quality regulations	Policy is deleted. Duplicative to S-201.
323.	S-701	Deleted	Preferences of uses in the shoreline area	Policy is deleted. Duplicative to and conflicts with S-205.

<b>Ch 6</b>	<b>Transmitted Policy Number</b>	<b>Striker Policy Number</b>	<b>Topic</b>	<b>Description of Change</b>
324.	S-704	Deleted	No net loss of shoreline ecological functions	Policy is deleted. Duplicative to S-602 and S-601.
325.	S-708	Deleted	Agricultural activities comply with critical area regulations	Policy is deleted.
326.	S-735	S-739	Requirements for over-water residences	Removed language on floating homes, as they don't occur in unincorporated King County.
327.	S-762	S-765	Transmission facilities	Removes language regarding no net loss of shoreline ecological functions. Duplicative to S-760.
328.	S-764	S-767	Pipelines and cables	Removes language regarding no net loss of shoreline ecological functions. Duplicative to S-760.
329.	S-773	Deleted	Structural shoreline stabilization construction	Policy is deleted. Covered by S-809, S-811, and S-814.
330.	S-774	S-809	Preventing need for shoreline stabilization	Edited to provide broader policy direction on when/how shoreline stabilization can be avoided.  Edited to more closely align to state law requirements.
331.	S-775, S-776, S-777, S-778	S-809	Preventing need for shoreline stabilization	Consolidated into S-809 and deleted.
332.	n/a	S-810	Structural shoreline stabilization construction	New policy to spell out the requirements for different kinds of development, mirroring state law. This first one is for protecting existing primary structures.  Edited to more closely align to state law requirements.
333.	S-779	S-811	New structural shoreline stabilization for nonwater-	Reformatting this policy to align with state law. Edited to more closely align to state

Ch 6	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
			dependent uses	law requirements.  Replacement structures are not regulated as new, removed from this policy.  Edit to de-emphasize hard structural stabilization, since this is not a preferred option.
334.	n/a	S-812	New structural shoreline stabilization for water-dependent uses	Edited to more closely align to state law requirements.
335.		S-813	New structural shoreline stabilization for shoreline restoration or remediation projects	Edited to more closely align to state law requirements.
336.	S-780	S-814	Replacement structural shoreline development	Edited to more closely align to state law requirements.
337.	S-781	Deleted	Replacement structural shoreline development	Combined into S-814 and deleted.
338.	S-782	S-815	Walls or bulkheads	In subsection c, removes "structure" as the replacement could be something softer than a structure.
339.	S-786	Deleted	Shoreline stabilization impact.	Combined into S-819 and deleted.
340.	S-796	Deleted	Pier and dock construction need	Combined into S-825 and deleted.

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*Chapter 7*

341. Updates to open space system terminology in lead-in text and policies.

342. Updates to the relationship between King County and 4Culture.

Ch 7	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
343.	P-101	Deleted	Definitions	Moves description of the open space system to the lead-in text; policy is



<b>Ch 7</b>	<b>Transmitted Policy Number</b>	<b>Striker Policy Number</b>	<b>Topic</b>	<b>Description of Change</b>
				deleted.
344.	P-102, P-108a, P-121	P-101, P-103	Regional open space system	Splits former Policy P-102 into two policies.  In P-103: -Includes language from P-108a and P-124 in subsection a., and deletes P-108a and P-121. -Adds subsection b. language on equitable access -Adds subsection c. on equitable benefits.
345.	P-125	P-102	Open space system functional plan	Broadens the policy by removing references to "regional."
346.	P-107	P-108	Local open space	Calls out "urban and rural" unincorporated areas as location where the County provides local open space.
347.	P-110c	P-112	Multi-use sites	Moves lead-in text into the policy.
348.	P-111	P-113	Management of natural areas	Maintains existing language, to apply to all natural areas, not only County-owned.
349.	P-112	P-114	Management of natural areas	Maintains existing language, to apply to all natural areas, not only County-owned.  Adds "cultural" resources as something to protect.
350.	P-114	P-116	Use of agricultural best management practices	This policy is deleted. It is combined into Policy R-779.
351.	n/a	P-117	Building equity in farmland	Adds a new policy calling for opportunities for farmers to build equity while leasing County-owned land.
352.	P-116	P-119, P-120	Working forest land	Splits this policy into two policies.
353.	P-121	Deleted	Equity in open space system	This policy is deleted. Covered by P-103.
354.	P-134, P-135	P-138	Equitable engagement	Combines these two policies.

<b>Ch 7</b>	<b>Transmitted Policy Number</b>	<b>Striker Policy Number</b>	<b>Topic</b>	<b>Description of Change</b>
355.	P-203	P-203	Historic buildings	Adds "open space acquisition" as planning that includes historic buildings.
356.	P-207	P-207	Support for arts	Adds "heritage" activities.
357.	P-212	P-211	4Culture	Updates language to reflect current relationship.
358.	n/a	P-212	Doors Open	Adds a new policy requiring financial support for culture.
359.	n/a	P-215	Art in open space	Adds a new policy requiring public art within the open space system.
360.	P-215	P-217	Landmarks Commission	Broadens the language.
361.	n/a	P-222	Cemeteries	Adds a new policy calling for cemeteries to be designated and zoned to allow less intensive development.

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*Chapter 8*

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362. Reorganizing the chapter to improve flow.

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363. Updates data on vanpool use and the County's road system.

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364. Aligns list of priority populations references throughout the chapter, except where referring to existing documents or where context requires otherwise.

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365. Adds lead-in text describing stormwater parks.

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<b>Ch 8</b>	<b>Transmitted Policy Number</b>	<b>Striker Policy Number</b>	<b>Topic</b>	<b>Description of Change</b>
366.	T-102, T-402	T-103	Multimodal transportation system	Adds language from former T-402 and deletes former T-402.
367.	T-202	T-111	Transportation investments in Rural Area and Natural Resource Lands	Adds flexible service options as a transportation investment.
368.	n/a	T-118	Level of service for transit service	Adds a new policy stating transit level of service is set by Metro's planning documents.
369.	T-403	T-124	Regional planning and funding for transportation	Removes first sentence already covered in lead-in text.

<b>Ch 8</b>	<b>Transmitted Policy Number</b>	<b>Striker Policy Number</b>	<b>Topic</b>	<b>Description of Change</b>
370.	T-407, T-408	T-128	Funding transportation improvements	Combines T-128 and former T-408 and deleted former T-408.
371.	T-321, E-215	T-131	Healthy transportation	Combines former E-215 and T-131. Former E-215 is deleted.
372.	T-324	Deleted	Climate change impacts	This policy is combined into E-222 and deleted.
373.	T-325	Deleted	Evaluation of climate change impacts	This policy is deleted. It is duplicative to E-221.
374.	T-327	T-136	Private electrical vehicle use	Adds "should."  Adds strategies.
375.	n/a	T-137	Private electrical vehicles for freight use	Adds a new policy regarding expansion of electric vehicles for freight use.
376.	T-230	T-207	Active transportation	Adds "safety" as a need of users.
377.	n/a	T-213	Regional trails network	Adds a new policy, moved from the definition of active transportation, that the Regional Trails Network is for recreation and transportation purposes, and not all modes of travel are appropriate on all trails.
378.	T-238	T-216	Safe routes to schools	Maintains existing "walking and biking" language.
379.	T-242	T-220	Active transportation corridors	Maintains language regarding road vacations use in future active transportation uses.
380.	T-253, T-245	T-223	Transportation Demand Management	Policies T-223 and former T-253 are combined. Former policy T-253 is deleted.
381.	T-246, T-250, T-251	T-227, T-228	Transportation Demand Management	Former Policy T-246 and Policies T-227, and T-228 are combined. Former policy T-246 is deleted.
382.	T-306	T-314	Maintenance of rural roadway system	Maintains this policy, which the Executive's transmittal proposed to delete.
383.	T-308	T-318	Equity in road	Changes "shall" to "should"

<b>Ch 8</b>	<b>Transmitted Policy Number</b>	<b>Striker Policy Number</b>	<b>Topic</b>	<b>Description of Change</b>
			programs	to align with policy direction for the transportation system as a whole

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*Chapter 9*

384. Reorganizing the chapter to improve flow.

385. Clarifies that "regional" services includes "countywide" services.

<b>Ch 9</b>	<b>Transmitted Policy Number</b>	<b>Striker Policy Number</b>	<b>Topic</b>	<b>Description of Change</b>
386.	F-202	F-101	Provision of public services and facilities	Changes "should " to "shall."
387.	F-108a	F-104	Addressing inequities	Changes "should address" to "shall consider."
388.	F-103	F-201	Regional services	Removes natural resource land protection and stormwater management, moves these to Policy F-403
389.	F-206a, F-207	F-304, F-305	Use of public facilities	Maintains two separate policies.
390.	F-222	F-307	Coordination on health and human services	Adds Indian tribes and hospital districts as partners.
391.	F-224	F-308	Financing partnership for annexation areas	Excludes Four-to-One Program related agreements.
392.	F-225a	F-310	Rate discounts	Adds people aged 62 years and older for a population to target with rate discounts.
393.	F-209	F-402	Local services	Changes "development permits" to "permitting and code enforcement."  Adds natural resource land protection and preservation.
394.	n/a	F-404	Infrastructure and amenities in existing neighborhoods	Adds a new policy encouraging investment in existing neighborhoods, especially in communities at risk of displacement.
395.	F-210a, F-210b	F-406	Real Property Asset Management Plan	Combines F-406 and former F-210b and deletes former F-210b.
396.	n/a	F-412	School coordination	Adds a new policy to work with

Ch 9	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
				school districts and other special purpose districts to plan for growth.
397.	F-217d	F-421	Regenerative buildings	Removes language regarding private development.
398.	F-228	F-426, F-427, F-428	Siting essential public facilities	<p>Changes "should" to "shall."</p> <p>Adds "community" to a group that should not be disproportionately impacted.</p> <p>Changes a "should" to "shall" requiring engagement for communities with a disproportionate share of essential public facilities in the planning and siting process for new facilities and expansion of existing facilities.</p> <p>Splits the last two sentences into two new policies.</p>
399.	F-230	F-430, F-431	Siting analysis for essential public facilities.	<p>In subsection c., requires analysis of "historical and current" impacts, in addition to "potential."</p> <p>Moves subsections h. and i. to a new policy.</p> <p>Adds a new subsection requiring a cumulative impact analysis located near the proposed facility.</p>
400.	F-273	F-455	Stormwater management approach	Incorporates language from Policy E-454.
401.	F-274, F-278, F-279, F-281, F-282a	F-456	Stormwater management	Combines Policies F-456 and former policies F-278, F-279, F-281, and F-282a. Deletes former policies F-278, F-279, F-281, and F-282a.
402.	F-277	F-459	Stormwater programs	Adds water "quantity" to a requirement for retrofit

Ch 9	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
				projects.
403.	F-280	F-461	Native vegetation and soils	Changed "rural residential" zone to "Rural Area" zone.
404.	F-283	F-463	Innovative stormwater management techniques	Maintains "shall."
405.	F-287	F-466	Equity in flood planning	Requires equity and racial and social justice principles to be included in flood hazard manageme.
406.	F-296	F-473	Integrated floodplain management	Adds Indian tribes as a partner.
407.	F-298	F-475	Flood insurance	Adds language regarding participating in programs to keep insurance rates low.
408.	F-299	F-476	Building in flood hazard areas	Adds language calling for coordination with other jurisdictions on preventing building in flood hazard areas.
409.	F-299a	F-477	Critical public facilities	Adds language similar to other policies on an exception for water-dependent facilities, like wastewater treatment.
410.	F-241a	F-479	Regional water supply planning	Adds policy direction, with "should."
411.	F-234	F-483	Individual private wells	Removes regulatory information.
412.	F-235, F-236	F-484, F-485, F-486, F-487	Water service	Maintains two separate policies, and creates two additional policies.
413.	F-250	F-493	Recycled water	Maintains existing "encourage."
414.	F-251	F-494	Utilities Technical Review Committee	Maintains language on coordination that is not in the K.C.C.
415.	F-252	F-495, F-496	Utilities Technical Review Committee review	Splits this policy into two policies.
416.	F-301	F-499	Energy providers	Revises the policy to better reflect the County's role.
417.	F-303	F-501	Energy efficiency	Removes language that duplicates Policies E-209 and E-214.
418.	F-303a	F-502	Equity impact reviews	Adds in "new, modified, or

Ch 9	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
			for energy producing facilities	expanded," and hydro and non-hydro electricity generation facilities.
419.	F-304, F-312	F-503	SCAP direction for energy planning	Combines former Policy F-312 into F-503. Former Policy F-312 is deleted.
420.	F-307, F-330	F-506	Alternative fuels	Combines former Policy F-330 into F-506. Former Policy F-330 is deleted.
421.	F-309	F-508	Renewable natural gas	Modifies policy to "prioritize efficient energy consumption."  Adds language about land use decisions considering open space, agriculture, and housing needs.
422.	F-316	Deleted	Efficient energy consumption	This policy is deleted, as duplicative to Policies F-508, E-210, E-212, and E-214.
423.	F-317, F-318	F-514	District energy	Policies F-514 and former F-318 are combined. Former Policy F-318 is deleted.
424.	F-320	F-515	New energy sources	Adds language supporting "a resilient electrical grid."  Adds language to allow siting of "green energy," and "microgrids."  Adds new subsection h. that calls for a focus in areas subject to frequent power outages.  Adds a new subsection i. that calls for partnership with first responders for safety measures.
425.	F-321	F-516	Solar energy	Adds policy direction, with "should."  Adds "outside funding" to subsection e. about solar energy for frontline communities.
426.	F-343	F-525	Structures in gas	Changes "shall" to "should" to

Ch 9	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
			distribution pipeline rights-of-way	reflect K.C.C. allowances.
427.	F-336	Deleted	Mapping locations of pipelines	This policy is deleted.
428.	F-337, F-338	F-530	Structures in hazardous liquid and gas pipeline rights-of-way	Policy F-337 and former Policy F-338 are combined. Former Policy F-338 is deleted.
429.	F-344e	Deleted	Fossil fuel facilities	This policy is deleted. The criteria in Policy F-536 cover the direction in this policy, and Fossil Fuel Facility is a defined term in the K.C.C.
430.	F-344h	Deleted	Fossil fuel facility periodic review	This policy is deleted, as the K.C.C. has requirements for period review.
431.	F-344i	F-537	Greenhouse gas emission impact analysis by local distribution companies	Revises the policy to better reflect the County's role.
432.	F-345	F-538	Mitigation by telecommunications companies	Revises the policy to better reflect the County's role.
433.	F-352, F-354	F-546	Cable companies	Former Policy F-352 and Policy F-546 are combined. Former Policy F-352 is deleted.
434.	F-357, F-358	Deleted	Broadband access	These policies are deleted. They are duplicative to Policy F-549.
435.	F-358a	F-549	Broadband access	Changes "should explore" to "shall support."  Changes "underserved and unserved areas" to "where needs are greatest" Names a priority where there are "educational and economic needs."  Broadens potential trail corridors where fiber could be located, besides Eastrail.

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Chapter 10



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436. Adds lead-in text regarding the page gap for women.

Ch 10	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
437.	ED-101	ED-101	Equitable economic development	Changes the policy from "should" to "shall."
438.	ED-101a	ED-102	Equitable economic development efforts	Changes the policy from "should" to "shall;" changes "promote" to "prioritize;" and removes language regarding "equality of opportunity."
439.	ED-103a	ED-106	Community stability	Replaces a specific list of populations with communities that are "historically underrepresented and underinvested" (a defined term).
440.	ED-109	ED-112	Partnerships in economic development	Adds Indian tribes, chambers of commerce, and farms. Adds language consistent with ED-101.
441.	n/a		Washington Scenic and Recreational Highways	Adds a new policy on encouraging tourism and economic development associated with these designated highways.
442.	ED-201	ED-201	Business Development and Job Creation	Adds Indian tribes and names city governments as partners in this work.
443.	ED-202	ED-202	Support for Identified Sectors	Changes the "green energy" sector to "green economy" sector
444.	ED-203	ED-203	Business creation	Removes final sentence that is a factual statement already covered in lead-in text.
445.	ED-209	ED-208	Public/Private Partnerships	Adds language to subsection a that such partnerships are appropriate when a project would be greatly enhanced if the private and public sectors work together.
446.	ED-210	ED-210	Circular economy	Splits new text from ED-209 into a new policy, to support

<b>Ch 10</b>	<b>Transmitted Policy Number</b>	<b>Striker Policy Number</b>	<b>Topic</b>	<b>Description of Change</b>
				a circular economy.
447.	ED-211	ED-211	Adequate supply of industrial and commercial land	Deletes subsection c., moves direction to H-112
448.	ED-212	ED-212	Community-based business development	Removes reference to resilient communities.  Changes reference from priority hire programs to contracting opportunities program.
449.	n/a	ED-213	Economic displacement	Adds a new policy calling for stabilization and prevention of displacement of small businesses, culturally or ethnically diverse businesses, and businesses clusters.
450.	n/a	ED-214	Priority hire program	Adds a new policy requiring outreach about the priority hire program to aid anti-displacement efforts.
451.	ED-301	ED-301	Workforce development programs	Adds a reference to priority hire.
452.	ED-303	ED-303	Worker training	Adds language calling for connecting veterans with programs and resources to transition to civilian workforce.
453.	ED-402	ED-402	Freight and Competitiveness	Adds electric vehicle infrastructure as a focus to facilitate movement of freight.
454.	ED-403	ED-403	Small scale economic development	Adds Indian tribes as a partner.
455.	ED-501, ED-501a, ED-503	ED-501	Sustainable economic development	Combined into ED-501, Former Policies ED-501a and ED-503 deleted.
456.	ED-601	ED-601	Rural economic development	Adds cities and chambers of commerce as partners.
457.	ED-606	ED-604	Local food system	Modifies language to reflect current actions the County is pursuing.

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*Chapter 11*

- 458. Reorganizes the chapter to improve flow.
- 459. Incorporates changes from Proposed Ordinance 2023-0439, the Snoqualmie Valley/Northeast King County Subarea Plan.
- 460. Removes "Community Service Area" from the title of chapter for clarity.
- 461. Updates the Schedule to show planning periods for midpoint and 10-year updates, and the possibility that the 2031 KCCP will include changes related to a new GMA requirement for an "implementation progress report."
- 462. Deletes references to past requirements regarding subarea plans, adopted with the 2016 Comprehensive Plan scope of work.

Ch 11	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
463.	RP-115	CP-110a	Subarea plans	Clarifies subsection j. on implementing measures to reflect current practice.

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*Chapter 12*

- 464. Changes the deadlines for the Work Plan actions to "TBD."

Ch 12	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
465.	I-202b	I-103	Emergency amendments	Clarifies that an emergency KCCP amendment can be passed in the same manner as an emergency ordinance under the King County Charter.
466.	I-203	I-104	Annual KCCP updates	Adds a new subsection l. for policy changes related to the next solid waste long-term disposal option.  Adds a new subsection m. for amendments related to critical area policies.
467.	I-204	I-105	10-year KCCP updates	Adds language stating the 10-year update includes GMA required changes.
468.	I-301	I-201	Monitoring of the KCCP	Updates based on Executive's critical area policy transmittal.

<b>Ch 12</b>	<b>Transmitted Policy Number</b>	<b>Striker Policy Number</b>	<b>Topic</b>	<b>Description of Change</b>
469.	E-708	I-202	Monitoring and adaptive management framework	Updates based on Executive's critical area policy transmittal.
470.	I-504	I-306	Enforcement	Maintains "pursuing" code enforcement.
471.	I-505	Deleted	Housing capacity and endangered species act compliance	Updates based on Executive's critical area policy transmittal.  This policy is deleted.
472.	Action 1	Action 1	Performance Measures	Adds language calling for more frequent reporting, incorporating measures the state also requires, and more rigorous housing reporting.
473.	Action 2	Action 2	Public Participation Code Update	Adds language including the Equity Work Group.  Adds a minimum level of community engagement.  Adds language to include a review of the docket process.
474.	Action 5	Action 4	Old Growth Corridors	Adds language to review carbon sequestration value and revenue impacts.  Adds language referencing the Mature Forests motion.  Adds language that the action should promote a mix of species and age classes that was previously in policy.
475.	Action 7	Action 6	Wildfire Risk Assessment	Adds language on partnering with cities that share a WUI.
476.	n/a	Action 7	Rural Economic	New action calling for an

Ch 12	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
			Strategies	update to the 2014 Rural Economic Strategies.
477.	n/a	Action 8	Wireless Communication Facilities Code	New action calling for an update to the code that regulates cell towers.
478.	n/a	Action 9	Surface Water Management Code	New action calling for an update to Title 9 with the next Surface Water Design Manual.
479.	n/a	Action 10	Fish Passage Restoration	New action calling for work related to an audit of the Fish Passage Restoration program.
480.	n/a	Action 11	Removing barriers to Affordable Housing	New action calling for a variety of ways to remove barriers to affordable housing.  Incorporates Executive's transmitted action related to multifamily tax exemption.
481.	n/a	Action 12	Short Term Rental Regulations	New action calling for an evaluation of adopting regulations for short term rentals.
482.	n/a	Action 13	Vashon-Maury Island Groundwater Protection SDO	New action calling for additional updates to this SDO.

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13479 *Glossary*

13480 483. Modified existing definitions, added new definitions consistent with other direction,  
13481 and deleted outdated definitions no longer used in the plan.

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13483 Attachment B, Appendix A Capital Facilities and Utilities, dated June 2024

13484 484. Updates to known capital facilities providers since transmittal.

13485 485. Technical corrections and reformatting.

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- 13487 Attachment C, Appendix B Housing Needs Assessment, dated June 2024
- 13488 486. Clarifying changes, technical corrections and reformatting.
- 13489 487. Added new maps regarding development capacity within ½ mile of transit,
- 13490 displacement risk, concentration of Black/African American population.
- 13491 488. Added language regarding ways the County is addressing gaps identified in the
- 13492 SEPA process and permitting timelines.
- 13493
- 13494 Appendix C Attachment D, Transportation, dated June 2024
- 13495 489. Updates to services since transmittal.
- 13496 490. Removing repetitive, unnecessary, and outdated information.
- 13497 491. Clarifying changes, technical corrections and reformatting.
- 13498
- 13499 Attachment E, Appendix C1 Transportation Needs Report, dated June 2024
- 13500 492. Updates to projects since transmittal.
- 13501 493. Clarifying changes, technical corrections and reformatting.
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- 13503 Attachment F, Appendix C2 Regional Trail Needs Report, dated June 2024
- 13504 494. Clarifying changes and reformatting
- 13505
- 13506 Attachment G, Appendix D1 Growth Targets and the Urban Growth Area, dated June
- 13507 2024
- 13508 495. Added language regarding coordination with schools to plan for growth.
- 13509 496. Removing unnecessary information.
- 13510 497. Reformatting.
- 13511
- 13512 Attachment H, Vashon-Maury Island Community Service Area Subarea Plan, As
- 13513 Amended, dated June 2024
- 13514 498. Added a new policy stating support for increased availability for behavioral and
- 13515 mental health services in the Vashon Rural Town.
- 13516 499. Added a new policy stating support for emergency medical transportation for
- 13517 Vashon-Maury Island.
- 13518 500. Reformatting.
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- 13520 Attachment I, Land Use and Zoning Map Amendments, dated June 2024
- 13521 501. Clarifying changes, technical corrections and reformatting.
- 13522 502. Map Amendment 4:
- 13523 a. Removes changes related to Alternative Housing Demonstration Project.
- 13524 b. Modifies NH-P04 to remove design standards already covered in Title 21A and
- 13525 revises the tenant space requirements to focus on initial development.
- 13526 503. Map Amendment 6: Shows removal of third area that the Sustainable Communities
- 13527 and Housing Projects Demonstration Project originally applied to.
- 13528 504. Map Amendment 9:
- 13529 a. For a parcel (located on Southwest 174th Street in the vicinity of Vashon
- 13530 Highway Southwest) proposed to be modified from CB to R-8 in the transmittal,
- 13531 changes it to R-12.

- 13532 b. Converts VS-P29 and VS-P30 to Special District Overlays (future changes
- 13533 described in Proposed Ordinance section).
- 13534 c. Removes potential zoning.
- 13535 d. Removes VS-P31, which required affordable housing on a single parcel.
- 13536 e. In VS-P28, modifies maximum height 3 stories or 40 feet (rather than 35 feet
- 13537 with no mention of number of stories).
- 13538 505. Map Amendment 18: Removes changes related to Alternative Housing
- 13539 Demonstration Project.
- 13540 506. New Map Amendment 21: Removes FW-P12, which required an Urban Planned
- 13541 Development to develop the site.
- 13542 507. New Map Amendment 22: Adds WH-P10 to one parcel and modifies the language
- 13543 so that the parcels are not subject to minimum density.
- 13544 508. Moves the map amendments from Proposed Ordinance 2023-0439 (Snoqualmie
- 13545 Valley/NE King County Subarea Plan) into this Proposed Ordinance. Further
- 13546 changes described here.
- 13547 509. Map Amendment 24 (was SVNE Map Amendment 2): Changes the proposed Fall
- 13548 City Residential Standards P-suffix to a Special District Overlay. Further changes
- 13549 are described under the Proposed Ordinance.
- 13550 510. Map Amendment 26 (was SVNE Map Amendment 4): modifies SV-P19 for clarity
- 13551 and to remove language preventing ownership of property this P-suffix doesn't
- 13552 apply to.
- 13553 511. New Map Amendment 37: Adds a Green Energy Special District Overlay, to four
- 13554 M-zoned parcels and one parcel that has both M and RA-5 zoning. Further detail is
- 13555 described under the Proposed Ordinance.

Attachment J, Snoqualmie Valley-Northeast King County Subarea Plan, dated June 2024

- 13557 512. Incorporates changes from Proposed Ordinance 2023-0439, the Snoqualmie
- 13558 Valley/Northeast King County Subarea Plan. Attachment D to that Proposed
- 13559 Ordinance is incorporated into this Attachment.
- 13560 513. Removes repetitive, unnecessary, and outdated information and language in lead-
- 13561 in text and policies.
- 13562 514. Adds lead-in text on government landowners.
- 13563 515. Makes corrections to data.
- 13564 516. Adds lead-in text on community priorities communicated about veterans, people
- 13565 living with disabilities.
- 13566 517. Adds detail to lead-in text describing transit service.
- 13567 518. Adds lead-in text describing SR 202 as an important road for walking and biking,
- 13568 Snoqualmie Pass safety, SR 202 safety, and need for amenities along US Highway
- 13569 2.
- 13570 519. Adds lead-in text describing solid waste collection.
- 13571 520. Modifies performance measures specific to Snoqualmie Valley/NE King County.
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SVNE	Transmittal Policy Number	Striker Policy Number	Topic	Description of Change
521.	SVNE-2	SVNE-2	Fall City	Adds policy intent.

<b>SVNE</b>	<b>Transmittal Policy Number</b>	<b>Striker Policy Number</b>	<b>Topic</b>	<b>Description of Change</b>
			Business District	
522.	SVNE-3	SVNE-3 SVNE-4	Snoqualmie Pass	Splits into two policies.
523.	SVNE-4	SVNE-5	I-90 corridor	Adds policy intent.
524.	n/a	SVNE-6	Indian tribal coordination	Adds a new policy regarding Indian tribal coordination to support cultural resources.
525.	SVNE-8	SVNE-9 SVNE-10	Housing supply	Splits into two policies.
526.	SVNE-9	SVNE-11	Housing stability and affordable housing	Adds "Rural Towns" as a place to locate programs and developments.
527.	SVNE-11	SVNE-13	Workforce housing at Snoqualmie Pass	Adds "increased housing supply" as a goal, and "middle housing" as a tool.
528.	SVNE-14	SVNE-16	Support for remote communities	Changes "climate-related events" to "natural disasters."
529.	SVNE-19	SVNE-21	Access to recreation	Adds river access points as an area of coordination.
530.	n/a	SVNE-23	Wild and Scenic River program	Adds a new policy regarding evaluation of the North Fork of the Snoqualmie River and main stem of the Tolt River as a Wild and Scenic River.
531.	n/a	SVNE-24	Snoqualmie Valley Trail	Adds a new policy calling for further development of, and connections to, the Snoqualmie Valley Trail.
532.	SVNE-21	SVNE-25	Mobility solutions	Adds specific populations to connect to services, including people aged 62 and over, veterans, and people with disabilities.
533.	SVNE-24	SVNE-28	Redmond-Fall City Road	Adds language on active transportation links.
534.	SVNE-25	SVNE-29	Sidewalks	Adds a map to show where sidewalks should be constructed.
535.	n/a	SVNE-31	Preston-Fall City Road	Adds a new policy to consider designating Preston-Fall City Road as a historic or scenic corridor.



<b>SVNE</b>	<b>Transmittal Policy Number</b>	<b>Striker Policy Number</b>	<b>Topic</b>	<b>Description of Change</b>
536.	SVNE-26	SVNE-32	Snoqualmie Pass transportation options	Adds a new policy to explore alternatives to driving.
537.	SVNE-28	Deleted	Broadband service	Executive transmitted SVNE-28 is deleted, as a similar policy is in Chapter 9 of the KCCP.
538.	SVNE-29	SVNE-35	Local businesses	Adds language on support for local businesses that provide economic vitality and tourism.  Adds strategies for technical assistance.
539.	SVNE-30	SVNE-36	Outdoor recreation and tourism	Adds "agritourism, specifies that tourism should be environmentally sustainable tourism, and adds Indian tribes and farmers as partners.
540.	SVNE-31	SVNE-37	Snoqualmie Pass	Specifies what the "experience of visitors" could mean.
541.	SVNE-32	SVNE-38	Economic uses	Specifies that the commercial uses that are limited to commercial and industrial areas are "non-resource" uses.
542.	SVNE-33	SVNE-39	Farms economic vitality	Specifies that agritourism should be "environmentally sustainable."
543.	n/a	SVNE-41	Movement of freight	Adds a new policy supporting consideration of the movement of freight from agriculture and forest-based industries in planning.

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