



# KING COUNTY

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

## Signature Report

March 26, 2002

### Ordinance 14309

**Proposed No.** 2001-0596.2

**Sponsors** Pelz

1 AN ORDINANCE relating to enforcement of county codes;  
2 amending Ordinance 13263, Section 3, and K.C.C.  
3 23.02.010, Ordinance 13263, Section 8, and K.C.C.  
4 23.02.070, Ordinance 13263, Section 10, and K.C.C.  
5 23.02.090, Ordinance 13263, Section 11, and K.C.C.  
6 23.02.100, Ordinance 13263, Section 22, and K.C.C.  
7 23.24.030, Ordinance 13263, Section 37, and K.C.C.  
8 23.32.010, Ordinance 13263, Section 41, and K.C.C.  
9 23.32.050, Ordinance 13263, Section 43, and K.C.C.  
10 23.36.010, Ordinance 10870, Section 406, as amended, and  
11 K.C.C. 21A.18.020, Ordinance 10870, Section 415, as  
12 amended, and K.C.C. 21A.18.110, Ordinance 12024,  
13 Section 13, and K.C.C. 23.10.040, Ordinance 12024,  
14 Sections 5 and 6, and K.C.C. 23.10.060, Ordinance 12024,  
15 Section 8, and K.C.C. 23.10.090 and Ordinance 12024,  
16 Section 11, and K.C.C. 21A.06.1432.

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BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

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SECTION 1. Ordinance 13263, Section 3, and K.C.C. 23.02.010 are each hereby amended to read as follows:

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**Definitions.** The words and phrases designated in this section shall be defined for the purposes of this title as follows:

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A. ~~((Abate.))~~ "Abate" means to take whatever steps are deemed necessary by the director to return a property to the condition in which it existed before a civil code violation occurred or to assure that the property complies with applicable code requirements.

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Abatement may include, but is not limited to, rehabilitation, demolition, removal,

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replacement or repair.

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B. ~~((Civil code violation.))~~ "Civil code violation" means and includes ~~((an act or omission contrary to))~~ one or more of the following:

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1. Any act or omission contrary to any ordinance, resolution, regulation or public rule of the county that regulates or protects the public health or the use and development of land or water, whether or not ~~((such))~~ the ordinance, resolution or regulation is codified; and ~~((or))~~

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2. Any act or omission contrary to ~~((F))~~ the conditions of any permit, notice and order or stop work order issued pursuant to any such an ordinance, resolution, regulation or public rule.

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C. ~~((Director.))~~ "Director" means, depending on the code violated:

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1. The director of the department of development and environmental services;

61 G. (~~Person.~~) "Person" means any individual, association, partnership, corporation  
62 or legal entity, public or private, and the agents and assigns of (~~such~~) the individual,  
63 association, partnership, corporation or legal entity.

64 H. (~~Person responsible for code compliance.~~) "Person responsible for code  
65 compliance" means either the person who caused the violation, if that can be determined,  
66 (~~and~~) or the owner, lessor, tenant or other person entitled to control, use (~~and~~) or  
67 occupy, or any combination of control, use or occupy, property where a civil code violation  
68 occurs, or both.

69 I. (~~Remediate.~~) "Remediate" means to restore a site to a condition that complies  
70 with sensitive area or other regulatory requirements as they existed when the violation  
71 occurred; or, for sites that have been degraded under prior ownerships, restore to a  
72 condition (~~which~~) that does not pose a probable threat to the environment or to the public  
73 health, safety or welfare.

74 J. (~~Resolution.~~) "Resolution" (~~for purposes of this title~~) means any law enacted  
75 by resolution of the board of county commissioners prior to the establishment of the  
76 charter, or any health rule adopted by resolution of the board of health.

77 K. (~~Public rule.~~) "Public rule" means any rule properly promulgated to  
78 implement code provisions.

79 SECTION 2. Ordinance 13263, Section 8, and K.C.C. 23.02.070 are each hereby  
80 amended to read as follows:

81 **Procedures when probable violation identified.** A. The department shall  
82 determine, based on information derived from sources such as field observations, the  
83 statements of witnesses, relevant documents and data systems for tracking violations and

84 applicable county codes, whether or not a violation has occurred. As soon as a  
85 department has reasonable cause to determine that a violation has occurred, it shall  
86 document the violation and promptly notify the owner, occupant ~~((and/))~~ or other person  
87 responsible for code compliance.

88 B. Except as provided in subsection D of this section, a warning shall be issued  
89 verbally or in writing promptly when a field inspection reveals a violation, or as soon as  
90 the department otherwise determines that a violation has occurred. The warning shall  
91 inform the person determined to be responsible for code compliance of the violation and  
92 allow the person an opportunity to correct it or enter into a voluntary compliance  
93 agreement as provided for by this title. Verbal warnings shall be logged and followed up  
94 with a written warning within two weeks, and the site shall be re~~(( ))~~inspected within  
95 thirty days.

96 C. The guidelines ~~((set forth))~~ in this section for warnings, notifications and re-  
97 inspections are not jurisdictional, and failure to meet them in any particular case shall not  
98 affect the county's authority to enforce county code provisions with regard to that case.

99 D. No warning need be issued in high-risk cases, emergencies, repeat violation  
100 cases, cases that are already subject to a voluntary compliance agreement, cases ~~((where))~~  
101 in which the violation creates a situation or condition that is not likely to be corrected  
102 within a short period of time, cases ~~((where))~~ in which a stop work order is necessary, or  
103 ~~((when))~~ if the person responsible for code compliance knows or reasonably should have  
104 known that the action was a civil code violation.

105 E. Citations may be issued in moderate\_ and low\_risk cases, ~~((provided that))~~ if  
106 the department determines it is probable that violation can likely be fully corrected in a  
107 short period of time.

108 F. Notice and orders should be issued in all high\_risk cases in which a voluntary  
109 compliance agreement has not been entered into. Notice and orders may be issued in  
110 moderate\_ and low\_risk cases where the department determines that the violation is  
111 unlikely be fully corrected in a short period of time.

112 G. The department shall use all reasonable means to determine and cite the  
113 person or persons actually responsible for the violation occurring when the owner has not  
114 directly or indirectly caused the violation.

115 H. If the violation is not corrected or a voluntary compliance agreement is not  
116 achieved within a reasonable time period, a citation, notice and order or stop work order  
117 should be issued. As a guideline, citations should be issued within sixty days from  
118 receipt of a complaint, and notice and orders should be issued within one hundred twenty  
119 days from receipt of a complaint. Stop work orders should be issued promptly upon  
120 discovery of a violation in progress.

121 I. Any complainant who provides a mailing address and requests to be kept  
122 advised of enforcement efforts should be mailed a copy of all written warnings, voluntary  
123 compliance agreements, citations, notice and orders, stop work orders and notices of  
124 settlement conferences issued by a department with regard to the alleged violation. Any  
125 complainant who is an aggrieved person may appeal a citation, notice and order, stop  
126 work order, a determination to enter into a voluntary compliance agreement or a  
127 determination not to issue a citation or order pursuant to the provisions of K.C.C. chapter

128 20.24, provided that the appeal shall be considered a civil proceeding, and any decision to  
129 pursue criminal sanctions shall remain the obligation of the prosecuting attorney, as set  
130 out in K.C.C. 23.02.030.

131 SECTION 3. Ordinance 13263, Section 10, and K.C.C. 23.02.090 are each  
132 hereby amended to read as follows:

133 **Voluntary compliance agreement - authority.** A. Whenever the applicable  
134 department determines that a code violation has occurred or is occurring, the department  
135 shall make reasonable efforts to secure voluntary compliance from the person responsible  
136 for code compliance. Upon contacting the person responsible for code compliance, the  
137 department may enter into a voluntary compliance agreement as provided for in this  
138 section.

139 B. A voluntary compliance agreement may be entered into at any time after  
140 issuance of a verbal or written warning, a citation, a notice and order or a stop work order  
141 and before an appeal is decided pursuant to K.C.C. chapter 20.24.

142 C. The voluntary compliance agreement is a commitment by the person  
143 responsible for code compliance under which ~~((such))~~ the person agrees to ~~((abate))~~ do  
144 any combination of abating the violation, ~~((remediate))~~ remediating the site ~~((, and/))~~ or  
145 ~~((mitigate))~~ mitigating the impacts of the violation. The voluntary compliance agreement  
146 shall include the following:

- 147 1. The name and address of the person responsible for code compliance; ~~((and))~~
- 148 2. The address or other identification of the location of the violation; ~~((and))~~

149           3. A description of the violation and a reference to the provision~~((s))~~ or  
150 provisions of the ordinance, resolution or regulation ~~((which))~~ that has been violated;  
151 ~~((and))~~

152           4. A description of the necessary corrective action to be taken and identification  
153 of the date or time by which compliance must be completed. For the purposes of this  
154 subsection C.4, the department may either require that compliance be achieved by a  
155 specific date or that compliance be achieved by a date to be determined based on the  
156 occurrence of some future event; ~~((and))~~

157           5. The amount of the civil penalty that will be imposed pursuant to K.C.C.  
158 chapter 23.32 if the voluntary compliance agreement is not satisfied; ~~((and))~~

159           6. An acknowledgment that the voluntary compliance agreement will be  
160 recorded against the property in the office of records and elections, ~~((said))~~ the recording  
161 to be accomplished as provided for in notice and order cases; ~~((and))~~

162           7. An acknowledgment that if the department determines that the terms of the  
163 voluntary compliance agreement are not met, the county may, without issuing a citation,  
164 notice and order or stop work order, impose any remedy authorized by this title, which  
165 includes the assessment of the civil penalties identified in the voluntary compliance  
166 agreement, abatement of the violation, assessment of the costs incurred by the county to  
167 pursue code compliance and to abate the violation, including legal and incidental  
168 expenses, and the suspension, revocation or limitation of a development permit; ~~((and))~~

169           8. An acknowledgment that if any assessed penalty, fee or cost is not paid, a  
170 director may charge the unpaid amount as a lien against the property where the civil code  
171 violation occurred if owned by the person responsible for code compliance, and that the

172 unpaid amount may be a joint and several personal obligation of all persons responsible  
173 for code compliance; ((and))

174           9. An acknowledgment that by entering into the voluntary compliance  
175 agreement the person responsible for code compliance waives the right to  
176 administratively appeal, and thereby admits, that the conditions described in the  
177 voluntary compliance agreement existed and constituted a civil code violation; and that if  
178 the department determines the terms of the voluntary compliance agreement are not met,  
179 the person is subject to and liable for any remedy authorized by this title, which includes  
180 the assessment of the civil penalties identified in the voluntary compliance agreement,  
181 abatement of the violation, assessment of the costs incurred by the county to pursue code  
182 compliance and to abate the violation, including legal and incidental expenses, and the  
183 suspension, revocation or limitation of a development permit; and

184           10. An acknowledgment that the person responsible for code compliance  
185 understands that he or she has the right to be served with a citation, notice and order or  
186 stop work order for any violation identified in the voluntary compliance agreement, has  
187 the right to administratively appeal any such a citation, notice and order or stop work  
188 order, and that he or she is knowingly, voluntarily and intelligently waiving those rights.

189           D. Upon entering into a voluntary compliance agreement, a person responsible  
190 for code compliance waives the right to administratively appeal, and thereby admits, that  
191 the conditions described in the voluntary compliance agreement existed and constituted a  
192 civil code violation; and agrees that if the department determines the terms of the  
193 voluntary compliance agreement are not met, he or she is liable for the civil penalty  
194 available under K.C.C. chapter 23.32 and identified in the voluntary compliance



195 agreement, is liable for the costs incurred by the county to pursue code compliance and to  
196 abate the violation, including legal and incidental expenses as provided for in K.C.C.  
197 chapter 23.24 and is subject to all other remedies provided for in this title.

198 E. ~~((The voluntary compliance agreement shall incorporate the shortest  
199 reasonable time period for compliance as determined by the department.))~~ An extension  
200 of the time limit for compliance or a modification of the required corrective action may  
201 be granted by the department if the person responsible for code compliance has shown  
202 due diligence or substantial progress in correcting the violation, but circumstances render  
203 full and timely compliance under the original conditions unattainable.

204 F. The voluntary compliance agreement is not a settlement agreement.

205 SECTION 4. Ordinance 13263, Section 11, and K.C.C. 23.02.100 are each  
206 hereby amended to read as follows:

207 **Failure to meet terms of voluntary compliance agreement.** ~~((A-))~~ If the terms  
208 of the voluntary compliance agreement are not completely met, the department may abate  
209 the violation in accordance with ~~((the provisions of))~~ this title, and the person responsible  
210 for code compliance may, without being issued a citation, notice and order or stop work  
211 order, be assessed a civil fine or penalty ~~((commencing on the day after the deadline for  
212 compliance))~~, in accordance with the penalty provisions of this title, plus all costs  
213 incurred by the county to pursue code compliance and to abate the violation, including  
214 legal and incidental expenses as provided for in this title, and may be subject to other  
215 remedies authorized by this title. Penalties imposed when a voluntary compliance  
216 agreement is not met accrue from the date that ~~((an appeal of any preceding citation,  
217 notice and order or stop work order was required to have been filed or from the date the~~

218 ~~voluntary compliance agreement was entered into if there was no preceding stop work~~  
219 ~~order, citation or notice and order))~~ the terms of the voluntary compliance agreement  
220 were violated.

221 ~~((B. The department may issue a citation, notice and order or stop work order for~~  
222 ~~failure to meet the terms of a voluntary compliance agreement.))~~

223 SECTION 5. Ordinance 13263, Section 22, and K.C.C. 23.24.030 are each  
224 hereby amended to read as follows:

225 **Contents.** The notice and order shall contain the following information:

226 A. The address, when available, or location of the civil code violation;

227 B. A legal description of the real property or the King County tax parcel number  
228 where the violation occurred or is located, or a description identifying the property by  
229 commonly used locators;

230 C. A statement that the director has found the named person to have committed a  
231 civil code violation and a brief description of the violation or violations found;

232 D. A statement of the specific provisions of the ordinance, resolution, regulation,  
233 public rule, permit condition, notice and order provision or stop work order that was or is  
234 being violated;

235 E. The dollar amount of the civil penalty per separate violation;

236 F. A statement advising that any costs of enforcement that exceed the amount of  
237 the penalty may also be assessed against the person to whom the notice and order is  
238 directed;

239 G. A statement advising that the notice and order will be recorded against the  
240 property in the King County office of records and elections subsequent to service;

241 H. A statement of the corrective or abatement action required to be taken and that  
242 all required permits to perform the corrective action must be obtained from the proper  
243 issuing agency;

244 I. A statement advising that, if any required work is not commenced or completed  
245 within the time specified by the notice and order, a director may  
246 proceed to abate the violation and cause the work to be done and charge the costs thereof  
247 as a lien against the property and as a joint and several personal obligation of any persons  
248 responsible for code compliance;

249 J. A statement advising that, if any assessed penalty, fee or cost is not paid on or  
250 before the due date, a director may charge the unpaid amount as a lien against the  
251 property where the civil code violation occurred if owned by a person responsible for  
252 code compliance and as a joint and several personal obligation of all persons responsible  
253 for code compliance;

254 K. A statement advising that any person named in the notice and order or having  
255 any record or equitable title in the property against which the notice and order is recorded  
256 may appeal from the notice and order to the hearing examiner within ~~((twenty-one))~~  
257 fourteen days of the date of service of the notice and order;

258 L. A statement advising that a failure to correct the violations cited in the notice  
259 and order could lead to the denial of subsequent King County permit applications on the  
260 subject property;

261 M. A statement advising that a failure to appeal the notice and order within the  
262 applicable time limits renders the notice and order a final determination that the

263 conditions described in the notice and order existed and constituted a civil code violation,  
264 and that the named party is liable as a person responsible for code compliance; and

265 N. A statement advising the person responsible for code compliance of his or her  
266 duty to notify the director of any actions taken to achieve compliance with the notice and  
267 order.

268 SECTION 6. Ordinance 13263, Section 37, and K.C.C. 23.32.010 are each  
269 hereby amended to read as follows:

270 Assessment ((S))schedule. A.1. Civil fines and civil penalties for civil code  
271 violations shall be imposed for remedial purposes and shall be assessed for each violation  
272 identified in a citation, notice and order, voluntary compliance agreement or stop work  
273 order pursuant to the following schedule:

274	<del>((1.))</del> a. Citations	<del>(((\$100))</del>
275	(1) <u>With no previous similar code violations</u>	<u>\$100</u>
276	(2) <u>With one or more previous similar code violations</u>	<u>\$500</u>
277	(3) <u>With two or more previous violations of K.C.C.</u>	<u>Double the rate of the</u>
278	<u>Title 10</u>	<u>previous penalty</u>

279 ~~((2.))~~ b. Violation of Notice and Orders and Stop Work Orders

280 ~~((a.))~~ (1) Stop work order ~~((B))~~basic ~~((initial))~~ penalty \$500

281 ~~((b.))~~ (2) Voluntary compliance agreement and notice and order  
282 basic penalty \$25

283 (3) Additional initial penalties may be added in the following amounts for  
284 violations where there is:

285 ~~((1.))~~ (a) public health risk ~~((+\$100-500~~

286		depending on
287		severity)) <u>\$15</u>
288	<del>((2))</del> (b) <u>environmental damage risk</u>	<del>((+\$100-500</del>
289		depending on
290		severity)) <u>\$15</u>
291	<del>((3))</del> (c) <u>damage to property risk</u>	<del>((+\$100-500</del>
292		depending on
293		severity)) <u>\$15</u>
294	<del>((4))</del> (d) <del>((history of similar violations (less than three)))</del>	
295	<u>one previous similar code violation</u>	<del>((+\$200))</del> <u>\$25</u>
296	<del>((5))</del> (e) <del>((history of similar violations (three or more)))</del>	
297	<u>two previous similar code violations</u>	<del>((+\$500))</del> <u>\$50</u>
298	<del>((6))</del> (f) <u>three or more previous similar code violations</u>	<u>\$75</u>
299	(g) <u>economic benefit to person responsible for violation</u>	<del>((+\$200))</del> <u>\$25</u>
300	<del>((e. The above penalties may be offset by the following credits for efforts to</del>	
301	<u>comply.</u>	
302	<del>1) entering into a voluntary compliance agreement</del>	<del>————— \$100</del>
303	<del>2) full compliance with voluntary compliance agreement</del>	
304	<del>and no history of prior violations</del>	<del>————— \$300</del>
305	<del>3) full compliance with voluntary compliance agreement</del>	
306	<del>and history of less than three prior violations</del>	<del>————— \$200</del>
307	<u>2. For the purposes of this section, previous similar code violations that can</u>	
308	<u>serve as a basis for a higher level of civil penalties include violations of the same chapter</u>	

309 of the King County code. Any stop work order or notice and order previously issued by  
310 the department shall not constitute a previous code violation for the purposes of this  
311 section if that stop work order or notice and order was appealed and subsequently  
312 reversed.

313 B. The ~~((total initial))~~ penalties assessed pursuant to this section for any failure to  
314 comply with a notice and order~~((s and stop work orders pursuant to this section))~~ or  
315 voluntary compliance agreement shall ~~((apply))~~ be assessed daily, according to the  
316 schedule in subsection A of this section, for the first thirty days ~~((period))~~ following the  
317 ~~((issuance of the order, unless another time period is specified in the voluntary~~  
318 ~~compliance agreement))~~ date the notice and order or voluntary compliance agreement  
319 required the code violations to have been cured. ~~((If a voluntary compliance agreement is~~  
320 ~~not entered into within that time period, and no appeal is filed, the penalties for the next~~  
321 ~~fifteen day period shall be one hundred fifty percent of the initial penalties, and the))~~ If  
322 after thirty days the person responsible for code compliance has failed to satisfy the  
323 notice and order or voluntary compliance agreement, penalties ~~((for the next fifteen day~~  
324 ~~period))~~ shall be assessed daily at a rate of double the ~~((amount of the initial penalties))~~  
325 rate for the first thirty days. Penalties may be assessed daily until the person responsible  
326 for code compliance has fully complied with the notice and order.

327 C. Penalties based on violation of a stop work order shall be assessed, according  
328 to the schedule in subsection A of this section, for each day the department determines  
329 that work or activity was done in violation of the stop work order.

330 D. Citations shall be subject to a one-time penalty only.

331            ~~((D:))~~ E. The director may suspend the imposition of additional civil penalties if  
332 the person responsible for code compliance has entered into a voluntary compliance  
333 agreement. If the person responsible for code compliance enters into a voluntary  
334 compliance agreement and cures the code violations, the director may also waive all or  
335 part of the accrued civil penalties in accordance with K.C.C. 23.32.050. Penalties shall  
336 begin to accrue again pursuant to the terms of the voluntary compliance agreement if any  
337 necessary permits applied for are denied, canceled or not pursued, or if corrective action  
338 identified in the voluntary compliance agreement is not completed as specified.

339            SECTION 7. Ordinance 13263, Section 41, and K.C.C. 23.32.050 are each  
340 hereby amended to read as follows:

341            Waivers. A. Civil fines and civil penalties, in whole or in part, may be waived  
342 or reimbursed to the ~~((payor))~~ payer by the director, with the concurrence of the director  
343 of the department of finance, under the following circumstances:

- 344            1. ~~((t))~~The citation, notice and order or stop work order was issued in error;  
345 ~~((or))~~  
346            2. ~~((t))~~The civil fines or civil penalties were assessed in error; or  
347            3. ~~((n))~~Notice failed to reach the property owner due to unusual circumstances  
348 ~~((;or)).~~

349            B. Civil fines and civil penalties, in whole or in part, may be waived by the  
350 director, with the concurrence of the director of the department of finance or it's  
351 successor agency, under the following circumstances:

- 352            1. The code violations have been cured under a voluntary compliance  
353 agreement;

354            2. The code violations which formed the basis for the civil penalties have been  
355            cured, and the director finds that compelling reasons justify waiver of all or part of the  
356            outstanding civil penalties; or

357            ~~((4. new compelling))~~ 3. Other information warranting waiver has been  
358            presented to the director since the citation, notice and order or stop work order was  
359            issued.

360            ~~((B-))~~ C. The director shall document the circumstances under which a decision  
361            was made to waive penalties and such a statement shall become part of the public record  
362            unless privileged.

363            SECTION 8. Ordinance 13263, Section 43, and K.C.C. 23.36.010 are each  
364            hereby amended to read as follows:

365            **Administrative appeal - filing requirements.** A. Any person issued a citation  
366            or named in a notice and order or stop work order ~~((s))~~ and any owner of the land where  
367            the violation for which a citation, notice and order or stop work order is issued occurred  
368            and any complainant who is an aggrieved person pursuant to K.C.C. Title 20 and requests  
369            to be kept advised pursuant to K.C.C. 23.02.070H may file a notice of appeal of a  
370            citation, notice and order, stop work order, determination to enter into a voluntary  
371            compliance agreement or a determination not to issue a citation or order within ~~((twenty-~~  
372            ~~one))~~ fourteen days of the service of the citation, notice and order or stop work order ~~((or~~  
373            ~~issuance of a voluntary compliance agreement or determination not to issue a citation or~~  
374            ~~order))~~ with the issuing department.



375           B. If a notice of appeal has been filed within the time period provided herein, the  
376 appellant shall file a statement of appeal within twenty-one days of the service of the  
377 citation, notice and order or stop work order with the issuing department.

378           C. Any person named in a citation may appeal the citation by signing the citation,  
379 indicating on the citation that a hearing is requested, and returning the citation to the  
380 issuing agency or department within twenty-one days of its service.

381           ((C)) D. A notice of appeal shall comply with the form, content and service  
382 requirements of K.C.C. chapters 20.20 and 20.24 and rules promulgated thereunder.

383           SECTION 9. Ordinance 10870, Section 406, as amended, and K.C.C.  
384 21A.18.020 are each hereby amended to read as follows:

385           **Authority and application.** A. Before an occupancy permit may be granted for  
386 any new or enlarged building or for a change of use in any existing building, the use shall  
387 be required to meet the ((provisions)) requirements of this chapter. In addition, K.C.C.  
388 21A.18.110 I. and J. establish residential parking limitations applicable to existing, as  
389 well as new, residential uses.

390           B. If this chapter does not specify a parking requirement for a land use, the  
391 director shall establish the minimum requirement based on a study of anticipated parking  
392 demand. Transportation demand management actions taken at the site shall be considered  
393 in determining anticipated demand. If the site is located in an activity center or  
394 community business center, the minimum requirement shall be set at a level less than the  
395 anticipated demand, but at no less than ((75)) seventy-five percent of the anticipated  
396 demand. In the study the applicant shall provide sufficient information to demonstrate  
397 that the parking demand for a specific land use will be satisfied. Parking studies shall be

398 prepared by a professional engineer with expertise in traffic and parking analyses, or an  
399 equally qualified individual as authorized by the director.

400 C. If the required amount of off-street parking has been proposed to be provided  
401 off-site, the applicant shall provide written contracts with affected landowners showing  
402 that required off-street parking shall be provided in a manner consistent with ~~((the~~  
403 ~~provisions of))~~ this chapter. The contracts shall be reviewed by the director for  
404 compliance with this chapter, and if approved, the contracts shall be recorded with the  
405 county records and elections division as a deed restriction on the title to all applicable  
406 properties. These deed restrictions may not be revoked or modified without authorization  
407 by the director.

408 D. Upon request from the proponent of any use subject to ~~((the provisions of))~~  
409 this chapter located in a rural town, rural neighborhood center, or any commercial zone  
410 located in a rural area or natural resource production district designated by the  
411 comprehensive plan, the director may waive or modify ~~((the requirements of))~~ this  
412 chapter in order to protect or enhance the historic character of the area, and to reduce the  
413 need for pavement or other impervious surfaces. Where a neighborhood or subarea plan  
414 with design guidelines that includes the subject property has been adopted, the director  
415 shall bas allowable waivers or modifications on the policies and guidelines in such a plan.

416 SECTION 10. Ordinance 10870, Section 415, as amended, and K.C.C.

417 21A.18.110 are each hereby amended to read as follows:

418 **Off-street parking plan design standards.** A. Off-street parking areas shall not  
419 be located more than six hundred feet from the building they are required to serve for all  
420 uses except those specified as follows; where an off-street parking area does not abut the

421 buildings it serves, the required maximum distance shall be measured from the nearest  
422 building entrance that the parking area serves:

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

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

428 3. For all non((-))residential uses permitted in residential zones, the parking  
429 spaces shall be located on the same lot they are required to serve and at least a portion of  
430 parking areas shall be located within one hundred fifty feet from the nearest building  
431 entrance they are required to serve;

432 4. In designated activity, community business and neighborhood business  
433 centers, parking lots shall be located to the rear or sides of buildings. Relief from this  
434 subsection A.4 may be granted by the director only if the applicant can demonstrate that  
435 there is no practical site design to meet this requirement. The director may allow only the  
436 number of parking spaces that cannot be accommodated to the rear or sides of buildings  
437 to be located to the front of buildings;

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

440 6. Parking for the disabled shall be provided in accordance with K.C.C.  
441 21A.18.060.

442 B. The minimum parking space and aisle dimensions for the most common  
443 parking angles are shown on the table in this subsection. For parking angles other than

444 those shown on the chart, the minimum parking space and aisle dimensions shall be  
445 determined by the director. Regardless of the parking angle, one-way aisles shall be at  
446 least ten feet wide, and two-way aisles shall be at least twenty feet wide. If dead-end  
447 aisles are used in the parking layout, they shall be constructed as two-way aisles. Parking  
448 plans for angle parking shall use space widths no less than eight feet six inches for a  
449 standard parking space design and eight feet for a compact car parking space design.

450

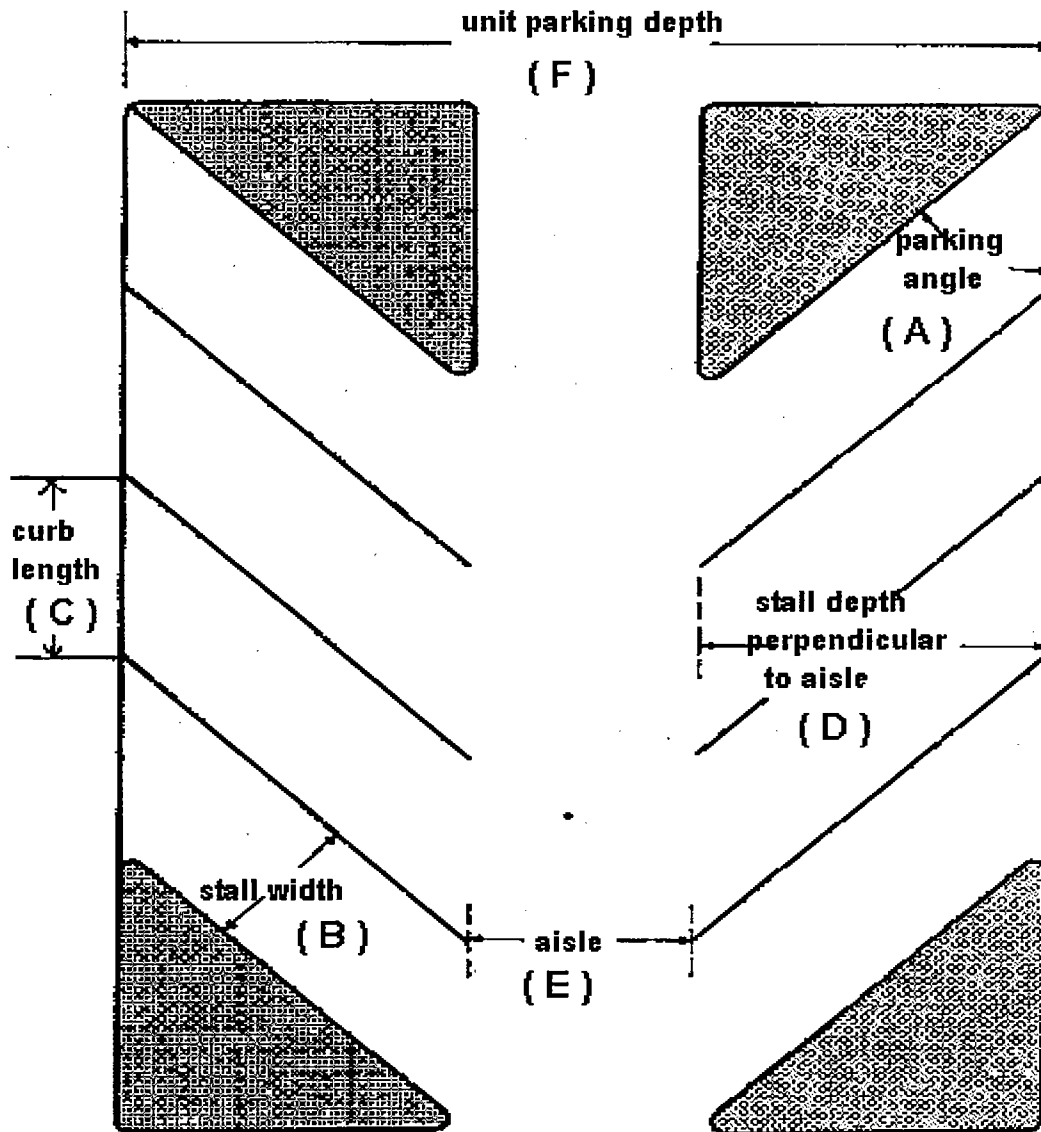
MINIMUM PARKING STALL AND AISLE DIMENSIONS.

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

451 \* for compact stalls only

452 \*\* variable with compact and standard combinations

NOMENCLATURE OF OFF-STREET PARKING AREA



453  
454  
455  
456  
457  
458

C. Any parking spaces abutting a required landscaped area on the driver or passenger side of the vehicle shall provide an additional eighteen inches above the minimum space width requirement to provide a place to step other than in the landscaped area. The additional width shall be separated from the adjacent parking space by a parking space division stripe.

459 D. The parking space depth may be reduced if vehicles overhang a walkway or  
460 landscaping under the following conditions:

- 461 1. Wheelstops or curbs are installed;
- 462 2. The remaining walkway provides a minimum of forty-eight inches of  
463 unimpeded passageway for pedestrians;
- 464 3. The amount of space depth reduction is limited to a maximum of eighteen  
465 inches; and
- 466 4. Landscaping is designed in accordance with K.C.C. 21A.16.070((-))E.

467 E. Driveways providing ingress and egress between off-street parking areas and  
468 abutting streets shall be designed, located and constructed in accordance with ((the  
469 provisions of)) K.C.C. chapter 14.42, Road Standards. Driveways for single detached  
470 dwellings, no more than twenty feet in width, may cross required setbacks or landscaped  
471 areas to provide access between the off-street parking areas and the street, provided no  
472 more than fifteen percent of the required landscaping or setback area is eliminated by the  
473 driveway. Joint use driveways may be located within required landscaping or setback  
474 areas. Driveways for all other developments may cross or be located within required  
475 setbacks or landscaped areas to provide access between the off-street parking areas and  
476 the street, if no more than ten percent of the required landscaping is displaced by the  
477 driveway and the driveway is located no closer than five feet from any property line  
478 except where intersecting the street.

479 F. Parking spaces required under this title shall be located as follows:

- 480 1. For single detached dwelling units the required parking spaces shall be  
481 outside of any required setbacks or landscaping, but driveways crossing setbacks and

482 required landscaping may be used for parking. However, if the driveway is a joint use  
483 driveway, no vehicle parked on the driveway shall obstruct any joint user's access to the  
484 driveway or parking spaces;

485           2. For all other developments parking spaces may be permitted by the director  
486 in setback areas in accordance with an approved landscape plan; and

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

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

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

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

499           J. The total number of vehicles parked or stored outside of a building on a single  
500 family lot in the R-((4))1 through R-8 zones, excluding recreational vehicles and trailers,  
501 shall not exceed six vehicles on lots that are twelve thousand five hundred square feet or  
502 less and eight vehicles on lots that are greater than twelve thousand five hundred square  
503 feet.



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

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

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

512 L. Direct access from the street right-of-way to off-street parking areas shall be  
513 subject to K.C.C. 21A.28.120.

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

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

518 SECTION 11. Ordinance 12024, Section 13, and K.C.C. 23.10.040 are each  
519 hereby amended to read as follows:

520 **Wrecked, dismantled or inoperative vehicles – prohibited activity.** No person  
521 may park, store or abandon a wrecked, dismantled, inoperative vehicle, or part thereof as  
522 those terms are defined in K.C.C. chapter 21A.06, on private property, except where the  
523 following conditions apply:

524 A. A vehicle or vehicle part is completely enclosed within a building in a lawful  
525 manner ~~((or the vehicle is))~~ where it is not visible from the street or from other public or

526 private property ~~(((a covering such as a tarp on the vehicles does not constitute a visual~~  
527 ~~barrier)))~~; or

528 B. A vehicle is stored or parked in a lawful manner on private property in  
529 connection with the business of a licensed dismantler or licensed vehicle dealer and is  
530 fenced as required by state law.

531 SECTION 12. Ordinance 12024, Sections 5 and 6, and K.C.C. 23.10.060 are  
532 each hereby amended to read as follows:

533 **Notice required.** A. Whenever a vehicle has been ~~(((certified as))~~ determined to be  
534 a wrecked, dismantled or inoperative vehicle or as an abandoned vehicle, the last registered  
535 vehicle owner of record and the land owner of record where the vehicle is located shall  
536 each be given notice by certified mail that a public hearing may be requested before the  
537 hearing examiner. If no hearing is requested within ten days from the certified date of  
538 receipt of the notice, the vehicle shall be removed by the county.

539 B. If a request for hearing is received within ten days, a notice giving the time,  
540 location and date of ~~(((such))~~ the hearing on the question of abatement and removal of the  
541 vehicle or vehicles shall be mailed by certified ~~(((mail))~~ or registered mail, with five-day  
542 return receipt requested, to the land owner ~~(((of record))~~ as shown on the last equalized  
543 assessment roll and to the last registered and legal owner of record of each vehicle unless  
544 the vehicle ~~(((is in such condition that ownership cannot be determined or unless the land~~  
545 ~~owner has denied the certifying individual entry to the land to obtain the vehicle))~~  
546 identification numbers are not available to determine ownership.

547 SECTION 13. Ordinance 12024, Section 8, and K.C.C. 23.10.090 are each  
548 hereby amended to read as follows:

549           **Abatement and removal authorized.** The county may remove any abandoned,  
550 wrecked, dismantled or inoperative vehicle, automobile hulk or part thereof, after  
551 complying with the ~~((certification and))~~ notice requirements of this chapter. ~~((The~~  
552 ~~vehicle shall be disposed at a licensed vehicle wrecker, hulk hauler or scrap processor~~  
553 ~~with notice given to the Washington State Patrol and to the department of licensing that~~  
554 ~~the vehicle has been wrecked.))~~ The proceeds of any such a disposition shall be used to  
555 defray the costs of abatement and removal of any such a vehicle, including costs of  
556 administration and enforcement.

557           SECTION 14. Ordinance 12024, Section 11, and K.C.C. 21A.06.1432 are each  
558 hereby amended to read as follows:

559           **Wrecked, dismantled or inoperative vehicle.** "Wrecked, dismantled or  
560 inoperative vehicle" means a motor vehicle or the remains or remnant parts of a motor  
561 vehicle ~~((which)),~~ or an extensively damaged recreational vehicle or boat, that is  
562 ~~((mechanically))~~ clearly inoperative and either cannot be made operative without the  
563 addition of vital parts or mechanisms or ~~((the application of a substantial amount of labor~~  
564 ~~and is certified by the department of development and environmental services as meeting~~  
565 ~~at least three of the following requirements:~~

- 566           A. ~~is three years old or older;~~
- 567           B. ~~is extensively damaged, such damage including but not limited to any of the~~  
568 ~~following: missing wheels, tires, motor, or transmission;~~
- 569           C. ~~is apparently inoperable;~~

570           D. ~~has an approximate fair market value equal only to the approximate value of~~  
571 ~~the scrap in it.))is damaged to the extent that it prevents normal operation of the vehicle,~~  
572 ~~or both.~~  
573

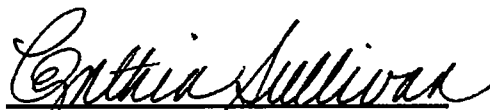
Ordinance 14309 was introduced on 12/10/2001 and passed as amended by the Metropolitan King County Council on 3/25/2002, by the following vote:

Yes: 13 - Ms. Sullivan, Ms. Edmonds, Mr. von Reichbauer, Ms. Lambert, Mr. Phillips, Mr. Pelz, Mr. McKenna, Mr. Constantine, Mr. Pullen, Mr. Gossett, Ms. Hague, Mr. Irons and Ms. Patterson


No: 0

Excused: 0

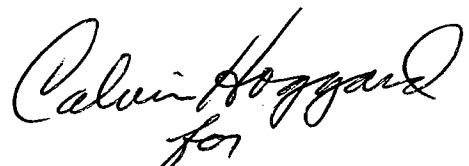
KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

  
Cynthia Sullivan, Chair

ATTEST:

  
Anne Noris, Clerk of the Council

APPROVED this 3rd day of April, 2002.

  
Ron Sims, County Executive

Attachments     None