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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.

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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.

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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 multi-unit family housing types in low- and medium-density urban residential
49 zones, also known as "middle housing." As required by the motion, a draft of the code
50 study was issued in June 2023 as part of the Public Review Draft of the 2024 update, and
51 a 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 Community Service~~
54 ~~Areas-subarea planning program. Community Service Area ("CSA")sSubarea plans are~~
55 ~~being created for the six rural Community Service Areas ("CSAs") and for the five large~~
56 ~~urban unincorporated potential annexation areas. The CSA-subarea planning program~~
57 ~~recognizes the county's role as a local service provider in the unincorporated area,~~
58 ~~including for localized long-range planning. Many areas of unincorporated King County~~
59 ~~have not had subarea planning since the 1990s or earlier. The CSA-subarea planning~~
60 ~~program provides improved coordination, accountability, and service delivery in the area~~
61 ~~of long-range planning for unincorporated areas of King County.~~

62 ~~L. This ordinance adopts the Snoqualmie Valley/Northeast King County~~
63 ~~Community Service Area-Subarea Plan ("the subarea plan") as an element of the 2024~~

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64 King County Comprehensive Plan, as well as related map amendments and modifications
65 to property specific zoning conditions.

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

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

84 L.O. Ordinance 18623 adopted the Vashon Rural Town Affordable Housing
85 Special District Overlay ("the Vashon affordable housing overlay") and directed the
86 executive to complete a series of written evaluations assessing the efficacy of the scope

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

102 MP. The 2016 King County Comprehensive Plan, as amended, included Work
103 Plan Action 17, which directed the executive to update the residential density incentive
104 program in K.C.C. chapter 21A.34 in the 2024 update, as recommended by the related
105 code study included in the transmittal of the 2020 update to the 2016 King County
106 Comprehensive Plan. As required by Work Plan Action 17, this ordinance adopts
107 updates to the residential density incentive program regulations, which repeals the
108 program and replaces it with updated regulations in the voluntary inclusionary housing
109 program in K.C.C. chapter 21A.48.

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110 Q. As part of the 2024 Comprehensive Plan update, the land use designation and
111 zoning classifications were reviewed on parcel 1522049162 and the surrounding area in
112 urban unincorporated King County near Kent. The site is the location of a pet cemetery,
113 which was designated as a historic landmark in 2022. The current Industrial land use
114 designation and zoning classification on the parcel does not allow the cemetery uses on
115 the site as permitted or conditional uses. Urban residential zoning, and a corresponding
116 land use designation, would allow the cemetery uses on the site to become legal
117 conforming uses. The zoning of other cemeteries in unincorporated urban King County
118 was also analyzed, based on a survey of cemeteries completed by the King County
119 historic preservation program. The survey identified two cemeteries in the Potential
120 Annexation Areas for Carnation and Duvall; however, because those are Cities in the
121 Rural Area, they have different zoning considerations not applicable to this site within the
122 contiguous Urban Growth Area. The survey identified one other currently operating
123 urban unincorporated cemetery, which is also near Kent and has a R-1 zone
124 classification; this was found to be a good model for the zoning of the pet cemetery site.
125 A R-1 zone classification also best supports the historic designation by not imposing
126 zoning that would allow for and incentivize more intensive uses or densities on the site;
127 the R-1 zone is the least intensive zone classification allowed in the continuous Urban
128 Growth Area. This zoning is supported by Comprehensive Plan policies P-221 and P-
129 222.

130 R. The King County Comprehensive Plan and King County strategic climate
131 action plan call on the county to act with urgency in addressing the climate crisis.
132 Increasing the generation of renewable energy and reducing greenhouse gas emissions

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133 associated with waste are both critical to this effort. Specifically, the Comprehensive
134 Plan calls on King County to:
135 1. Reduce greenhouse gas emissions from its operations and actions to meet
136 ambitious emissions reduction targets (E-202, E-203);
137 2. Achieve carbon neutrality within its solid waste division (E-205);
138 3. Encourage the use of renewable energy and support its expansion through
139 development regulations and incentive programs (E-209);
140 4. Make properties it owns available for renewable energy production (F-304);
141 5. Maximize the capture, use, and marketing of renewable energy at the Cedar
142 Hills landfill (F-505);
143 6. Provide leadership in, and foster the development and increased use of, clean,
144 renewable, and alternative fuel and energy technologies, such as anaerobic digestion and
145 co-digestion of organic material, with a particular emphasis on creating renewable natural
146 gas (F-506);
147 7. Work with industry partners to reduce energy and fossil fuel use and
148 greenhouse gas emissions while promoting green jobs, products, and services (E-241);
149 8. Encourage development of markets for reusable and recyclable materials (F-
150 441);
151 9. Allow for renewable energy technologies in the rural area (R-329);
152 10. Allow for infrastructure in the rural area that requires a rural location or that
153 provides or supports infrastructure for nearby residents (R-321);

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

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

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

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

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

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

170 SECTION 2.

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

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

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176 C. The elements of the King County Shoreline Master Program in sections ~~30,~~
177 ~~31, 136, 137, 138, 141, 143, 144, 145, 146, and 147~~47, 186, 187, 188, 189, 190, 191, 192,
178 and 193 of this ordinance and in King County Comprehensive Plan chapter six of
179 Attachment A to this ordinance are hereby amended to read as set forth in this ordinance
180 and are incorporated herein by this reference.

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

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

187 ~~EF.~~ The land use and zoning amendments in sections ~~188-238~~ through
188 ~~191-249~~ of this ordinance, sections ~~221-222~~262 through 263 of this ordinance, section
189 277 of this ordinance, and Attachment I to this ordinance are hereby adopted as
190 amendments to Appendix A to Ordinance 12824, as amended, and as the official land use
191 and zoning controls for those portions of unincorporated King County defined in those
192 sections of this ordinance and attachments to this ordinance.

193 ~~FG.~~ The King County department of local services, permitting division, shall
194 update the geographic information system data layers accordingly to reflect adoption of
195 this ordinance.

196 ~~GH.~~ "Appendix D Growth Targets and the Urban Growth Area" in Technical
197 Appendices Volume 2 to the 1994 King County Comprehensive Plan is hereby readopted
198 as "Appendix D 1994 Growth Targets and the Urban Growth Area."

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199 ~~H~~. "Appendix H Natural Resources" in Technical Appendices Volume 2 to the
200 1994 King County Comprehensive Plan is hereby readopted as "Appendix E 1994
201 Natural Resource Lands."

202 ~~I~~. "Technical Appendix Q (King County School Siting Task Force report dated
203 March 31, 2012)" in Attachment J to Ordinance 17485 is hereby readopted as "Appendix
204 F (King County School Siting Task Force report dated March 31, 2012)."

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

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

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

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

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

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- 221 a. improving the coordination of local services by county agencies through
222 increased collaboration;
- 223 b. strengthening partnerships between the county, communities, and other
224 entities;
- 225 c. improving the delivery, responsiveness, and quality of local services to the
226 people, businesses, and communities of unincorporated King County through unified
227 accountability;
- 228 d. improving local services through robust employee engagement while
229 embracing equity and racial and social justice and continuous improvement;
- 230 e. strengthening unincorporated communities by supporting local planning and
231 community initiatives; and
- 232 f. pursuing innovative funding strategies.

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

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- 238 2. Each subarea plan shall be developed consistent with the King County
239 Comprehensive Plan and shall:
- 240 a. be based on a scope of work established with the community;
- 241 b. establish a long-range vision, guiding principles, and policies to implement
242 that vision. Policies in the subarea plan shall be consistent with and not redundant to
243 policy direction in the Comprehensive Plan;

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244 c. establish performance metrics and monitoring for implementation of the
245 subarea plan. The performance metrics and monitoring shall be:
246 (1)(a) for subarea geographies that have a subarea plan adopted as of
247 December 2022, reviewed and jointly reported on by December 30, 2024, and every two
248 years thereafter; and
249 (b) for subarea geographies that do not have a subarea plan adopted as of
250 December 2022, reviewed and reported on the timelines established in subsection
251 B.2.c.(1)(a) of this section beginning no sooner than two years after adoption; and
252 -(2) informed and monitored by the community and the council;
253 d. use the tools and resources developed by the office of equity and racial and
254 social justice to develop the scope of work and to develop, review, amend, adopt, and
255 implement the subarea plan, including, but not limited to, community engagement,
256 language access, and equity impact review tools. The county shall use, at minimum, the
257 ~~("County engages in dialogue" and)~~ "County and community work together" levels of
258 engagement as outlined in the office of equity and racial and social justice's Community
259 Engagement Guide for the scoping, development, review, amendment, adoption, and
260 implementation of the subarea plan. The county shall include as an appendix to the
261 subarea plan information detailing the community engagement completed during the
262 development of the subarea plan and how the community engagement meets the
263 requirements of this subsection B.2.d.;

264 e. incorporate the findings of an equity impact analysis and proposals to
265 address equity impacts. During the development of the subarea plan, the public review

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266 draft shall include preliminary findings of any equity impacts that will be further refined
267 and submitted as part of the subarea plan proposal;

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

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

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

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

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

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

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- 289 2. Each community needs list shall:
- 290 a. be consistent with and implement the subarea plan described in subsection
- 291 B. of this section and other county plans;
- 292 b. include potential services, programs, facilities, and capital improvements
- 293 that respond to community-identified needs, including, but not limited to, those that build
- 294 on the community's strengths and assets;
- 295 c. be developed, reviewed, prioritized, amended, adopted, and implemented
- 296 using tools and resources developed by the office of equity and racial and social justice,
- 297 including, but not limited to, community engagement, language access, and equity impact
- 298 review tools. The county shall use, at minimum, the (~~"County engages in dialogue"~~
- 299 ~~and~~) "County and community work together" level(~~(s)~~) of engagement as outlined in the
- 300 office of equity and racial and social justice's Community Engagement Guide for the
- 301 development, review, amendment, adoption, and implementation of the community needs
- 302 list. The county shall include as an appendix to the community needs list information
- 303 detailing the community engagement completed during the development of the
- 304 community needs list and how the community engagement meets the requirements of this
- 305 subsection C.2.c.
- 306 3. The community needs list shall be established as follows:
- 307 a. An initial catalog shall be compiled that identifies all requests from the
- 308 community for potential services, programs, and improvements; and
- 309 b. The community service area program shall review the initial catalog and
- 310 refine this document into a community needs list based on:

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

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

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

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

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

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

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

329 d. For each request from the initial catalog that is not advanced to the
330 community needs list, the executive shall state why the request was not advanced. The
331 county shall clearly communicate why the request was not advanced to the community.
332 For items that cannot be accomplished by the county because they are outside of the
333 scope of county operations, the county shall provide information on how noncounty

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334 entities may be able to accomplish the item, including consideration of potential
335 partnerships with noncounty entities; and

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

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

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

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

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

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

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351 ~~b.))~~ for subarea plans scheduled to be adopted the same year as the biennial
352 budget adoption, concurrent with the executive's biennial budget transmittal(~~(=~~

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

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

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

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

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

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

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- 378 a. be consistent with and implement the applicable subarea plan as described in
379 subsection B. of this section, the community needs list in subsection C. of this section,
380 and other county plans;
- 381 b. address the required elements in Ordinance 17139;
- 382 c. list potential action items for the area;
- 383 d. list known planning activities for the area;
- 384 e. identify public meetings for the area;
- 385 f. include the current adopted community needs list as required in subsection
386 C. of this section; and
- 387 g. establish an ongoing communications and community engagement plan
388 using tools and resources developed by the office of equity and racial and social justice,
389 including, but not limited to, community engagement, language access, and equity impact
390 review tools. The county shall use, at minimum, the ~~("County engages in dialogue"~~
391 ~~and~~) "County and community work together" level ~~(s)~~ of engagement as outlined in the
392 office of equity and racial and social justice's Community Engagement Guide for the
393 development, review, amendment, adoption, and implementation of the community needs
394 list; and
- 395 h. establish performance metrics to monitor the implementation of the work
396 program.
- 397 3. The community service area program shall provide regular updates to the
398 councilmember or councilmembers who represent the subarea geography on the progress
399 of the work program throughout the year and shall publish regular reports on the work
400 program to its website ~~(s)~~ at least once per quarter.

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

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

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

407 a. for transmitting a report to the council:

408 (1) for subarea geographies that have a subarea plan adopted as of December
409 2022, reviewed and jointly reported on by December 30, 2024, and every two years
410 thereafter; and

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

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

417 2. Performance monitoring shall be informed and monitored by the community
418 and the council.

419 ~~(E.)~~E.1. The department shall also establish service partnership agreements with
420 each executive branch agency that provides programs, services, or facilities in the
421 unincorporated area, including those agencies that provide regional services to
422 unincorporated area residents and businesses. The service partnership agreements shall

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423 inform budget development for programs, services₂ or facilities in the unincorporated
424 area.

425 2. Service partnerships agreements shall:

426 a. be consistent with and implement the subarea plans in subsection B. of this
427 section, the community needs lists in subsection C. of this section, the community service
428 area work programs in subsection D. of this section₂ and other county plans;

429 b. use tools and resources developed by the office of equity and racial and
430 social justice by the partner agency to deliver the programs, services₂ and facilities
431 described in the service partnership agreements~~(s)~~₂.

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

433 a. roles and responsibilities for the department of local services and the partner
434 agency;

435 b. a general description of the programs, services₂ or facilities provided by the
436 partner agency for unincorporated area residents and businesses and, where applicable, in
437 the subarea geographies;

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

440 (1) the desired outcomes for provision of each program, service₂ or facility;

441 and

442 (2) service level goals for each program, service₂ or facility;

443 d. performance metrics to monitor progress of implementing the outcomes and
444 service level goals for each program, service₂ or facility;

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

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

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

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

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

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468 environmental review, those decisions or actions shall be performed by the permitting
469 division.

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

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

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

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

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

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

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

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

497 2. The permitting division manager shall be the:

498 a. county planning director;

499 b. zoning adjuster;

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

501 Environmental Policy Act;

502 d. county building official; and

503 e. county fire marshal.

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

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

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511 1. Designing, constructing, and maintaining county roads, bridges, and
512 associated drainage facilities;

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513 2. Designing, installing, and maintaining county traffic signs, markings, and
514 signals;

515 3. Designing, installing, and maintaining ~~((bicycle and pedestrian)) roadway~~
516 active transportation facilities;

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517 4. Managing intergovernmental contracts or agreements for services related to
518 road maintenance and construction and to other transportation programs supporting the
519 transportation plan;

520 5. Inspecting utilities during construction and upon completion for compliance
521 with standards and specifications ~~((; assuring))~~, and ensuring that public facilities
522 disturbed due to construction are restored;

523 6. Performing detailed project development of roads capital improvement
524 projects that are consistent with the transportation element of the county's Comprehensive
525 Plan, and coordinating such programming with other county departments and divisions
526 assigned responsibilities for Comprehensive Plan implementation;

527 7. Incorporating into the roads capital improvement program those projects
528 identified in the transportation needs report, ~~((community plans,))~~ related functional
529 plans, and elsewhere consistent with the county's Comprehensive Plan;

530 8. Preparing, maintaining, and administering the county road standards;

531 9. Preparing and administering multiyear roads maintenance and capital
532 construction plans and periodic updates;

533 10. Administering the transportation concurrency and mitigation payment
534 programs; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

593 NEW SECTION. SECTION 6.

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

596 NEW SECTION. SECTION 7.

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

599 1. Existing and proposed legislation affecting rural area land use or zoning;

600 2. Land use issues that impact the rural area;

601 3. Proposed policies, programs, or actions affecting rural area land use or
602 zoning; and

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603 4. Supporting robust community engagement with rural residents on rural area
604 issues.

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

610 NEW SECTION. SECTION 8.

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

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

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

618 B. Members should represent a broad range of rural interests and should reflect a
619 diverse range of ethnicities, cultures, professional backgrounds, socioeconomic status,
620 and place of origin.

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

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

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626 NEW SECTION. SECTION 9.

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

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

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

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

634 NEW SECTION. SECTION 10.

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

636 SECTION 411. Ordinance 18326, Section 3, and K.C.C. 6.70.010 are hereby
637 amended to read as follows:

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

643 SECTION 512. Ordinance 18326, Section 4, and K.C.C. 6.70.020 are hereby
644 amended to read as follows:

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

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

650 SECTION 613, Ordinance 18326, Section 5, and K.C.C. 6.70.030 are hereby
651 amended to read as follows:

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

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

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

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

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

672 SECTION 714. Ordinance 18326, Section 6, as amended, and K.C.C. 6.70.040
673 are hereby amended to read as follows:

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

681 SECTION 815. Ordinance 18326, Section 8, as amended, and K.C.C. 6.70.060
682 are hereby amended to read as follows:

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

689 SECTION 916. Ordinance 18326, Section 9, and K.C.C. 6.70.070 are hereby
690 amended to read as follows:

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

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

695 SECTION 4017. Ordinance 9163, Section 2, as amended, and K.C.C. 9.04.020
696 are hereby amended to read as follows:

697 The definitions in this section apply throughout this chapter unless the context
698 clearly requires otherwise.

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

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

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

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

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715 management adopted by ordinance for managing surface water and stormwater within the
716 basin.

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

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

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

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

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

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

741 J. "Department" means the department of natural resources and parks or its
742 successor.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 798 1. Would result in two thousand square feet or more of new impervious surface,
799 replaced impervious surface, or new plus replaced impervious surface; or
800 2. Would result in seven thousand square feet or more of land disturbing
801 activity.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

845 DD. "Large project drainage review" means the evaluation required by K.C.C.
846 9.04.030 for any proposed project that:

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

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

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852 ~~(3-)~~ 2. Has a project site of fifty acres or more within a critical aquifer
853 recharge area, as defined in K.C.C. Title 21A.

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

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

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

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

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

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

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

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

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

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

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

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

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

914 1. Is already substantially developed in a manner that is consistent with its
915 current zoning or with a legal nonconforming use; or

916 2. Has an existing impervious surface coverage of thirty-five percent or more.

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

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

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

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

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

935 1. Would result in impervious and new pervious surface insufficient to require a
936 flow control or water quality facility as specified in K.C.C. 9.04.050 and the Surface
937 Water Design Manual; and

938 2. Meets the simplified drainage requirements and BMPs specified in the
939 Surface Water Design Manual, including flow control BMPs, construction stormwater
940 pollution prevention BMPs, and drainage plan submittal requirements.

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

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

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

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

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

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

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

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

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966 found on ground surfaces and in drainage facilities, rivers, streams, springs, seeps, ponds,
967 lakes, wetlands, and Puget Sound. ~~((H))~~ "Surface water" also includes shallow
968 groundwater.

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

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

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

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

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

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

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

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

1000 C. Public sewer service shall not be provided outside the urban growth area or
1001 any rural town designated to receive the service, except as described in K.C.C. 13.24.134.

1002 D. Sewer extensions under subsections A. and C. of this section shall be
1003 approved by the council, if it is determined that the extension meets the criteria in this
1004 section and is consistent with all other adopted King County policies and regulations.
1005 Decisions on sewer extensions in rural or resource areas shall be made by the council in
1006 the form of a sewer comprehensive plan or an amendment to a sewer comprehensive
1007 plan.

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1008 E. The required elements of a sewerage general plan in RCW 36.94.010(3) are
1009 included in the 1994 King County Comprehensive Plan and its technical appendix, as
1010 adopted in K.C.C. Title 20.

1011 SECTION 19. Ordinance 1709, Section 7, as amended, and K.C.C. 13.24.090 are
1012 hereby amended to read as follows:

1013 A. The utilities technical review committee shall ensure that the provisions of
1014 K.C.C. 13.24.005 regarding the purposes of this chapter are carried out, and shall be
1015 responsible for providing the notification to tribal governments provided for in K.C.C.
1016 13.20.020 for actions under that section that fall within the authority of the committee.

1017 B. The utilities technical review committee shall:

1018 1. Review and make recommendations to the King County executive and the
1019 King County council on the adequacy of all sewer and water system comprehensive plans
1020 and related matters, and determine their consistency with the King County
1021 Comprehensive Plan;

1022 2. Have the authority to approve additions and betterments to council-approved
1023 sewer and water comprehensive plans without referral to the council in order to serve
1024 developments that have received preliminary approval from the King County council;

1025 3.a. Serve as the appeal body to hear all issues relating to the creation of new
1026 public water systems and the extension of existing public water service within the
1027 boundaries of a critical water supply service area ((as provided for in the utility service
1028 review procedures contained in the coordinated water system plans)), based on whether
1029 an existing water purveyor can provide service in a timely and reasonable manner (WAC
1030 246-293-190).

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1031 b. An appeal under subsection B.3.a. of this section is subject to all of the
1032 following:

1033 (1) A notice of appeal or request to find that water service is or is not
1034 available in a timely and reasonable manner shall be filed with the utilities technical
1035 review committee and shall be accompanied by a nonrefundable fee as prescribed in
1036 K.C.C. 4A.710.100;

1037 (2) Written materials from the appellant and the water purveyor and any
1038 interested parties may be submitted on forms developed by the utilities technical review
1039 committee. The committee shall evaluate such submittals and any other submitted
1040 written materials in light of applicable state laws, regulations, and policies. The
1041 committee shall issue a final written determination, including findings and conclusions,
1042 within thirty days of the date that the written record is complete;

1043 (3) The utilities technical review committee shall provide its written
1044 determination together with the procedures for administrative appeals, to the appellant, to
1045 the water purveyor, and to any person, who, before the determination, has requested
1046 notice of the determination; and

1047 (4) The written determination by the utilities technical review committee shall
1048 be the final county action, unless further appeal is made to the office of the hearing
1049 examiner, in accordance with K.C.C. 20.22.040 and 20.22.080. In such an appeal to the
1050 hearing examiner, the written determination shall constitute the department report for the
1051 purposes of K.C.C. 20.22.130.

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1052 c. The utilities technical review committee is authorized to establish by rule the
1053 procedures and timeframes for submittal to the committee of any requests for an appeal
1054 as provided for under this chapter and K.C.C. chapter 13.28; and

1055 4. Issue the findings required under K.C.C. 13.24.132, 13.24.134, and 13.24.136
1056 relative to sewer expansion in rural and resource areas. The determination that sewer
1057 expansion in rural and resource areas is necessary shall be based on information
1058 concerning the feasibility of alternative treatment technologies as provided by ((the))
1059 public health -- Seattle((-) & King County ((department of public health)).

1060 NEW SECTION. SECTION 20. There is hereby added to K.C.C. chapter 13.28
1061 a new section to read as follows:

1062 In case of conflict or inconsistency between an adopted coordinated water system
1063 plan and the King County Comprehensive Plan, the King County Comprehensive Plan
1064 shall govern.

1065 NEW SECTION. SECTION ~~14.21~~. There is hereby added to K.C.C. chapter
1066 14.01 a new section to read as follows:

1067 "Active transportation" means pedestrian, bicycle, and equestrian travel including,
1068 but not limited to, the use of wheelchairs and personal assistive mobility devices powered
1069 by electricity that are used by ~~physically impaired~~ persons with physical impairments;
1070 skateboards and scooters;; and micromobility devices, such as motorized foot scooters
1071 and electric assisted bicycles;; ~~Any~~ moped, motorcycle, or, except as otherwise provided
1072 for in this definition, personal assistive mobility device, ~~are~~ is considered motorized
1073 transportation. ~~The Regional Trail network, and its use, is for both recreation and~~

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1074 ~~transportation purposes. Not all facilities are appropriate for all modes and may have~~
1075 ~~restrictions on the use of any mode.~~

1076 SECTION ~~4222~~. Ordinance 18420, Section 37, and K.C.C. 14.01.360 are hereby
1077 amended to read as follows:

1078 "Transportation facilities" means principal, minor, and collector arterial roads
1079 and state highways, as well as associated sidewalks, bike lanes, and other facilities
1080 supporting ~~((nonmotorized travel))~~ one or more forms of active transportation. ~~Not all~~
1081 ~~facilities are appropriate for all modes and may have restrictions on the use of any mode.~~

1082 SECTION ~~4323~~. Ordinance 18420, Section 61, as amended, and K.C.C.
1083 14.40.0104 are hereby amended to read as follows:

1084 A. Upon receipt of a petition, the county road engineer shall determine whether
1085 owners of the majority of the lineal footage of the frontage of the ~~((right of way)) right-~~
1086 ~~of-way~~ proposed for vacation have signed the petition. If the county road engineer
1087 determines the signatories of the petition own less than the majority of the lineal footage
1088 of the frontage of the ~~((right of way)) right-of-way~~ proposed for vacation, the county road
1089 engineer shall notify the petitioners that the petition does not have sufficient signatories.
1090 The petitioners shall have thirty days from the date of that notice to supplement the
1091 petition by filing with the department of local services, road services division, a sufficient
1092 number of additional petition signatures to establish that a majority of owners of the
1093 lineal footage of the frontage of the ~~((right of way)) right-of-way~~ proposed for vacation
1094 support the petition. Failure to include the signature of a majority of the owners of the
1095 lineal footage of the frontage of the ~~((right of way)) right-of-way~~ proposed for vacation is
1096 grounds for the county road engineer to find that the petition is deficient. In that event,

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1097 no further action will be taken on the petition and the county road engineer shall inform
1098 the petitioners of the determination.

1099 B. If either directed by the council in accordance with K.C.C. 14.40.010.A., or if
1100 under subsection A. of this section the county road engineer determines that a petition is
1101 valid, then the county road engineer shall examine the ~~((right of way)) right-of-way~~
1102 proposed to be vacated and abandoned and complete a report that complies with the
1103 requirements in RCW 36.87.040, including the county road engineer's opinion of whether
1104 the ~~((right of way)) right-of-way~~ should be vacated. The report should address:

1105 1. Whether the county ~~((right of way)) right-of-way~~ should be vacated and
1106 abandoned;

1107 2. Whether the county ~~((right of way)) right-of-way~~ is in use or has been in use;

1108 3. The condition of the ~~((right of way)) right-of-way~~;

1109 4. Whether it is advisable to preserve all or a portion of the ~~((right of way))~~
1110 ~~right-of-way~~ for the county ~~((transportation)) road~~ system of the future, including use as a
1111 public trail;

1112 5. Whether the public will be benefited by the vacation of the county ~~((right of~~
1113 ~~way)) right-of-way~~;

1114 6. The appraised value of the county ~~((right of way)) right-of-way~~ or portion
1115 thereof proposed for vacation as well as the county road engineer's recommendation for
1116 compensation to be determined in accordance with the factors listed in K.C.C.
1117 14.40.020.A.;

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1118 7.a. Whether the proposed county ~~((right of way)) right-of-way~~ to be vacated
1119 serves as access to property abutting the county ~~((right of way)) right-of-way~~ that is
1120 subject of the vacation request; and

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1121 b. a recommendation for requiring access easements for all abutting properties
1122 as a condition of granting the vacation;

1123 8.a. Whether the proposed county ~~((right of way)) right-of-way~~ to be vacated
1124 contains utilities; and

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1125 b. a recommendation for retaining an easement for the construction, repair, and
1126 maintenance of public utilities and services that are authorized at the time the ordinance
1127 is adopted or are physically located on a portion of the ~~((right of way)) right-of-way~~
1128 being vacated;

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1129 9. Other matters that may be of interest, including any fees charged under
1130 K.C.C. 14.40.0106.B.;

1131 10. Whether the proposed area to be vacated abuts a body of salt or fresh water
1132 as ~~((set forth))~~ established in RCW 36.87.130;

1133 11. A list of the property owners whose property abuts the county ~~((right of
1134 way)) right-of-way~~ or any portion thereof proposed for vacation who are not petitioners;
1135 and

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1136 12. If not waived in accordance with K.C.C. 14.40.106.C. a list of all costs
1137 incurred in preparing the report.

1138 C. Upon completion of the report by the county road engineer, the executive shall
1139 transmit the report, any petition, and a proposed ordinance to the council. The hearing

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1140 examiner is appointed by the council to conduct the public hearing of any proposed
1141 vacation of a county ~~((right of way))~~ right-of-way.

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1142 ~~SECTION 1424.~~ Ordinance 8421, Section 3, as amended, and K.C.C. 14.56.020
1143 are hereby amended to read as follows:

1144 There is established an an ~~((nonmotorized))~~ active transportation program. The
1145 program shall consist of:

1146 ~~A. ((1))~~ A. ((1)) ~~The ((nonmotorized))~~ active transportation policies in the King County

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1147 Comprehensive Plan and the respective functional plans of the responsible county
1148 agencies ~~((s))~~;

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1149 ~~B. ((nonmotorized))~~ A active transportation project needs contained in agency
1150 capital improvement programs; and

1151 ~~C. ((e))~~ C. ((e)) Operational activities that:

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1152 ~~((A))~~ 1. Identify and document the ~~((nonmotorized))~~ active transportation needs in
1153 the county ~~((for bicyclists, pedestrians, equestrians and))~~, emphasizing special
1154 populations such as school children or people with limited mobility and wheelchair users;

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1155 ~~((B))~~ 2. Determine ways that ~~((nonmotorized))~~ active transportation can be
1156 integrated into the current and future county transportation network and services,
1157 including transit;

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1158 ~~((C))~~ 3. Inform and educate the public on issues relating to ~~((nonmotorized))~~
1159 active transportation, including compliance with traffic laws; ~~((and))~~ or

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1160 ~~((D))~~ 4. Consider ~~((nonmotorized))~~ active transportation safety and other needs in
1161 all related county programs, and encourage the same consideration on an interlocal and
1162 regional basis.

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1163 SECTION ~~1525~~. Ordinance 8421, Section 4, as amended, and K.C.C. 14.56.030
1164 are hereby amended to read as follows:

1165 The department of local services, in consultation with the department of natural
1166 resources of parks, shall:

- 1167 A. Implement the ~~((nonmotorized))~~ active transportation program;
1168 B. Provide support to any ad hoc ~~((nonmotorized))~~ active transportation advisory
1169 committee; and

1170 C. Work with other ~~((jurisdictions))~~ authorities and nongovernmental
1171 organizations to identify, develop, and promote programs that encourage the use of
1172 ~~((nonmotorized))~~ active modes of transportation.

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1173 SECTION ~~1626~~. Ordinance 1488, Section 5, as amended, and K.C.C. 16.82.020
1174 are hereby amended to read as follows:

1175 ~~((Certain words and phrases used in this chapter, unless otherwise clearly~~
1176 ~~indicated by their context, mean as follows:))~~ The definitions in this section apply
1177 throughout this chapter unless the context clearly requires otherwise.

1178 A. "Applicant" means a property owner or a public agency or public or private
1179 utility that owns a ~~((right-of-way))~~ right of way or other easement or has been adjudicated
1180 the right to such an easement in accordance with RCW 8.12.090, or any person or entity
1181 designated or named in writing by the property or easement owner to be the applicant, in
1182 an application for a development proposal, permit, or approval.

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1183 B. "Bench" means a relatively level step excavated or constructed on the face of a
1184 graded slope surface for drainage and maintenance purposes.

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1185 C. "Civil engineer" means an engineer who is licensed as a professional engineer
1186 in the branch of civil engineering by the state of Washington.

1187 D. "Clearing and grading permit" means the permit required by this chapter for
1188 grading and clearing activities, including temporary permits.

1189 E. "Clearing" means the cutting, killing, grubbing, or removing of vegetation or
1190 other organic material by physical, mechanical, chemical, or any other similar means.

1191 ~~((E-))~~ F. "Compaction" means the densification of a fill by mechanical means.

1192 ~~((F-))~~ G. "Cutting" means the severing of the main trunk or stem of woody
1193 vegetation at any point.

1194 ~~((G-))~~ H. "Department" means the department of local services or its successor.

1195 ~~((H-))~~ I. "Director" means the department of local services permitting division
1196 manager or designee.

1197 ~~((I-))~~ J. "Earth material" means any rock~~((s))~~ or natural soil, or any combination
1198 thereof.

1199 ~~((J-))~~ K. "Erosion" means the wearing away of the ground surface as the result of
1200 the movement of wind, water, or ice.

1201 ~~((K-))~~ L. "Excavation" means the removal of earth material.

1202 ~~((L-))~~ M. "Fill" means a deposit of earth material or recycled or reprocessed
1203 waste material consisting primarily of organic or earthen materials, or any combination
1204 thereof, placed by mechanical means.

1205 ~~((M-))~~ N. "Geotechnical engineer" means an engineer who is licensed as a
1206 professional engineer by the state of Washington and who has at least four years of
1207 relevant professional employment.

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1208 ~~((N.))~~ O.1. "Grade" means the elevation of the ground surface.

1209 ~~((1.))~~ 2. "Existing grade" means the grade before grading.

1210 ~~((2.))~~ 3. "Finish grade" means the final grade of the site that conforms to the

1211 approved plan as required in K.C.C. 16.82.060.

1212 ~~((3.))~~ 4. "Rough grade" means the stage at which the grade approximately

1213 conforms to the approved plan as required in K.C.C. 16.82.060.

1214 ~~((O.))~~ P. "Grading" means any excavating, filling, or land-disturbing activity, or

1215 combination thereof.

1216 ~~((P. "Grading and clearing permit" means the permit required by this chapter for~~

1217 ~~grading and clearing activities, including temporary permits.))~~

1218 Q. "Habitable space" means a space in a building for living, sleeping, eating, or

1219 cooking. Bathrooms, toilet rooms, closets, halls, storage, or utility spaces, and similar

1220 areas are not "habitable spaces."

1221 R. "Land disturbing activity" means an activity that results in a change in the

1222 existing soil cover, both vegetative and nonvegetative, or to the existing soil topography.

1223 ~~((R.))~~ S. "Pruning" means cutting or removal of branches and leaving at least

1224 two-thirds of the existing tree branch structure.

1225 T. "Reclamation" means the final grading and restoration of a site to establish the

1226 vegetative cover, soil surface water, and groundwater conditions appropriate to

1227 accommodate and sustain all ~~((permitted))~~ allowed uses of the proposed zone appropriate

1228 for the site.

1229 ~~((S.))~~ U. "Shorelines" means those lands defined as shorelines in the state

1230 Shoreline(s) Management Act of 1971, chapter 90.58 RCW.

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1231 ~~((F-))~~ V. "Site" means a single lot or parcel of land two or more contiguous lots
1232 that are under common ownership or documented legal control, used as a single parcel
1233 for a development proposal in order to calculate compliance with the standards and
1234 regulations of this chapter. For purposes of this definition:

1235 1. "Documented legal control" includes fee simple or leasehold rights, or an
1236 easement, or any combination thereof, that allows uses associated with the overall
1237 development proposal; and

1238 2. Lots that are separated only by a public road ~~((right-of-way))~~ right of way
1239 shall be considered to be contiguous.

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1240 ~~((U-))~~ W. "Slope" means inclined ground surface, the inclination of which is
1241 expressed as a ratio of horizontal distance to vertical distance.

1242 ~~((V-))~~ X. "Structural engineer" means an engineer who is licensed as a
1243 professional engineer in the branch of structural engineering by the state of Washington.

1244 ~~((W-))~~ Y. "Structure" means that which is built or constructed, an edifice or
1245 building of any kind, or any piece of work artificially built up or composed of parts
1246 jointed together in some definite manner.

1247 ~~((X-))~~ Z. "Tree" means a large woody perennial plant usually with a single main
1248 stem or trunk and generally over twelve feet tall at maturity.

1249 ~~((Y-))~~ AA. "Tree crown" means the primary and secondary branches growing out
1250 from the main stem, together with twigs and foliage.

1251 BB. "Understory" means the vegetation layer of a forest that includes shrubs,
1252 herbs, grasses, and grass-like plants, but excludes native trees.

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1253 ~~((Z))~~ CC. "Vegetation" means any organic plant life growing at, below, or above
1254 the soil surface.

1255 DD. "Wildfire risk assessment certification" means completion of a National Fire
1256 Protection Association Assessing Structure Ignition Potential training, a National Fire
1257 Protection Association Certified Wildfire Mitigation Specialist certification program, or a
1258 National Wildfire Coordinating Group S-215 training on Fire Operations in the Wildland
1259 Urban Interface.

1260 SECTION 1727. Ordinance 15053, Section 3, as amended, and K.C.C. 16.82.051
1261 are hereby amended to read as follows:

1262 A. For the purposes of this section, the definitions in K.C.C. chapter 21A.06
1263 apply to the activities described in this section, if the terms are not defined in K.C.C.
1264 16.82.020.

1265 B. The ~~((following))~~ activities in subsection D. of this section are ~~((excepted))~~
1266 exempted from the requirement of obtaining a clearing or grading permit before
1267 undertaking forest practices or clearing or grading activities, as long as those activities
1268 conducted in critical areas are in compliance with the standards in this chapter and in
1269 K.C.C. chapter 21A.24. Activities not requiring a clearing and grading permit may
1270 require other permits, including, but not limited to, a floodplain development permit.

1271 C. Clearing and grading permit requirement exemptions shall be interpreted as
1272 follows:

1273 1. The use of "NP" in a cell means that no clearing or grading permit is required
1274 if the listed conditions are met;

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1275 2. A number in a cell means the numbered condition in subsection E. of this
1276 section applies, and:

1277 a. where a series of numbers separated by commas are in a cell, each of the
1278 numbered conditions for that activity applies; and

1279 b. if more than one letter-number combination appears in a cell, at least one
1280 letter-number combinations shall be met for a given exemption to apply;

1281 3. In cases where an activity may be included in more than one activity
1282 category, the most-specific description of the activity shall govern whether a permit is
1283 required((-);

1284 4. For activities involving more than one critical area, compliance with the
1285 conditions applicable to each critical area is required((-); and

1286 5. Clearing and grading permits are required when a cell in this table is empty
1287 and for activities not listed on the table. ((Activities not requiring a clearing and grading
1288 permit may require other permits, including, but not limited to, a floodplain development
1289 permit.))

1290 D. Clearing and grading permit requirement exemptions.

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(("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.) "Wildlife area and network" column applies to both Wildlife Habitat Conservation Area and Wildlife Habitat Network	Out of Critical Area ((Land)) and Buffer	Coal Mine Hazard	Erosion Hazard	Flood Hazard	Channel Migration	Landslide Hazard and Buffer	Seismic Hazard	Volcanic Hazard	Steep Slope Hazard and Buffer	Critical Aquifer Recharge Area	Wetland Buffer	Aquatic Area Buffer	Wildlife Area and Buffer
ACTIVITY													
Grading and Clearing													
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

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Emergency tree removal	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
		6	6	6	6	6	6	6	6	6	6	6	6
Hazard tree removal	NP	NP	NP	NP			NP	NP		NP			
	25	25	25	25			25	25		25			
Removal of noxious weeds	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Removal of invasive vegetation	NP	NP	NP	NP	NP		NP	NP		NP	NP	NP	NP
	7	7	7	7	7		7	7		7	8	8	8
Forest management activity	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
	9	9	9	9	9	9	9	9	9	9	9	9	9
Emergency action	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
	10	10	10	10	10	10	10	10	10	10	10	10	10
Roads													
Grading within the roadway	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP			NP
	11	11	11	11	11	11	11	11	11	11			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

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Maintenance of farm field access drive	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17
Utilities													
Construction or maintenance of utility corridors or facility within the ((right-of-way)) <u>right of way</u>	NP 18	NP 19	NP 19	NP 19	NP 19	NP 19	NP 19	NP 19	NP 19	NP 19	NP 18	NP 19	NP 19
Construction or maintenance of utility corridors or facility outside of the ((right-of-way)) <u>right of way</u>	NP 1, 2, 3 <u>NP</u> <u>27</u> <u>NP</u> <u>28</u>		NP 1, 2, 3				NP 1, 2, 3	NP 1, 2, 3		NP 1, 2, 3			
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

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Maintenance or repair of existing instream structure	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
											11	11	
Recreation areas													
Maintenance of outdoor public park facility, trail, or publicly improved recreation area	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
Habitat and science projects													
Habitat restoration or enhancement project	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
		21	21	21	21	21	21	21	21		21	21	21
Drilling and testing for critical areas report	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
	1, 2	1, 2	1, 2	22	22	22	1, 2	1, 2	22	1, 2	22	22	22
Agriculture													
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

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

1291 ((€-)) E. The following conditions apply:

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1292 1. Excavation less than five feet in vertical depth, or fill less than three feet in
1293 vertical depth that, cumulatively ~~((over time))~~ on a single site since January 1, 2005, does
1294 not involve more than one hundred cubic yards on a single site.

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1295 2. Grading that produces less than two thousand square feet of new impervious
1296 surface on a single site added after January 1, 2005, or that produces less than two
1297 thousand square feet of replaced impervious surface or less than two thousand square feet
1298 of new plus replaced impervious surface after October 30, 2008. For purposes of this
1299 subsection ~~((C-))~~E.2., "new impervious surface" and "replaced impervious surface" are
1300 defined in K.C.C. 9.04.020.

1301 3. Cumulative clearing of less than seven thousand square feet on a single site
1302 since January 1, 2005, including, but not limited to, collection of firewood and removal
1303 of vegetation for fire safety. This exception shall not apply to development proposals:

- 1304 a. regulated as a Class IV forest practice under chapter 76.09 RCW;
- 1305 b. in a critical drainage areas established by administrative rules;
- 1306 c. subject to clearing limits included in property-specific development
1307 standards and special district overlays under K.C.C. chapter 21A.38; or
- 1308 d. subject to urban growth area significant tree retention standards under
1309 K.C.C. 16.82.156 and K.C.C. Title 21A~~((38.230))~~.

1310 4. Cutting firewood for personal use in accordance with a forest management
1311 plan or rural stewardship plan approved under K.C.C. Title 21A. For the purpose of this
1312 condition, personal use shall not include the sale or other commercial use of the firewood.

1313 5. Limited to material at any solid waste facility operated by King County.

1314 6. Allowed to prevent imminent danger to persons or structures.

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1315 7. Cumulative clearing of less than seven thousand square feet annually or
1316 conducted in accordance with an approved farm management plan, forest management
1317 plan, or rural stewardship plan.

1318 8. Cumulative clearing on a single site since January 1, 2005, of less than seven
1319 thousand square feet and either:

1320 a. conducted in accordance with a farm management plan, forest management
1321 plan, or a rural stewardship plan; or

1322 b. limited to removal with hand labor.

1323 9. When ~~(conducted)~~ conducted as a Class I, II, III or IV-S forest practice as
1324 defined in chapter 76.09 RCW and Title 222 WAC.

1325 10. If done in compliance with K.C.C. 16.82.065.

1326 11. Only when conducted by or at the direction of a government agency in
1327 accordance with the regional road maintenance guidelines and K.C.C. 9.04.050, creates
1328 less than two thousand square feet of new impervious surface on a single site added after
1329 January 1, 2005, and is not within or does not directly discharge to an aquatic area or

1330 wetland. For purposes of this subsection ~~((C))~~ E.11., "new impervious surface" is
1331 defined in K.C.C. 9.04.020.

1332 12. Limited to clearing conducted by or at the direction of a government agency
1333 or by a private utility that does not involve:

1334 a. slope stabilization or vegetation removal on slopes; or

1335 b. ditches that are used by salmonids.

1336 13. In conjunction with normal and routine maintenance activities, if:

1337 a. there is no alteration of a ditch or aquatic area that is used by salmonids:

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1338 b. the structure, condition₂ or site maintained was constructed or created in
1339 accordance with law; and

1340 c. the maintenance does not expand the roadway, lawn, landscaping, ditch,
1341 culvert₂ or other improved area being maintained.

1342 14. If a culvert is used by salmonids or conveys water used by salmonids and
1343 there is no adopted farm management plan, the maintenance is limited to removal of
1344 sediment and debris from the culvert and its inlet, invert₂ and outlet and the stabilization
1345 of the area within three feet of the culvert where the maintenance disturbed or damaged
1346 the bank or bed and does not involve the excavation of a new sediment trap adjacent to
1347 the inlet.

1348 15. If used by salmonids, only in compliance with an adopted farm plan in
1349 accordance with K.C.C. Title 21A and only if the maintenance activity is inspected by:

- 1350 a. The King Conservation District;
- 1351 b. King County department of natural resources and parks;
- 1352 c. King County department of local services, permitting division; or
- 1353 d. Washington state Department of Fish and Wildlife.

1354 16. Only if consistent with an adopted farm plan in accordance with K.C.C.
1355 Title 21A.

1356 17. Only if consistent with a farm plan.

1357 18. In accordance with a ((franchise)) right-of-way construction permit.

1358 19. Only within the roadway in accordance with a ((franchise)) right-of-way
1359 construction permit.

1360 20. When:

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- 1361 a. conducted by a public agency;
- 1362 b. the height of the facility is not increased;
- 1363 c. the linear length of the facility is not increased;
- 1364 d. the footprint of the facility is not expanded waterward;
- 1365 e. done in accordance with the Regional Road Maintenance Guidelines;
- 1366 f. done in accordance with the adopted King County Flood Hazard
- 1367 Management Plan and the Integrated Streambank Protection Guidelines (Washington
- 1368 State Aquatic Habitat Guidelines Program, 2002); and
- 1369 ~~(f)~~g. monitoring is conducted for three years following maintenance or repair
- 1370 and an annual report is submitted to the department.
- 1371 21. Only if:
- 1372 a. the activity is not part of a mitigation plan associated with another
- 1373 development proposal or is not corrective action associated with a violation; and
- 1374 b. the activity is sponsored or ~~((co-sponsored))~~ cosponsored by a ~~((public))~~
- 1375 government agency that has natural resource management as its primary function ~~((or a~~
- 1376 ~~federally recognized tribe,))~~ and the activity is limited to:
- 1377 (1) revegetation of the critical area and its buffer with native vegetation or the
- 1378 removal of noxious weeds or invasive vegetation;
- 1379 (2) placement of weirs, log controls, spawning gravel, woody debris, and
- 1380 other specific salmonid habitat improvements;
- 1381 (3) hand labor except:

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1382 (a) the use of riding mower or light mechanical cultivating equipment and
1383 herbicides or biological control methods when prescribed by the King County noxious
1384 weed control board for the removal of noxious weeds or invasive vegetation; or

1385 (b) the use of helicopters or cranes if they have no contact with or otherwise
1386 disturb the critical area or its buffer.

1387 22. If done with hand equipment and does not involve any clearing.

1388 23. Limited to ~~((removal of vegetation for forest fire prevention purposes in
1389 accordance with best management practices approved by the King County fire marshal))~~
1390 tree and vegetation clearing for the purposes of wildfire preparedness, except tree and
1391 vegetation clearing subject to K.C.C. 16.82.156 or K.C.C. Title 21A or otherwise
1392 requiring a permit, including, but not limited to, alterations within critical areas, as
1393 follows:

1394 a. Within thirty feet of a residential structure containing habitable space, the
1395 following is allowed:

1396 (1) vegetation removal:

1397 (a) within fifteen feet of the furthest attached exterior point of a residential
1398 structure containing habitable space or a deck;

1399 (b) within ten feet of an installed above ground propane or liquefied
1400 petroleum gas tank; and

1401 (c) underneath a tree crown to provide up to ten feet of clearance from the
1402 ground to remove ladder fuels; and

1403 (2) removal and pruning of trees to provide:

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- 1404 (a) ten feet of clearance from the ground to remove ladder fuels, as long as
1405 pruning does not exceed one-third of tree height;
- 1406 (b) fifteen feet of clearance over driveways for emergency vehicle access;
1407 (c) eighteen feet between tree crowns; and
1408 (d) ten feet between tree crowns and decks, chimneys, propane tanks,
1409 liquefied petroleum gas tanks, overhead communication cables, overhead electrical wires,
1410 or other structures; and
- 1411 b. All activities in subsection E.23.a. of this section are also allowed up to one
1412 hundred feet from a residential structure containing habitable space if such clearing is
1413 advised in a wildfire risk assessment conducted by a professional holding a wildfire risk
1414 assessment certification, or the activity is advised in a forest stewardship plan approved
1415 by the department of natural resources and parks that includes best management practices
1416 to reduce wildfire risk, except as follows:
- 1417 (1) removal and pruning of trees to provide clearance between tree crowns is
1418 limited to providing:
- 1419 (a) twelve feet between tree crowns, when more than thirty feet and up to
1420 sixty feet of a residential structure containing habitable space; and
- 1421 (b) six feet between tree crowns, when more than sixty feet and up to one
1422 hundred feet of a residential structure containing habitable space.
- 1423 24. Limited to the removal of downed trees.
- 1424 25. Except on properties that are:
- 1425 a. subject to clearing limits included in property-specific development
1426 standards and special district overlays under K.C.C. chapter 21A.38; or

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1427 b. subject to urban growth area significant tree retention standards under
1428 K.C.C. 16.82.156.

1429 26. Only if allowed under K.C.C. 21A.24.045.D.69. and if the maintenance
1430 activity is inspected by the:

1431 a. King Conservation District;

1432 b. department of natural resources and parks;

1433 c. department of local services, permitting division; or

1434 d. Washington state Department of Fish and Wildlife.

1435 27. Pruning of trees to provide up to ten feet of clearance from overhead
1436 communication cables and electrical wire components of utility facilities, if:

1437 a. no debris is left following the pruning activity;

1438 b. authorized by a right-of-way construction permit;

1439 c. pruning activities around overhead electrical facilities do not extend fifteen
1440 feet beyond the right-of-way; and

1441 d. any work is approved by the property owner.

1442 28. Tree and vegetation clearing, except for overhead facilities in subsection
1443 E.27. of this section, and except for tree and vegetation clearing subject to K.C.C.

1444 16.82.156 or K.C.C. Title 21A or otherwise requiring a permit, as follows:

1445 a. Up to thirty feet measured horizontally from the utility facility structure, the
1446 following is allowed:

1447 (1) vegetation removal:

1448 (a) within fifteen feet of the furthest attached exterior point of a structure;

1449 and

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1450 (b) underneath a tree crown to provide up to ten feet of clearance from the
1451 ground to remove ladder fuels;
1452 (2) removal and pruning of trees to provide:
1453 (a) ten feet of clearance from the ground to remove ladder fuels, as long as
1454 pruning does not exceed one-third of tree height;
1455 (b) fifteen feet of clearance over driveways for emergency vehicle access;
1456 (c) eighteen feet between tree crowns; and
1457 (d) ten feet between tree crowns and structures; and
1458 (3) the screening function of any landscaping planted to provide screening in
1459 K.C.C. chapter 21A.16 is maintained; and
1460 b. All of the activities in subsection E.28.a. of this section are also allowed up
1461 to one hundred feet measured horizontally from the utility facility structure if such
1462 clearing activity is advised in a wildfire risk assessment conducted by a professional
1463 holding a wildfire risk assessment certification, or the activity is advised in a forest
1464 stewardship plan approved by the department of natural resources and parks and that
1465 includes best management practices to reduce wildfire risks, except that removal and
1466 pruning of trees to provide clearance between tree crowns is limited to providing:
1467 (1) twelve feet between tree crowns, when more than thirty feet and up to
1468 sixty feet measured horizontally from a utility facility structure; and
1469 (2) six feet between tree crowns, when more than sixty feet and up to one
1470 hundred feet measured horizontally from a utility facility structure.
1471 SECTION 1828. Ordinance 1488, Section 7, as amended, and K.C.C. 16.82.060
1472 are hereby amended to read as follows:

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1473 A. To obtain a permit, the applicant shall first file an application in writing on a
1474 form prescribed by the department that, in addition to the requirements of K.C.C.
1475 20.20.040, shall include, at a minimum:

1476 1. Identification and description of the work to be covered by the permit for
1477 which application is made;

1478 2. An estimate of the quantities of work involved by volume and the total area
1479 cleared or graded as a percentage of the total site area;

1480 3. An identification and description of:

1481 a. all critical areas on the site or visible from the boundaries of the site; and

1482 b. ~~((all clearing restrictions applicable to the site in K.C.C. 16.82.150,))~~ critical

1483 drainage areas requirements established by administrative rules or property-specific

1484 development standards and special district overlays under K.C.C. chapter 21A.38;

1485 4. Location of any open space tracts or conservation easements if required
1486 under:

1487 a. ~~((K.C.C. 16.82.152;~~

1488 ~~b.))~~ K.C.C. chapter 21A.14;

1489 ~~((e.))~~ b. K.C.C. chapter 21A.37;

1490 ~~((d.))~~ c. critical drainage areas; or

1491 ~~((e.))~~ d. property-specific development standards or special district overlays

1492 under K.C.C. chapter 21A.38;

1493 5. Plans and specifications that, at a minimum, include:

1494 a. property boundaries, easements, and setbacks;

1495 b. a 1:2000 scale vicinity map with a north arrow;

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- 1496 c. horizontal and vertical scale;
- 1497 d. size and location of existing improvements on and within fifty feet of the
- 1498 project, indicating which will remain and which will be removed;
- 1499 e. location of all proposed cleared areas;
- 1500 f. existing and proposed contours at maximum five foot intervals, and
- 1501 extending for one hundred feet beyond the project edge;
- 1502 g. at least two cross sections, one in each direction, showing existing and
- 1503 proposed contours and horizontal and vertical scales; and
- 1504 h. a proposed erosion and sediment control plan as required by K.C.C.
- 1505 16.82.095.
- 1506 B. Materials in addition to those required in subsection A. of this section may be
- 1507 necessary for the department to complete the review. The following materials shall be
- 1508 submitted when required by the department~~((16.82.110))~~; Formatted: Strikethrough
- 1509 1. Higher accuracy contours and more details of existing terrain and area
- 1510 drainage, limiting dimensions, elevations or finished contours to be achieved by the
- 1511 grading, and proposed drainage channels and related construction;
- 1512 2. If applicable, all drainage plans and documentation consistent with King
- 1513 County Surface Water Design Manual;
- 1514 3. Restoration plan if required under K.C.C. ~~((16.82.110))~~ 21A.22.081; and
- 1515 4. Studies prepared by qualified specialists, as necessary to substantiate any
- 1516 submitted materials and compliance with this chapter or other law, particularly if clearing
- 1517 or grading is proposed to take place in or adjacent to a critical area.

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1518 C. Plans and specifications shall be prepared and signed by a civil engineer if
1519 they are prepared in conjunction with the proposed construction or placement of a
1520 structure, include permanent drainage facilities or, if required by the department, propose
1521 alterations in steep slope or landslide hazard areas.

1522 D. The department shall determine the number of copies of the required plans,
1523 specifications, and supporting materials necessary to expedite review and may require
1524 submittal of materials in alternative formats.

1525 E. The director may waive specific submittal requirements if they are determined
1526 to be unnecessary for the acceptance and subsequent review of an application.

1527 F. Any plans, specifications, or supporting materials that are returned as a result
1528 of permit denial or any other reason shall be returned to the applicant.

1529 SECTION 1929. Ordinance 12560, Section 148, as amended, and K.C.C.
1530 17.04.200 are hereby amended to read as follows:

1531 Section 104.1 of the International Fire Code is not adopted and the following is
1532 substituted:

1533 **General (IFC 104.1).** The fire marshal is authorized to render interpretations of
1534 this code and make and enforce such rules and regulations, in accordance with K.C.C.
1535 chapters 2.98 and 2.100, for the prevention and control of fires and fire hazards as
1536 necessary to execute the application and the intent of this code, including but not limited
1537 to:

1538 1. Procedures to ensure that building permits for structures shall conform to the
1539 requirements of this code.

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1540 2. Procedures to ensure that applicable standards of this code shall be reviewed as
1541 part of the subdivision, short subdivision, (~~urban planned development~~) rezone,
1542 conditional use, special use, site development permit, binding site plan, and building
1543 permit processes.

1544 3. Procedures to assure that the standard known as NFPA 13R shall be applied as
1545 a minimum standard to all R occupancies.

1546 4. Procedures to allow for relaxation of the hydrant spacing requirements by as
1547 much as 50 percent, except when such allowances would unreasonably reduce fire
1548 protection to the area or structures served.

1549 SECTION 2030. Ordinance 12560, Section 149, as amended, and K.C.C.

1550 17.04.280 are hereby amended to read as follows:

1551 Section 104 of the International Fire Code is supplemented with the following:

1552 Notice to fire districts (IFC 104.12).

1553 A. (~~Prior to~~) Before submitting an application for a commercial building permit,
1554 site development permit, binding site plan, a preliminary subdivision or short subdivision
1555 approval, final subdivision or short subdivision, (~~urban planned development~~) zoning
1556 reclassification, conditional use, and special use permits to the department:

1557 1. the applicant shall submit a copy of the application to the fire district
1558 providing fire protection services to the proposed development;

1559 2. subdivisions and short subdivisions applied for and/or recorded before
1560 February 1, 1989, shall be submitted once to the applicable fire district for review at the
1561 time of the first building permit by the applicant for that building permit;

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1562 3. it shall be the responsibility of the fire district to issue a receipt to the
1563 applicant the same day it receives a copy of a permit application. The receipt shall
1564 constitute proof to the director of the notification;

1565 4. the applicant shall include the fire district receipt with the permit application
1566 to the department;

1567 5. it shall be the responsibility of the fire district to notify the fire marshal of any
1568 comments within seven days of the receipt of an applied for permit.

1569 SECTION 21931. Ordinance 16147, Section 2, as amended, and K.C.C.
1570 18.17.010 are hereby amended to read as follows:

1571 The definitions in this section apply throughout this chapter unless the context
1572 clearly requires otherwise.

1573 A. "Alternative green building rating system" means a third-party green building
1574 certification other than LEED or the King County Sustainable Infrastructure Scorecard.
1575 The following are accepted alternative green building rating systems, but the executive
1576 may also accept certification through other rating systems as appropriate:

- 1577 1. Built Green Four-Star, Built Green Five-Star, or Built Green Emerald Star, or
1578 any combination thereof;
- 1579 2. Envision;
- 1580 3. Evergreen Sustainable Development Standard;
- 1581 4. Fitwel;
- 1582 5. Greenroads;
- 1583 6. Living Building Challenge;
- 1584 7. Passive House;

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1585 8. Salmon Safe;

1586 9. SITES; and

1587 10. WELL.

1588 B. "Built Green Four-Star," "Built Green Five-Star," and "Built Green Emerald

1589 Star" mean a third-party residential green building certification ~~()~~ developed, and

1590 administered by the Master Builders Association of King and Snohomish Counties.

1591 C. "Capital project" means capital project as defined in K.C.C. 4A.10.100.

1592 D. "Energy Star" means the energy certification rating system developed by the

1593 United States Environmental Protection Agency that focuses on energy efficiency.

1594 E. "Envision" means a voluntary sustainable infrastructure rating system

1595 administered by the Institute for Sustainable Infrastructure and developed by the Harvard

1596 University Graduate School of Design, American Public Works Association, American

1597 Society of Civil Engineers, and the American Council of Engineering Companies for

1598 assessing sustainability and resilience in infrastructure.

1599 F. "Equity" means equity as defined in K.C.C. 2.10.210.

1600 G. "Equity and social justice credits" means credits awarded through the

1601 Sustainable Infrastructure Scorecard for actions that identify and account for equity and

1602 social justice practices and outcomes throughout the capital project development

1603 lifecycle. The credits recognize project team efforts to advance process, distributional

1604 and cross-generational equity.

1605 H. "Evergreen Sustainable Development Standard" means a sustainable building

1606 program for affordable housing projects that receive housing trust funds, administered by

1607 the Washington state Department of Commerce according to RCW 39.35D.080.

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1608 I. "Facility" means all or any portion of buildings, structures, infrastructure, sites,
1609 complexes, equipment, utilities, and conveyance lines.

1610 J. "Fitwel" means a third-party green building rating system administered by the
1611 Center for Active Design that provides a standard that supports health-promoting
1612 strategies in the built environment.

1613 K. "Green building team" means a group that includes representatives from
1614 county agencies with capital project or building management staff including, but not
1615 limited to, the Metro transit department, the department of natural resources and parks,
1616 the department of executive services, the department of local services, permitting and
1617 road services divisions, ~~((the department of)) public health – Seattle & King County, the~~
1618 historic preservation program, and the department of community and human services.

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1619 The members represent staff with expertise in project management, construction
1620 management, architecture, landscape architecture, environmental planning, design,
1621 engineering, historic preservation and resource conservation, public health, building
1622 energy systems, building management, budget analysis, equity and racial and social
1623 justice, procurement, and other skills as needed. The green building team provides
1624 assistance and helps to disseminate information to project managers in all county
1625 agencies.

1626 L. "Greenroads" means the third-party green building rating system administered
1627 by the Greenroads International nonprofit organization to measure and manage
1628 sustainability on transportation projects.

1629 M. "GreenTools program" means the support team located within the solid waste
1630 division of the department of natural resources and parks that provides green building

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1631 technical assistance to county divisions, cities, and the general public within the county.

1632 N. "Integrative process" means an approach to project design that seeks to
1633 achieve high performance on a wide variety of well-defined environmental and social
1634 goals while staying within budgetary and scheduling constraints. It relies on a
1635 multidisciplinary and collaborative team whose members make decisions together based
1636 on a shared vision and a holistic understanding of the project. It is an iterative process
1637 that follows the design through the entire project life, from predesign through operation.

1638 O. "Leadership in Energy and Environmental Design" or "LEED" means a
1639 voluntary, consensus-based national standard for developing high-performance,
1640 sustainable buildings, created by the United States Green Building Council.

1641 P. "LEED-eligible building" means any new construction or major remodel or
1642 renovation capital project with one thousand gross square feet or more of new,
1643 remodeled, or renovated floor area that is occupied or conditioned and that meets the
1644 minimum program requirements for LEED certifications.

1645 Q. "Living Building Challenge" means a voluntary green building rating system
1646 administered by the International Living Future Institute. The certification options are
1647 Full Living, Petal, CORE, Zero Energy, and Zero Carbon.

1648 R. "Major remodel or renovation" means work that demolishes space down to the
1649 shell structure and rebuilds it with new interior walls, ceilings, floor coverings, and
1650 systems, when the work affects more than twenty-five percent of a building's square
1651 footage and the affected space is one thousand square feet or larger.

1652 S. "Minor remodel or renovation" means any type of remodel or renovation that
1653 does not qualify as a major remodel or renovation.

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- 1654 T. "New construction" means a new building or structure.
- 1655 U. "Passive House" means a voluntary passive building energy standard
1656 certification program through either the PHIUS+ certification administered by Passive
1657 House Institute United States or the Passive House certification administered by Passive
1658 House Institute.
- 1659 V. "Regional code collaboration" means interested jurisdictions across the Puget
1660 Sound region working together to develop building, energy, fire, residential, plumbing,
1661 mechanical, and zoning codes supporting the advancement of green building practices.
- 1662 W. "Retrocommissioning" means a detailed, systematic process for investigating
1663 an existing building's operations and identifying ways to improve performance. The
1664 primary focus is to identify operational improvements to obtain comfort and energy
1665 savings.
- 1666 X. "Salmon Safe" means a voluntary peer-reviewed certification program, linking
1667 site development land management practices with the protection of agricultural and urban
1668 watersheds, founded by the Stewardship Partners.
- 1669 Y. "SITES" means a voluntary sustainability-focused framework program
1670 administered by the Sustainable SITES Initiative and developed by the American Society
1671 of Landscape Architects, the Lady Bird Johnson Wildflower Center, and the United
1672 States Botanical Garden.
- 1673 Z. "Social cost of carbon" means social cost of carbon as defined in K.C.C.
1674 18.20.015.
- 1675 AA. "Social justice" means social justice as defined in K.C.C. 2.10.210.
- 1676 ~~((AA-))~~ BB. "Strategic Climate Action Plan" means the King County Strategic

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1677 Climate Action Plan adopted by Motion 15866, or any subsequent Strategic Climate
1678 Action Plan developed under K.C.C. chapter 18.25 and adopted by the council.

1679 ~~((BB-))~~ CC. "Sustainable development practices" are also known as green
1680 building and means whole system approaches to the design, construction, and operation
1681 of buildings and infrastructure that help to mitigate the negative environmental,
1682 economic, health, and social impacts of construction, demolition, operation, and
1683 renovation while maximizing the facilities' positive fiscal, environmental, health, and
1684 functional contribution. Sustainable development practices recognize the relationship
1685 between natural and built environments and seek to minimize the use of energy, water,
1686 and other natural resources while providing maximum benefits and contribution to
1687 service levels to the system and the connecting infrastructures.

1688 ~~((CC-))~~ DD. "Sustainable Infrastructure Scorecard" means a green building and
1689 sustainable development rating system developed by the green building team for capital
1690 projects that are not eligible for the LEED rating system.

1691 ~~((DD-))~~ EE. "Transit-oriented development" means a capital project on King
1692 County-owned property that includes the development of housing, commercial space,
1693 services, or job opportunities in direct proximity to frequent public transportation and that
1694 is wholly or partially planned or wholly or partially financed by the Metro transit
1695 department.

1696 ~~((EE-))~~ FF. "WELL" means a third-party green building rating system
1697 administered by the International WELL Building Institute's collaboration with Green
1698 Business Certification, Inc.

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1699 SECTION ~~22032~~. Ordinance 19402, Section 8, and K.C.C. 18.17.050 are hereby
1700 amended to read as follows:

1701 A. Capital projects shall be subject to the following applicable green building
1702 standards and corresponding requirements; capital projects shall register with the
1703 applicable third-party rating system and achieve the appropriate certification. Small,
1704 related capital projects that are part of a program may be certified as a program rather
1705 than at the individual-project level:

1706 1. Affordable housing capital projects subject to RCW 39.35D.080 that receive
1707 moneys from the King County ~~((D))~~department of ~~((C))~~community and ~~((H))~~human
1708 ~~((S))~~services or that are part of transit-oriented development shall achieve either
1709 Evergreen Sustainable Development Standard requirements or the highest rating in an
1710 applicable alternative green building rating system certification, or both;

1711 2. Buildings owned or lease-to-own by King County, excluding those to which
1712 subsection A.1. of this section applies, shall achieve certification levels as follows:

1713 a. New construction of a LEED-eligible building shall achieve either LEED
1714 platinum certification or the Living Building Challenge certification, or both; and

1715 b. A major remodel or renovation of a LEED-eligible building shall achieve
1716 either LEED gold certification or the Living Building Challenge certification, or both;
1717 and

1718 3. Capital projects owned or lease-to-own by King County that are not subject
1719 to subsection A.1. or 2. of this section shall either achieve a platinum rating according to
1720 a King County or division-specific Sustainable Infrastructure Scorecard or achieve the
1721 highest certification through an applicable alternative green building rating system, or

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1722 both.

1723 B. All capital projects to which subsection A. of this section applies:

1724 1. Shall meet King County Surface Water Design Manual requirements,
1725 regardless of jurisdiction location. If a project is located in a jurisdiction where the
1726 surface water design manual standards and requirements are different than King
1727 County's, the project shall implement the more stringent requirement;

1728 2. Shall achieve a minimum diversion rate of eighty percent for construction and
1729 demolition materials, achieve an eighty-five percent diversion rate beginning in 2025 and
1730 shall achieve zero waste of resources with economic value beginning in 2030;

1731 3. Shall achieve applicable King County equity and social justice credits for
1732 capital projects regardless of the rating system used; ~~(and)~~

1733 4. Should use the practice of integrative process to maximize green building,
1734 sustainable development, community benefit, and financial investment opportunities over
1735 the life of the asset; and

1736 5. Should use the social cost of carbon in life-cycle assessments and decision
1737 making related to facility construction and resource efficiency projects.

1738 C.1. For leases by a King County agency for King County operations at non-
1739 King-County-owned facilities, the agency shall seek to incorporate the latest green
1740 building and sustainable development practices in the county-occupied space.

1741 2. For new leases of King County-employee-occupied-space of longer than five
1742 years, including lease-to-own projects, King County shall lease buildings that are
1743 certified through the LEED rating system at silver level or higher, are Energy Star
1744 Certified, or are certified through an alternative green building rating system, but only

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1745 when those ratings are consistent with the operational needs of the function. Buildings
1746 that do not meet these standards can be leased by the county if plans and financing are in
1747 place at the time of signing that will enable the building to meet this standard within
1748 twenty-four months of lease signing.

1749 D. As part of the county's green building program, the county shall preserve and
1750 restore the historic landmarks and properties eligible for landmark designation that are
1751 owned by the county, except in cases where a certificate of appropriateness is granted by
1752 the King County landmarks commission.

1753 SECTION 2.133. Ordinance 17270, Section 2, as amended, and K.C.C. 18.25.010
1754 are hereby amended to read as follows:

1755 A.1. ~~((The county developed a strategic climate action plan in 2012 to establish~~
1756 ~~long-term targets and guide actions within county services and operations to reduce~~
1757 ~~greenhouse gas emissions and adapt to a changing climate. In accordance with this~~
1758 ~~chapter, the executive updates the strategic climate action plan.)) In order to guide the
1759 county's climate-related objectives and strategies, the executive shall develop an updated
1760 strategic climate action plan at least every five years. Each update to the strategic climate
1761 action plan shall be developed with an environmental justice framework in partnership
1762 with those communities disproportionately impacted by climate change and in a manner
1763 consistent with ~~((Ordinance 16948, which establishes the county's fair and just principle))~~
1764 K.C.C. 2.10.200 through 2.10.230. The strategic climate action plan shall include the
1765 following:~~

1766 a. the identification of specific goals, strategies, measures, targets, and priority
1767 actions for county services and operations to reduce emissions consistent with the

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1768 countywide goal of reducing greenhouse gas emissions ((twenty-five percent by 2020,))
1769 fifty percent by 2030, seventy-five percent by 2040, and ((eighty)) ninety-five percent,
1770 ~~including net-zero emissions through carbon sequestration and other strategies~~, by 2050,
1771 with net-zero emissions through carbon sequestration and other strategies by that year,
1772 compared to a 2007 baseline. The strategic climate action plan should address five goal
1773 areas for reducing greenhouse gas emissions: transportation and land use; building and
1774 facilities energy; green building; consumption and materials management, including the
1775 environmental purchasing program; and forestry and agriculture. Each goal area shall
1776 address environmental justice and ensure that the strategies promote an equitable
1777 distribution of any environmental benefit. The strategic climate action plan should
1778 establish explicit and, whenever possible, quantifiable connections between the
1779 overarching climate goals and specific strategies and actions;

1780 b.(1) a green jobs strategy. For purposes of this subsection A., a "green job"
1781 means ~~((one that generates an income large enough to support a household in King
1782 County and provides a benefit to the environment))~~ a living wage position providing
1783 environmental benefits, -such as clean energy deployment, in high-demand industry
1784 sectors such as construction, manufacturing, transportation, and professional services.
1785 The intent of the green jobs strategy is to encourage the development of green jobs along
1786 the career spectrum.

1787 (2) the green jobs strategy shall be developed in consultation with members
1788 of the King County climate and equity community taskforce identified in subsection
1789 A.1.b.(2)(f) of this section, labor and workforce development organizations directed in
1790 subsection A.7. of this section, and representatives of an environmental justice and

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1791 climate equity organization, education, business, building managers, utilities, scientists
1792 with knowledge of the latest research on strategies to reduce emissions, tribes, local
1793 governments, and regional groups such as the King County-Cities Climate Collaboration
1794 and the Puget Sound Regional Council, and shall include:

1795 (a) specific actions King County and its partners can take to increase the
1796 number of green jobs and apprenticeships throughout the region, including jobs in energy
1797 efficiency, renewable energy, green vehicles, and carbon sequestration, and King County
1798 administrative, executive, policy, and technical jobs;

1799 (b) a proposal for and budget to develop a green job pipeline that focuses
1800 especially on communities that have historically been underserved, and is informed by
1801 recommendations of the climate and equity community task force;

1802 (c) identification of the industry sectors and job types with high-demand
1803 green jobs in King County; and

1804 (d) actions King County can take to develop the green energy skills of King
1805 County's own workforce, such as collaboration on development of apprenticeship and
1806 pre-apprenticeship programs in sectors including energy efficiency, electrification,
1807 electric vehicle maintenance, the maintenance of electric vehicle infrastructure, and
1808 carbon sequestration technologies; ~~and~~

1809 ~~(e) an initial green jobs strategy in the 2020 Strategic Climate Action Plan~~
1810 ~~update, with findings and recommendations along with recommended next steps for~~
1811 ~~refining the green jobs strategy as part of plan implementation, biennial budgets, and~~
1812 ~~future plan updates; and~~

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1813 ~~(f)c.~~ a community-driven strategy to achieve sustainable and resilient
1814 communities. In order to achieve a community driven strategy, the executive shall
1815 convene and partner with the King County climate and equity community task force to
1816 develop the sustainable and resilient community strategy. The King County climate and
1817 equity community task force shall be a racially and ethnically diverse group representing
1818 various communities in King County that are on the frontline of climate change. The task
1819 force shall develop goals and guide priority areas for climate action based on community
1820 values and concerns. The sustainable and resilient community strategy shall:

1821 ~~((i.))~~(1) identify how climate change will impact communities of color,
1822 low-income communities, and those disproportionately impacted by climate change;

1823 ~~((ii.))~~(2) identify opportunities to take actions to address those impacts that
1824 could include increasing the number of affordable housing units, developing pathways to
1825 green jobs, preventing neighborhood displacement, increasing access to green spaces,
1826 providing access to zero emissions mobility options, improving food security, reducing
1827 pollution, and addressing health disparities; and

1828 ~~((iii.))~~(3) based on assessment of climate impacts and extreme weather
1829 events like heat waves on vulnerable communities, make recommendations for
1830 preparedness strategies and actions to include in county emergency response plans, the
1831 flood hazard management plan, and the regional hazard mitigation plan;

1832 ~~((e))~~d. the current assessment of climate change impacts in King County and
1833 identification of goals, strategies, measures, targets, and priority actions within county
1834 services and county operations to address climate change impacts. Each goal and

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1835 strategy shall address environmental justice and ensure that the strategies promote an
1836 equitable distribution of any environmental benefit;

1837 ~~((d))~~c. performance measures and related targets for both operational
1838 emissions and implementation of priority strategies, including the green job strategy, that
1839 advance the strategic climate action plan and provide for assessment of progress relative
1840 to overarching climate goals at the community scale; and

1841 ~~((e))~~f. an assessment of cost effectiveness for key county services and
1842 operations building on the pilot cost effectiveness assessment in the 2015 strategic
1843 climate action plan update.

1844 2. ~~((Consistent with the county's strategic planning cycle, updates will occur at
1845 least every five years, unless more frequent updates are needed to respond to changing
1846 information about emissions sources, performance relative to targets, new technologies,
1847 or a changing regulatory context.))~~ The executive shall transmit the 2025 update~~((s))~~ to
1848 the strategic climate action plan to the council for adoption by motion. All subsequent
1849 updates shall be transmitted to the council for adoption by ordinance.

1850 3. In developing future updates to the strategic climate action plan, the
1851 executive shall continue to review climate change-related plans being developed by other
1852 municipalities, including the city of Seattle's climate action plan, and identify
1853 opportunities and strengthen recommendations for partnership with cities, businesses, and
1854 nonprofit organizations to advance actions to reduce greenhouse gas emissions and
1855 prepare for and respond to climate change impacts.

1856 4. ~~((The council recognizes that science related to climate change and successful
1857 climate solutions is evolving, and each update to the strategic climate action plan should~~

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1858 build upon and refine the strategies, activities, and performance targets in accordance
1859 with best available science, practices, and progress toward emissions reductions targets.

1860 ~~5. Future updates shall include the requirements of subsection A.1. of this~~
1861 ~~section.~~

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1862 ~~6).~~ Progress in achieving strategic climate action plan performance measure
1863 targets and accomplishment of priority actions identified in subsection A.1. of this
1864 section, as well as findings outlining recommendations for changes in policies, priorities,
1865 and capital investments, shall be reported and transmitted to council ~~((biennially)) with~~
1866 ~~the update of the strategic climate action plan and at the midpoint between updates.~~ The
1867 progress report shall be included as part of the report required in K.C.C. 18.50.010.

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1868 ~~((7))5.~~ The executive shall convene a strategic climate action plan labor
1869 advisory council ~~((or)) and~~ seek input from county labor and workforce development
1870 organizations, including the Martin Luther King, Jr. County Labor Council of
1871 Washington, the Seattle Building and Construction Trades Council, and the Workforce
1872 Development Council of Seattle-King County, on recommendations for policies,
1873 programs, and partnerships to strengthen pathways to local green jobs and to provide
1874 guidance on each update.

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1875 6. The executive shall collaborate with Indian tribes, and with cities in King
1876 County through the King County-Cities Climate Collaboration, on each update to the
1877 strategic climate action plan.

1878 B. Future updates to climate-related objectives and strategies should be informed
1879 by the most recently adopted strategic climate action plan.

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1380 C. The executive ~~((must transmit))~~ shall electronically file the legislation and
1381 reports required ~~((to be submitted))~~ by this section ~~((in the form of a paper original and an
1382 electronic copy))~~ with the clerk of the council, who shall retain ~~((the original))~~ an
1383 electronic copy and provide an electronic copy to all councilmembers, the council chief
1384 of staff, and the lead staff for the transportation, economy, and environment committee or
1385 its successor.

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1386 SECTION 34. The following should constitute a new chapter in K.C.C. Title 18,
1387 to follow K.C.C. chapter 18.35:

1388 A. K.C.C. 28.30.010, as recodified by this ordinance;

1389 B. K.C.C. 28.30.020, as recodified by this ordinance; and

1390 C. K.C.C. 28.30.030, as recodified by this ordinance.

1391 SECTION 35. The following are hereby recodified as new sections in K.C.C.
1392 chapter 18.xx (the new chapter created in section 34 of this ordinance):

1393 A. K.C.C. 28.30.010;

1394 B. K.C.C. 28.30.020; and

1395 C. K.C.C. 28.30.030, as amended by this ordinance.

1396 SECTION 36. Ordinance 17971, Section 4, as amended, and K.C.C. 28.30.030
1397 are hereby amended to read as follows:

1398 A. The King County Metro transit carbon offset and environmental attributes
1399 program is hereby created and shall be administered by the Metro transit department.

1900 B. Transit carbon offsets shall be reviewed by an ~~((an))~~ independent third-party
1901 organization with proven experience in emission mitigation activities to ensure that
1902 transit carbon offsets meet the requirements of RCW 36.01.250.

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1903 C. The Metro transit department shall make carbon offsets or environmental
1904 attributes available for purchase by individuals or public or private entities, if doing so is
1905 likely to be financially beneficial to the department.

1906 D. The wastewater treatment division and the solid waste division shall evaluate
1907 the purchase of Metro transit department carbon offsets, as necessary, to achieve the
1908 requirements of this chapter.

1909 E. When purchasing carbon offsets, the wastewater treatment division and the
1910 solid waste division shall ensure the offsets meet the requirements of RCW 36.01.250. In
1911 purchasing offsets, the wastewater treatment division and the solid waste divisions shall
1912 purchase offsets from the Metro transit department before purchasing carbon offsets from
1913 outside of the county if Metro transit department offsets are comparably priced.

1914 F. Revenue from the sale of carbon offsets or environmental attributes shall be
1915 used by the Metro transit department solely for the purposes of reducing greenhouse gas
1916 emissions through ((providing additional transit service hours)) mobility services or
1917 investments that reduce the greenhouse gas emissions from transit operations beyond
1918 standard operations, thereby achieving additionality.

1919 G. The executive shall ensure that transit carbon offsets or other environmental
1920 attributes are not double counted in calculating the greenhouse gas emissions for King
1921 County.

1922 SECTION 2237. Ordinance 13694, Section 42, as amended, and K.C.C.

1923 19A.08.070 are hereby amended to read as follows:

1924 A. A property owner may request that the department determine whether a lot
1925 was legally created. The property owner shall demonstrate to the satisfaction of the

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1926 department that a lot was created in compliance with applicable state and local land
1927 segregation statutes or codes in effect at the time the lot was created.

1928 B. A lot shall be recognized as a legal lot:

1929 1. If before October 1, 1972, it was:

1930 a. conveyed as an individually described parcel to separate, noncontiguous
1931 ownerships through a fee simple transfer or purchase; or

1932 b. recognized as a separate tax lot by the county assessor;

1933 2. If created by a recorded subdivision before June 9, 1937, and it was served by
1934 one of the following before January 1, 2000:

1935 a. an approved sewage disposal; or

1936 b. an approved water system; (~~or~~

1937 ~~e. a road that was:~~

1938 ~~(1) accepted for maintenance by the King County department of~~

1939 ~~transportation; or~~

1940 ~~(2) located within an access easement for residential use or in a road right-of-~~

1941 ~~way and consists of a smooth driving surface, including, but not limited to, asphalt,~~

1942 ~~concrete, or compact gravel, that complied with the King County road standards in effect~~

1943 ~~at the time the road was constructed;))~~

1944 3. If created by an approved short subdivision, including engineers subdivisions;

1945 4. If created by a recorded subdivision on or after June 9, 1937; or

1946 5. If created through the following alternative means of lot segregation provided
1947 for by state statute or county code:

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- 1948 a. at a size five acres or greater, created by a record of survey recorded
1949 between August 11, 1969, and October 1, 1972, and that did not contain a dedication;
- 1950 b. at a size twenty acres or greater, created by a record of survey recorded
1951 before January 1, 2000, and not subsequently merged into a larger lot;
- 1952 c. at a size forty acres or greater created through a larger lot segregation made
1953 in accordance with RCW 58.18.010, approved by King County and not subsequently
1954 merged into a larger lot. Within the F zone, each lot of tract shall be of a size that meets
1955 the minimum lot size requirements of K.C.C. 21A.12.040.A;
- 1956 d. through testamentary provisions or the laws of descent after August 10,
1957 1969; or
- 1958 e. as a result of deeding land to a public body after April 3, 1977.
- 1959 C. In requesting a determination, the property owner shall submit evidence,
1960 deemed acceptable to the department, such as:
- 1961 1. Recorded subdivisions or division of land into four lots or less;
1962 2. King County documents indicating approval of a short subdivision;
1963 3. Recorded deeds or contracts describing the lot or lots either individually or as
1964 part of a conjunctive legal description (~~((e.g.)),~~ such as Lot 1 and Lot 2(~~(+)~~); or
- 1965 4. Historic tax records or other similar evidence, describing the lot as an
1966 individual parcel. The department shall give great weight to the existence of historic tax
1967 records or tax parcels in making its determination.
- 1968 D. Once the department has determined that the lot was legally created, the
1969 department shall continue to acknowledge the lot as such, unless the property owner
1970 reaggregates or merges the lot with another lot or lots in order to:

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- 1971 1. Create a parcel of land that would qualify as a building site, or
1972 2. Implement a deed restriction or condition, a covenant, or court decision.
1973 E. The department's determination shall not be construed as a guarantee that the
1974 lot constitutes a building site as defined in K.C.C. 19A.04.060. Testamentary lots created
1975 after December 31, 1999, and before January 1, 2019, are exempt from meeting the
1976 minimum lot area requirements in K.C.C. 21A.12.030 and 21A.12.040 for the applicable
1977 zoning district, if all other federal, state, and local statutes and regulations are met. All
1978 other testamentary lots shall be required to meet all federal, state, and local statutes and
1979 regulations, including minimum lot area requirements in K.C.C. 21A.12.030 and
1980 21A.12.040.
- 1981 F. Reaggregation of lots after January 1, 2000, shall only be the result of a
1982 deliberate action by a property owner expressly requesting the department for a
1983 permanent merger of two or more lots through a boundary line adjustment under K.C.C.
1984 chapter 19A.28.
- 1985 SECTION 2338. Ordinance 13694, Section 56, as amended, and K.C.C.
1986 19A.12.020 are hereby amended to read as follows:
- 1987 A. Preliminary subdivision approval shall be effective for a period of sixty
1988 months.
- 1989 B. Preliminary subdivision approval shall be considered the basis upon which the
1990 applicant may proceed toward development of the subdivision and preparation of the
1991 final plat subject to all the conditions of the preliminary approval.
- 1992 C. If the final plat is being developed in divisions, and final plats for all of the
1993 divisions have not been recorded within the time limits provided in this section,

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1994 preliminary subdivision approval for all unrecorded divisions shall become void. The
1995 preliminary subdivision for any unrecorded divisions ~~((must again)) shall~~ be submitted
1996 again to the department with a new application, subject to the fees and regulations
1997 applicable at the time of submittal.

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1998 D. ~~((An urban planned development permit, fully contained community permit,
1999 or development agreement approved pursuant to K.C.C. chapter 21A.39 may extend the
2000 preliminary approval period beyond sixty months for any preliminary subdivision
2001 approved simultaneous or subsequent to the urban planned development permit or fully
2002 contained community permit. Such extensions may be made contingent upon satisfying
2003 conditions set forth in the urban planned development permit, fully contained community
2004 permit or development agreement. In no case shall the extended preliminary approval
2005 period exceed the expected buildout time period of the urban planned development or
2006 fully contained community as provided in the urban planned development permit, fully
2007 contained community permit or development agreement. This section shall apply to any
2008 approved urban planned development permit, fully contained community permit or
2009 development agreement in existence on January 1, 2000, or approved subsequent to
2010 January 1, 2000.~~

2011 E.) ~~For any plat with more than four hundred lots that is also part of the county's
2012 four to one program, the preliminary subdivision approval shall be effective for eighty
2013 four months. This subsection applies to any preliminary plat approved by either the
2014 council or the hearing examiner, or both, on or after January 1, 1998, that relates to a four
2015 to one program with proposed plats containing more than four hundred lots.~~

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2016 ~~((F.)) E.~~ For any plat with more than fifty lots where fifty percent or more of
2017 those lots will constitute affordable housing ~~((which))~~ that is housing for those that have
2018 incomes of less than eighty percent of median income for King County as periodically
2019 published by the United States Department of Housing and Urban Development, or its
2020 successor agency, and at least a portion of the funding for the project has been provided
2021 by federal, state, or county housing funds, the preliminary subdivision shall be effective
2022 for seventy two months. This subsection applies to any plat that has received preliminary
2023 approval on or after January 1, 1998.

2024 ~~((G.1. For any plat that has received preliminary approval on or after December~~
2025 ~~1, 2003, the preliminary subdivision approval shall be valid for a period of eighty four~~
2026 ~~months. The department may make revisions to the fee estimate issued by the~~
2027 ~~department under K.C.C. 27.02.065.~~

2028 ~~2. For any plat that received preliminary approval on or after December 1, 2003,~~
2029 ~~pursuant to K.C.C. 21A.55.060, the preliminary subdivision approval shall be valid for a~~
2030 ~~period of one hundred and eight months. The department may make revisions to the fee~~
2031 ~~estimate issued by the department under K.C.C. 27.02.065.~~

2032 ~~3. This subsection shall retroactively apply to any plat that has received~~
2033 ~~preliminary approval on or after December 1, 2003. This subsection expires December~~
2034 ~~31, 2014.))~~ An applicant for a preliminary plat approved on or after January 1, 2015,
2035 who files a written request for extension with the director at least thirty days before the
2036 expiration of the preliminary subdivision, shall be granted a one-time, one-year
2037 extension, dated from the original preliminary approval date. Any subdivision not
2038 recorded within the period of time set forth in this subsection is null and void and the

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2039 applicant is required to resubmit a new preliminary subdivision for approval, subject to
2040 all current regulations.

2041 SECTION 2439. Ordinance 13694, Section 80, as amended, and K.C.C.

2042 19A.28.020 are hereby amended to read as follows:

2043 Adjustment of boundary lines between adjacent lots shall be consistent with the
2044 following review procedures and limitations:

2045 A. Applications for boundary line adjustments shall be reviewed as a Type 1
2046 permit as provided in K.C.C. chapter 20.20. The review shall include examination for
2047 consistency with the King County zoning code, K.C.C. Title 21A., shoreline master
2048 program, K.C.C. chapter 21A.25, applicable board of health regulations, and, for
2049 developed lots, fire, and building codes;

2050 B. A lot created through a large lot segregation shall be consistent with the
2051 underlying zoning and shall not be reduced to less than twenty acres within ten years of
2052 the large lot segregation approval unless it is subdivided in accordance with K.C.C.
2053 chapter 19A.12;

2054 C. ~~((Any adjustment of boundary lines must be approved by the department~~
2055 ~~before the))~~ No transfer of property ownership between adjacent legal lots may occur
2056 until the boundary line adjustment is approved;

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2057 D. A boundary line adjustment proposal shall not:

2058 1. Result in the creation of an additional lot; ~~((or))~~
2059 2. Result in the creation of more than one additional building site in the rural
2060 area and natural resource lands or two additional building sites in the urban area;

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2061 ~~((2-))~~ 3. Result in a lot that does not qualify as a building site ~~((pursuant to))~~ Formatted: Strikethrough

2062 under this title;

2063 ~~((3-))~~ 4. Relocate an entire lot from one parent parcel into another parent parcel; Formatted: Strikethrough

2064 ~~((4-))~~ 5. Reduce the overall area in a plat or short plat devoted to open space; Formatted: Strikethrough

2065 ~~((5-))~~ 6. Be inconsistent with any restrictions or conditions of approval for a Formatted: Strikethrough

2066 recorded plat or short plat;

2067 ~~((6-))~~ 7. Involve lots ~~((which))~~ that do not have a common boundary; ~~((or))~~ Formatted: Strikethrough

2068 ~~((7-))~~ 8. Circumvent the subdivision or short subdivision procedures ~~((set forth))~~ Formatted: Strikethrough

2069 in this title. Factors ~~((which))~~ that indicate that the boundary line adjustment process is

2070 being used in a manner inconsistent with statutory intent include: numerous and frequent

2071 adjustments to the existing lot boundary, a proposal to move a lot or building site to a

2072 different location, and a large number of lots being proposed for a boundary line

2073 adjustment; or

2074 9. Circumvent standards or procedures in K.C.C. Title 21A;

2075 E. The elimination of lines between two or more lots shall, in all cases, ~~((shall))~~ Formatted: Strikethrough

2076 be considered a minor adjustment of boundary lines and shall not be subject to the

2077 subdivision and short subdivision provisions of this title or to K.C.C. 19A.28.030. The

2078 format and requirements of a minor adjustment under this subsection shall be specified

2079 by the department;

2080 F. Recognized lots in an approved site plan for a conditional use permit, special

2081 use permit, ~~((urban planned development,))~~ or commercial site development permit shall

2082 be considered a single site and no lot lines on the site may be altered by a boundary line

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2083 adjustment to transfer density or separate lots to another property not included in the
2084 original site plan of the subject development; and

2085 G. Lots that have been subject to a boundary line adjustment process that resulted
2086 in the qualification of an additional building site shall not be ~~((permitted))~~ allowed to
2087 utilize the boundary line adjustment process again for five years to create an additional
2088 building site.

2089 SECTION 2540. Ordinance 18810, Section 3, and K.C.C. 20.08.037 are hereby
2090 amended to read as follows:

2091 "Area zoning and land use study" means a study that reviews the land use
2092 designations and zoning classifications for a specified set of properties. "Area zoning
2093 and land use studies" are typically focused on a ~~((broader set of policies than a subarea
2094 study))~~ specific set of possible zoning and land use changes, and do not look at the larger
2095 range of issues that a subarea plan would include. "Area zoning and land use studies"
2096 consider specific potential changes to land use or zoning, or both, and analyze such
2097 requests based on surrounding land use and zoning, current infrastructure and potential
2098 future needs, and consistency with the King County Comprehensive Plan,
2099 ~~((e))~~ Countywide ~~((p))~~ Planning ~~((p))~~ Policies, and the Growth Management Act, chapter
2100 36.70A RCW.

2101 SECTION 2641. Ordinance 263, Art. 3 (part), and K.C.C. 20.08.060 are hereby
2102 amended to read as follows:

2103 "Subarea plan" means a detailed local land use plan that implements, is consistent
2104 with, and is an element of the Comprehensive Plan, containing specific policies,
2105 guidelines, and criteria adopted by the council to guide development and capital

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2106 improvement decisions within specific subareas of the county. ~~((Subareas are))~~ Subarea
2107 plans are used for distinct communities, specific geographic areas, community service
2108 areas, or other types of districts having unified interests or similar characteristics within
2109 the county. ~~((Subarea plans may include ((community plans)), but are not limited to,~~
2110 ~~((community service area)) subarea plans((, neighborhood plans, basin plans and plans~~
2111 ~~addressing multiple areas having common interests)). ((The relationship between the~~
2112 ~~1994 King County Comprehensive Plan and subarea plans is established by K.C.C.~~
2113 ~~20.12.015.))~~

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2114 SECTION 2742, Ordinance 263, Article 2, Section 1, as amended, and K.C.C.
2115 20.12.010 are hereby amended to read as follows:

2116 Under the King County Charter, the state Constitution, and the ~~((Washington~~
2117 ~~state))~~ Growth Management Act, chapter 36.70A RCW, King County adopted the 1994
2118 King County Comprehensive Plan via Ordinance 11575 and declared it to be the
2119 Comprehensive Plan for King County until amended, repealed, or superseded. The
2120 Comprehensive Plan has been reviewed and amended multiple times since its adoption in
2121 1994. Amendments to the 1994 Comprehensive Plan to-date are currently reflected in the
2122 ~~((2016))~~ 2024 King County Comprehensive Plan, as adopted in ~~((Ordinance 18427 and as~~
2123 ~~amended by Ordinance 18623, Ordinance 18810, Ordinance 19034, Ordinance 19146 and~~
2124 ~~Ordinance 19555))~~ this ordinance. The Comprehensive Plan shall be the principal
2125 planning document for the orderly physical development of the county and shall be used
2126 to guide subarea plans, functional plans, provision of public facilities and services,
2127 review of proposed incorporations and annexations, development regulations, and land
2128 development decisions.

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2129 SECTION 2843. Ordinance 3692, Section 2, as amended, and K.C.C. 20.12.200
2130 are hereby amended to read as follows:

2131 A. The King County shoreline master program consists of the following
2132 elements, enacted on or before (~~March 25, 2021~~) the date of enactment of this
2133 ordinance:

- 2134 1. The King county Comprehensive Plan chapter six;
- 2135 2. K.C.C. chapter 21A.25;
- 2136 3. The following sections of K.C.C. chapter 21A.24:
 - 2137 a. K.C.C. 21A.24.045;
 - 2138 b. K.C.C. 21A.24.051;
 - 2139 c. K.C.C. 21A.24.055;
 - 2140 d. K.C.C. 21A.24.070.A., B.2., C.2., D., and E.;
 - 2141 e. K.C.C. 21A.24.125;
 - 2142 f. K.C.C. 21A.24.130;
 - 2143 g. K.C.C. 21A.24.133;
 - 2144 h. K.C.C. 21A.24.200;
 - 2145 i. K.C.C. 21A.24.210;
 - 2146 j. K.C.C. 21A.24.220;
 - 2147 k. K.C.C. 21A.24.275;
 - 2148 l. K.C.C. 21A.24.280;
 - 2149 m. K.C.C. 21A.24.290;
 - 2150 n. K.C.C. 21A.24.300;
 - 2151 o. K.C.C. 21A.24.310;

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- 2152 p. K.C.C. 21A.24.316;
- 2153 q. K.C.C. 21A.24.318;
- 2154 r. K.C.C. 21A.24.325;
- 2155 s. K.C.C. 21A.24.335;
- 2156 t. K.C.C. 21A.24.340;
- 2157 u. K.C.C. 21A.24.355;
- 2158 v. K.C.C. 21A.24.358;
- 2159 w. K.C.C. 21A.24.365;
- 2160 x. K.C.C. 21A.24.380;
- 2161 y. K.C.C. 21A.24.382;
- 2162 z. K.C.C. 21A.24.386; and
- 2163 aa. K.C.C. 21A.24.388;

4. The following:

- 2165 a. ~~(K.C.C. 20.18.040;~~
- 2166 ~~b.)~~ K.C.C. 20.18.050;
- 2167 ~~((e-))~~ b. K.C.C. 20.18.056;
- 2168 ~~((d-))~~ c. K.C.C. 20.18.057;
- 2169 ~~((e-))~~ d. K.C.C. 20.18.058;
- 2170 ~~((f-))~~ e. K.C.C. 20.22.160;
- 2171 ~~((g-))~~ f. K.C.C. 21A.32.045;
- 2172 ~~((h-))~~ g. K.C.C. 21A.44.090;
- 2173 ~~((i-))~~ h. K.C.C. 21A.44.100; and
- 2174 ~~((j-))~~ i. K.C.C. 21A.50.030.

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2175 B. The shoreline management goals and policies constitute the official policy of
2176 King County regarding areas of the county subject to shoreline (~~(management)~~)
2177 jurisdiction under chapter 90.58 RCW. As provided by WAC 173-26-191(2)(a), King
2178 County's local administrative, enforcement, and permit review procedures shall conform
2179 to chapter 90.58 RCW but shall not be a part of the master program.

2180 C. Amendments to the shoreline master program do not apply to the shoreline
2181 jurisdiction until approved by the Washington state Department of Ecology as provided
2182 in RCW 90.58.090. The department of local services, permitting division, shall, within
2183 ten days after the date of the Department of Ecology's approval, file a copy of the
2184 Department of Ecology's approval, in the form of an electronic copy, with the clerk of the
2185 council, who shall retain the original and provide electronic copies to all
2186 councilmembers, the chief of staff, and the lead staff of the local services and land use
2187 committee, or its successor.

2188 NEW SECTION. SECTION 44. There is hereby added to K.C.C. chapter 20.12
2189 a new section to read as follows:

2190 The Snoqualmie Valley/Northeast King County Community Service Area
2191 Subarea Plan, dated ~~December 2023~~ June 2024, contained in Attachment BJ to this
2192 ordinance is adopted as an element of the King County Comprehensive Plan and, as such,
2193 constitutes official county policy for the geographic area of unincorporated King County
2194 defined in the plan.

2195 SECTION 2945. Ordinance 13147, Section 19, as amended, and K.C.C.
2196 20.18.030 are hereby amended to read as follows:

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2197 A. The King County Comprehensive Plan shall be amended in accordance with
2198 this chapter, which, in compliance with RCW 36.70A.130(2), establishes a public
2199 participation program whereby amendments are considered by the council no more
2200 frequently than once a year as part of the update schedule established in this chapter,
2201 except that the council may consider amendments more frequently to address:

2202 1. Emergencies, if, after ~~if~~
2203 ~~a. an emergency exists, based on the council finding that the amendment is~~
2204 ~~necessary for the immediate preservation of public peace, health, or safety or for the~~
2205 ~~support of county government and its existing public institutions; and~~
2206 ~~b. public notice, and an opportunity for public ~~comment~~ testimony,~~
2207 ~~commensurate with the nature of the emergency precede adoption of the emergency~~
2208 ~~amendments, in the same manner as an emergency ordinance under Section 230.30 of the~~
2209 ~~charter;~~

2210 2. An appeal of the plan filed with the Central Puget Sound Growth
2211 Management Hearings Board or with the court;

2212 3. The initial adoption of a subarea plan, which may amend the urban growth
2213 area boundary only to redesignate land within a joint planning area;

2214 4. An amendment of the capital facilities element of the Comprehensive Plan
2215 that occurs in conjunction with the adoption of the county budget under K.C.C.
2216 4A.100.010; or

2217 5. The adoption or amendment of a shoreline master program under chapter
2218 90.58 RCW.

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2219 B. Every year the Comprehensive Plan may be updated to address technical
2220 updates and corrections, to adopt ~~((community service area))~~ subarea plans, and to
2221 consider amendments that do not require substantive changes to the Comprehensive Plan
2222 or subarea plan policy language or do not require changes to the urban growth area
2223 boundary, except as ~~((permitted in subsection B.9. and 11. Of this section))~~ allowed in
2224 Comprehensive Plan chapter 12. The review may be referred to as the annual update.
2225 ~~((The Comprehensive Plan, including subarea plans, may be amended in the annual~~
2226 ~~update only to consider the following:~~

- 2227 1. ~~Technical amendments to policy, text, maps, or shoreline environment~~
2228 ~~designations;~~
- 2229 2. ~~The annual capital improvement plan;~~
- 2230 3. ~~The transportation needs report;~~
- 2231 4. ~~School capital facility plans;~~
- 2232 5. ~~Changes required by existing Comprehensive Plan policies;~~
- 2233 6. ~~Changes to the technical appendices and any amendments required thereby;~~
- 2234 7. ~~Comprehensive updates of subarea plans initiated by motion;~~
- 2235 8. ~~Changes required by amendments to the Countywide Planning Policies or~~
2236 ~~state law;~~
- 2237 9. ~~Redesignation proposals under the four to one program as provided for in~~
2238 ~~this chapter;~~
- 2239 10. ~~Amendments necessary for the conservation of threatened and endangered~~
2240 ~~species;~~

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2241 ~~11. Site specific land use map amendments that do not require substantive~~
2242 ~~change to Comprehensive Plan policy language and that do not alter the urban growth~~
2243 ~~area boundary, except to correct mapping errors;~~
2244 ~~12. Amendments resulting from subarea studies required by Comprehensive~~
2245 ~~Plan policy that do not require substantive change to Comprehensive Plan policy~~
2246 ~~language and that do not alter the urban growth area boundary, except to correct mapping~~
2247 ~~errors;~~
2248 ~~13. Changes required to implement a study regarding the provision of~~
2249 ~~wastewater services to a Rural Town. The amendments shall be limited to policy~~
2250 ~~amendments and adjustment to the boundaries of the Rural Town as needed to implement~~
2251 ~~the preferred option identified in the study;~~
2252 ~~14. Adoption of community service area subarea plans;~~
2253 ~~15. Amendments to the Comprehensive Plan update schedule that respond to~~
2254 ~~adopted ordinances and improve alignment with the timing requirements in the~~
2255 ~~Washington state Growth Management Act, chapter 36.70A RCW ("the GMA"), and~~
2256 ~~alignment with multicounty and countywide planning activities; or~~
2257 ~~16. Amendments to the Comprehensive Plan Workplan to change deadlines.))~~
2258 C. Every ~~((eighth))~~ tenth year beginning in 2024, the county shall complete a
2259 comprehensive review of the Comprehensive Plan in order to update it as appropriate and
2260 to ensure continued compliance with the GMA. This review may provide for a
2261 cumulative analysis of the twenty-year plan based upon official population growth
2262 forecasts, benchmarks, and other relevant data in order to consider substantive changes to
2263 the Comprehensive Plan and changes to the urban growth area boundary. The

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2264 comprehensive review shall ~~((begin one year in advance of the transmittal))~~ follow the
2265 schedule established in K.C.C. 20.18.060 and may be referred to as the ~~((eight))~~ ten-year
2266 update. The urban growth area boundaries shall be reviewed in the context of the
2267 ~~((eight))~~ ten-year update and in accordance with countywide planning policy ~~((G-1))~~ FW-
2268 1 and RCW 36.70A.130.

2269 D.1. At the midpoint of the ~~((eight))~~ ten-year update process, a limited update to
2270 the Comprehensive Plan to address time-sensitive issues before to the next ~~((eight))~~ ten-
2271 year update, may be authorized by motion. The update may be referred to as the
2272 midpoint update. The midpoint update may include those substantive changes to the
2273 Comprehensive Plan and amendments to the urban growth area boundary that are
2274 identified in the scope of work. The midpoint update may also include additions or
2275 amendments to the Comprehensive Plan Workplan related to a topic identified in the
2276 scope of work.

2277 2. The motion shall specify the scope of the midpoint update, and identify that
2278 the resources necessary to accomplish the work are available. A fiscal note for the scope
2279 of the midpoint update shall be provided to the council by the executive within fifteen
2280 business days of introduction of the proposed motion. If the executive determines an
2281 additional appropriation is necessary to complete the midpoint update, the executive may
2282 transmit an ordinance requesting the additional appropriation.

2283 3. If the executive proposes a midpoint update, the executive shall transmit to
2284 the council by the last business day in ~~((June))~~ March two years before the midpoint year
2285 of the ~~((eight))~~ ten-year update schedule a proposed motion specifying the scope of work
2286 for the midpoint update. The council shall have until ~~((September 15))~~ June 30 of that

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2287 year, to adopt a motion specifying the scope of work initiating a midpoint update, either
2288 as transmitted or amended, or as introduced or amended. If the motion is approved by
2289 ~~((September 15))~~ June 30, the scope shall proceed as established by the approved motion.
2290 In the absence of council approval by ~~((September 15))~~ June 30, the executive shall
2291 proceed to implement the scope as transmitted. If such a motion is adopted, the
2292 executive shall transmit a midpoint update by the last business day of June of the
2293 following year after adoption of the motion. The council shall have until June 30 of the
2294 following year after transmittal to adopt a midpoint update.

2295 ~~((4. Before initiation of the first eight year update in 2024, substantive changes
2296 to the Comprehensive Plan and amendments to the urban growth area boundary may be
2297 considered. The amendments shall be considered in the 2020 Comprehensive Plan
2298 update and shall be subject to the midpoint update process and requirements. The
2299 executive shall transmit to the council by the first business day of January 2019 a
2300 proposed motion specifying the scope of work for the proposed update consistent with
2301 K.C.C. 20.18.030.D.1. The council shall have until the last business day of February
2302 2019, to adopt the motion, either as transmitted or amended. In the absence of council
2303 approval by the last business day of February 2019, the executive shall proceed to
2304 implement the scope as proposed. If the motion is approved the last business day of
2305 February 2019, the scope shall proceed as established by the approved motion. The
2306 executive shall transmit to the council any proposed amendments for the 2020
2307 Comprehensive Plan update the by the last business day of September 2019. The council
2308 shall have until the last business day of July 2020 to adopt the 2020 Comprehensive Plan
2309 update.))~~

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2310 E. The executive shall seek public comment on the Comprehensive Plan and any
2311 proposed Comprehensive Plan update in accordance with the procedures in K.C.C.
2312 20.18.160 before making a recommendation, which shall include publishing a public
2313 review draft of the proposed Comprehensive Plan update, in addition to conducting the
2314 public review and comment procedures required by SEPA. The public shall be afforded
2315 at least one official opportunity to record public comment before the transmittal of a
2316 recommendation by the executive to the council. County-sponsored councils and
2317 commissions may submit written position statements that shall be considered by the
2318 executive before transmittal and by the council before adoption, if they are received in a
2319 timely manner. The executive's recommendations for changes to policies (~~text and~~
2320 ~~maps~~) shall include the elements listed in Comprehensive Plan policy ~~(I-207 (and~~
2321 ~~analysis of their financial costs and public benefits, any of which may be included in~~
2322 ~~environmental review documents))~~ I-108. Proposed amendments to the Comprehensive
2323 Plan shall be accompanied by any development regulations or amendments to
2324 development regulations, including area zoning, necessary to implement the proposed
2325 amendments.

2326 SECTION 3046. Ordinance 13147, Section 20, as amended, and K.C.C.
2327 20.18.040 are hereby amended to read as follows:

2328 A. Site-specific land use map ~~((or shoreline master program map))~~ amendments
2329 may be considered during the annual ~~((update))~~, midpoint, ~~((update))~~ or ~~((eight))~~ ten-year
2330 update, depending on the degree of change proposed.

2331 B. ~~((The following categories of s))~~ Site-specific land use map amendments ~~((or~~
2332 ~~shoreline master program map))~~ that do not require substantive change to Comprehensive

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2333 Plan or subarea plan language and that do not alter the urban growth area boundary,
2334 except to correct mapping errors, may be initiated by either the county or a property
2335 owner for consideration in the annual update((=

2336 1. ~~Amendments that do not require substantive change to Comprehensive Plan~~
2337 ~~policy language and that do not alter the urban growth area boundary, except to correct~~
2338 ~~mapping errors; and~~

2339 2. ~~Four to one proposals~~)).

2340 C. The following categories of site-specific land use map ~~((and shoreline master~~
2341 ~~program))~~ amendments may be initiated by either the county or a property owner for
2342 consideration in the ~~((eight))~~ ten-year update or midpoint update:

- 2343 1. Amendments that could be considered in the annual update;
2344 2. Amendments that require substantive change to Comprehensive Plan policy
2345 language; and
2346 3. Amendments to the urban growth area boundary.

2347 SECTION 3147. Ordinance 3688, Section 813, as amended, and K.C.C.

2348 20.18.056 are hereby amended to read as follows:

2349 A. Shoreline environments designated by the master program may be considered
2350 for redesignation during the annual, midpoint, or ~~((eight))~~ ten-year update ~~((or midpoint~~
2351 ~~update))~~.

2352 B. A redesignation shall follow the process in K.C.C. 20.18.050.

2353 SECTION 3248. Ordinance 13147, Section 22, as amended, and K.C.C.

2354 20.18.060 are hereby amended to read as follows:

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2355 A. Beginning in ~~((2022))~~ 2030, and every ~~((eighth))~~ ten years thereafter, the
2356 executive shall initiate the ten-year update to the Comprehensive Plan required by K.C.C.
2357 20.18.030.C. The ten-year update process shall occur as follows:

2358 ~~1. The executive shall review the performance of the Comprehensive Plan,~~
2359 ~~consistent with the measures established by motion, to inform the scope of work in~~
2360 ~~subsection A.2. of this section. By the last business day of December 2030, and every ten~~
2361 ~~years thereafter, the executive shall transmit to the council the Comprehensive Plan~~
2362 ~~Performance Measures Report.~~

2363 21.a. By September 15, 2031, and every ten years thereafter, the executive shall
2364 transmit to the council a proposed motion specifying the scope of work for the proposed
2365 ten-year update to the Comprehensive Plan ((that will occur in the following year under))
2366 in subsection ((B.)) ~~A.32.~~ of this section.

2367 ~~((4.))~~ The scoping motion shall include as an attachment to the motion the
2368 following:

2369 ~~((a.))~~ (1) topical areas relating to amendments to policies, the land use map,
2370 implementing development regulations, or any combination of those amendments that the
2371 executive intends to consider for recommendation to the council; and

2372 ~~((b. an attachment to the motion advising the council of))~~ (2) the work
2373 program the executive intends to follow to accomplish State Environmental Policy Act
2374 review and public participation.

2375 ~~((2.a. For the eight year update required by RCW 36.70A.130 to be completed~~
2376 ~~in 2024, the executive shall transmit to the council the scoping motion required in~~

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2377 subsection A. of this section by March 31, 2022. The council shall have until June 15,
2378 2022, to approve the motion.

2379 b. ~~Beginning in 2030 and every eight years thereafter, the executive shall~~
2380 ~~transmit to the council the scoping motion required in subsection A. of this section by the~~
2381 ~~last business day of June.)~~

2382 b. The council shall have until ~~((September 15))~~ December 31 of that year to
2383 approve the motion.

2384 ~~((3.))~~ In the absence of council approval, the executive shall proceed to
2385 implement the scope of work as proposed in the motion transmitted by the executive. If
2386 the motion is approved, the scope of work shall proceed as established by the approved
2387 motion.

2388 ~~((B.))~~ 32. Except as otherwise provided in subsection ~~((C.))~~ B. of this section:

2389 ~~((1. For the eight year update required by RCW 36.70A.130 to be completed in~~
2390 ~~2024, the executive shall transmit to the council by December 29, 2023, a proposed~~
2391 ~~ordinance updating the Comprehensive Plan. The transmittal shall be accompanied by a~~
2392 ~~public participation note, identifying the methods used by the executive to ensure early~~
2393 ~~and continuous public participation in the preparation of amendments. The council shall~~
2394 ~~have until December 31, 2024, to adopt the update to the Comprehensive Plan, in~~
2395 ~~accordance with RCW 36.70A.130; and~~

2396 ~~2. Beginning in 2030)~~ a. By June 30, 2033, and every ~~((eighth))~~ ten years
2397 thereafter, the executive shall transmit to the council ~~((by the last business day of June))~~ a
2398 proposed ordinance ~~((updating))~~ for the ten-year Comprehensive Plan update. All
2399 transmittals shall be accompanied by a public participation ~~((note))~~ summary, identifying

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2400 the methods used by the executive to ensure early and continuous public participation in
2401 the preparation of amendments.

2402 b. The council shall have until June 30 ~~((of the following year)), 2034, and~~
2403 every ten years thereafter to adopt ~~((and))~~ the ten-year update to the Comprehensive Plan,
2404 in accordance with RCW 36.70A.130.

2405 ~~((C-))~~ B. Separate from ~~((the eight))~~ ten-year Comprehensive Plan updates
2406 required in subsection ~~((B-))~~ A. of this section:

2407 1. Except as otherwise provided in subsection B.2. of this section, ~~((+))~~ in years
2408 ~~((where there is a biennial budget proposed))~~ when the fiscal period is biennial, the
2409 capital improvement program, an update or addendum where appropriate to the
2410 transportation needs report, and the school capital facility plans shall be:

2411 a. transmitted by the executive to the council no later than transmittal of the
2412 biennial budget; and

2413 b. adopted by the council in conjunction with the biennial budget; ~~((and))~~

2414 2. Subsection B.1. of this section shall not apply to the transportation needs
2415 report in years when a transmitted ten-year Comprehensive Plan update is being reviewed
2416 by the council as required in subsection A.32. of this section; and

2417 3. In years when there is only a mid-biennium review of the budget under
2418 K.C.C. 4A.100.010 or, under K.C.C. 4A.100.010.B., the fiscal period for some or all of
2419 the county funds is on an annual basis, the capital improvement program and the school
2420 capital facility plans shall be:

2421 a. transmitted by the executive to the council by October 1; and

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2422 b. adopted by the council no later than adoption of the mid-biennium review or
2423 in conjunction with the annual budget.

2424 SECTION 3349. Ordinance 13147, Section 23, as amended, and K.C.C.

2425 20.18.070 are hereby amended to read as follows:

2426 A. The executive shall transmit to the council the annual update by the last
2427 business day of June, except that the capital improvement program (~~and the ordinances~~
2428 ~~adopting updates to the~~), transportation needs report, and the school capital facility plans
2429 shall be transmitted (~~(no later than the biennial budget transmittal and shall be adopted in~~
2430 ~~conjunction with the budget. However, in those years when there is only a midbiennium~~
2431 ~~review of the budget, the ordinances adopting the capital improvement plan and the~~
2432 ~~school capital facility plans shall be transmitted by October 1, and adopted no later than~~
2433 ~~the midbiennium review under K.C.C. 4A.100.010)) and adopted in accordance with the
2434 schedules in K.C.C. 20.18.060.B.~~

2435 B. All transmittals shall be accompanied by a public participation (~~(note)~~)
2436 summary, identifying the methods used by the executive to assure early and continuous
2437 public participation in the preparation of updates.

2438 C. Proposed amendments, including site-specific land use map amendments, that
2439 are found to require preparation of an environmental impact statement, shall be
2440 considered for inclusion in the next annual, midpoint, or (~~(eight)~~) ten-year update
2441 following completion of the appropriate environmental documents.

2442 SECTION 3450. Ordinance 13147, Section 27, and K.C.C. 20.18.110 are hereby
2443 amended to read as follows:

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2444 A. Notice of the time, place, and purpose of a public hearing before the council to
2445 consider amendments to the ~~((e))~~Comprehensive ~~((p))~~Plan or development regulations ~~((f))~~
2446 ~~other than area zoning,~~) shall at a minimum be given at least thirty days before the
2447 hearing by the following methods:

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2448 1. ~~((e))~~One publication in a newspaper of general circulation in the county ~~((at~~
2449 ~~least thirty days before the hearing))~~.

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2450 2. For land use designation and zoning classification proposals only:

2451 a. one additional publication in the area for which the area zoning is proposed,
2452 if available;

2453 b. mailed to affected property owners, appropriate to the scope of the proposal,
2454 whose names appear on the rolls of the King County assessor and shall at a minimum
2455 include owners of properties within five hundred feet of affected property, at least twenty
2456 property owners in the vicinity of the property, and to any individuals or organizations
2457 that have formally requested to the department of local services, permitting division,
2458 department of performance, strategy and budget, regional planning section, or council, to
2459 be kept informed of applications in an identified area. If the additional publication
2460 referenced in subsection A.2.a. of this section is not available, the mailing radius shall be
2461 extended to one thousand feet, and at least forty property owners in the vicinity of the
2462 property. The mail shall be postmarked at least thirty days before the hearing. If the
2463 county sends the mailed notice by bulk mail, the certificate of mailing shall qualify as a
2464 postmark. Failure to notify any specific property owner shall not invalidate an area

2465 zoning proceeding or any resulting reclassification of land; and

2466 c. posted on the county website.

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2467 ~~_____ B. Notice for site-specific land use map amendments ((with)) shall also be~~
2468 ~~provided ((pursuant)) in accordance with K.C.C. 20.18.050.~~

2469 ~~_____ C. The county shall endeavor to provide ((such)) notices required by this section~~
2470 ~~in nontechnical language. The notice shall indicate how the detailed description of the~~
2471 ~~ordinance required by K.C.C. 20.18.100 can be obtained by a member of the public.~~

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2472 ~~_____ SECTION 35. Ordinance 13147, Section 28, as amended, and K.C.C. 20.18.120~~
2473 ~~are hereby amended to read as follows:~~

2474 ~~_____ A. Notice of the time, place, and purpose of a public hearing before the council to~~
2475 ~~consider changes to area zoning shall, at a minimum, include publication in ((the official~~
2476 ~~county newspaper and another)) a newspaper of general circulation and in another~~
2477 ~~publication in the area for which the area zoning is proposed, if available, at least thirty~~
2478 ~~days before the hearing. The county shall endeavor to provide such notice in~~
2479 ~~nontechnical language. The notice shall indicate how the detailed description of the~~
2480 ~~ordinance required by K.C.C. 20.18.100 can be obtained by a member of the public.~~

2481 ~~_____ B. Notice of the hearing shall also be given by mail to affected property owners,~~
2482 ~~appropriate to the scope of the proposal, whose names appear on the rolls of the King~~
2483 ~~County assessor and shall at a minimum include owners of properties within five hundred~~
2484 ~~feet of affected property, at least twenty property owners in the vicinity of the property,~~
2485 ~~and to any individuals or organizations that have formally requested to the department of~~
2486 ~~local services, permitting division, to be kept informed of applications in an identified~~
2487 ~~area. Notice shall also be posted on the county's ((web site)) website. The county shall~~
2488 ~~endeavor to provide such notice in nontechnical language. The mailed notice required in~~
2489 ~~this section shall be postmarked at least thirty days before the hearing. If the county~~

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2490 ~~sends the mailed notice by bulk mail, the certificate of mailing shall qualify as a~~
2491 ~~postmark. Failure to notify any specific property owner shall not invalidate an area~~
2492 ~~zoning proceeding or any resulting reclassification of land.~~

2493 SECTION 3651. Ordinance 13147, Section 30, as amended, and K.C.C.
2494 20.18.140 are hereby amended to read as follows:

2495 A. In accordance with RCW 36.70A.470, a docket containing written
2496 ~~((comments on))~~ requests for suggested Comprehensive ~~((p))~~ Plan or development
2497 regulation amendments shall be coordinated by the department. The docket is the means
2498 either to suggest a change or to identify a deficiency, or both, in the Comprehensive Plan
2499 or development regulation. For the purposes of this section, "deficiency" refers to the
2500 absence of required or potentially desirable contents of the Comprehensive Plan or
2501 development regulation and does not refer to whether a development regulation
2502 addressed a project's probable specific adverse environmental impacts that could be
2503 mitigated in the project review process. Any interested party, including permit
2504 applicants, ~~((citizens))~~ members of the public, and government agencies, may submit
2505 items to the docket.

2506 B. ~~((All agencies of county government having responsibility for elements of the~~
2507 ~~Comprehensive Plan or implementing development regulations))~~ 1. The department shall
2508 provide a means by which ~~((citizens))~~ members of the public may docket written
2509 comments on the plan or on development regulations. The department ~~((shall))~~ should
2510 use public participation methods identified in K.C.C. 20.18.160 to ~~((solicit public use of))~~
2511 publicize the docket. The department shall provide a mechanism for docketing
2512 amendments ~~((through))~~ on the ~~((Internet))~~ county's website.

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2513 ~~((4-))~~ 2. All docketed comments relating to the Comprehensive Plan shall be
2514 reviewed by the department and considered for an amendment to the Comprehensive
2515 Plan.

2516 ~~((2-))~~ 3. Docketed comments relating to development regulations shall be
2517 reviewed by the appropriate county agency. Those requiring a Comprehensive Plan
2518 amendment 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 4. The deadline for submitting docketed comments is December 31 for
2523 consideration in the update process for the following year.

2524 ~~((3-))~~ 5. Except as provided in subsection B. ~~75.~~ of this section:

2525 a. By the last business day of April, the department shall issue an executive
2526 response to all docketed comments. Responses shall include: a classification of the
2527 recommended changes as appropriate for the annual update, midpoint update ~~((or eight)),~~
2528 ten-year update, or stand-alone development regulations update; and an executive
2529 recommendation indicating whether ~~((or not))~~ the docketed items are to be included in
2530 the next executive-recommended Comprehensive Plan update or a future stand-alone
2531 development regulations update. If the docketed changes will not be included in the next
2532 executive transmittal, the department shall indicate the reasons why, and shall inform the
2533 proponent that they may petition the council during the legislative review process.

2534 ~~((4-))~~ b. By the last business day of April, the department shall forward to the
2535 council a report including all docketed amendments and comments with an executive

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2536 response. The report shall include a statement indicating that the department has
2537 complied with the notification requirements in this section. The executive shall attach to
2538 the report copies of the docket requests and supporting materials submitted by the
2539 proponents and copies of the executive response that was issued to the proponents.

2540 6. The docket report shall be made available on the county's website.

2541 7.a For Ddocket requests received between scoping and transmittal of midpoint
2542 and ten-year updates, the executive shall include, as a supplemental document with
2543 transmittal of the update, an analysis and recommendation for docket requests received;
2544 and

2545 b. For docket requests received between transmittal and adoption of midpoint
2546 and ten-year updates, that are not addressed in the update, the executive shall include
2547 those requests in the next year's docket report shall be processed, considered, and
2548 reported on by the executive consistent with all other public comments.

2549 ~~((5-))~~ 8. ((Upon)) After receipt of the docket report, during the next available
2550 Comprehensive Plan update, the council shall include all proponents of docketed requests
2551 in the mailing list for agendas to all committee meetings in which the Comprehensive
2552 Plan will be reviewed ~~((during the next available update))~~. At the beginning of the
2553 committee review process, the council shall develop a committee review schedule with
2554 dates for committee meetings and any other opportunities for public testimony and for
2555 proponents to petition the council to consider docket changes that were not recommended
2556 by the executive and shall attach the review schedule to the agenda whenever the
2557 Comprehensive Plan is to be reviewed.

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2558 ~~((6 Docketed comments relating to development regulations shall be reviewed~~
2559 ~~by the appropriate county agency. Those requiring a Comprehensive Plan amendment~~
2560 ~~shall be forwarded to the department and considered for an amendment to the~~
2561 ~~Comprehensive Plan. Those not requiring a Comprehensive Plan amendment shall be~~
2562 ~~considered by the responsible county agency for amendments to the development~~
2563 ~~regulations.~~

2564 ~~7. The docket report shall be made available through the Internet. The~~
2565 ~~department shall endeavor to make the docket report available within one week of~~
2566 ~~transmittal to the council.))~~

2567 C. In addition to the docket, the department shall provide opportunities for
2568 receiving general public comments ~~((both before the docketing deadline each year, and~~
2569 ~~during the executive's review periods before transmittal to the council. The opportunities~~
2570 ~~may include, but are not limited to, the use of the following: comment cards, electronic~~
2571 ~~or posted mail, Internet, public meetings with opportunities for discussion and feedback,~~
2572 ~~printed summaries of comments received and twenty four hour telephone hotlines. The~~
2573 ~~executive shall assure that the opportunities for public comment are provided as early as~~
2574 ~~possible for each stage of the process, to assure timely opportunity for public input.)) at~~
2575 any time, including as provided in K.C.C. 20.18.160.

2576 SECTION 3752. Ordinance 13147, Section 32, and K.C.C. 20.18.160 are hereby
2577 amended to read as follows:

2578 A. ~~((Pursuant to))~~ In accordance with RCW 36.70A.140, the county shall provide
2579 for early and continuous public participation in the development and amendment of the
2580 ~~((e))~~Comprehensive ~~((p))~~Plan and any implementing development regulations.

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2581 B. ~~The county's~~ ~~((P))~~ public participation program shall at a minimum include the
2582 following elements:

2583 1. ~~((Annual))~~ Broad dissemination of ~~((a schedule))~~ upcoming opportunities for
2584 public participation, as they are available;

2585 2. ~~((Issuance of a citizen's guide to the comprehensive plan process that
2586 provides i))~~ Information on ~~((citizen))~~ public participation in the ~~((e))~~ Comprehensive
2587 ~~((p))~~ Plan process, a description of the procedure and schedule for amending the
2588 ~~((e))~~ Comprehensive ~~((p))~~ Plan ~~((and/))~~ or implementing development regulation ~~((s))~~ ,
2589 ~~((a guide))~~ information on how to use the docket;

2590 3. Provision for broad dissemination of the proposal and alternatives appropriate
2591 to the scope and significance of the proposal. The county shall make available to the
2592 public printed and electronic information ~~((which))~~ that clearly defines and visually
2593 portrays, when possible, the range of options under consideration by the county. ~~((This))~~
2594 The information shall also include a description of any policy considerations, the
2595 schedule for deliberation, opportunities for public participation, information on the
2596 submittal and review procedures for written comments, and the name, email address, and
2597 telephone number of the responsible official ~~((s))~~ . The methods employed to provide
2598 the information may include, but are not limited to, the use of the following: published
2599 notice in ~~((the official county newspaper))~~ a newspaper of general circulation and other
2600 appropriate publications ~~((news media notification))~~ ; press releases ~~((, mailed))~~ notice to
2601 property owners and to ~~((citizens))~~ members of the public or groups with a known
2602 interest in the proposal ~~((s))~~ ; public ~~((education and government channel electronic kiosks~~
2603 ~~and))~~ television; the internet ~~((s))~~ ; transit advertising ~~((s))~~ ; telephone ~~((and fax))~~

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2604 information or comment lines(~~(s)~~); public review documents ~~((and displays in public~~
2605 ~~facilities, speakers bureau, and printed or computerized graphics depicting the effect of~~
2606 ~~the proposal))~~; posters; agency newsletters and mailing list; and social media. The
2607 county shall endeavor to provide such notices in nontechnical language;

2608 4. Hosting, speaking at, or attending (~~(P)~~) public meetings to obtain comments
2609 from the public or other agencies on a proposed plan, amendment to the
2610 ~~((e))~~ Comprehensive (~~(P)~~) Plan, or implementing development regulation. Public meeting
2611 means an informal meeting, hearing, workshop, or other public gathering of people for
2612 the purpose of obtaining public comments and providing opportunities for open
2613 discussion. ~~((All public meetings associated with review of the comprehensive plan or~~
2614 ~~development regulations shall provide a means for the public to submit items for the~~
2615 ~~docket.))~~ County-hosted public meetings shall be appropriately noticed to the public and
2616 should be broadly disseminated at least one week advance, except that noticing of
2617 meetings held by the King County council are subject to council rules in K.C.C. chapter
2618 1.24. A (~~(public)~~) publicly available record of each county-hosted public meeting should
2619 be maintained to include ~~((documentation of))~~ information about attendance, record of
2620 any mailed notice, and a ~~((record))~~ recording of the meeting or a summary of public
2621 comments ~~((not incorporated in the docket))~~;

2622 5. Other methods of public engagement to solicit feedback about the proposal,
2623 appropriate to the scope and significance of the proposal, such as surveys, focus groups,
2624 partnering with community-based organizations, and online engagement portals; and

2625 6. ~~((The county shall provide))~~ County-provided mechanisms to enable public
2626 access to additional information. The county shall provide for publicly accessible ~~((and~~

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2627 ~~complete~~) records of all ~~((applications,))~~ docketed amendment requests~~((,))~~ and related
2628 background information during normal business hours. The public may seek assistance
2629 from the office of ~~((citizen complaints))~~ the ombuds to obtain time sensitive information.
2630 ~~((Methods of disseminating information may include, but are not limited to, the~~
2631 ~~following: published notice of location of public review documents, use of the public~~
2632 ~~education and government channel, use of electronic kiosks and the internet, telephone~~
2633 ~~information lines with or without fax options, placement of documents in public libraries~~
2634 ~~and community centers, speakers bureau and public displays.))~~

2635 C. ~~((When technical matters are considered with regard to docketed issues, or to~~
2636 ~~evaluate public testimony, due consideration shall be given to technical testimony from~~
2637 ~~the public and third party analysis may be sought when appropriate.))~~ Along with the
2638 executive's proposed Comprehensive Plan, the executive shall transmit to the council, as
2639 supplementary material, a summary of the proposal in non-technical language and
2640 translated into the top six languages other than English.

2641 D. Errors in exact compliance with the established procedures do not render the
2642 Comprehensive Plan or development regulations invalid if the intent of the procedures is
2643 met.

2644 ED. Emergency Comprehensive Plan amendments, as authorized by K.C.C.
2645 20.18.030, are exempt from the requirements of this section but still require some public
2646 notice and an opportunity public ~~comment~~ testimony before adoption of the amendments.

2647 SECTION 3853. Ordinance 14047, Section 9, and K.C.C. 20.18.170 are hereby
2648 amended to read as follows:

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2649 A. The purpose of the four-to-one program is to create a contiguous band of ~~open~~
2650 ~~space~~ natural area to the regional open space system, ~~running north and south~~ adjacent to
2651 the original urban growth area boundary, ~~which was~~ adopted in the 1994 King County
2652 Comprehensive Plan.

2653 ~~B. ((The total area added to the urban growth area as a result of this program~~
2654 ~~shall not exceed four thousand acres. The department shall keep a cumulative total for all~~
2655 ~~parcels added under this section. ((The total shall be updated annually through the plan~~
2656 ~~amendment process.))~~

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2657 ~~B.))~~ C. Proposals ~~under the four-to-one program~~:

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2658 1. ~~((s))~~ Shall be proposed via the docket process in K.C.C. 20.18.140, a scoping
2659 motion for a midpoint or ten-year Comprehensive Plan update, or an area zoning and land
2660 use study included in the public review draft of a Comprehensive Plan update; ~~and~~

2661 2. ~~((p))~~ Processed as land use amendments to the Comprehensive Plan. ~~((; and~~

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2662 ~~3. ((m))~~ May be considered in the annual update, midpoint update, or ~~((eight))~~
2663 ~~ten~~ year update.

2664 ~~D. ((Site suitability ((and development conditions))) for both the urban and rural~~
2665 ~~portions of the proposal shall be established through the preliminary formal plat approval~~
2666 ~~process.))~~

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2667 ~~((C.))~~ E. ~~Development conditions for the proposal shall be established through~~

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2668 ~~A~~ triparty agreement between the county, property owner, and city or town affiliated for
2669 future annexation ~~shall be required for all proposals~~. The triparty agreement shall:

2670 1. Be approved ~~via by~~ ordinance by the legislative bodies of the county and the
2671 city or town;

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2672 2. ~~For county approval, be transmitted concurrent with transmittal of the~~
2673 ~~executive's proposed land use amendment and approved at the time of concurrent with~~
2674 ~~council adoption of the land use map amendment; and~~

2675 3. ~~Require the city or town to add the area proposed to be urban to the city's or~~
2676 ~~town's potential annexation area in the city's or town's comprehensive plan following~~
2677 ~~ratification of the Growth Management Planning Council's motion that makes a~~
2678 ~~recommendation on the proposal. The approval of the proposal shall be reflected in the~~
2679 ~~Countywide Planning Policies, on both the generalized land use categories map and the~~
2680 ~~potential annexation area map; and~~

2681 4. ~~Specify conditions including, but not limited to, restrictions on residential~~
2682 ~~uses, required minimum density, timing and sequencing of development, annexation~~
2683 ~~requirements, or requirements regarding the conservation easement;~~

2684 ~~3D. Include an effective date that is concurrent with ratification of the~~
2685 ~~countywide planning policy map amendment, or the effective date required by section 41~~
2686 ~~of this ordinance, whichever is later. If the amendment countywide planning policy~~
2687 ~~amendment that approves the proposal is not ratified, the triparty agreement and four-to-~~
2688 ~~one proposal shall be void and not take effect, and the urban properties shall be restored~~
2689 ~~redesignated to the rural area land use designation and associated previous zoning during~~
2690 ~~the next annual Comprehensive Plan update.;~~

2691 FE. A term conservation easement shall be placed on the ~~((open space))~~ natural
2692 ~~area ((at the time)) before~~ the four-to-one proposal is approved by the council. ~~((Upon~~
2693 ~~final plat approval.)) The triparty agreement shall require the permanent dedication of the~~
2694 ~~((open space, shall be permanently dedicated in fee simple))~~ natural area to King County

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2695 ~~before final plat approval. Dedication shall take the form of on-site or off-site fee simple,~~
2696 ~~an off-site transfer of development rights conservation easement, or an on-site~~
2697 ~~subdivision tract, to be determined in the triparty agreement.~~

2698 ((D-)) GF. Before taking legislative action on the land use map amendment,
2699 ((P))proposals adjacent to incorporated area or potential annexation areas shall be
2700 referred to the following entities for recommendations: the affected city ((and)) or town;
2701 Indian tribes; special purpose districts ((for recommendations)), such as sewer, water, and
2702 school districts, as applicable; and state agencies; ~~and tribes,~~ as applicable.

2703 ~~HG.1. Proposals adjacent to an incorporated area or potential annexation area~~
2704 ~~may only be approved subject to an agreement in writing from a city or town that the area~~
2705 ~~will be added to the city's or town's potential annexation area in city's or town's~~
2706 ~~comprehensive plan. The countywide planning policy map amendment shall reflect both~~
2707 ~~the urban growth area change and potential annexation area change. The triparty~~
2708 ~~agreement shall require the city or town to add the potential annexation area to their~~
2709 ~~comprehensive plan following ratification of the countywide planning policy map~~
2710 ~~amendment.~~

2711 ~~2. For proposals adjacent to an incorporated area, conditions on the land use~~
2712 ~~map amendment and triparty agreement shall prohibit development proposals or activities~~
2713 ~~until the land is annexed into the adjacent city or town.~~

2714 SECTION 3954. Ordinance 14047, Section 10, and K.C.C. 20.18.180 are hereby
2715 amended to read as follows:

2716 Rural area land may be added to the urban growth area in accordance with the
2717 following criteria:

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2718 A. A proposal to add land to the urban growth area under this program shall meet
2719 the following criteria:

2720 1. ~~((A permanent dedication to the King County open space system of four acres~~
2721 ~~of open space is required for every one acre of land added to the urban growth area;~~

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2722 ~~2. The land shall not be ((zoned agriculture (A))) designated as Natural~~
2723 ~~Resource Lands in the Comprehensive Plan;~~

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2724 ~~3. The~~1) Land added to the urban growth area shall ~~((;~~
2725 ~~a. be ((physically contiguous)) adjacent to the original urban growth area~~
2726 ~~boundary as adopted in the 1994 Comprehensive Plan, unless the director determines that~~

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2727 ~~the land directly adjacent to the urban growth area contains critical areas that would be~~
2728 ~~substantially harmed by development directly adjacent to the urban growth area and that~~
2729 ~~all other criteria can be met; ((and))~~

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2730 ~~b.)) not ((be in an area where)) interrupt an existing contiguous band of public~~
2731 ~~open space, parks, or watersheds ((already exists)) along the urban growth area boundary;~~
2732 ~~and~~

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2733 ~~c. not expand the urban growth area from a location that was previously~~
2734 ~~expanded through the four to one program;~~

2735 ~~((4. The land added to the urban growth area shall be able to be served by~~
2736 ~~sewers and other urban services;~~

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2737 ~~5.)) 2. A road serving the land added to the urban area shall not be counted as~~
2738 ~~part of the required ((open space)) natural area;~~

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2739 ~~((6.)) 3. Land added to the urban growth area for drainage facilities in support of~~
2740 ~~its development shall not require dedication of permanent natural area open space; ((~~

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2741 ~~7.~~ All urban facilities shall be provided directly from the urban area and shall
2742 not cross the open space or rural area and be located in the urban area except as permitted
2743 in subsection ~~((E))~~ D. of this section;

2744 ~~((7.))~~ 8. Open space areas shall retain a rural designation;

2745 ~~((8.))~~ 9.a. At least half of the site shall be placed in dedicated open space and
2746 shall fully buffer the surrounding rural area and natural resource lands from the new
2747 urban area.

2748 ~~4.b.~~ The minimum depth of the ~~((open space buffer))~~ natural area shall ~~((be~~
2749 ~~((one half of the property width, unless the director determines that a smaller buffer of))~~;

2750 a. ~~(1)~~ be no less than two hundred feet, unless the ~~director~~ county determines
2751 that a smaller buffer depth is warranted due to the topography and critical areas on the
2752 site ~~((, shall))~~;

2753 b. ~~(2)~~ generally be parallel ~~to~~ the urban growth area boundary; and

2754 c. ~~(3)~~ ~~((shall))~~ be configured in such a way as to connect with open space on
2755 adjacent properties ~~((;))~~;

2756 5e. The open space buffer shall contain Type 1 landscaping in accordance with
2757 K.C.C. 21A.16.040, unless the director county determines that different landscaping. The
2758 on-site natural area shall include a fifty-foot landscaped buffer to surround the new urban
2759 area. The buffer shall include a mix of trees, shrubs, and groundcover that are native to
2760 the area and that create a visual barrier or separator to the new urban area. The county
2761 may determine that a larger buffer or different vegetation is warranted in order to restore
2762 the natural area or habitat or would better protect natural resources and functions and land
2763 use compatibility in the area;

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2764 ((9.)) ~~610.~~ The minimum size of the property to be considered is twenty acres.
2765 Smaller parcels may be combined to meet the twenty-acre minimum;

2766 ((10.)) ~~11.~~ Urban development under this section shall be limited to residential
2767 development and shall be at a minimum density of ((four)) ~~eight~~ dwelling units per
2768 acre;)) and

2769 ((11.)) ~~127.~~ The land to be retained ((in open space)) ~~as natural area~~ is not
2770 needed for any facilities necessary to support the urban development; and

2771 B. ((A proposal that adds two hundred acres or more to the urban growth area
2772 shall also meet the following criteria:

2773 1. ~~The proposal shall include a mix of housing types including thirty percent
2774 below market rate units affordable to low, moderate and median income households;~~

2775 2. ~~In a proposal in which the thirty percent requirement in subsection B.1 of this
2776 section is exceeded, the required open space dedication shall be reduced to three and one-
2777 half acres of open space for every one acre added to the urban growth area;~~

2778 C. ~~A proposal that adds less than two hundred acres to the urban growth area and
2779 that meets the affordable housing criteria in subsection B.1. of this section shall be
2780 subject to a reduced open space dedication requirement of three and one half acres of
2781 open space for every one acre added to the urban growth area;))~~ Proposals shall comply

2782 with the affordable housing requirements in section 40 of this ordinance;

2783 ((D.)) ~~C. Requests for redesignation))~~ Proposals shall be evaluated to determine
2784 those that are the highest quality, including, but not limited to, consideration of the
2785 following:

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2786 1. Preservation of fish and wildlife habitat, including wildlife habitat networks,
2787 and habitat for endangered and threatened species;

2788 2. Provision of regional open space connections;

2789 3. Protection of wetlands, stream corridors, ground water, and water bodies;

2790 4. Preservation of unique natural, biological, cultural, historical, or
2791 archeological resources;

2792 5. The size of ~~((open space))~~ natural area dedication and connection to other
2793 open space ~~((dedications))~~ along the urban growth area boundary; and

2794 6. The ability to provide extensions of urban services to the redesignated urban
2795 areas; and

2796 ~~((E-)) DC.~~ The ~~((open space required))~~ land dedicated ~~required~~ through ~~((this))~~
2797 the four-to-one program shall be preserved primarily as natural areas. ~~((p))~~ Passive
2798 recreation, ~~((sites or resource lands for))~~ farming, ~~((and))~~ or forestry may also be allowed
2799 as an alternative to natural area. The following additional uses may be allowed only if

2800 located on a small portion of the ~~((open space))~~ natural area and provided that these uses
2801 are found to be compatible with the site's ~~((natural open space))~~ values and functions:

2802 1. Trails;

2803 2. Compensatory mitigation of wetland losses on the urban ~~((designated))~~
2804 portion of the ~~((project))~~ proposal, consistent with the ~~((King County))~~ Comprehensive
2805 Plan and K.C.C. chapter 21A.24; and

2806 3. Active recreation uses not to exceed five percent of the total ~~((open space))~~
2807 natural area, including any off-site natural area dedicated for the proposal. ~~((The~~
2808 s)) Support services and facilities for the active recreation uses may only locate within the

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2809 active recreation area ~~((only,))~~ and shall not exceed five percent of the total acreage of the
2810 active recreation area. The entire ~~((open space))~~ natural area, including any active
2811 recreation site, is a regional resource. It shall not be used to satisfy the on-site active
2812 recreation space requirements in K.C.C. 21A.14.180 for the urban portion of the four-to-
2813 one property.

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2814 NEW SECTION. SECTION 4055. There is hereby added to K.C.C. chapter
2815 20.18 a new section to read as follows:

2816 For a four-to-one proposal that adds ~~ten-TBD~~ or more dwelling units, ~~the land use~~
2817 ~~map amendment and triparty agreement shall require following:~~

2818 A.1. ~~Thirty-TBD~~ percent of the total number of dwelling units shall be affordable
2819 units.

2820 2. For proposals that include only owner-occupied market rate dwelling units,
2821 all affordable dwelling units shall be:

2822 a. Owner-occupied dwelling units;

2823 b. Affordable to residents earning up to ~~eighty-TBD~~ percent of area median
2824 income; and

2825 c. Affordable for at least fifty years from the date of initial occupancy.

2826 3. For proposals that include only rental dwelling units, all affordable dwelling
2827 units shall be:

2828 a. rental dwelling units;

2829 b. affordable to residents earning up to ~~sixty-TBD~~ percent of area median
2830 income; and

2831 c. Affordable for the life of the project.

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- 2832 4. For proposals that include both homeownership and rental dwelling units:
- 2833 a. The proportion of affordable rental dwelling units to affordable owner-
- 2834 occupied dwelling units shall be identical to the proportion of market rate rental dwelling
- 2835 units to market rate owner-occupied dwelling units; and
- 2836 b. Meet the applicable affordability levels in subsections A.~~12~~ and A.~~23~~ of
- 2837 this section.
- 2838 B. Affordable dwelling units shall be developed consistent with K.C.C.
- 2839 21A.48.050.A.
- 2840 C. The number of required affordable dwelling units shall be calculated
- 2841 consistent with K.C.C. ~~((21A.47.040.A)) 21A.48.040.A.~~ Accessory dwelling units shall
- 2842 not be used to meet the requirements of this section.
- 2843 D. Developments subject to this section shall be subject to K.C.C. 21A.48.060
- 2844 and K.C.C. 21A.48.080.
- 2845 NEW SECTION. SECTION 4456. There is hereby added to K.C.C. chapter
- 2846 20.18 a new section to read as follows:
- 2847 A. The effective date of an amendment that adds land to the urban growth area,
- 2848 removes land from the agricultural production district or forest production district, or
- 2849 removes land from the mineral resources map shall be after ~~the latest of~~ the following:
- 2850 1. Sixty days after the date of publication of notice of adoption of the
- 2851 Comprehensive Plan; ~~or~~and
- 2852 2. If a petition for review to the growth management hearings board is timely
- 2853 filed, upon issuance of the board's final order.

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2854 B. The effective date required in subsection A. of this section shall be specified
2855 in the ordinance adopting the amendments.

2856 SECTION 4257. Ordinance 12196, Section 9, as amended, and K.C.C. 20.20.020
2857 are hereby amended to read as follows:

2858 A. Land use permit decisions are classified into four types, based on who makes
2859 the decision, whether public notice is required, whether a public hearing is required
2860 before a decision is made, and whether administrative appeals are provided. The types of
2861 land use decisions are listed in subsection E. of this section.

2862 1. Type 1 decisions are made by the permitting division manager or designee
2863 ("the director") of the department of local services ("the department"). Type 1 decisions
2864 are nonappealable administrative decisions.

2865 2. Type 2 decisions are made by the director. Type 2 decisions are discretionary
2866 decisions that are subject to administrative appeal.

2867 3. Type 3 decisions are quasi-judicial decisions made by the hearing examiner
2868 following an open record hearing.

2869 4. Type 4 decisions are quasi-judicial decisions made by the council based on
2870 the record established by the hearing examiner.

2871 B. Except as provided in K.C.C. 20.44.120.A.7. and K.C.C. 25.32.080, or unless
2872 otherwise agreed to by the applicant, all Type 2, 3, and 4 decisions included in
2873 consolidated permit applications that would require more than one type of land use
2874 decision process may be processed and decided together, including any administrative
2875 appeals, using the highest-numbered land use decision type applicable to the project
2876 application.

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2877 C. Certain development proposals are subject to additional procedural
 2878 requirements beyond the standard procedures established in this chapter.

2879 D. Land use permits that are categorically exempt from review under SEPA do
 2880 not require a threshold determination (determination of nonsignificance ["DNS"] or
 2881 determination of significance ["DS"]). For all other projects, the SEPA review
 2882 procedures in K.C.C. chapter 20.44 are supplemental to the procedures in this chapter.

2883 E. Land use decision types are classified as follows:

TYPE I	((f)) Decision by director, no administrative appeal ((g))	- ((F)) temporary use permit for a homeless encampment under K.C.C. chapter 21A.45 ₂ <u>except as required by K.C.C. 21A.45.100;</u> - 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; - boundary line adjustment; - ((right of way)) <u>right-of-way permit;</u> - variance from K.C.C. chapter 9.04; - shoreline exemption; - decisions to require studies or to approve, condition, or deny a development proposal based
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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"> - 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; - approval of a conversion-option harvest plan; - 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; - approvals for agricultural activities and agricultural support services authorized under K.C.C. 21A.42.300; - final short plat; - final plat; - critical area determination.
<p>TYPE</p> <p>2^{1,2}</p>	<p>((f)) Decision by director appealable to hearing examiner, no</p>	<p>- ((S)) short plat;</p> <ul style="list-style-type: none"> - short plat revision; - short plat alteration;

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<p>further administrative appeal(i)</p>	<ul style="list-style-type: none">- short plat vacation;- zoning variance;- conditional use permit;- temporary use permit under K.C.C. chapter 21A.32;- temporary use permit for a homeless encampment under K.C.C. 21A.45.100;- shoreline substantial development permit³;- building permit, site development permit, or clearing and grading permit for which the department has issued a determination of significance;- reuse of public schools;- reasonable use exceptions under K.C.C. 21A.24.070.B₂;- preliminary determinations under K.C.C. 20.20.030.B₂;- decisions to approve, condition, or deny alteration exceptions or variances to floodplain development regulations under K.C.C. chapter 21A.24;- extractive operations under K.C.C. 21A.22.050;- binding site plan;
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		<p>_ waivers from the moratorium provisions of K.C.C. 16.82.140 based upon a finding of special circumstances;</p> <p>_ sea level rise risk area variance adopted in K.C.C. chapter 21A.23.</p>
TYPE 3 ¹	<p>((f)) Recommendation by director, hearing and decision by hearing examiner, no further administrative appeal((g))</p>	<p>- ((P)) preliminary plat;</p> <p>_ plat alterations;</p> <p>_ preliminary plat revisions;</p> <p>_ plat vacations;</p> <p>_ special use.</p>
TYPE 4 ^{1,4}	<p>((f)) Recommendation by director, hearing and recommendation by hearing examiner, decision by county council on the record((g))</p>	<p>- ((Z)) zone reclassifications;</p> <p>_ shoreline environment redesignation;</p> <p>- ((urban planned development;)) amendment or deletion of P suffix conditions;</p> <p>_ deletion of special district overlay.</p>

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2884 ¹ See K.C.C. 20.44.120.C. for provisions governing procedural and substantive SEPA
 2885 appeals and appeals of Type 2, 3, and 4 decisions.
 2886 ² When an application for a Type 2 decision is combined with other permits requiring
 2887 Type 3 or 4 land use decisions under this chapter, the examiner, not the director, makes
 2888 the decision.

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2889 ³ A shoreline permit, including a shoreline variance or conditional use, is appealable to
2890 the state Shorelines Hearings Board and not to the hearing examiner.

2891 ⁴ Approvals that are consistent with the Comprehensive Plan may be considered by the
2892 council at any time. Zone reclassifications that are not consistent with the
2893 Comprehensive Plan require a site-specific land use map amendment and the council's
2894 hearing and consideration shall be scheduled with the amendment to the Comprehensive
2895 Plan under K.C.C. 20.18.040 and 20.18.060.

2896 F. The definitions in K.C.C. 21A.45.020 apply to this section.

2897 SECTION 4358. Ordinance 16950, Section 10, as amended, and K.C.C.
2898 20.20.035 are hereby amended to read as follows:

2899 When an applicant is required by K.C.C. ~~((chapter)) Title 21A((08))~~ to conduct a
2900 community meeting, under this section, before filing of an application, notice of the
2901 meeting shall be given and the meeting shall be conducted as follows:

2902 A. At least two weeks in advance, the applicant shall:

2903 1. Publish notice of the meeting in the local paper and mail and email to the
2904 department; and

2905 2. Mail notice of the meeting to all property owners within five hundred feet or
2906 at least twenty of the nearest property owners, whichever is greater, as provided in
2907 K.C.C. 21A.26.170 of any potential sites, identified by the applicant for possible
2908 development, to be discussed at the community meeting. The mailed notice shall, at a
2909 minimum, contain a brief description and purpose of the proposal, approximate location
2910 noted on an assessor map with address and parcel number, photograph or sketch of any
2911 existing or proposed structures, a statement that alternative sites proposed by ~~((citizens))~~

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2912 the public can be presented at the meeting that will be considered by the applicant, a
2913 contact name and telephone number to obtain additional information, and other
2914 information deemed necessary by the department of local services, permitting division.
2915 Because the purpose of the community meeting is to promote early discussion, applicants
2916 shall ~~((to))~~ note any changes to the conceptual information presented in the mailed
2917 notices when they submit ~~((an))~~ applications;

2918 B. At the community meeting at which at least one employee of the department
2919 of local services, permitting division, assigned by the permitting division manager or
2920 designee, shall be in attendance, the applicant shall provide information relative to the
2921 proposal and any modifications proposed to existing structures or any new structures and
2922 how the proposal is compatible with the character of the surrounding neighborhood.

2923 ~~C. ((An)) At time of application, the~~ applicant shall ~~((also))~~ provide ~~((with the~~
2924 ~~applicant's application))~~ a list of meeting attendees~~((s))~~ and those receiving mailed notice
2925 of the meeting and a record of the published meeting notice; and

2926 ~~((C))D.~~ The applicant shall, in the notice required under subsection A.2. of this
2927 section, and at the community meeting required under subsection B. of this section,
2928 advise that persons interested in the applicant's proposal may monitor the progress of the
2929 permitting of that proposal by contacting the department or by viewing the department's
2930 website, the address of which will be provided in the notice and at the community
2931 meeting.

2932 SECTION 59. Ordinance 12196, Section 16, as amended, and K.C.C. 20.20.090
2933 are hereby amended to read as follows:

2934 A. In accordance with K.C.C. 20.20.100, the department shall provide notice of:

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2935 ~~1. ((Its f))Final Type 1 decisions subject to SEPA, including the threshold~~
2936 ~~determination, if any;~~

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2937 ~~2. ((Its)) Type 2 decisions; and~~

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2938 ~~3. ((Its)) Type 3 and 4 recommendations.~~

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2939 ~~B. The notice shall include the applicable procedures for either an administrative~~
2940 ~~appeal to, or further consideration by, the examiner.~~

2941 ~~C. The notice shall be provided to:~~

2942 ~~1. The applicant;~~

2943 ~~2. If required by SEPA, the Department of Ecology and to agencies with~~
2944 ~~jurisdiction as defined in chapter 197-11 WAC;~~

2945 ~~3. If required by chapter 90.58 RCW, the Department of Ecology and the~~
2946 ~~Attorney General;~~

2947 ~~4. Any person who, before the decision or recommendation, had requested~~
2948 ~~notice of the decision or recommendation from, or submitted comments to, the~~
2949 ~~department; and~~

2950 ~~5. Owners of record of property in an area within five hundred feet of the site.~~
2951 ~~The area shall be expanded when the department determines it is necessary to send~~
2952 ~~mailed notices to at least twenty different property owners.~~

2953 ~~D. Except for decisions regarding shoreline substantial development permits,~~
2954 ~~shoreline variances and shoreline conditional uses, which are only appealable to the state~~
2955 ~~Shorelines Hearings Board, any administrative appeal or further consideration by the~~
2956 ~~examiner is subject to K.C.C. chapter 20.22.~~

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2957 SECTION 4460. Ordinance 12196, Section 17, as amended, and K.C.C.

2958 20.20.100 are hereby amended to read as follows:

2959 A. The department shall issue its Type 3 or Type 4 recommendation to the office
2960 of the hearing examiner within one hundred fifty days from the date the department
2961 notifies the applicant that the application is complete. The periods for action by the
2962 examiner shall be governed by K.C.C. chapter 20.22 and the rules for conducting the
2963 examiner process adopted under K.C.C. 20.22.230.

2964 B.1. Except as otherwise provided in subsection B.2. of this section, the
2965 department shall issue its final decision on a Type 1 or Type 2 decision within one
2966 hundred twenty days from the date the department notified the applicant that the
2967 application is complete.

2968 2. The following periods apply to the type of land use permit indicated:

- a. New residential building permits 90 days
- b. Residential remodels 40 days
- c. Residential appurtenances, such as decks and garages 15 days
- d. Residential appurtenances, such as decks and garages that 40 days
require substantial review
- e. Clearing and grading 90 days
- f. ~~((Department of p))~~Public health — Seattle & King 40 days
County review
- g. Type 1 temporary use permit for a homeless encampment 30 days
- h. Type 2 temporary use permit for a homeless encampment 40 days

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2969 C. The following periods shall be excluded from the times specified in
2970 subsections A., B., and H. of this section:

2971 1.a. Any period during which the applicant has been requested by the
2972 department, the examiner, or the council to correct plans, perform required studies, or
2973 provide additional information, including road variances and ~~((variances))~~ adjustments
2974 required under K.C.C. chapter 9.04. The period shall be calculated from the date of
2975 notice to the applicant of the need for additional information until the earlier of the date
2976 the county advises the applicant that the additional information satisfies the county's
2977 request or fourteen days after the date the information has been provided. If the county
2978 determines that corrections, studies, or other information submitted by the applicant is
2979 insufficient, it shall notify the applicant of the deficiencies and the procedures of this
2980 section shall apply as if a new request for information had been made.

2981 ~~((a-))~~ b. The department shall set a reasonable deadline for the submittal of
2982 corrections, studies, or other information, and shall provide written notification to the
2983 applicant. The department may extend the deadline upon receipt of a written request
2984 from an applicant providing satisfactory justification for an extension.

2985 ~~((b-))~~ c. When granting a request for a deadline extension, the department shall
2986 give consideration to the number of days between the department receiving the request
2987 for a deadline extension and the department ~~((mailing))~~ providing electronic notice of its
2988 decision regarding that request;

2989 2. The period during which an environmental impact statement is being
2990 prepared following a determination of significance under chapter 43.21C RCW, as ~~((set~~
2991 ~~forth))~~ established in K.C.C. 20.44.050;

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2992 3. The period during which an appeal is pending that prohibits issuing the
2993 permit;

2994 4. Any period during which an applicant fails to post the property, if required by
2995 this chapter, following the date notice is required until an affidavit of posting is provided
2996 to the department by the applicant;

2997 5. Any time extension mutually agreed upon by the applicant and the
2998 department; and

2999 6. Any time during which there is an outstanding fee balance that is sixty days
3000 or more past due.

3001 D. Failure by the applicant to submit corrections, studies, or other information
3002 acceptable to the department after two written requests under subsection C. of this section
3003 shall be cause for the department to cancel or deny the application.

3004 E. The time limits established in this section shall not apply if a proposed
3005 development:

3006 1. Requires either: an amendment to the Comprehensive Plan or a development
3007 regulation; or modification or waiver of a development regulation as part of a
3008 demonstration project;

3009 2. ~~Requires approval of a ((new fully contained community as provided in~~
3010 ~~RCW 36.70A.350,)) master planned resort as provided in RCW 36.70A.360((,)) or the~~
3011 ~~siting of)) Is an essential public facility as provided in RCW 36.70A.200; or~~

3012 3. Is revised by the applicant, when the revisions will result in a substantial
3013 change in a project's review requirements, as determined by the department, in which

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3014 case the period shall start from the date at which the revised project application is
3015 determined to be complete.

3016 F. The time limits established in this section may be exceeded on more complex
3017 projects. If the department is unable to issue its Type 1 or Type 2 decision or its Type 3
3018 or Type 4 recommendation within the time limits established by this section, it shall
3019 provide written notice of this fact to the applicant. The notice shall include a statement of
3020 reasons why the time limits have not been met and an estimated date for issuance of the
3021 notice of a Type 1 or Type 2 decision or a Type 3 or Type 4 recommendation.

3022 G. The department shall require that all plats, short plats, building permits,
3023 clearing and grading permits, conditional use permits, special use permits, site
3024 development permits, shoreline substantial development permits, or binding site plans(~~(~~
3025 ~~urban planned development permits, or fully contained community permits~~)), issued for
3026 development activities on or within five hundred feet of designated agricultural lands,
3027 forest lands, or mineral resource lands, contain a notice that the subject property is within
3028 or near designated agricultural lands, forest lands, or mineral resource lands, on which a
3029 variety of commercial activities may occur that are not compatible with residential
3030 development for certain periods of limited duration.

3031 H. To the greatest extent practicable, the department shall make a final
3032 determination on all permits required for a Washington state Department of
3033 Transportation project on a state highway as defined in RCW 46.04.560 with an
3034 estimated cost of less than five hundred million dollars no later than ninety days after
3035 receipt of a complete permit application.

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3036 SECTION 4561. Ordinance 12196, Section 19, as amended, and K.C.C.

3037 20.20.120 are hereby amended to read as follows:

3038 The ~~((director))~~ department shall ~~((issue a citizen's guide to))~~ produce guides
3039 describing permit processing, including making an appeal or participating in a hearing.

3040 The department shall make them available to the public in printed and electronic forms
3041 and shall post them to its website.

3042 SECTION 4662. Ordinance 4461, Section 10, as amended, and K.C.C. 20.22.150

3043 are hereby amended to read as follows:

3044 Examiner recommendations on an application for a zone reclassification shall
3045 include findings on whether the application meets ~~((both of))~~ the following:

3046 A. The proposed rezone is consistent with the King County Comprehensive Plan,
3047 including, but not limited to, policies, narrative, maps, and land use designations; ~~((and))~~

3048 B.1.a. The property is potentially zoned under K.C.C. 21A.04.170 for the
3049 reclassification being requested; or

3050 ~~((2-))~~ b. An adopted subarea plan ~~((subarea study,))~~ or an area zoning and land
3051 use study specifies that the property shall be subsequently considered through an
3052 individual reclassification application; or

3053 ~~((3-))~~ 2. The requested reclassification is based on ~~((changed))~~ a substantial
3054 change in unincorporated area conditions, including but not limited to:

3055 a. the availability of public facilities or infrastructure;

3056 b. development patterns on surrounding parcels; or

3057 c. the quantity or quality of environmentally sensitive areascritical areas, not
3058 caused by actions of the applicant; and

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3059 C. That the classification would not harm or diminish the surrounding area.

3060 SECTION 4763. Ordinance 9544, Section 16, as amended, and K.C.C. 20.22.180
3061 are hereby amended to read as follows:

3062 For a proposed preliminary plat, the examiner decision shall include findings as to
3063 whether:

3064 A. Appropriate provisions are made for the public health, safety, and general
3065 welfare and for such open spaces, drainage ways, streets or roads, alleys, other public
3066 ways, transit stops, potable water supplies, sanitary wastes, parks and recreation,
3067 playgrounds, schools, and school grounds, and all other relevant facts, including
3068 sidewalks and other planning features that assure safe walking conditions for students
3069 who walk to and from school; ~~((and))~~

3070 B. The public use and interest will be served by platting the subdivision and
3071 dedication; and

3072 C. When a subdivision uses transfer of development rights to exceed base
3073 density, the additional density does not create unmitigated impacts beyond those created
3074 by development at base density.

3075 SECTION 4864. Ordinance 10511, Section 7, as amended, and K.C.C. 20.36.100
3076 are hereby amended to read as follows:

3077 A. The definitions in this section apply throughout this section, as well as in
3078 K.C.C. 20.36.040 and K.C.C. ~~((20.30.190))~~ 20.36.190, unless the context clearly requires
3079 otherwise.

3080 B. To be eligible for open space classification under the public benefit rating
3081 system, a property ~~((must))~~ shall contain one or more qualifying open space resources

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3082 and have at least five points as determined under this section. The department shall
3083 review each application and recommend award of credit for current use of the property.
3084 In making the recommendation, the department shall utilize the point system described in
3085 subsections C. and D. of this section.

3086 C. The following open space resources are each eligible for the points indicated:

3087 1. Active trail linkage - fifteen or twenty-five points. "Active trail linkage"
3088 means land in private ownership through which the owner agrees to allow
3089 ~~((nonmotorized))~~ public passage for active transportation, as defined in K.C.C. 14.01.xxx
3090 (the new section created by section 2144 of this ordinance), for the purpose of providing
3091 a connection between trails within the county's regional trails system and local or
3092 regional attractions or points of interest, for trail users including equestrians, pedestrians,
3093 bicyclists, and other users. "Local or regional attractions or points of interest" include
3094 other trails, parks, waterways, or other recreational and open space attractions, retail
3095 centers, arts and cultural facilities, transportation facilities, residential concentrations, or
3096 similar destinations. The linkage ~~((must)) shall~~ be open to passage by the general public
3097 and the property owner shall enter into an agreement with the county consistent with
3098 applicable parks and recreation division policies to grant public access. To receive
3099 twenty-five points, the property owner shall enter into an agreement with the county
3100 regarding improvement of the trail, including trail pavement and maintenance. To
3101 receive fifteen points, the property owner shall agree to allow a soft-surface, nonpaved
3102 trail. The parks and recreation division is authorized to develop criteria for determining
3103 the highest priority linkages for which it will enter into agreements with property owners;

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3104 2. Aquifer protection area - five points. "Aquifer protection area" means
3105 property that has a plant community in which native plants are dominant and that
3106 includes an area designated as a critical aquifer recharge area under K.C.C. chapter
3107 21A.24 or applicable city critical aquifer recharge area regulations. At least fifty percent
3108 of the enrolling open space area or a minimum of one acre of open space shall be
3109 designated as a critical aquifer recharge area. If the enrolling open space area does not
3110 have a plant community in which native plants are dominant, ~~((a plan for))~~ revegetation
3111 ~~((must)) shall occur subject to a revegetation plan ((be submitted)) reviewed and~~
3112 approved by the department ~~((, and must be implemented according to the plan's proposed~~
3113 ~~schedule of activities))~~;

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3114 3. Buffer to public or current use classified land - three points. "Buffer to public
3115 or current use classified land" means land that has a plant community in which native
3116 plants are dominant or has other natural features, such as streams or wetlands, and that is
3117 abutting and provides a buffer to a publicly owned park, trail, or forest, to land legally
3118 required to remain in a natural state, to a state or federal highway, or to a property
3119 participating in a current use taxation program under chapters 84.33 or 84.34 RCW. The
3120 buffer ~~((must)) shall be at least fifty feet long and fifty feet in wide. Public roads may~~
3121 separate the public land, or land in private ownership classified under chapters 84.33 or
3122 84.34 RCW, from the buffering land, if the entire buffer is at least as wide and long as the
3123 adjacent section of the road easement. Landscaping or other nonnative vegetation may
3124 not separate the public land or land enrolled under chapters 84.33 or 84.34 RCW from the
3125 native vegetation buffer. The department may grant an exception to the native vegetation
3126 requirement for property along parkways with historic designation, upon review and

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3127 recommendation of the historic preservation officer of King County or the local
3128 jurisdiction in which the property is located. Eligibility for this exception does not
3129 extend to a property where plantings are required or existing plant communities are
3130 protected under local zoning codes, development mitigation requirements, or other local
3131 regulations;

3132 4. Ecological enhancement land – eighteen points. "Ecological enhancement
3133 land" means open space lands undergoing recovery of significantly degraded or lost
3134 ecological function or processes. The following requirements shall be met:

3135 a. A jurisdiction, natural resource agency, or appropriate organization has
3136 committed to sponsoring the ecological enhancement project, with secured funding in
3137 place before the application's public hearing;

3138 b. The ecological enhancement project ~~((must)) shall~~ include removing
3139 significant human-made structures, alterations, or impediments such as shoreline
3140 armoring, roads, culverts, and wetland fill that are detrimental to significant wildlife or
3141 salmonid habitat. The intent of the removal ~~((must)) shall~~ be to reestablish natural
3142 function or processes to the project area;

3143 c. The owner is responsible for providing and implementing an ecological
3144 enhancement plan for the proposed project. The approved enhancement plan ~~((must))~~
3145 shall include at least a statement of purpose, detailed description of work to be done, site
3146 map of the project area, and specific timeline for the enhancement activities to be
3147 completed. ~~((and must be approved)) The enhancement plan is subject to approval~~ by the
3148 department; and

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3149 d. The owner shall annually provide to the department a monitoring report
3150 detailing the enhancement efforts' success for five years following enrollment. The
3151 owner shall also provide any additional monitoring reports required by K.C.C. 20.36.190.

3152 The monitoring report ~~((must)) shall~~ describe the progress and success of the
3153 enhancement project and ~~((must)) shall~~ include photographs to document the success.

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3154 Land receiving credit for this category may not receive credit for the rural stewardship
3155 land or resource restoration categories;

3156 5. Equestrian-pedestrian-bicycle trail linkage - thirty-five points. "Equestrian-
3157 pedestrian-bicycle trail linkage" means land in private ownership that the property owner
3158 allows the public to use as an off-road trail linkage for equestrian, pedestrian, or other
3159 ~~((nonmotorized))~~ active transportation, as defined in K.C.C. 14.01.xxx (the new section
3160 created by section 44-21 of this ordinance), uses, or that provides a trail link from a
3161 public ~~((right-of-way))~~ right of way to a trail system. Use of motorized vehicles is
3162 prohibited on trails receiving a tax reduction for this category, except for maintenance or
3163 for medical, public safety, or police emergencies. Public access is required only on that
3164 portion of the property containing the trail. The landowner may impose reasonable
3165 restrictions on access that are mutually agreed to by the landowner and the department,
3166 such as limiting use to daylight hours. To be eligible as an equestrian-pedestrian-bicycle
3167 trail linkage, the owner shall provide a trail easement to an appropriate public or private
3168 entity acceptable to the department. The easement shall be recorded with the King
3169 County recorder's office or its successor. In addition to the area covered by the trail
3170 easement, adjacent land used as pasture, barn, or stable area and any corral or paddock
3171 may be included, if an approved and implemented farm management plan is provided.

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3172 Land necessary to provide a buffer from the trail to other nonequestrian uses, land that
3173 contributes to the aesthetics of the trail, such as a forest, and land set aside and marked
3174 for off road parking for trail users may also be included as land eligible for current use
3175 taxation. Those portions of private roads, driveways, or sidewalks open to the public for
3176 this purpose may also qualify. Fencing and gates are not allowed in the trail easement
3177 area, except those that are parallel to the trail or linkage;

3178 6. Farm and agricultural conservation land - five points. "Farm and agricultural
3179 conservation land" means land previously classified as farm and agricultural land under
3180 RCW 84.34.020 that no longer meets the criteria of farm and agricultural land, or
3181 traditional farmland not classified under chapter 84.34 RCW that has not been
3182 irrevocably devoted to a use inconsistent with agricultural uses and has a high potential
3183 for returning to commercial agriculture. The property ~~((must)) shall~~ be used for farm and
3184 agricultural activities or have a high probability of returning to agriculture and the
3185 property owner ~~((must)) shall~~ commit to returning the property to farm or agricultural
3186 activities by implementing a farm management plan. An applicant ~~((must)) shall~~ have an
3187 approved farm management plan in accordance with K.C.C. 21A.24.051 that is
3188 acceptable to the department and that is being implemented according to its proposed
3189 schedule of activities before receiving credit for this category. Farm and agricultural
3190 activities ~~((must)) shall~~ occur on at least one acre of the property. Eligible land ~~((must))~~
3191 ~~shall~~ be zoned to allow agricultural uses and be owned by the same owner or held under
3192 the same ownership. Land receiving credit for this category may not receive credit for
3193 the contiguous parcels under separate ownership category;

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3194 7. Forest stewardship land - five points. "Forest stewardship land" means
3195 property that is managed according to an approved forest stewardship plan and that is not
3196 enrolled in the designated forestland program under chapter 84.33 RCW. The property
3197 ~~((must)) shall~~ contain at least four acres of contiguous forestland, which may include land
3198 undergoing reforestation, according to the approved plan. The owner shall have and
3199 implement a forest stewardship plan approved by the department. The forest stewardship
3200 plan may emphasize forest retention, harvesting, or a combination of both. Land
3201 receiving credit for this category may not receive credit for the resource restoration or
3202 rural stewardship land categories;

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3203 8. Historic landmark or archeological site: buffer to a designated site - three
3204 points. "Historic landmark or archaeological site: buffer to a designated site" means
3205 property adjacent to land constituting or containing a designated county or local historic
3206 landmark or archeological site, as determined by King County's historic preservation
3207 officer or by a manager of a certified local government program in the jurisdiction in
3208 which the property is located. A property ~~((must)) shall~~ have a plant community in which
3209 native plants are dominant and provide a significant buffer for a designated landmark or
3210 archaeological site listed on the county or other certified local government list or register
3211 of historic places or landmarks. "Significant buffer" means land and plant communities
3212 that provide physical, visual, noise, or other barriers and separation from adverse effects
3213 to the historic resources due to adjacent land use;

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3214 9. Historic landmark or archeological site: designated site ~~=~~ five points.
3215 "Historic landmark or archaeological site: designated site" means land that constitutes or
3216 contains a historic landmark designated by King County or other certified local

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3217 government program in the jurisdiction in which the property is located. Historic
3218 landmarks include buildings, structures, districts₂ or sites of significance in the county's
3219 historic or prehistoric heritage, such as Native American settlements, trails, pioneer
3220 settlements, farmsteads, roads, industrial works, bridges, burial sites, prehistoric and
3221 historic archaeological sites₂ or traditional cultural properties. A property ~~((must)) shall~~
3222 be listed on a county or other certified local government list or register of historic places
3223 or landmarks for which there is local regulatory protection. Eligible property may
3224 include property that contributes to the historic character within designated historic
3225 districts, as defined by the historic preservation officer of King County or other certified
3226 local government jurisdiction. The King County historic preservation officer shall make
3227 the determination on eligibility;

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3228 10. Historic landmark or archeological site: eligible site - three points.
3229 "Historic landmark or archaeological site: eligible site" means land that constitutes or
3230 contains a historic property that has the potential of being designated by a certified local
3231 government jurisdiction, including buildings, structures, districts₂ or sites of significance
3232 in the county's historic or prehistoric heritage, such as Native American settlements,
3233 pioneer settlements, farmsteads, roads, industrial works, bridges, burial sites, prehistoric
3234 and historic archaeological sites₂ or traditional cultural properties. To be eligible, the
3235 historic preservation officer of King County or other certified local government program
3236 in the jurisdiction in which the property is located shall determine the property meets the
3237 jurisdiction's criteria for designation and listing on the county or other local register of
3238 historic places or landmarks for which there is local regulatory protection. Eligible
3239 property may include contributing property within designated historic districts. Property

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3240 listed ~~((en))~~ in the state or national Registers of Historic Places may qualify under this
3241 category;

3242 11. Public recreation area - five points. "Public recreation area" means land
3243 devoted to providing active or passive recreation use or that complements or substitutes
3244 for recreation facilities characteristically provided by public agencies. Use of motorized
3245 vehicles is prohibited, except for golf carts on golf courses, for maintenance, or for
3246 medical, public safety, or police emergencies. The facilities ~~((must)) shall~~ be open to the
3247 general public or to specific public user groups, such as youth, seniors ~~((citizens))~~, or
3248 people with disabilities. A property ~~((must)) shall~~ be identified by the responsible agency
3249 within whose jurisdiction the property is located as meeting the definition of public
3250 recreation area. The property owner ~~((must)) shall~~ use any best practices defined in
3251 K.C.C. chapter 21A.06. If a fee is charged for use, it ~~((must)) shall~~ be comparable to the
3252 fee charged by a similar public facility;

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3253 12. Rural open space - five points. "Rural open space" means an area of ten or
3254 more contiguous acres of open space located outside of the urban growth area as
3255 identified in the King County Comprehensive Plan that:

- 3256 a. has a plant community in which native plants are dominant; or
3257 b. is former open farmland, woodlots, scrublands, or other lands that are in the
3258 process of being replanted with native vegetation and for which the property owner is
3259 implementing an approved farm management, ecological enhancement, forest
3260 stewardship, rural stewardship, or resource restoration plan acceptable to the department;

3261 13. Rural stewardship land - five points. "Rural stewardship land" means land
3262 zoned RA (rural area), A (agricultural), or F (forest), that has an implemented rural

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3263 stewardship plan under K.C.C. chapter 21A.24 acceptable to the department. On RA-
3264 zoned properties, the approved rural stewardship plan ~~((must)) shall~~ meet the goals and
3265 standards of K.C.C. 21A.24.055. On A- and F-zoned properties, credit for this category
3266 is allowed if the plan meets the goals of K.C.C. 21A.24.055. A rural stewardship plan
3267 includes, but is not limited to, identification of critical areas, location of structures and
3268 significant features, site-specific best management practices, a schedule for
3269 implementation, and a plan for monitoring as provided in K.C.C. 21A.24.055. To be
3270 eligible as rural stewardship land, the open space ~~((must)) shall~~ be at least one acre and
3271 feature a plant community in which native plants are dominant or be in the process of
3272 native vegetation restoration, reforestation, or enhancement. Land receiving credit for
3273 this category may not receive credit for the ecological enhancement land, resource
3274 restoration, or forest stewardship land categories;

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3275 14. Scenic resource, viewpoint or view corridor ~~—~~ five points.
3276 a. "Scenic resource" means an area of natural or recognized cultural features
3277 visually significant to the aesthetic character of the county. The site ~~((must)) shall~~ be
3278 significant to the identity of the local area, ~~((must))~~ be visible to a significant number of
3279 the general public from public rights-of-way, ~~((must))~~ be of sufficient size to
3280 substantially preserve the scenic resource value, and ~~((must))~~ enroll at least ten acres of
3281 open space.

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3282 b. A ~~"viewpoint"~~ means a property that provides a view of an area visually
3283 significant to the aesthetic character of the county. A site ~~((must)) shall~~ provide a view of
3284 a scenic natural or recognized cultural resource in King County or other visually

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3285 significant area, ~~((must))~~ allow unlimited public access, and ~~((must))~~ be identified by a
3286 permanent sign readily visible from a road or other public ~~((right-of-way))~~ right of way.

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3287 c. A "view corridor" means a property that contributes to the aesthetics of a
3288 recognized view corridor critical to maintaining a public view of a visually significant
3289 scenic natural or recognized cultural resource. The site ~~((must))~~ shall contain at least one
3290 acre of open space that contributes to a view corridor visible to the public and that
3291 provides views of a scenic natural resource area or recognized cultural resource
3292 significant to the local area. The ~~((King County historic preservation officer or officer of
3293 another certified local government program in the jurisdiction in which the property is
3294 located must find the recognized))~~ site shall have a significant cultural areas ~~((to be
3295 significant and must find that the site))~~ and contain ~~((s))~~ significant inventoried or
3296 designated historic properties, as determined by the King County historic preservation
3297 officer or officer of another certified local government program in the jurisdiction in
3298 which the property is located in. Eligibility is subject to determination by the department
3299 or applicable jurisdiction;

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3300 15. Significant plant or ecological site - five points. "Significant plant or
3301 ecological site" means an area that meets the criteria for Element Occurrence established
3302 under the Washington Natural Heritage Program authorized by chapter 79.70 RCW. An
3303 Element Occurrence is a particular, on-the-ground observation of a rare species or
3304 ecosystem. An eligible site ~~((must))~~ shall be listed as an Element Occurrence by the
3305 Washington Natural Heritage Program or be identified as a property that meets the
3306 criteria for an Element Occurrence. The identification ~~((must))~~ shall be confirmed by a
3307 qualified expert acceptable to the department. The department shall notify the

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3308 Washington Natural Heritage Program of any verified Element Occurrence on an
3309 enrolling property. Commercial nurseries, arboretums₂ or other maintained garden sites
3310 with native or nonnative plantings are ineligible for this category;

3311 16. Significant wildlife or salmonid habitat - five points.

3312 a. "Significant wildlife or salmonid habitat" means:

3313 (1) an area used by animal species listed as endangered, threatened, sensitive,
3314 or candidate by the Washington state Department of Fish and Wildlife or Department of
3315 Natural Resources or used by species of local significance that are listed by the King
3316 County Comprehensive Plan or a local jurisdiction;

3317 (2) an area where the species listed in subsection C.16.a.(1) of this section are
3318 potentially found with sufficient frequency for critical ecological processes, such as
3319 reproduction, nesting, rearing, wintering, feeding₂ or resting, to occur;

3320 (3) a site that meets the criteria for priority habitats as defined by the
3321 Washington state Department of Fish and Wildlife and that is so listed by the King
3322 County Comprehensive Plan or by the local jurisdiction in which the property is located;

3323 or

3324 (4) a site that meets criteria for a wildlife habitat conservation area as defined
3325 by the department or a local jurisdiction.

3326 b. To be eligible, the department, by its own determination or by expert
3327 determination acceptable to the department, ~~((must)) shall~~ verify that qualified species are
3328 present on the property or that the land fulfills the functions described in subsection
3329 C.16.a. of this section. To receive credit for salmonid habitat, the owner shall provide a
3330 buffer at least fifteen percent greater in width than required by any applicable regulation.

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3331 Property consisting mainly of disturbed or fragmented open space determined by the
3332 department as having minimal wildlife habitat significance is ineligible;

3333 17. Special animal site - three points. "Special animal site" means a site that
3334 includes a wildlife habitat network identified by the King County Comprehensive Plan or
3335 individual jurisdictions through the Growth Management Act, chapter 36.70A RCW, or a
3336 biodiversity area and corridor identified by the Washington state Department of Fish and
3337 Wildlife's priority habitats and species project as of the date of the application ~~((The~~
3338 ~~property must be))~~ as identified by King County or local or state jurisdiction or by expert
3339 verification acceptable to the department or local jurisdiction. Property consisting mainly
3340 of disturbed or fragmented open space determined by the department to have minimal
3341 wildlife habitat significance is ineligible for this category;

3342 18. Surface water quality buffer ~~is~~ five, eight, or ten total points. "Surface
3343 water quality buffer" means an undisturbed area that has a plant community in which
3344 native plants are dominant abutting a lake, pond, stream, shoreline, wetland, or marine
3345 waters on or abutting the property, that provides buffers beyond that required by any
3346 applicable regulation. To receive five points, the buffer ~~((must)) shall~~ be at least fifty
3347 percent wider than the buffer required by any applicable regulation. To receive eight
3348 points, the buffer ~~((must)) shall~~ be at least two times the required width. To receive ten
3349 points, the buffer ~~((must)) shall~~ be at least three times the required width. The qualifying
3350 buffer ~~((must)) shall~~ be longer than twenty-five feet and ~~((must)) shall~~ be preserved from
3351 clearing or maintenance, unless this area is part of a department-approved ecological
3352 enhancement, farm management, forest stewardship, rural stewardship, or resource
3353 restoration plan. Grazing use by livestock on such land is prohibited;

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3354 19. Urban open space - five points.

3355 a. "Urban open space" means land located within the boundaries of a city or
3356 within the urban growth area that has a plant community in which native plants are
3357 dominant and that under the applicable zoning is eligible for more intensive development
3358 or use. The enrolling area ~~((must)) shall~~ be at least one acre, or be at least one-half acre if
3359 the land meets one of the following criteria:

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- 3360 (1) the land conserves and enhances natural or scenic resources;
- 3361 (2) the land protects streams or water supply;
- 3362 (3) the land promotes conservation of soils, wetlands, beaches, or tidal
3363 marshes;
- 3364 (4) the land enhances the value to the public of adjacent parks, forests,
3365 wildlife preserves, nature reservations or sanctuaries, or other open space;
- 3366 (5) the land enhances recreation opportunities for the general public; or
- 3367 (6) the land preserves visual quality along highways, roads, and streets or
3368 scenic vistas.

3369 b. Owners of noncontiguous properties that together meet the minimum
3370 acreage requirement may jointly apply under this category if each property is closer than
3371 seventy-five feet to one other property in the application and if each property contains an
3372 enrolling open space area at least as large as the minimum zoned lot size; and

3373 20. Watershed protection area - five points. "Watershed protection area" means
3374 property contributing to the forest cover that provides run-off reduction and groundwater
3375 protection. The property ~~((must)) shall~~ consist of contiguous native forest or be in the
3376 process of reforestation. The enrolling forested area ~~((must)) shall~~ consist of additional

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3377 forest cover beyond that required by county or applicable local government regulation
3378 and ~~((must)) shall~~ be at least one acre or sixty-five percent of the property acreage,
3379 whichever is greater. If reforestation or improvements to the forest health are necessary,
3380 the property owner shall provide and implement an ecological enhancement, a forest
3381 stewardship, resource restoration, or rural stewardship plan that addresses this need and is
3382 acceptable to the department.

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3383 D. Property qualifying for an open space category in subsection C. of this section
3384 may receive credit for additional points as follows:

3385 1. Conservation easement or historic preservation easement - eighteen points.

3386 "Conservation easement or historic preservation easement" means land on which an
3387 easement is voluntarily placed that restricts, in perpetuity, further potential development
3388 or other uses of the property. The easement ~~((must be approved)) is subject to approval~~

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3389 by the department and shall be recorded with the King County recorder's office or its
3390 successor. The easement ~~((must)) shall~~ be conveyed to the county or to an organization
3391 acceptable to the department, such as a land trust or conservancy. Historic preservation

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3392 easements ~~((must also be approved)) are subject to approval~~ by the historic preservation
3393 officer of King County or of the local government jurisdiction in which the property is

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3394 located. An easement required by zoning, subdivision conditions, or other land use
3395 regulation is not eligible unless an additional substantive easement area is provided
3396 beyond that otherwise required;

3397 2. Contiguous parcels under separate ownership - two points.

3398 a. "Contiguous parcels under separate ownership" means at least two or more
3399 parcels under different ownership where either:

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3400 (1) the enrolling parcels and open space acreage abut each other without a
3401 significant human-made barrier separating them; or

3402 (2) the enrolling parcels do not abut each other, but abut a publicly owned
3403 open space, without a significant human-made barrier separating the publicly owned open
3404 space and the open space portion of the parcels seeking open space classification.

3405 b. Award of this category requires a single application by multiple owners and
3406 parcels with identical qualifying public benefit rating system resources. Only a single
3407 application fee is required.

3408 c. Contiguous parcels of land with the same qualifying public benefit rating
3409 system resources are eligible for treatment as a single parcel if open space classification
3410 is sought under the same application except as otherwise prohibited by the farm and
3411 agricultural conservation land category. Each parcel need not meet the minimum acreage
3412 requirements for a resource category so long as the total area of all enrolling land
3413 combined meets any required minimum acreage requirements. The owners of each
3414 parcel included in the application ~~((must)) shall agree to identical terms and conditions~~
3415 for enrollment in the program.

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3416 d. Individual parcels or portions of parcels may be withdrawn or removed from
3417 open space classification, consistent with all applicable rules and regulations. The
3418 continued eligibility of all parcels and associated acreage remaining in open space
3419 classification accepted under the same application is dependent upon the continued
3420 qualification for a resource category or categories.

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3421 e. Points are awarded for each participating owner above one owner and accrue
3422 to all owners of a single application. The withdrawal or removal of all enrolled acreage
3423 associated with an owner results in the loss of two points for each remaining owner;

3424 3. Easement and access – thirty-five points. "Easement and access" means that
3425 the property has at least one qualifying open space resource, unlimited public access or
3426 limited public access due to resource sensitivity, and a conservation easement or historic
3427 preservation easement in perpetuity in a form and with conditions acceptable to the

3428 department. ~~((To be eligible, a))~~A property ~~((must))~~ shall only be eligible in this category
3429 if it receives credit for an open space category and for the conservation easement or

3430 historic easement in perpetuity category. The owner ~~((must))~~ shall agree to allow public
3431 access to the portion of the property designated for public access in the easement. An
3432 easement required by zoning, subdivision conditions, or other land use regulation is not
3433 eligible, unless there is additional easement area beyond that required. Credit for this
3434 category may not overlap with the equestrian-pedestrian-bicycle trail linkage;

3435 4. Public access - points depend on type and frequency of access allowed.

3436 "Public access " means the general public is allowed access on an ongoing basis for uses
3437 such as recreation, education, or training. Access ~~((must))~~ shall be allowed on the portion

3438 of the property that is designated for public access. The landowner may impose
3439 reasonable restrictions on access, such as limiting use to daylight hours, agreed to by the
3440 department. No physical barriers may limit reasonable public access or negatively affect
3441 an open space resource. A property owner shall demonstrate that the property is open to

3442 public access and is used by the public. Award of public access points for historic
3443 properties is subject to approval by ~~((F))~~the historic preservation officer of King County

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3444 or a certified officer of another local government jurisdiction in which the property is
3445 located (~~((must approve the award of public access points for historic properties))~~). The
3446 property owner may be required to furnish and maintain signage according to county
3447 specifications.

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3448 a. Unlimited public access - five points. Year-round access by the general
3449 public is allowed without special arrangements with the property owner.

3450 b. Limited public access because of resource sensitivity - five points. Access
3451 may be reasonably limited by the property owner due to the sensitive nature of the
3452 resource, with access provided only to appropriate user groups. The access allowed
3453 should generally be for an educational, scientific, or research purpose and may require
3454 special arrangements with the owner.

3455 c. Seasonally limited public access - three points. Access by the public is
3456 allowed only for part of the year due to due to seasonal conditions, as mutually agreed to
3457 by the landowner and the department.

3458 d. Environmental education access - three points. The landowner enters into
3459 an agreement with a school, with an organization with 26 U.S.C. Sec. 501(c)(3) tax
3460 status, or, with the agreement of the department, with another community organization
3461 that allows membership by the general public to provide environmental education to its
3462 members or the public at large. The department (~~((must agree))~~) shall verify that the
3463 enrolled portion of the property has value for environmental education purposes.

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3464 e. None or members-only - zero points. No public access is allowed or the
3465 access is allowed only by members of the organization using or owning the land; and

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3466 5. Resource restoration – five points. "Resource restoration" means restoration
3467 of an enrolling area of property benefiting an area in an open space resource category.
3468 Emphasis is placed on the restoration of native vegetation associated with anadromous
3469 fish rearing habitat, riparian zones, migration corridors and wildlife, forest, stream, and
3470 wetland habitats. The owner shall provide and implement a restoration plan approved by
3471 the department. The plan may be developed in cooperation with a natural resource expert
3472 or agency. The approved restoration plan ~~((must)) shall~~, at a minimum, include a purpose
3473 statement, a description of restoration work to be done, a detailed site map of the area to
3474 be restored, a specific timeline for the restoration activities to be completed and a
3475 monitoring schedule for the restoration project's first five years. Historic resource
3476 restoration ~~((must be approved)) is subject to approval~~ by the King County historic
3477 preservation officer or officer of another certified local government in the jurisdiction in
3478 which the property is located and ~~((must)) shall~~ be accompanied by a long-term
3479 maintenance plan. The owner shall also provide to the department a yearly monitoring
3480 report for at least five years following enrollment in the public benefit rating system
3481 program. The report ~~((must)) shall~~ describe the progress and success of the restoration
3482 project and ~~((must)) shall~~ include photographs to document the success. Land receiving
3483 credit for this category may not receive credit for the ecological enhancement land, forest
3484 stewardship land, or rural stewardship land categories.

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3485 SECTION 65. Ordinance 15137, Section 10, as amended, and K.C.C. 20.36.190
3486 are hereby amended to read as follows:

3487 A. ~~((The definitions in K.C.C. 20.36.100 apply to this section.~~

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3488 ~~B.)) A property may achieve a maximum ninety-percent reduction in appraised~~
3489 ~~value for that portion of the land enrolled in the public benefit rating system. A plant~~
3490 ~~community where native plants are dominant that does not independently contain a~~
3491 ~~qualifying open space resource can participate if it is contiguous to and provides a benefit~~
3492 ~~to a portion of the property being awarded credit for a qualifying open space priority~~
3493 ~~resource. The department shall evaluate the property for the presence of open space~~
3494 ~~resource categories. Abutting parcels of land with the same open space resources, owned~~
3495 ~~by one or more landowners, may be eligible for consideration as a single parcel if open~~
3496 ~~space classification is sought under the same application; however, property pursuing~~
3497 ~~credit for the farm and agricultural conservation land category, which ((must)) shall be~~
3498 ~~owned by the same owner or held under the same ownership. For buffer measurements~~
3499 ~~under this chapter, the width is the distance perpendicular to the edge of the resource and~~
3500 ~~the length of the buffer is parallel to the resource. The entire buffer width may be~~
3501 ~~averaged to qualify for a resource category.~~

3502 ~~((C-)) B. The presence or occurrence of an eligible open space resource may be~~
3503 ~~verified by:~~

- 3504 ~~1. Reference to a recognized source, such as:~~
- 3505 ~~a. the natural heritage data base;~~
 - 3506 ~~b. the state office of historic preservation;~~
 - 3507 ~~c. state, national, county or city registers of historic places;~~
 - 3508 ~~d. the Washington state recreation and conservation office inventory of dry~~
3509 ~~accretion beach and shoreline features;~~
 - 3510 ~~e. a shoreline master program;~~

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3511 _____ f. parks and recreation studies; or
3512 _____ g. studies by the state Department of Fish and Wildlife or Department of
3513 Natural Resources;
3514 _____ 2. Reference to a map developed by the county or other recognized authority;
3515 or
3516 _____ 3. Using the best available source, such as a recognized expert in the particular
3517 resource being reviewed.
3518 _____ ((D-)) C. When more than one reasonable interpretation can be supported by the
3519 text of this chapter, the department may make a determination relating to the open space
3520 resource definitions and eligibility standards in accordance with the purpose and intent of
3521 this chapter. The department may calculate the appropriate area of land to receive credit
3522 for a particular priority resource to support the assessor's determination of the
3523 accompanying tax reduction for each priority resource.
3524 _____ ((E-)) D. Management or preservation of the open space resources is a condition
3525 for acceptance into the program. Each open space resource ((must)) shall be maintained
3526 in the same or better condition as it was when approved for enrollment. The property
3527 owner shall not engage in any activity that reduces the value of the open space resource,
3528 unless that activity is required for public safety and is conducted lawfully under
3529 appropriate permits. As a condition of enrollment into the program, the department may
3530 require the owner to develop a plan acceptable to the department to restore any property
3531 whose open space resources are degraded. In addition, if an existing approved plan for
3532 farm and agricultural conservation land, ecological enhancement land, forest stewardship
3533 land, rural stewardship land, or resource restoration category has a management schedule

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3534 or management goals that are out of date or otherwise require change, the owner is
3535 responsible for revising the plan. Plan revisions are subject to review and approval by
3536 ~~((F))the department ((must review and accept any plan revisions)).~~
3537 ~~((F-)) E. The county may base acceptance of property into the public benefit~~
3538 rating system on specific conditions or requirements being met, including, but not limited
3539 to, granting easements.
3540 ~~((G-)) F. Except as otherwise provided in this chapter, the following properties or~~
3541 areas are not eligible for open space classification:
3542 1. Improvements or structures on eligible open space land;
3543 2. Properties that do not contain a qualifying open space resource;
3544 3. Open space areas protected by a native growth, forest retention, or other
3545 covenant that is required as part of a development process or subdivision, or required by
3546 zoning or other land use regulations; however, such an area is eligible as ecological
3547 enhancement, or forest stewardship or rural stewardship land if implementation of the
3548 associated plan provides resource improvements within the enrolling open space. Such
3549 an area is also eligible as public recreation area, equestrian-pedestrian-bicycle, or active
3550 trail linkage due to the public's use and benefit. Additionally:
3551 a. Enrollment of at least ten percent additional open space acres, beyond that
3552 restricted or required by applicable covenant or regulation, is necessary to qualify for
3553 additional resource categories not referenced in this subsection ((G))F.3. but not
3554 including those additional resource categories referenced in subsection ((G))F.3.b. of this
3555 section; and

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3556 ~~b.((c)) The minimum ten percent additional open space acres provided ((must~~
3557 ~~be acceptable)) shall, to the satisfaction of to the department, ((and)) feature a plant~~
3558 ~~community where native plants are dominant or should be dominant after implementing~~
3559 ~~an approved farm management, ecological enhancement, forest stewardship, resource~~
3560 ~~restoration, or rural stewardship plan associated with the approved open space resource or~~
3561 ~~bonus category;~~

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3562 ~~4. Any portion of a property dominated by or whose resource value is~~
3563 ~~compromised by invasive plant species, unless the department has received a resource~~
3564 ~~restoration, rural stewardship, ecological enhancement, farm management, or forest~~
3565 ~~stewardship plan and determined that the plan adequately addresses the invasive plant~~
3566 ~~species concern and is being implemented; and~~

3567 ~~5. Homesite and other areas developed for residential or personal use, such as~~
3568 ~~garden, landscaping and driveway, except for historic resources.~~

3569 ~~((H)) G. The department may monitor the participating portion of the property to~~
3570 ~~evaluate its current use and continuing compliance with the conditions of enrollment.~~

3571 ~~1. Monitoring may include scheduled, physical inspections of the property and~~
3572 ~~in-office review using aerial photography, mapping software, or other available~~
3573 ~~technologies.~~

3574 ~~2. Program staff may require an owner of enrolled property to submit a~~
3575 ~~monitoring report on an annual or less frequent basis. The report ((must)) shall include a~~
3576 ~~brief description of how the property still qualifies for each awarded resource category,~~
3577 ~~photographs from established points on the property, and any owner observations by the~~
3578 ~~owner. The owner ((must)) shall submit this report to the department by email, the~~

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3579 program's website, or by other mutually agreed upon method. An environmental
3580 consultant need not prepare this report.
3581 3. An owner of property receiving credit for farm and agricultural conservation
3582 land, ecological enhancement land, forest stewardship land, or rural stewardship land, all
3583 of which require a stewardship or management plan, shall annually provide a monitoring
3584 report that describes progress in implementing the plan and includes a brief description of
3585 activities taken to implement the plan and photographs from established points on the
3586 property. The owner shall submit this report to the department by email or by other
3587 mutually agreed upon method. An environmental consultant need not prepare this report.
3588 ~~(H.)~~ H. Failure by the owner to meet the conditions of the approval or to
3589 maintain the uses of the property that were the basis for the original approval is grounds
3590 for the department to reevaluate the property under the public benefit rating system. If
3591 the reevaluation shows the property or a portion of the property is no longer eligible to
3592 participate in the program, the county shall take action to remove the current use
3593 classification and determine the amount of deferred taxes, interest, and penalty owed by
3594 the landowner. If the reevaluation shows the property or a portion thereof is no longer
3595 eligible as approved but that the property still qualifies for one or more public benefit
3596 rating system resource categories, then the overall credit award shall be adjusted to reflect
3597 the reevaluation. The new credit award may result in a current use assessment at a lower
3598 percentage of appraised value than was originally approved. A landowner may appeal a
3599 determination under this subsection by following K.C.C. 20.36.130.B.
3600 SECTION 66. Ordinance 6949, Section 7, as amended, and K.C.C. 20.44.050 are
3601 hereby amended to read as follows:

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3602 The procedures and standards for preparation of environmental impact statements
3603 and other environmental documents pursuant to WAC 197-11-400 through 197-11-460 and
3604 197-11-600 through 197-11-640 are adopted, subject to the following:

3605 A. Pursuant to WAC 197-11-408(2)(a), all comments on determinations of
3606 significance and scoping notices shall be in writing, except where a public meeting on EIS
3607 scoping occurs pursuant to WAC 197-11-410(1)(b).

3608 B. Pursuant to WAC 197-11-420, 197-11-620, and 197-11-625, the county
3609 department acting as lead agency shall be responsible for preparation and content of an EIS
3610 and other environmental documents. The department shall contract with consultants as
3611 necessary for the preparation of environmental documents. The department may consider
3612 the opinion of the applicant regarding the qualifications of the consultant but the
3613 department shall retain sole authority for selecting persons or firms to author, co-author,
3614 provide special services or otherwise participate in the preparation of required
3615 environmental documents.

3616 C. Consultants or subconsultants selected by King County to prepare
3617 environmental documents for a private development project proposal shall not: act as
3618 agents for the applicant in preparation or acquisition of associated underlying permits; have
3619 a financial interest in the proposal for which the environmental document is being
3620 prepared; or perform any work or provide any services for the applicant in connection with
3621 or related to the proposal.

3622 D. The department shall establish and maintain one or more lists of qualified
3623 consultants who are eligible to receive contracts for preparation of environmental
3624 documents for project proposals. Separate lists may be maintained to reflect specialized

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3625 qualifications or expertise. When the department requires consultant services to prepare
3626 environmental documents for project proposals, the department shall select a consultant
3627 from the lists and negotiate a contract for such services. The department director may
3628 waive these requirements as provided for in rules adopted to implement this section.
3629 ~~((Subject to K.C.C. 20.44.145 and p))~~Pursuant to K.C.C. chapter 2.98, the department of
3630 local services shall adopt public rules that establish processes to: create and maintain a
3631 qualified consultant list; select consultants from the list; remove consultants from the list;
3632 provide a method by which applicants may request a reconsideration of selected
3633 consultants based upon costs, qualifications or timely production of the environmental
3634 document; and waive the consultant selection requirements of this chapter on any basis
3635 provided by K.C.C. chapter 2.93.

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3636 _____ E. All costs of preparing the environment document shall be borne by the
3637 applicant. ((Subject to K.C.C. 20.44.145 and p))Pursuant to K.C.C. chapter 2.98, the
3638 department of local services shall promulgate administrative rules that establish a trust fund
3639 for consultant payment purposes, define consultant payment schedules, prescribe
3640 procedures for treating interest from deposited funds and develop other procedures
3641 necessary to implement this chapter.

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3642 _____ F. In the event an applicant decides to suspend or abandon the project, the applicant
3643 must provide formal written notice to the department and consultant. The applicant shall
3644 continue to be responsible for all monies expended by the division or consultants to the
3645 point of receipt of notification to suspend or abandon, or other obligations or penalties
3646 under the terms of any contract let for preparation of the environmental documents.

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3647 G. The department shall only publish an EIS when it believes that the EIS
3648 adequately disclose: the significant direct, indirect, and cumulative adverse impacts of the
3649 proposal and its alternatives; mitigation measures proposed and committed to by the
3650 applicant, and their effectiveness in significantly mitigating impacts; mitigation measures
3651 that could be implemented or required; and unavoidable significant adverse impacts.
3652 Unless otherwise agreed to by the applicant, a final environmental impact statement shall
3653 be issued by the department within two hundred seventy days following the issuance of a
3654 DS for the proposal, except for public projects and nonproject actions, unless the
3655 department determines at the time of issuance of the DS that a longer period will be
3656 required because of the extraordinary size of the proposal or the scope of the environmental
3657 impacts resulting therefrom; provided that the additional time shall not exceed ninety days
3658 unless agreed to by the applicant.

3659 H. The following periods shall be excluded from the two-hundred-seventy-day
3660 period for issuing a final environmental impact statement:

3661 1. Any period during which the applicant has failed to pay required environmental
3662 review fees to the department;

3663 2. Any period during which the applicant has been requested to provide additional
3664 information required for preparation of the environmental impact statement, and

3665 3. Any period during which the applicant has not authorized the department to
3666 proceed with preparation of the environmental impact statement.

3667 SECTION 67. Ordinance 6949, Section 10, as amended, and K.C.C. 20.44.080
3668 are hereby amended to read as follows:

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3669 A. The procedures and standards of WAC 197-11-650 through 197-11-660
3670 regarding substantive authority and mitigation, and WAC 197-11-158, regarding reliance
3671 on existing plans, laws and regulations, are adopted.

3672 B. For the purposes of RCW 43.21C.060 and WAC 197-11-660, the following
3673 policies, plans, rules, and regulations, and all amendments thereto, are designated as
3674 potential bases for the exercise of King County's substantive authority under SEPA,
3675 subject to RCW 43.21C.240 and subsection C of this section:

3676 1. The policies of the state Environmental Policy Act, RCW 43.21C.020.

3677 2. As specified in K.C.C. chapter 20.12, the King County Comprehensive Plan,
3678 its addenda and revisions, ~~((and community and))~~ subarea plans, and functional plans
3679 ~~((and housing report, and as specified in K.C.C. chapter 20.14, surface water~~
3680 ~~management program basin plans)).~~

3681 3. The King County Zoning Code, as adopted in K.C.C. Title 21A.

3682 4. The King County Agricultural Lands Policy, as adopted in K.C.C. Title 26.

3683 5. The King County Landmarks Preservation Code, as adopted in K.C.C.
3684 chapter 20.62.

3685 6. The King County Shoreline ~~((Management))~~ Master ~~((Plan))~~ Program, as
3686 adopted in K.C.C. ~~((Title))~~ chapter 21A.25.

3687 7. The King County Surface Water Runoff Policy, as adopted in K.C.C. chapter
3688 9.04, including the Covington Master Drainage Plan, as adopted in K.C.C. chapter 20.14.

3689 8. The King County Road Standards, as adopted in K.C.C. chapter 14.42.

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3690 9. The Comprehensive Plan for Transportation adopted by Resolution No. 6617
3691 of the council of the Municipality of Metropolitan Seattle and readopted and ratified by
3692 the county council in K.C.C. 28.01.030.

3693 10. The Comprehensive Sewerage Disposal Plan adopted by Resolution No. 23
3694 of the council of the Municipality of Metropolitan Seattle and readopted and ratified by
3695 the county council in K.C.C. 28.01.030.

3696 11. The rules and regulations for construction and use of local sewage facilities
3697 set forth in K.C.C. chapters 28.81 through 28.84.

3698 12. The rules and regulations on the consistency of sewer projects with local
3699 land use plans and policies set forth in Ordinance 11034, as amended.

3700 13. The rules and regulations for the disposal of industrial waste into the
3701 sewerage system set forth in Ordinance 11034, as amended.

3702 14. ((The Duwamish Clean Water Plan adopted by the council of the
3703 Municipality of Metropolitan Seattle and readopted and ratified by the county council by
3704 Ordinance 11032, Section 28, as amended.

3705 45.)) The Washington Department of Ecology's Best Management Practices for
3706 the Use of Municipal Sludge.

3707 C. Within the urban growth area, substantive SEPA authority to condition or
3708 deny new development proposals or other actions shall be used only in cases where
3709 specific adverse environmental impacts are not addressed by regulations as set forth
3710 below or unusual circumstances exist. In cases where the county has adopted the
3711 following regulations to systematically avoid or mitigate adverse impacts, those standards
3712 and regulations will normally constitute adequate mitigation of the impacts of new

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3713 development: K.C.C. chapter 9.04, Surface Water Runoff Policy, K.C.C. chapter 9.08,
3714 Surface Water Management Program, K.C.C. chapter 9.12, Water Quality, K.C.C.
3715 chapter 14.42, King County Road Standards, K.C.C. chapter 16.82, Clearing and
3716 Grading, K.C.C. chapter 21A.12, Development Standards – Density and Dimensions,
3717 K.C.C. chapter 21A.14, Development Standards – Design Requirements, K.C.C. chapter
3718 21A.16, Development Standards – Landscaping and Water Use, K.C.C. chapter 21A.18,
3719 Development Standards – Parking and Circulation, K.C.C. chapter 21A.20, Development
3720 Standards – Signs, K.C.C. chapter 21A.22, Development Standards – Mineral Extraction,
3721 K.C.C. chapter 21A.24, Critical Areas, K.C.C. chapter 21A.26, Development Standards –
3722 Communication Facilities, K.C.C. chapter 21A.28, Development Standards – Adequacy
3723 of Public Facilities and Services. Unusual circumstances related to a site or to a proposal,
3724 as well as environmental impacts not mitigated by the regulations listed in this
3725 subsection, will be subject to site-specific or project-specific SEPA mitigation.
3726 _____ This subsection shall not apply if the county's development regulations cited in
3727 this subsection are amended after April 22, 1996, unless the amending ordinance contains
3728 a finding, supported by documentation, that the requirements for environmental analysis,
3729 protections, and mitigation measures in this chapter, provide adequate analysis of and
3730 mitigation for the specific adverse environmental impacts to which the requirements
3731 apply.
3732 _____ D. Outside the urban growth area, in the course of project review, including any
3733 required environmental analysis, the responsible official may determine that requirements
3734 for environmental analysis, protection, and mitigation measures in the county's
3735 development regulations or comprehensive plans adopted under chapter 36.70A RCW

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3736 and in other applicable local, state, or federal laws and rules provide adequate analysis
3737 and mitigation for specific adverse environmental impacts of the project, if the following
3738 criteria are met:

3739 1. In the course of project review, the responsible official shall identify and
3740 consider the specific probable adverse environmental impacts of the proposed action and
3741 then make a determination whether these specific impacts are adequately addressed by
3742 the development regulations. If they are not, the responsible official shall apply
3743 mitigation consistent with the applicable requirements of the comprehensive plan,
3744 subarea plan element of the comprehensive plan, or other local, state, or federal rules or
3745 laws; and

3746 2. The responsible official bases or conditions its approval on compliance with
3747 these requirements or mitigation measures.

3748 E. Any decision to approve, deny, or approve with conditions pursuant to RCW
3749 43.21C.060 shall be contained in the responsible official's decision document. The
3750 written decision shall contain facts and conclusions based on the proposal's specific
3751 adverse environmental impacts, or lack thereof, as identified in an environmental
3752 checklist, EIS, threshold determination, other environmental document including an
3753 executive department's staff report and recommendation to a decision maker, or findings
3754 made pursuant to a public hearing authorized or required by law or ordinance. The
3755 decision document shall state the specific plan, policy, or regulation that supports the
3756 SEPA decision and, if mitigation beyond existing development regulations is required,
3757 the specific adverse environmental impacts and the reasons why additional mitigation is
3758 needed to comply with SEPA.

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3759 F. This chapter shall not be construed as a limitation on the authority of King
3760 County to approve, deny, or condition a proposal for reasons based upon other statutes,
3761 ordinances, or regulations.

3762 SECTION 68. Ordinance 4828, Section 2, as amended, and K.C.C. 20.62.020 are
3763 hereby amended to read as follows:

3764 The following words and terms shall, when used in this chapter, be defined as
3765 follows unless a different meaning clearly appears from the context:

3766 A. "Alteration" is any construction, demolition, removal, modification,
3767 excavation, restoration, or remodeling of a landmark.

3768 B. "Building" is a structure created to shelter any form of human activity, such as
3769 a house, barn, ~~((church))~~ religious facility, hotel, or similar structure. Building may refer
3770 to a historically related complex, such as a courthouse and jail or a house and barn.

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3771 C. "Certificate of appropriateness" is written authorization issued by the
3772 commission or its designee permitting an alteration to a significant feature of a
3773 designated landmark.

3774 D. "Commission" is the landmarks commission created by this chapter.

3775 E. "Community landmark" is an historic resource which has been designated
3776 pursuant to K.C.C. 20.62.040 but which may be altered or changed without application
3777 for or approval of a certificate of appropriateness.

3778 F. "Designation" is the act of the commission determining that an historic
3779 resource meets the criteria established by this chapter.

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3780 G. "Designation report" is a report issued by the commission after a public
3781 hearing setting forth its determination to designate a landmark and specifying the
3782 significant feature or features thereof.

3783 H. "Director" is the director of the King County department of local services
3784 permitting division manager or designee.

3785 I. "District" is a geographically definable area, urban, ~~((or))~~ rural, or natural
3786 resource lands, possessing a significant concentration, linkage, or continuity of sites,
3787 buildings, structures, or objects united by past events or aesthetically by plan or physical
3788 development. A district may also comprise individual elements separated geographically
3789 but linked by association or history.

3790 J. "Heritage" is a discipline relating to historic preservation and archaeology,
3791 history, ethnic history, traditional cultures, and folklore.

3792 K. "Historic preservation officer" is the King County historic preservation officer
3793 or designee.

3794 L. "Historic resource" is a district, site, building, structure, or object significant in
3795 national, state or local history, architecture, archaeology, and culture.

3796 M. "Historic resource inventory" is an organized compilation of information on
3797 historic resources considered to be significant according to the criteria listed in K.C.C.
3798 20.62.040.A. The historic resource inventory is kept on file by the historic preservation
3799 officer and is updated from time to time to include newly eligible resources and to reflect
3800 changes to resources.

3801 N. "Incentives" are such compensation, rights, or privileges, or combination
3802 thereof, which the council, or other local, state, or federal public body or agency, by

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3803 virtue of applicable present or future legislation, may be authorized to grant to or obtain
3804 for the owner or owners of designated landmarks. Examples of economic incentives
3805 include but are not limited to tax relief, conditional use permits, rezoning, street vacation,
3806 ~~((planned unit development,)) transfer of development rights, facade easements, gifts,~~
3807 preferential leasing policies, private or public grants in aid, beneficial placement of public
3808 improvements, or amenities, or the like.

3809 O. "Interested person of record" is any individual, corporation, partnership, or
3810 association that notifies the commission or the council in writing of its interest in any
3811 matter before the commission.

3812 P. "Landmark" is an historic resource designated as a landmark pursuant to
3813 K.C.C. 20.62.070.

3814 Q. "Nomination" is a proposal that an historic resource be designated a landmark.

3815 R. "Object" is a material thing of functional, aesthetic, cultural, historical, or
3816 scientific value that may be, by nature or design, movable yet related to a specific setting
3817 or environment.

3818 S. "Owner" is a person having a fee simple interest, a substantial beneficial
3819 interest of record or a substantial beneficial interest known to the commission in an
3820 historic resource. Where the owner is a public agency or government, that agency shall
3821 specify the person or persons to receive notices under this chapter.

3822 T. "Person" is any individual, partnership, corporation, group, or association.

3823 U. "Person in charge" is the person or persons in possession of a landmark
3824 including, but not limited to, a mortgagee or vendee in possession, an assignee of rents, a

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3825 receiver, executor, trustee, lessee, tenant, agent, or any other person directly or indirectly
3826 in control of the landmark.

3827 V. "Preliminary determination" is a decision of the commission determining that
3828 an historic resource which has been nominated for designation is of significant value and
3829 is likely to satisfy the criteria for designation.

3830 W. "Significant feature" is any element of a landmark which the commission has
3831 designated pursuant to this chapter as of importance to the historic, architectural or
3832 archaeological value of the landmark.

3833 X. "Site" is the location of a significant event, a prehistoric or historic occupation
3834 or activity, or a building or structure, whether standing, ruined, or vanished, where the
3835 location itself maintains an historical or archaeological value regardless of the value of
3836 any existing structures.

3837 Y. "Structure" is any functional construction made usually for purposes other
3838 than creating human shelter.

3839 SECTION 4969. Ordinance 4828, Section 4, as amended, and K.C.C. 20.62.040

3840 are hereby amended to read as follows:

3841 A. An historic resource may be designated as a King County landmark if it is
3842 more than forty years old or, in the case of a landmark district, contains resources that are
3843 more than forty years old, and possesses integrity of location, design, setting, materials,
3844 quality of work, feeling, or association, or any combination of the foregoing aspects of
3845 integrity, sufficient to convey its historic character, and:

3846 1. Is associated with events that have made a significant contribution to the
3847 broad patterns of national, state, or local history;

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3848 2. Is associated with the lives of persons significant in national, state, or local
3849 history;

3850 3. Embodies the distinctive characteristics of a type, period, style, or method of
3851 design or construction, or that represents a significant and distinguishable entity whose
3852 components may lack individual distinction;

3853 4. Has yielded, or may be likely to yield, information important in prehistory or
3854 history; or

3855 5. Is an outstanding work of a designer or builder who has made a substantial
3856 contribution to the art.

3857 B. An historic resource may be designated a community landmark because it is
3858 an easily identifiable visual feature of a neighborhood or the county and contributes to the
3859 distinctive quality or identity of such a neighborhood or county or because of its
3860 association with significant historical events or historic themes, association with
3861 important or prominent persons in the community or county, or recognition by local
3862 ~~((citizens))~~ individuals for substantial contribution to the neighborhood or community.

3863 An improvement or site qualifying for designation solely by virtue of satisfying criteria
3864 set out in this section shall be designated a community landmark and shall not be subject
3865 to K.C.C. 20.62.080.

3866 C. Cemeteries, birthplaces, or graves of historical figures, properties owned by
3867 religious institutions or used for religious purposes, structures that have been moved from
3868 their original locations, reconstructed historic buildings, properties primarily
3869 commemorative in nature, and properties that have achieved significance within the past

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3870 forty years shall not be considered eligible for designation. However, such ~~((a property))~~
3871 properties shall be eligible for designation if they are~~(:~~
3872 ~~1. (A))~~an integral part of districts that meet the criteria set out in subsection A. of
3873 this section or if ~~((#is))~~ they are:
3874 ~~((2. A))~~ 1. ~~((#))~~Religious ~~((property))~~ properties deriving primary significance
3875 from architectural or artistic distinction or historical importance;
3876 ~~((3. A))~~ 2. ~~((b))~~Buildings or structures removed from ~~((#s))~~ their original
3877 locations but that ~~((#s))~~ are significant primarily for ~~((#s))~~ their architectural value, or
3878 ~~((which is))~~ that are the surviving structure most importantly associated with ~~((a))~~ historic
3879 persons or events;
3880 ~~((4. A))~~ 3. ~~((b))~~Birthplaces, graves, or residences of ~~((a))~~ historical figures of
3881 outstanding importance if there ~~((#s))~~ are no other appropriate sites or buildings directly
3882 associated with the historical ~~((figure's))~~ figures' productive ~~((life))~~ lives;
3883 ~~((5. A cemetery))~~ 4. Cemeteries that derive~~((s is))~~ their primary significances
3884 from graves of persons of transcendent importance, from age, from distinctive design
3885 features, or from association with historic events;
3886 ~~((6. A))~~ 5. ~~((#))~~Reconstructed buildings when accurately executed in a suitable
3887 environment and presented in a dignified manner or as part of ~~((a))~~ restoration master
3888 plans, and when no other buildings or structures with the same association ~~((has))~~ have
3889 survived;
3890 ~~((7. A property))~~ 6. Properties commemorative in intent if design, age,
3891 tradition, or symbolic value ~~((has))~~ have invested ~~((#))~~ them with ~~((#s))~~ their own
3892 historical significance; or

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3893 ~~((8. A property))~~ 7. Properties achieving significance within the past forty years
3894 if ~~((it is))~~ they are of exceptional importance.

3895 SECTION 750. Ordinance 10870, Section 17, as amended, and K.C.C.
3896 21A.02.070 are hereby amended to read as follows:

3897 A. All references to the Standard Industrial Classification (SIC) are to the titles
3898 and descriptions found in the Standard Industrial Classification Manual, 1987 edition,
3899 prepared by United States Office of Management and Budget, which is hereby adopted
3900 by reference. The ~~((SIC))~~ is used, with modifications to suit the purposes of this
3901 title, to list and define land uses authorized to be located in the various zones consistent
3902 with the ~~((Comprehensive Plan))~~ land use map.

3903 B. The SIC categorizes each land use under a general two-digit major group
3904 number, or under a more specific three- or four-digit industry group or industry number.
3905 A use shown on a land use table with a two-digit number includes all uses listed in the
3906 SIC for that major group. A use shown with a three-digit or four-digit number includes
3907 only the uses listed in the SIC number for that industry group or industry.

3908 C. An asterisk ~~((, shown as "*"((+)))~~ in the SIC number column of a land use
3909 table means that the SIC definition for the specific land use identified has been modified
3910 by this title. The definition may include one or more SIC ~~((subclassification))~~ numbers,
3911 or may define the use without reference to the SIC.

3912 D. The ~~((D))~~ director shall determine whether a proposed land use not specifically
3913 listed in a land use table or specifically included within a SIC ~~((classification))~~
3914 code number is allowed in a zone. The director's determination shall be based on whether
3915 ~~((or not))~~ permitting the proposed use in a particular zone is consistent with the purposes

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3916 of this title and the zone's purpose (~~(as set forth)~~) established in K.C.C. chapter 21A.04,
3917 by considering the following factors:

3918 1. The physical characteristics of the use and its supporting structures, including
3919 but not limited to scale, traffic, and other impacts, and hours of operation;

3920 2. Whether (~~or not~~) the use complements or is compatible with other uses
3921 ~~((permitted))~~ allowed in the zone; and

3922 3. The SIC (~~(classification)~~) ednumber, if any, assigned to the business or
3923 other entity that will carry on the primary activities of the proposed use.

3924 E. If a proposed land use subject to subsection D. of this section is an essential
3925 public facility under the ~~Washington state~~ Growth Management Act, it shall be evaluated
3926 using the special use permit process and consistent with the ~~Washington state~~ Growth
3927 Management Act, the King County Countywide Planning Policies, and the King County
3928 Comprehensive Plan.

3929 SECTION ~~5471~~. Ordinance 10870, Section 27, as amended, and K.C.C.
3930 21A.04.060 are hereby amended to read as follows:

3931 A. The purpose of the rural zone (RA) is to provide for an area-wide long-term
3932 rural character and to minimize land use conflicts with nearby agricultural or forest
3933 production districts or mineral extraction sites. These purposes are accomplished by:

3934 1. Limiting residential densities and ~~((permitted))~~ allowed uses to those that are
3935 compatible with rural character and nearby resource production districts and sites and are
3936 able to be adequately supported by rural service levels;

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3937 2. Allowing small-scale farming and forestry activities and tourism and
3938 recreation uses that can be supported by rural service levels and that are compatible with
3939 rural character;

3940 3. Increasing required setbacks to minimize conflicts with adjacent agriculture,
3941 forest, or mineral zones; and

3942 4. Requiring tracts created through clustering ~~((development))~~ to be designated
3943 as permanent open space or as permanent resource use.

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3944 B. Use of this zone is appropriate in the rural area((s)) designated by the
3945 Comprehensive Plan as follows:

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3946 1. RA-2.5 in the rural area((s)) where the predominant lot pattern is below five
3947 acres in size for lots established ~~((prior to))~~ before the adoption of the 1994
3948 Comprehensive Plan;

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3949 2. RA-5 in the rural area((s)) where ~~((the predominant lot pattern is five acres or
3950 greater but less than ten acres in size and the area is generally environmentally
3951 unconstrained))~~;

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3952 a. The lands are is more than a quarter mile from designated natural resource
3953 lands;

3954 b. The lands are is physically suitable for development with minimal:
3955 environmentally sensitive features as defined by county, state, or federal law; regionally
3956 significant resource areas; or critical habitat, as determined by legislatively approved
3957 Watershed Resource Inventory Area plans critical areas; and

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3958 c. this residential density would not harm or diminish the surrounding area,
3959 burden infrastructure, increase development pressure, and-or be inconsistent with the
3960 development patterns promoted by the Comprehensive Plan;

3961 3.a. RA-10 in the rural area(s) (where (the predominant lot pattern is ten
3962 acres or greater but less than twenty acres in size. RA-10 is also applied on land that is
3963 generally environmentally constrained, as defined by county, state, or federal law, to
3964 protect critical habitat and regionally significant resource areas (RSRAs). The RA-10
3965 zone is also applied to lands within one-quarter mile of a forest or agricultural production
3966 district or an approved long-term mineral extraction site.));

3967 a.(1) The lands are is adjacent to or within one-quarter mile of designated
3968 natural resource lands;

3969 (2) The lands contains moderate or significant critical areas significant
3970 environmentally constrained areas as defined by county, state, or federal law, or
3971 regionally significant resource areas or substantial critical habitat, as determined by
3972 legislatively approved Watershed Resource Inventory Area Plans; or

3973 (3) aA residential density of one home dwelling unit per five acres would
3974 harm or diminish the surrounding area, burden infrastructure, increase development
3975 pressure, or be inconsistent with the development patterns promoted by the
3976 Comprehensive Plan; and

3977 b. On Vashon-Maury Island, RA-10 zoning shall be maintained on areas zoned
3978 RA-10 as of 1994 and on areas with a predominant lot size of ten acres or greater that are
3979 identified on the Areas Highly Susceptible to Groundwater Contamination map; and

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3980 4. RA-20 in Rural Forest Focus ~~((Districts))~~ Areas designated by the King
3981 County Comprehensive Plan. This level of density should also be considered when a
3982 larger parcel with an agricultural, forestry, or mineral land use natural resource land
3983 designation is redesignated to a rRural aArea land use designation.

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3984 SECTION 752. Ordinance 10870, Section 28, as amended, and K.C.C.
3985 21A.04.070 are hereby amended to read as follows:

3986 A. The purposes of the urban reserve zone (UR) are to: phase growth and
3987 demand for urban services, and to reserve large tracts of land for possible future growth
3988 in portions of King County designated by the Comprehensive Plan for future urban
3989 growth while allowing reasonable interim uses of property; or to reflect designation by
3990 the Comprehensive Plan of a property or area as part of the urban growth area when a
3991 detailed plan for urban uses and densities has not been completed, or where adequate
3992 public facilities and services are not available or yet needed. These purposes are
3993 accomplished by:

- 3994 1. Allowing for rural, agricultural, and other low-density uses;
- 3995 2. Allowing for limited residential growth, either contiguous to existing urban
3996 public facilities((?)) or at a density supportable by existing rural public service levels; and
- 3997 3. Requiring clustering~~((ed residential developments))~~ where feasible, to
3998 prevent establishment of uses and lot patterns ~~((which))~~ that may foreclose future
3999 alternatives and impede efficient later development at urban densities.

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4000 B. Use of this zone is appropriate in ~~((urban areas, rural towns or in ((rural city~~
4001 ~~expansion areas))~~ the Urban Growth Area for Cities in the Rural Area designated by the
4002 Comprehensive Plan~~((, when such areas do not have adequate public facilities and~~

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4003 services or are not yet needed to accommodate planned growth, ~~or~~ do not yet have
4004 detailed land use plans for urban uses and densities ~~((, or are designated as sites for a~~
4005 potential urban planned development or new fully contained communities)).

4006 SECTION 753. Ordinance 10870, Section 29, as amended, and K.C.C.
4007 21A.04.080 are hereby amended to read as follows:

4008 A. The purpose of the urban residential zone (R) is to implement
4009 ~~((e))~~Comprehensive ~~((p))~~Plan goals and policies for housing quality, diversity, and
4010 affordability, and to efficiently use urban residential land, public services, and ~~((energy))~~
4011 utilities. These purposes are accomplished by:

4012 1. Providing, in the R-1 zone, predominantly single detached dwelling units
4013 residences at a relatively low residential density;

4014 2. Providing, in the R-4 through R-8 zones, for a mix of ~~((predominantly))~~
4015 single detached ~~((dwelling units))~~ residences, duplexes, triplexes, fourplexeshouseplexes,
4016 and other development types, with a variety of densities and sizes in locations appropriate
4017 for ~~((urban))~~ lower or moderate residential densities;

4018 ~~((2-))~~ 3. Providing, in the R-12 through R-48 zones, for a mix of predominantly
4019 apartments and townhouses ~~((dwelling units))~~, mixed-use, and other development types,
4020 with a variety of densities and sizes in locations appropriate for ~~((urban))~~ moderate to
4021 higher residential densities;

4022 ~~((3-))~~ 4. Allowing only those accessory and complementary nonresidential uses
4023 that are compatible with urban residential communities; and

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4024 ((4.)) 5. Establishing density designations to facilitate advanced area-wide
4025 planning for public facilities and services, and to protect ~~((environmentally sensitive~~
4026 ~~sites))~~ critical areas sites from over-development.

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4027 B. Use of ~~((this))~~ these zones ~~((is))~~ are appropriate in urban areas, ~~((activity))~~
4028 centers, or ~~((R))~~rural ~~((T))~~towns designated by the Comprehensive Plan as follows:

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4029 1. The R-1 zone;

4030 a. on or adjacent to lands with area-wide environmental constraints where

4031 ~~((development))~~ clustering is required ~~((to cluster))~~ away from ~~((sensitive))~~ critical
4032 areas~~((,))~~;

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4033 b. on lands designated as urban separators ~~((or))~~ wildlife habitat network

4034 ~~((where development is required to cluster away from the axis of the corridor on)),~~ or

4035 critical aquifer recharge areas~~((, and on)),~~ or Regionally and Locally Significant Resource
4036 Areas (RSRAs/LSRAs)); or

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4037 c. in well-established subdivisions of the same density~~((, which))~~ that are

4038 served at the time of development by public or private facilities and services adequate to

4039 support planned densities;

4040 2. The R-4 through R-8 zones on ~~((urban))~~ lands that are predominantly

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4041 environmentally unconstrained and are served at the time of development, by adequate

4042 public sewers, water supply, roads, and other needed public facilities and services; and

4043 3. The R-12 through R-48 zones on lands in and next to ~~((U))~~unincorporated

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4044 ~~((A))~~activity ~~((C))~~centers, in ~~((C))~~community or ~~((N))~~neighborhood ~~((B))~~business

4045 ~~((C))~~centers, in mixed-use development, on small, scattered lots integrated into existing

4046 residential areas, or in ~~((R))~~rural ~~((T))~~towns, that are served at the time of development

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4047 by adequate public sewers, water supply, roads, and other needed public facilities and
4048 services.

4049 SECTION 5474, Ordinance 10870, Section 30, as amended, and K.C.C.

4050 21A.04.090 are hereby amended to read as follows:

4051 A. The purpose of the neighborhood business zone (NB) is to provide convenient
4052 daily retail and personal services for a limited service area and to minimize impacts of
4053 commercial activities on nearby properties and ~~((in urban areas on properties with the
4054 land use designation of commercial outside of center,))~~ to provide for limited residential
4055 development. These purposes are accomplished by:

4056 1. Limiting nonresidential uses to those retail or personal services ~~((which))~~ that
4057 can serve the everyday needs of a surrounding urban or rural residential area;

4058 2. Allowing for ~~((mixed use (housing and retail/service)))~~ mixed-use
4059 developments ~~((and))~~ in urban areas and rural towns;

4060 3. Allowing for townhouse developments as a sole use on properties in the
4061 urban area with the land use designation of commercial outside of center; and

4062 ~~((3-))~~ 4. Excluding industrial and community/regional business-scaled uses.

4063 B. Use of this zone is appropriate in ~~((urban))~~ unincorporated activity centers,

4064 community business centers, neighborhood business centers, commercial outside of

4065 centers, rural towns, or rural neighborhood commercial centers designated by the

4066 ~~((e))~~ Comprehensive ((p)) Plan, on sites ((which)) that are served at the time of

4067 development by adequate public sewers when located in urban areas or adequate on-site

4068 sewage disposal when located in rural areas, water supply, roads, and other needed public

4069 facilities and services.

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4070 SECTION 5575. Ordinance 10870, Section 31, as amended, and K.C.C.

4071 21A.04.100 are hereby amended to read as follows:

4072 A. The purpose of the community business zone (CB) is to provide convenience
4073 and comparison retail and personal services for local service areas (~~(which)~~) that exceed
4074 the daily convenience needs of adjacent neighborhoods but (~~(which)~~) that cannot be
4075 served conveniently by larger unincorporated activity centers, and to provide retail and
4076 personal services in locations within unincorporated activity centers that are not
4077 appropriate for extensive outdoor storage or auto related and industrial uses. These
4078 purposes are accomplished by:

4079 1. Providing for limited small-scale offices as well as a wider range of the retail,
4080 professional, governmental, and personal services than are found in neighborhood
4081 business areas;

4082 2. Allowing for (~~(mixed-use (housing and retail/service))~~) mixed-use
4083 developments in urban areas and rural towns; and

4084 3. Excluding commercial uses with extensive outdoor storage or auto related
4085 and industrial uses.

4086 B. Use of this zone is appropriate in (~~(urban and)~~) unincorporated activity
4087 centers, community business centers, commercial outside of centers, or rural towns that
4088 are designated by the Comprehensive Plan (~~(and community plans)~~) and that are served at
4089 the time of development by adequate public sewers, water supply, roads, and other
4090 needed public facilities and services.

4091 SECTION 5676. Ordinance 10870, Section 32, as amended, and K.C.C.

4092 21A.04.110 are hereby amended to read as follows:

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4093 A. The purpose of the regional business zone (RB) is to provide for the broadest
4094 mix of comparison retail, wholesale, service, and ~~((recreation/))~~ recreational and cultural
4095 uses with compatible storage and fabrication uses, serving regional market areas and
4096 offering significant employment opportunities. These purposes are accomplished by:

4097 1. Encouraging compact development that is supportive of transit and pedestrian
4098 travel, through higher nonresidential building heights and floor area ratios than those
4099 found in community business centers;

4100 2. Allowing for outdoor sales and storage, regional shopping areas, and limited
4101 fabrication uses; ~~((and))~~

4102 3. Concentrating large-scale commercial and office uses to facilitate the
4103 efficient provision of public facilities and services; and

4104 4. Allowing for mixed-use developments in urban areas.

4105 B. Use of this zone is appropriate in ~~((urban activity centers or rural towns))~~
4106 commercial outside of centers that are designated by the Comprehensive Plan ~~((and~~
4107 ~~community plans))~~ that are served at the time of development by adequate public sewers,
4108 water supply, roads, and other needed public facilities and services.

4109 SECTION 5777. Ordinance 10870, Section 33, and K.C.C. 21A.04.120 are
4110 hereby amended to read as follows:

4111 A. The purpose of the office zone (O) is to provide for pedestrian and transit-
4112 oriented high-density employment uses together with limited complementary retail and
4113 urban density residential development in locations ~~((within activity centers))~~ where the
4114 full range of commercial activities is not desirable. These purposes are accomplished by:

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- 4115 1. Allowing for uses that will take advantage of pedestrian-oriented site and
4116 street improvement standards;
- 4117 2. Providing for higher building heights and floor area ratios than those found in
4118 community business centers;
- 4119 3. Reducing the ratio of required parking to building floor area;
- 4120 4. Allowing for on-site convenient daily retail and personal services for
4121 employees and residences; ~~((and))~~
- 4122 5. Excluding ~~((auto))~~ automobilevehicle-oriented, outdoor, or other retail sales
4123 and services ~~((which))~~ that do not provide for the daily convenience needs of on-site and
4124 nearby employees or residents; and
- 4125 6. Allowing for mixed ~~-use developments in urban areas and rural towns.~~
- 4126 B. Use of this zone is appropriate in unincorporated activity centers, community
4127 business centers, neighborhood business centers, commercial outside of centers, or rural
4128 towns designated by the Comprehensive Plan ~~((and community plans which))~~ that are
4129 served at the time of development by adequate public sewers, water supply, roads, and
4130 other needed public facilities and services.

4131 SECTION 78. Ordinance 10870, Section 44, as amended, and K.C.C.
4132 21A.06.020 are hereby amended to read as follows:

4133 Accessory use, residential: an accessory use to a residential use, including, but
4134 not limited to:

4135 A. Accessory living quarters and dwellings;

4136 B. Fallout or bomb shelters;

4137 C. Keeping household pets or operating a hobby cattery or hobby kennel;

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- 4138 D. On-site rental office;
- 4139 E. Pools, private docks or piers;
- 4140 F. Antennae for private telecommunication services;
- 4141 G. Storage of yard maintenance equipment;
- 4142 H. Storage of private vehicles, such as motor vehicles, boats, trailers or planes;
- 4143 I. Greenhouses;
- 4144 J. Recreation space and play areas required under K.C.C. 21A.14.180 ~~((and play~~

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4145 areas required under K.C.C. 21A.14.190));

4146 K. Home occupations and home industries under K.C.C. chapter 21A.30; and

4147 L. Consumer-scale renewable energy systems.

4148 NEW SECTION. SECTION 79. There is hereby added to K.C.C. chapter

4149 21A.06 a new section to read as follows:

4150 Adult family home: a residence in which a person or persons provide personal
4151 care, special care, room, and board to more than one but not more than six adults who are
4152 not related by blood or marriage to the person or persons providing the services. An adult
4153 family home may provide services to up to eight adults upon approval from the
4154 department under RCW 70.128.066.

4155 SECTION 5880. Ordinance 10870, Section 48, as amended, and K.C.C.

4156 21A.06.040 are hereby amended to read as follows:

4157 Agricultural product sales: the retail sale of items resulting from the practice of
4158 agriculture, including primary horticulture products such as fruits, vegetables, grains,
4159 seed, feed, and plants, primary animal products such as eggs, milk, and meat, or
4160 secondary and value-added products resulting from processing, sorting, or packaging of

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4161 primary agricultural products such as jams, cheeses, dried herbs, or similar items.

4162 Agricultural product sales do not include ~~((marijuana))~~ cannabis, usable ~~((marijuana))~~
4163 cannabis, or ~~((marijuana))~~ cannabis-infused products.

4164 NEW SECTION. SECTION 81. There is hereby added to K.C.C. chapter
4165 21A.06 a new section to read as follows:

4166 Anaerobic digester: an airtight, oxygen-free container that is fed animal manure or
4167 other solid waste and that uses a biological process to stabilize organic matter and
4168 produce methane gas for energy generation or other beneficial use.

4169 SECTION 82. K.C.C. 21A.06.355, as amended by this ordinance, is hereby
4170 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.067.

4171 SECTION 83. Ordinance 10870, Section 5, and K.C.C. 21A.06.355 are hereby
4172 amended to read as follows:

4173 ~~((Dwelling unit, a))Apartment: ((a dwelling unit contained in)) a building~~
4174 ~~consisting of ((two)) ten or more dwelling units ((which may be stacked, or one or more~~
4175 ~~dwelling with nonresidential uses)) sharing a common roof, wall, or floor. A houseplex~~
4176 ~~with one or more accessory dwelling units is not considered an apartment.~~

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4177 NEW SECTION. SECTION 5984. There is hereby added to K.C.C. chapter
4178 21A.06 a new section to read as follows:

4179 At imminent risk of becoming homeless: a household ~~who~~ that will lose their
4180 primary nighttime residence as follows:

4181 A. The residence will be lost within fourteen days of the date of application for
4182 homeless assistance;

4183 B. No subsequent residence has been identified; and

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4184 C. The household lacks the resources or support networks needed to obtain other
4185 permanent housing, such as family, friends, or faith-based or other social networks.

4186 NEW SECTION. SECTION 6085. There is hereby added to K.C.C. chapter
4187 21A.06 a new section to read as follows:

4188 At risk of chronic homelessness: a household that includes at least one adult:

4189 A. ~~Includes an adult W~~with a developmental, physical, or behavioral health
4190 disability;

4191 B. ~~Is That is~~ currently experiencing homelessness for at least ten months in the
4192 previous three years, or has experienced homelessness for a cumulative total of twelve
4193 months within the previous five years; and

4194 C. ~~Includes an adult T~~That has been incarcerated within the previous five years in
4195 a jail or prison, that has been detained or involuntarily committed under chapter 71.05
4196 RCW, or identifies as a member of a population that is demographically overrepresented
4197 among persons experiencing homelessness in King County.

4198 SECTION 6486. K.C.C. 21A.06.7341, 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.06.162.

4200 SECTION 6287. Ordinance 17710, Section 2, and K.C.C. 21A.06.7341 are
4201 hereby amended to read as follows:

4202 ~~((Marijuana)) Cannabis~~: all parts of the plant cannabis, whether growing or not,
4203 with a percentage concentration of delta-9 tetrahydrocannabinol content per dry weight of
4204 any part of the plant cannabis, or per volume or weight of ~~((marijuana)) cannabis~~ product
4205 greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from
4206 any part of the plant; and every compound, manufacture, salt, derivative, mixture, or

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4207 preparation of the plant, its seeds, or resin. ~~((Marijuana))~~ Cannabis does not include the
4208 mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds
4209 of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of
4210 the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the
4211 sterilized seed of the plant ~~((which))~~ that is incapable of germination.

4212 SECTION 6388. K.C.C. 21A.06.7342, as amended by this ordinance, is hereby
4213 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.7341, as
4214 recodified by this ordinance.

4215 SECTION 6489. Ordinance 17710, Section 3, and K.C.C. 21A.06.3742 are
4216 hereby amended to read as follows:

4217 ~~((Marijuana))~~ Cannabis greenhouse: a structure with a glass or rigid plastic roof
4218 and glass or rigid plastic walls designed and used to create an artificial climate for the
4219 growing of ~~((marijuana))~~ cannabis as licensed by the Washington state Liquor ~~((Control))~~
4220 and Cannabis Board for the ~~((marijuana))~~ cannabis production that is of sufficient
4221 strength and stability to comply with the structural design load requirements of the
4222 building code and that is not used as a place for human habitation or by the general
4223 public.

4224 SECTION 6590. K.C.C. 21A.06.7344, as amended by this ordinance, is hereby
4225 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.7342, as
4226 recodified by this ordinance.

4227 SECTION 6691. Ordinance 17710, Section 4, as amended, and K.C.C.
4228 21A.06.7344 are hereby amended to read as follows:

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4229 ((~~Marijuana~~)) Cannabis processor: a facility licensed by the Washington state
4230 Liquor and Cannabis Board to process ((~~marijuana~~)) cannabis into useable ((~~marijuana~~))
4231 cannabis and ((~~marijuana~~)) cannabis-infused products, package, and label useable
4232 ((~~marijuana~~)) cannabis and ((~~marijuana~~)) cannabis-infused products for sale in retail
4233 outlets, and sell useable ((~~marijuana~~)) cannabis and ((~~marijuana~~)) cannabis-infused
4234 products at wholesale to ((~~marijuana~~)) cannabis retailers. ((~~Marijuana~~)) Cannabis
4235 processors are classified as follows:

- 4236 A. ((~~Marijuana~~)) Cannabis processor I -- processing that is limited to:
- 4237 1. Drying, curing, and trimming; and
4238 2. Packaging.
- 4239 B. ((~~Marijuana~~)) Cannabis processor II -- all elements of processing including:
- 4240 1. All ((~~marijuana~~)) Cannabis processor I activities;
4241 2. Extracting concentrates and infusing products;
4242 3. Mechanical and chemical processing; and
4243 4. Packaging.

4244 SECTION 6792. K.C.C. 21A.06.7346, as amended by this ordinance, is hereby
4245 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.7344, as
4246 recodified by this ordinance.

4247 SECTION 6893. Ordinance 17710, Section 5, as amended, and K.C.C.
4248 21A.06.7346 are hereby amended to read as follows:

4249 ((~~Marijuana~~)) Cannabis producer: a facility licensed by the Washington state
4250 Liquor and Cannabis Board for the production and sale at wholesale of ((~~marijuana~~))

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4251 ~~cannabis to ((marijuana)) cannabis~~ processors and other ~~((marijuana)) cannabis~~
4252 producers.

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4253 ~~SECTION 6994.~~ K.C.C. 21A.06.7348, as amended by this ordinance, is hereby
4254 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.7346, as
4255 recodified by this ordinance.

4256 ~~SECTION 7095.~~ Ordinance 17710, Section 6, as amended, and K.C.C.
4257 21A.06.7348 hereby amended to read as follows:

4258 ~~((Marijuana)) Cannabis~~ retailer: a facility licensed by the Washington state
4259 Liquor and Cannabis Board where useable ~~((marijuana)) cannabis~~ and ~~((marijuana))~~
4260 ~~cannabis~~-infused products may be sold at retail.

4261 ~~SECTION 96. Ordinance 10870, Section 84, and K.C.C. 21A.06.220 are hereby~~
4262 ~~amended to read as follows:~~

4263 ~~Community residential facility ("CRF"): living quarters meeting applicable~~
4264 ~~federal and state standards that function as a single ((housekeeping unit)) household and~~
4265 ~~provide supportive services, including but not limited to counseling, rehabilitation and~~
4266 ~~medical supervision, excluding drug and alcohol detoxification, which is classified ((in~~
4267 ~~K.C.C. 21A.08.050)) as health care services and residential care services in K.C.C.~~

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4268 ~~21A.08.xxx (the new section created by section 148 of this ordinance), and excluding a~~
4269 ~~secure community transition facility as defined in ((R.C.W.)) RCW 71.09.020 and in this~~
4270 ~~chapter. For purposes of domestic violence shelters, minors living with a parent shall not~~

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4271 ~~be counted as part of the maximum number of residents. Community Residential~~

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4272 ~~Facilities are further classified as follows:~~

4273 ~~A. Community Residential Facility - I -- Nine to ten residents and staff:~~

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4274 B. Community Residential Facility - II -- Eleven or more residents and staff.
4275 If staffed by nonresident staff, each twenty-four staff hours per day equals one full-time
4276 residing staff member for purposes of subclassifying CRFs.

4277 SECTION 97. Ordinance 12243, Section 4, and K.C.C. 21A.06.247 are hereby
4278 amended to read as follows:

4279 Construction and trade~~(s)~~; establishments that provide services related to
4280 construction of buildings and infrastructure, and other improvements to property. Such
4281 establishments include~~(s)~~ SIC Major ~~((group no-'s))~~ Groups 15-17~~((s))~~ and SIC Industry
4282 ~~((group no-))~~ Group 078-~~((f))~~Landscape and Horticultural Services~~((g))~~.

4283 SECTION 98. K.C.C. 21A.06.358, as amended by this ordinance, is hereby
4284 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.252.

4285 SECTION 99. Ordinance 15032, Section 4, and K.C.C. 21A.06.358 are hereby
4286 amended to read as follows:

4287 ~~((Dwelling unit, e))~~ Cottage housing: ~~((a))~~ three or more small single detached
4288 ~~((single family dwelling unit located on a commonly owned parcel with common open~~
4289 ~~space))~~ residences sited around a central common space on a commonly owned parcel.

4290 SECTION ~~74~~100. Ordinance 15606, Section 5, and K.C.C. 21A.06.196 are
4291 hereby amended to read as follows:

4292 Clustering: development of a subdivision at the existing zoned density that
4293 reduces the size of individual lots and creates natural open space for the preservation of
4294 critical areas~~((, parks and permanent open space or as a reserve for future development))~~
4295 or resource land for forestry or agriculture.

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4296 NEW SECTION. SECTION 101. There is hereby added to K.C.C. chapter

4297 21A.06 a new section to read as follows:

4298 Congregate residence: a building that contains sleeping units or dwelling units, or
4299 both, with communal facilities such as sanitation facilities, kitchen facilities, recreation
4300 space, or lounges.

4301 NEW SECTION. SECTION 102. There is hereby added to K.C.C. chapter

4302 21A.06 a new section to read as follows:

4303 Crisis care center: a facility that provides same-day access to crisis stabilization
4304 services for people in behavioral health crisis including walk-in behavioral health urgent
4305 care clinic, a twenty-three-hour observation unit or similar facility, a crisis stabilization
4306 unit for up to fourteen days of care, and post-crisis support services.

4307 SECTION 71032. Ordinance 10870, Section 92, as amended, and K.C.C.

4308 21A.06.260 are hereby amended to read as follows:

4309 Critical facility: a facility necessary to protect the public health, safety, and
4310 welfare including, but not limited to, a facility defined under the occupancy categories of
4311 "essential facilities," "hazardous facilities," and "special occupancy structures" in the
4312 structural ~~((forces))~~ design chapter ~~((or succeeding chapter))~~ in K.C.C. Title 16. Critical
4313 facilities also include nursing and personal care facilities, schools, senior ~~((citizen))~~
4314 assisted housing, ~~((public roadway))~~ county-owned bridges, and sites that produce, use,
4315 or store hazardous substances or hazardous waste, not including the temporary storage of
4316 consumer products containing hazardous substances or hazardous waste intended for
4317 household use or for retail sale on the site.

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4318 SECTION 73104. Ordinance 10870, Section 98, and K.C.C. 21A.06.290 are
4319 hereby amended to read as follows:

4320 Destination resort: an establishment for outdoor resource-based recreation and
4321 intended to utilize and provide access to outdoor recreational opportunities ~~(, including~~
4322 ~~((related)), a~~ Accessory services, such as ((food)) retail, eating and drinking places,
4323 ~~((overnight)) temporary~~ lodging, recreation equipment rentals, entertainment, and ((other
4324 conveniences for guests of the resort)) personal services are allowed as part of a
4325 destination resort.

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4326 SECTION 74105. Ordinance 10870, Section 101, as amended, and K.C.C.
4327 21A.06.305 are hereby amended to read as follows:

4328 Development agreement:((
4329 ~~A. A recorded agreement between a UPD applicant and King County which~~
4330 ~~incorporates the site plans, development standards, and other features of an Urban Plan~~
4331 ~~Development as described in K.C.C. chapter 21A.39; or~~
4332 ~~B.)) An agreement authorized under RCW 36.70B.170 through 36.70B.210.~~

4333 SECTION 75106. Ordinance 15051, Section 31, and K.C.C. 21A.06.333 are
4334 hereby amended to read as follows:

4335 Drainage subbasin: ~~((a drainage area identified as a drainage subbasin in a~~
4336 ~~county approved basin plan or, if not identified,)) ~~((a drainage)) an~~ area that drains to a
4337 body of water that is named and mapped and contained within a ~~((drainage)) larger~~ basin.~~

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4338 NEW SECTION. SECTION 77107. There is hereby added to K.C.C. chapter
4339 21A.06 a new section to read as follows:

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4340 ~~_____ Duplex: a building containing two dwelling units designed sharing a common~~
4341 ~~roof, wall, or floor. Individual units may be side-by-side or stacked one on top of the~~
4342 ~~other. A single detached residence with accessory dwelling unit is not considered a~~
4343 ~~duplex.~~

4344 ~~_____ SECTION 108. Ordinance 10870, Section 109, and K.C.C. 21A.06.345 are~~
4345 ~~hereby amended to read as follows:~~

4346 ~~_____ Dwelling unit: one or more rooms designed for occupancy by a person or family~~
4347 ~~for living and sleeping purposes, containing kitchen facilities and rooms with internal~~
4348 ~~accessibility, for use solely by the dwelling's occupants(~~;-d~~). Dwelling units include~~
4349 ~~((but are not limited to bachelor, efficiency and)) studio apartments, factory-built housing~~
4350 ~~and manufactured and mobile homes.~~

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4351 ~~_____ SECTION 76. Ordinance 10870, Section 5, and K.C.C. 21A.06.355 are hereby~~
4352 ~~amended to read as follows:~~

4353 ~~_____ Dwelling unit, apartment: a dwelling unit contained in a building consisting of~~
4354 ~~((two)) five or more dwelling units which may be stacked, or one or more dwellings with~~
4355 ~~nonresidential uses.~~

4356 ~~_____ NEW SECTION. SECTION 77. There is hereby added to K.C.C. chapter~~
4357 ~~21A.06 a new section to read as follows:~~

4358 ~~_____ Dwelling unit, duplex: a dwelling unit contained in a building that is located on~~
4359 ~~one legal lot or parcel, containing two dwelling units designed exclusively for occupancy~~
4360 ~~by two individuals or families living independently of each other. The two units share a~~
4361 ~~common roof, wall, or floor, although floorplans may vary. Individual units may be side-~~
4362 ~~by side or stacked one on top of the other. The two dwelling units and the lot are under a~~

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4363 ~~single ownership or may be owned through a condominium. A single family dwelling~~
4364 ~~containing an approved accessory dwelling unit is not considered a duplex.~~

4365 ~~NEW SECTION. SECTION 78.~~ There is hereby added to K.C.C. chapter
4366 ~~21A.06 a new section to read as follows:~~

4367 ~~Dwelling unit, fourplex: a dwelling unit contained in a building that is located on~~
4368 ~~one legal lot or parcel, containing four dwelling units designed exclusively for occupancy~~
4369 ~~by four individuals or families living independently of each other. The four units share a~~
4370 ~~common roof, wall, or floor, although floorplans may vary. Individual units may be side-~~
4371 ~~by side or stacked one on top of the other. The two four dwelling units and the lot are~~
4372 ~~under a single ownership or may be owned through a condominium.~~

4373 ~~SECTION 79.~~ Ordinance 10870, Section 114, and K.C.C. 21A.06.370 are hereby
4374 ~~amended to read as follows:~~

4375 ~~Dwelling unit, townhouse: a dwelling unit contained in a building containing~~
4376 ~~((one)) five or more dwelling units that ((occupies)) occupy space from the ground to the~~
4377 ~~roof((, and)) that is attached to one or more other townhouse dwellings by common walls.~~

4378 ~~NEW SECTION. SECTION 80.~~ There is hereby added to K.C.C. chapter
4379 ~~21A.06 a new section to read as follows:~~

4380 ~~Dwelling unit, triplex: a dwelling unit contained in a building that is located on~~
4381 ~~one legal lot or parcel, containing three dwelling units designed exclusively for~~
4382 ~~occupancy by three individuals or families living independently of each other. The three~~
4383 ~~units share a common roof, wall, or floor, although floorplans may vary. Individual units~~
4384 ~~may be side by side or stacked one on top of the other. The three dwelling units and the~~
4385 ~~lot are under a single ownership or may be owned through a condominium.~~

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4386 ~~NEW SECTION. SECTION 81.~~ There is hereby added to K.C.C. chapter

4387 ~~21A.06 a new section to read as follows:~~

4388 ~~Emergency housing: permanent facilities providing temporary indoor~~
4389 ~~accommodations for individuals or families who are homeless or at imminent risk of~~
4390 ~~becoming homeless that is intended to address the basic health, food, clothing, and~~
4391 ~~personal hygiene needs of individuals or families. Emergency housing includes:~~

4392 ~~A. Emergency supportive housing;~~

4393 ~~B. Emergency shelters;~~

4394 ~~C. Interim housing;~~

4395 ~~D. Microshelter villages;~~

4396 ~~E. Recuperative housing; and~~

4397 ~~F. Safe parking.~~

4398 NEW SECTION. SECTION 82109. There is hereby added to K.C.C. chapter

4399 21A.06 a new section to read as follows:

4400 Emergency shelter: a facility providing short-term overnight accommodations or
4401 day, cooling, or warming centers.~~a permanent facility that operates more than one~~
4402 ~~hundred and eighty days in a calendar year and provides a temporary shelter for~~
4403 ~~individuals or families who are currently homeless. Emergency shelters may include day~~
4404 ~~and warming centers that do not provide overnight accommodations.~~

4405 NEW SECTION. SECTION 83110. There is hereby added to K.C.C. chapter

4406 21A.06 a new section to read as follows:

4407 Emergency supportive housing: housing where persons experiencing chronic
4408 homelessness or at risk of chronic homelessness can reside temporarily, and that offers

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4409 housing-oriented services, case management, and other support or assistance
4410 services, housing where persons experiencing chronic homelessness or persons at risk of
4411 chronic homelessness can reside temporarily while seeking permanent housing, and that
4412 offers housing-oriented services, case management, and other necessary services and
4413 supports to assist households in stabilizing.

4414 NEW SECTION. SECTION 84111. There is hereby added to K.C.C. chapter
4415 21A.06 a new section to read as follows:

4416 Experiencing chronic homelessness: a household that includes an at least one
4417 adult with a disability, that is currently experiencing homelessness for at least twelve
4418 consecutive months or has experienced multiple episodes homelessness for a cumulative
4419 twelve months within the previous three years.

4420 SECTION 112. Ordinance 10870, Section 125, as amended, and K.C.C.
4421 21A.06.425 are hereby amended to read as follows:

4422 Examiner: the ((zoning and subdivision)) office of the hearing examiner.

4423 SECTION 85113. Ordinance 17191, Section 22, as amended, and K.C.C.

4424 21A.06.450 are hereby amended to read as follows:

4425 Family: ((an individual((;)) or two)) one or more persons ((related by blood,
4426 marriage or state registered domestic partnership under chapter 26.60 RCW; a group of
4427 two or more disabled residents protected under the Federal Housing Act Amendments,
4428 who are not related by blood, marriage or state registered domestic partnership under
4429 chapter 26.60 RCW,)) living together as a single housekeeping unit((; a group of eight or
4430 fewer residents, who are not related by blood, marriage or state registered domestic
4431 partnership under chapter 26.60 RCW, living together as a single housekeeping unit; or a

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4432 group living arrangement where eight or fewer residents receive supportive services such
4433 as counseling, foster care, or medical supervision at the dwelling unit by resident or non-
4434 resident staff. For purposes of this definition, minors living with parent shall not be
4435 counted as part of the maximum number of residents ~~)).); except that:~~

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4436 ~~— A. Occupant limits on group living arrangements regulated under state law or on~~
4437 ~~short term rentals still apply; and~~

4438 ~~— B. Any restrictions on occupant load of a structure as calculated by the county in~~
4439 ~~accordance with the applicable building code still apply.~~

4440 ~~SECTION 114. Ordinance 10870, Section 144, as amended, and K.C.C.~~

4441 ~~21A.06.520 are hereby amended to read as follows:~~

4442 ~~Forest practice: any forest practice as defined in RCW ((79.06.020)) 76.09.020.~~

4443 ~~SECTION 86115.~~ Ordinance 10870, Section 148, and K.C.C. 21A.06.540 are
4444 hereby amended to read as follows:

4445 General business service: an establishment engaged in providing services to
4446 businesses or individuals, with no outdoor storage or fabrication, including only uses

4447 located in SIC Major Groups ~~((Nos.))~~ and Industry Groups:

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4448 A. 60-Depository Institutions;

4449 B. 61-Nondepository Credit Institutions;

4450 C. 62-Security and Commodity Brokers, Dealers, Exchanges, and Services;

4451 D. 63-Insurance Carriers;

4452 E. 65-Real Estate, except 653 (Real Estate Agents and Directors);

4453 F. 67-Holding and Other Investment Offices;

4454 G. 7299 Miscellaneous Personal Services, not elsewhere classified;

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- 4455 H. 73-Business Services, except Industry Group and Industry Nos.:
- 4456 I. 7312-Outdoor Advertising Services; and
- 4457 J. 86-Membership Organizations, including administrative offices of organized

4458 religions found in 8661, but excluding ~~((churches and places of worship))~~ religious
4459 facilities ~~places where religious services are conducted.~~

4460 SECTION 116. Ordinance 10870, Section 153, and K.C.C. 21A.06.565 are
4461 hereby amended to read as follows:

4462 Grading: any excavation, filling, ~~((removing the duff layer))~~ or land disturbing
4463 activity, or ~~((any))~~ combination thereof.

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4464 NEW SECTION. SECTION 87. There is hereby added to K.C.C. chapter
4465 21A.06 a new section to read as follows:

4466 Interim housing: a facility that provides temporary shelter for people who are
4467 unsheltered or waiting to move into permanent housing.

4468 NEW SECTION. SECTION 117. There is hereby added to K.C.C. chapter
4469 21A.06 a new section to read as follows:

4470 Household: one or more persons living together as a single housekeeping unit.

4471 NEW SECTION. SECTION 118. There is hereby added to K.C.C. chapter
4472 21A.06 a new section to read as follows:

4473 Houseplex: a building containing between three and nine dwelling units sharing a
4474 common roof, wall, or floor. A single detached residence or duplex with one or more
4475 accessory dwelling units is not considered a houseplex.

4476 SECTION 119. Ordinance 10870, Section 172, and K.C.C. 21A.06.660 are
4477 hereby amended to read as follows:

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4478 ~~_____ Kennel, commercial: an establishment or facility where four or more dogs are~~
4479 ~~kept for commercial purposes, including, but not limited to, boarding, breeding and~~
4480 ~~training. A commercial kennel does not include a dog daycare facility.~~

4481 ~~_____ SECTION 120. Ordinance 15051, Section 74, and K.C.C. 21A.06.732 are hereby~~
4482 ~~amended to read as follows:~~

4483 ~~_____ Manufactured home: ((or mobile home; a structure, transportable in one or more~~
4484 ~~sections, that in the traveling mode is eight body feet or more in width or thirty two body~~
4485 ~~feet or more in length; or when erected on site, is three hundred square feet or more in~~
4486 ~~area; which is built on a permanent chassis and is designated for use with or without a~~
4487 ~~permanent foundation when attached to the required utilities; which contains plumbing,~~
4488 ~~heating, air conditioning and electrical systems; and shall include any structure that meets~~
4489 ~~all the requirements of this section, or of chapter 296-150M WAC, except the size~~
4490 ~~requirements for which the manufacturer voluntarily complies with the standards and~~
4491 ~~files the certification required by the federal Department of Housing and Urban~~
4492 ~~Development.)) A factory-built dwelling built in accordance with regulations adopted~~
4493 ~~under the National Manufactured Housing Construction and Safety Standards Act of~~
4494 ~~1974. ((The term "m))Manufactured home((" or "mobile home")) does not include a~~
4495 ~~((recreational vehicle.((~~

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4496 ~~_____ NEW SECTION. SECTION 121. There is hereby added to K.C.C. chapter~~
4497 ~~21A.06 a new section to read as follows:~~

4498 ~~_____ Manufactured home community: a development with two or more pads or spaces~~
4499 ~~designed to accommodate manufactured homes or mobile homes. Manufactured home~~
4500 ~~communities may include utilities, parking, common spaces, and other shared amenities.~~

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4501 NEW SECTION. SECTION ~~88~~122. There is hereby added to K.C.C. chapter
4502 21A.06 a new section to read as follows:

4503 Microshelter: a structure that is less than two hundred square feet and designed
4504 for people to temporarily reside~~a small structure designed to be used for overnight~~
4505 ~~shelter.~~

4506 NEW SECTION. SECTION ~~89~~123. There is hereby added to K.C.C. chapter
4507 21A.06 a new section to read as follows:

4508 Microshelter village: a permanent site containing multiple microshelters and may
4509 provide cooking facilities or meals, hygiene facilities, including restrooms and showers,
4510 and a shared gathering space~~emergency housing located on a lot, or lots, containing~~
4511 ~~multiple microshelters and that provide: cooking facilities or meals; hygiene facilities;~~
4512 ~~including restrooms and showers; and a shared gathering space.~~

4513 NEW SECTION. SECTION 124. There is hereby added to K.C.C. chapter
4514 21A.06 a new section to read as follows:

4515 Mixed-use: a site containing one or more dwelling units and nonresidential uses.

4516 SECTION 125. Ordinance 10870, Section 191, and K.C.C. 21A.06.755 are
4517 hereby amended to read as follows:

4518 ((See ~~manufactured home~~)) Mobile home: a factory-built dwelling built prior to
4519 June 15, 1976, to standards other than the United States department of housing and urban
4520 development code, and acceptable under applicable state codes in effect at the time of
4521 construction or introduction of the home into the state. The term mobile home does not
4522 include recreational vehicles.

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4523 NEW SECTION. SECTION 126. There is hereby added to K.C.C. chapter
4524 21A.06 a new section to read as follows:

4525 Natural area: Properties or tracts whose primary purpose is to conserve and
4526 restore ecological value. They may not be completely natural and undisturbed but may
4527 be important in preserving rare or vanishing flora, fauna, geological sites, or features of
4528 scientific, traditional, cultural, or educational value. These sites may allow public use in
4529 ways that avoid and minimize harm to the ecological resources of the site to the
4530 maximum extent feasible.

4531 NEW SECTION. SECTION ~~90~~127. There is hereby added to K.C.C. chapter
4532 21A.06 a new section to read as follows:

4533 Outdoor resource-based recreation~~activities~~: recreational activities that rely upon
4534 their setting in or near natural resource lands for their enjoyment, including but not
4535 limited to, hiking, rafting, biking, skiing, horseback riding, fishing, climbing, or similar
4536 activities necessitating an outdoor setting.

4537 NEW SECTION. SECTION ~~94~~128. There is hereby added to K.C.C. chapter
4538 21A.06 a new section to read as follows:

4539 Permanent supportive housing: subsidized housing with comprehensive support
4540 services, such as healthcare, treatment, or employment services, and that is designed for
4541 persons experiencing homelessness and living with a complex and disabling behavioral
4542 or physical health condition.~~subsidized, leased housing with no limit on length of stay~~
4543 ~~that prioritizes people who need comprehensive support services to retain tenancy and~~
4544 ~~utilizes admissions practices designed to use lower barriers to entry than would be typical~~
4545 ~~for other subsidized or unsubsidized rental housing, especially related to rental history;~~

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4546 ~~criminal history, and personal behaviors. Permanent supportive housing is paired with~~
4547 ~~on-site or off-site voluntary services designed to support a person living with a complex~~
4548 ~~and disabling behavioral health or physical health condition who was experiencing~~
4549 ~~homelessness before moving into housing to retain their housing and be a successful~~
4550 ~~tenant in a housing arrangement, improve the resident's health status, and connect the~~
4551 ~~resident of the housing with community-based health care, treatment, or employment~~
4552 ~~services. Permanent supportive housing is subject to all of the rights and responsibilities~~
4553 ~~defined in chapter 59.18 RCW.~~

4554 NEW SECTION. SECTION 92129. There is hereby added to K.C.C. chapter
4555 21A.06 a new section to read as follows:

4556 Recuperative housing: housing that is designed for persons experiencing
4557 homelessness who require continuous treatment or medical care but do not require
4558 hospitalization.~~housing that is designed for persons experiencing homelessness who are~~
4559 ~~not acutely sick enough to warrant a hospital stay but have needs beyond what can~~
4560 ~~typically be addressed in a traditional housing environment.~~

4561 SECTION 93130. K.C.C. 21A.06.185, as amended by this ordinance, is hereby
4562 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.980.

4563 SECTION 94131. Ordinance 10870, Section 77, and K.C.C. 21A.06.185 hereby
4564 amended to read as follows:

4565 ~~((Church, synagogue or temple))~~ Religious facility: a place where religious
4566 services are conducted, including a church, synagogue, temple, or mosque. Religious
4567 facilities includes those uses located in SIC Industry ~~((No.))~~ Group 866 and ~~((including))~~
4568 accessory uses in the primary or accessory buildings, such as religious education

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4569 facilities, reading rooms, assembly rooms, and residences for nuns and clergy. ((This
4570 definition does)) Religious facilities do not include facilities for training of religious
4571 orders.

4572 SECTION 95132. Ordinance 14045, Section 7, and K.C.C. 21A.06.1013 are
4573 hereby amended to read as follows:

4574 Rural equestrian community trail: an existing trail ~~((within the Equestrian
4575 Community))~~ located in the A, F₁ or RA zones that has historically been used by the
4576 public for riding horses, and that may also have historically been used by or is suitable
4577 for use by other ~~((non-motorized))~~ active transportation, as defined in K.C.C. 14.01.xxx
4578 ~~((the new section created by section 21 of this ordinance))~~ section 11 of this ordinance, trail
4579 users.

4580 NEW SECTION. SECTION 96133. There is hereby added to K.C.C. chapter
4581 21A.06 a new section to read as follows:

4582 Safe parking: a site designated for unsheltered people to reside in a recreational
4583 vehicle or vehicle and may provide on-site services and utilities.
4584 ~~a site designated for unsheltered people to reside in a recreational vehicle or vehicle and
4585 that provides access to onsite services and utilities.~~

4586 SECTION 97134. Ordinance 10870, Section 252, as amended, and K.C.C.
4587 21A.06.1060 are hereby amended to read as follows:

4588 Senior ~~((citizen))~~: a person aged ~~((62))~~ sixty-two or older.

4589 SECTION 98135. Ordinance 10870, Section 634 (part), as amended, and K.C.C.
4590 21A.06.1062 are hereby amended to read as follows:

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4591 Senior ~~((citizen))~~ assisted housing: ~~((housing in))~~ a building consisting of two or
4592 more dwelling units or sleeping units restricted to occupancy by ~~((at least one senior
4593 citizen per unit))~~ seniors, and may include the following support services ~~((as deemed
4594 necessary))~~:

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- 4595 A. Food preparation and dining areas;
- 4596 B. Group activity areas;
- 4597 C. Medical supervision; and
- 4598 D. Similar activities.

4599 SECTION 99136. Ordinance 3688, Section 251, as amended, and K.C.C.
4600 21A.06.1082C are hereby amended to read as follows:

4601 Shoreline stabilization: a structure ~~((or))~~ device, ~~((including, but not limited to,
4602 breakwaters, bulkheads, jetties, groins and riprap, that is placed so as to prevent))~~ or
4603 action used to address erosion impacts or to alter ~~((the))~~ normal currents, wave actions, or
4604 other natural forces or actions of a waterbody. ~~Structural shoreline~~ Shoreline
4605 stabilization falls on a spectrum of hard structures measures from non-structural, soft
4606 structural, and hard, including, but not limited to, relocation of structures, building
4607 setbacks, upland drainage control, revegetation, beach nourishment, drift log placement,
4608 riprap, groins, revetments, bulkheads, and seawalls. ~~such as groins, riprap, bulkheads,~~
4609 sea walls, and revetments, to soft approaches such as beach nourishment, drift log
4610 placement, revegetation, and other bioengineering techniques. Nonstructural shoreline
4611 stabilization includes methods such as building setbacks, relocation of the structure to be
4612 protected, groundwater management, and planning and regulatory measures to avoid the

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4613 ~~need for structural stabilization.~~ Shoreline stabilization does not include flood protection
4614 facilities.

4615 NEW SECTION. SECTION 137. There is hereby added to K.C.C. chapter

4616 21A.06 a new section to read as follows:

4617 Sleeping unit: a room designed for occupancy by a person or family for living and
4618 sleeping purposes, and may contain a sanitation facility or kitchen facility, but not both.

4619 Such rooms that are also part of a dwelling unit are not sleeping units.

4620 NEW SECTION. SECTION 138. There is hereby added to K.C.C. chapter

4621 21A.06 a new section to read as follows:

4622 Social services: an establishment providing social services and rehabilitation
4623 services, including only uses located in SIC Industry Groups:

4624 A. 832 - Individual and Family Social Services;

4625 B. 833 - Job Training and Vocational Rehabilitation Services;

4626 and

4627 C. 839 - Social Services, Not Elsewhere Classified.

4628 SECTION 139. Ordinance 13733, Section 5, as amended, and K.C.C.

4629 21A.06.1273B are hereby amended to read as follows:

4630 TDR bank fund: the fund established under K.C.C. ((4.08.327)) 4A.200.730.

4631 SECTION ~~400140~~. Ordinance 10870, Section 295, as amended, and K.C.C.

4632 21A.06.1275 are hereby amended to read as follows:

4633 Temporary use permit: permit to allow a use of limited duration and/or

4634 frequency, or to allow multiple related events over a specified period. A temporary use

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4635 permit does not ~~permit include~~ the construction or establishment of any permanent use,
4636 ~~alteration, or structure.~~

4637 ~~SECTION 141. K.C.C. 21A.06.370, as amended by this ordinance, is hereby~~
4638 ~~recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.1280.~~

4639 ~~SECTION 142. Ordinance 10870, Section 114, and K.C.C. 21A.06.370 are~~
4640 ~~hereby amended to read as follows:~~

4641 ~~((Dwelling unit, t))Townhouse: a site with one or more buildings containing~~
4642 ~~((one)) a total of ten or more dwelling units that ((occupies)) occupy space from the~~
4643 ~~ground to the roof((,)) and that ((is attached to one or more other townhouse dwellings~~
4644 ~~by)) share common walls with one or more dwelling units.~~

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4645 ~~SECTION 141~~143. Ordinance 10870, Section 297, as amended, and K.C.C.
4646 21A.06.1285 are hereby amended to read as follows:

4647 Trails: human-made pathways, including elevated boardwalks, bridges, and
4648 stairs, designed and intended for ~~((use by pedestrians, bicyclists, equestrians and other~~
4649 ~~nonmotorized recreational users))~~ one or more forms of active transportation, as defined
4650 in K.C.C. 14.01.xxx (the new section created by section 21 of this ordinance)~~section 14~~
4651 ~~of this ordinance.~~

4652 ~~NEW SECTION. SECTION 144. There is hereby added to K.C.C. chapter~~
4653 ~~21A.06 a new section to read as follows:~~

4654 ~~Unsheltered person. An individual sleeping in a place not meant for human~~
4655 ~~habitation.~~

4656 ~~SECTION 145. Ordinance 10870, Section 315, as amended, and K.C.C.~~
4657 ~~21A.06.1375 are hereby amended to read as follows:~~

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4658 Warehousing and wholesale trade: establishments involved in the storage and/or
 4659 sale of bulk goods for resale or assembly, excluding establishments offering the sale of
 4660 bulk goods to the general public which is classified as a retail use in K.C.C. 21A.08.070
 4661 and excluding local distribution gas storage tanks. These establishments shall include
 4662 only SIC Major Groups ((Nos.) 50 and 51 and SIC Industry Groups ((Nos.) 422 and
 4663 423, excluding fossil fuels and fossil fuel facilities.

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4664 SECTION 102146. Ordinance 10870, Section 330, as amended, and K.C.C.

4665 21A.08.030 are hereby amended to read as follows:

4666 A. Residential 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	UR	R-1	(R-1) R-8	R-12	NB	CB	RB	O	I
	(DWELLING UNITS.) HOUSING TYPES:													
*	Single Detached Residence	P	P2		P	P	P	P	P	P((4				
		(C 12)			(C 12)	(C 12)		(C1 2)	(C 12)	16				
*	Duplex				C4	C4	P	P5 P12	P19 P12	P3	P3	P3	P3	

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							19								
*	Triplex Houseplex				C4	C4	P	P5	P19	P3	P3	P3	P3		
								P19							
*	Fourplex				C4	C4		P5	P19	P3	P3	P3	P3		
								P19							
*	Townhouse				C4	C4	P	P((4	P	P3	P3	P3	P3		Formatted: Strikethrough
								+							
								((C+							
								2))							
*	Apartment				C4	C4		P((5	P	P3	P3	P3	P3		Formatted: Strikethrough
								((C5							
))							
*	((Mobile))				S13			((C	P						Formatted: Strikethrough
	Manufactured Home							((S							Formatted: Strikethrough
	((Park)) Community							P							Formatted: Strikethrough
*	Cottage Housing							P15	P15						
*	Permanent Supportive Housing							C20	P21		P21	P21	P21		
								and							
								21							
	((GROUP RESIDENCES:														Formatted: Strikethrough
*	Community Residential Facility-I				C	C		P14	P	P3	P3	P3	P3		Formatted: Strikethrough
								+							
								C							
*	Community Residential Facility-II							P14	P	P3	P3	P3	P3		Formatted: Strikethrough
								+							
*	((Dormitory)) Congregate Residence				C6	C6	C6	C6	P11	P11	P11	P11	P11		Formatted: Strikethrough
*	Senior ((Citizen))				P4	P4	P((4	P	P3	P3	P3	P3		Formatted: Strikethrough	

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	Assisted Housing)					
*	<u>Emergency Shelter</u>							C20	P21		P21	P21	P21
								and	and		and	and	and
								21	22		22	22	22
								and					
								22					
*	<u>Emergency Supportive Housing</u>							P21		P21	P21	P21	
								and		and	and	and	
								22		22	22	22	
*	<u>Interim Housing</u>							P21		P21	P21	P21	
								and		and	and	and	
								22		22	22	22	
*	<u>Microshelter Villages</u>							C20	P21		P21	P21	P21
								and	and		and	and	and
								21	22		22	22	22
								and	and		and	and	and
								22	23		23	23	23
								and					
								22					
*	<u>Recuperative Housing</u>							C20	P21		P21	P21	P21
								and	and		and	and	and
								21	22		22	22	22
								and					
								22					
*	<u>Safe Parking</u>							C20	P21		P 21	P 21	P
								and	and		and	and	21
								21	22		22	22	and
								and					22
								22					
	ACCESSORY USES:												

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*	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						
	((TEMPORARY LODGING:													
7011	Hotel/Motel (1)									P	P	P		
*	Bed and Breakfast Guesthouse	P9			P9	P9	P9	P9	P9	P9	P9	P9	P10	P10
7041	Organization Hotel/Lodging Houses							P17					P))	

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4667 B. Development conditions.

4668 1. ~~((Except bed and breakfast guesthouses.))~~ Repealed.

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4669 2. In the forest production district, the following conditions apply:

4670 a. Site disturbance associated with development of any new residence shall be
 4671 limited to three acres. Site disturbance shall mean all land alterations including, but not
 4672 limited to, grading, utility installation, landscaping, clearing for crops, on-site sewage
 4673 disposal systems, and driveways. Additional site disturbance for agriculture, including
 4674 raising livestock, up to the smaller of thirty-five percent of the lot or seven acres, may be
 4675 approved only if a farm management plan is prepared in accordance with K.C.C. chapter
 4676 21A.30. Animal densities shall be based on the area devoted to animal care and not the
 4677 total area of the lot;

4678 b. A forest management plan shall be required for any new residence in the
 4679 forest production district, that shall be reviewed and approved by the King County
 4680 department of natural resources and parks before building permit issuance; and

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4681 c. The forest management plan shall incorporate a fire protection element that
4682 includes fire safety best management practices developed by the department.

4683 3. Only as part of a mixed-use development ~~in urban areas and rural towns and~~
4684 subject to the conditions of K.C.C. chapter 21A.14, except that:

4685 a. in the NB zone on properties with a land use designation of commercial
4686 outside of center (CO) in the urban areas, stand-alone townhouse developments are
4687 ~~((permitted))~~ allowed subject to K.C.C. 21A.12.040, 21A.14.030, 21A.14.060, and
4688 21A.14.180; and

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4689 b. ~~in commercial zones in the Rural Area~~ rural area outside of rural towns and
4690 ~~on historic properties listed in the National Register of Historic Places or designated as a~~
4691 ~~King County~~ landmark, ~~mixed-use is not required, multifamily residential, or group~~
4692 ~~residence uses are allowed within existing buildings.~~

4693 4. Only in a building listed ~~((on))~~ in the National Register ~~((as an historic site))~~
4694 of Historic Places or designated as a King County landmark ~~((subject to K.C.C. chapter~~
4695 ~~21A.32))~~.

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4696 5.a. ~~((In the R-1 zone, duplex, triplex, fourplex, and apartment units are~~
4697 ~~permitted, if:~~

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4698 ~~(1) At least fifty percent of the site is constrained by unbuildable critical~~
4699 ~~areas. For purposes of this subsection, unbuildable critical areas includes wetlands,~~
4700 ~~aquatic areas, and slopes forty percent or steeper, and associated buffers; and~~

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4701 ~~(2) The density does not exceed a density of eighteen units per acre of net~~
4702 ~~buildable area.~~

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4703 ~~b. In the R-4 through R-8 zones, duplex, triplex, fourplex, and apartment units~~
4704 ~~and permanent supportive housing are permitted if the density does not exceed a density~~
4705 ~~of eighteen units per acre of net buildable area.~~

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4706 ~~((c. If the proposal will exceed base density for the zone in which it is~~
4707 ~~proposed, a conditional use permit is required.)) Repealed.~~

4708 6. Only as accessory to a school, college, university, or ~~((church))~~ religious
4709 facility.

4710 7.a. Accessory dwelling units are subject to the following standards:

4711 (1) ~~((Only one accessory dwelling per primary single detached dwelling or~~
4712 ~~townhouse unit;~~

4713 (2) ~~Only allowed in the same building as the primary dwelling unit, except~~
4714 ~~that detached accessory dwelling units are allowed when there is no more than one~~
4715 ~~primary dwelling unit on the lot, and the following conditions are met:~~

4716 (a) ~~the lot must be three thousand two hundred square feet or greater if~~
4717 ~~located in the urban area or a rural town; or~~

4718 (b) ~~the lot must meet the minimum lot area for the applicable zone if located~~
4719 ~~in the rural area but not in a rural town, except that if one transferable development right~~
4720 ~~is purchased from the Rural Area or Natural Resource Lands under K.C.C. chapter~~
4721 ~~21A.37, a detached accessory dwelling unit is allowed on a RA-5 zoned lot that is two~~
4722 ~~and one-half acres or greater;~~

4723 (3) The accessory dwelling unit shall not exceed one thousand square feet
4724 of heated floor area and one thousand square feet of unheated floor area except:

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4725 (a) when the accessory dwelling unit is wholly contained within a basement
4726 or attic of the primary dwelling unit, this limitation does not apply; or

4727 (b) for detached accessory dwelling units, the floor area contained in a
4728 basement does not count toward the floor area maximum; ~~((or~~

4729 ~~(c) on a site zoned RA if one transferable development right is purchased~~
4730 ~~from the Rural Area or Natural Resource Lands under K.C.C. chapter 21A.37, the~~
4731 ~~accessory dwelling unit is permitted a maximum heated floor area of one thousand five~~
4732 ~~hundred square feet and one thousand five hundred square feet of unheated floor area;~~

4733 ~~((4)) (2),~~ Accessory dwelling units that are not wholly contained within an
4734 existing dwelling unit shall not exceed the base height established in K.C.C. 21A.12.030;

4735 ~~((5) When the primary and accessory dwelling units are located in the same~~
4736 ~~building, or in multiple buildings connected by a breezeway or other structure, only one~~
4737 ~~entrance may front a street;~~

4738 ~~((6)) (23)~~ Attached accessory dwelling units shall have at least one common
4739 wall with the primary dwelling unit and appear to be contained within one structure.

4740 Connection through a breezeway or covered pathway shall not constitute an attached
4741 accessory dwelling unit unless the breeze way or covered pathway is:

4742 (a) is less than ten feet in length;

4743 (b) shares a common wall with both the accessory dwelling unit and primary
4744 residence;

4745 ~~(c) has a continuous roofline that appears to be one single building;~~

4746 ~~(d)~~ is completely enclosed; and

4747 ~~(e)~~ is heated space;

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4748 ~~(34)~~ (34) No additional off-street parking spaces are required for accessory
4749 dwelling units;

4750 ~~((7))~~ ((7)) The primary dwelling unit or the accessory dwelling unit shall be
4751 occupied either by the owner of the primary dwelling unit or by an immediate family
4752 member of the owner. Immediate family members are limited to spouses, siblings,
4753 parents, grandparents, children and grandchildren, either by blood, adoption or marriage,
4754 of the owner. The accessory dwelling unit shall be converted to another permitted use or
4755 shall be removed if neither dwelling unit is occupied by the owner or an immediate
4756 family member;

4757 ~~(8))~~ (45) An applicant seeking to build an accessory dwelling unit shall file a
4758 notice approved by the department of executive services, records and licensing services
4759 division, that identifies the dwelling unit as accessory. The notice shall run with the land.
4760 The applicant shall submit proof that the notice was filed before the department approves
4761 any permit for the construction of the accessory dwelling unit. The required contents and
4762 form of the notice shall be ~~((set forth))~~ established in administrative rules;

4763 ~~((9))~~ (56) Accessory dwelling units are ~~((not allowed))~~ prohibited in the F
4764 zone;

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4765 ~~(67)~~ (67) For lots in the UR, R-1 through R-48, and NB zones in the urban growth
4766 area and that meet the minimum lot area for construction in K.C.C. 21A.12.100urban
4767 area;

4768 (a) Two accessory dwelling units are allowed per primary single detached
4769 dwelling unit residence, duplex, triplex, fourplex, or townhouse unit lot in the following
4770 configurations:

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4771 (i) one attached accessory dwelling unit and one detached accessory
4772 dwelling unit;
4773 (ii) two attached accessory dwelling units; or
4774 (iii) two detached accessory dwelling units, which may be either one or
4775 two detached structures;
4776 (b) Accessory dwelling units may be converted from existing structures,
4777 including but not limited to garages, even if the existing structure ~~violates requirements~~
4778 ~~for~~ is legally nonconforming with respect to setbacks or maximum impervious surface
4779 percentage; and
4780 (c) No public street improvements are required for accessory dwelling units;
4781 (78) For lots in the rural area or on natural resource lands:
4782 (a) ~~only one~~ One accessory dwelling unit ~~per primary single detached dwelling~~
4783 ~~unit residence~~ is allowed per lot;
4784 (b) Only allowed in the same building as the primary dwelling unit, except
4785 that detached accessory dwelling units are allowed when:
4786 ~~(i) there is no more than one primary dwelling unit on the lot, and the~~
4787 ~~following conditions are met: and~~
4788 ~~(ii) the lot must be~~ three thousand two hundred square feet or greater if
4789 located in a rural town; or
4790 ~~(ii) the lot must~~ meet the minimum lot area for the applicable zone if
4791 located in the rural area but not in a rural town or on natural resource lands;

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4792 (c) When the primary and accessory dwelling unit are located in the same
4793 building, or in multiple buildings connected by a breezeway or covered pathway, only
4794 one entrance may front a street;

4795 ~~((40))~~ (d) Accessory dwelling units should be designed to be compatible
4796 with the primary dwelling unit and the surrounding properties, including material, colors,
4797 and building forms; ~~((and))~~

4798 ~~((41))~~ (e) The applicant should consider a siting alternatives study that
4799 analyzes placement options of the accessory dwelling unit on the property to minimize
4800 impacts to privacy and views for surrounding property owners ~~((,))~~; and

4801 ~~—————~~ (f) Accessory dwelling units in structures detached from the primary
4802 dwelling unit shall be counted as a separate dwelling unit for the purpose of lot
4803 calculations in place at the time of a proposed subdivision. If an accessory dwelling unit
4804 in a detached building in the rural zone is subsequently converted to a primary unit on a
4805 separate lot, neither the original lot nor the new lot may have an additional detached
4806 accessory dwelling unit constructed unless the lot is at least twice the minimum lot area
4807 required by the zone in K.C.C. 21A.12.030 or 21A.12.040.

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4808 b. Accessory living quarters:

4809 (1) are limited to one per ~~((lot))~~ primary single detached dwelling
4810 unit residence;

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4811 (2) are allowed only on lots of three thousand two hundred square feet or
4812 greater when located in the urban area or a rural town;

4813 (3) shall not exceed the base height as established in K.C.C. 21A.12.030;

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4814 (4) shall not exceed one thousand square feet of heated floor area and one
4815 thousand square feet of unheated floor area; and

4816 (5) are ~~((not allowed)) prohibited~~ in the F zone.

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4817 c. One single or twin engine, noncommercial aircraft shall be ~~((permitted))~~

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4818 ~~allowed~~ only on lots that abut, or have a legal access that is not a county ~~((right-of-way))~~
4819 ~~right of way~~, to a waterbody or landing field, but only if there are:

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4820 (1) no aircraft sales, service, repair, charter, or rental; and

4821 (2) no storage of aviation fuel except that contained in the tank or tanks of the
4822 aircraft.

4823 d. Buildings for residential accessory uses in the RA and A zone shall not
4824 exceed five thousand square feet of gross floor area, except for buildings related to
4825 agriculture or forestry.

4826 8. ~~((Mobile home parks shall not be permitted in the R-1 zones.)) Repealed.~~

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4827 9. ~~((Only as accessory to the permanent residence of the operator, and:~~

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4828 a. ~~Serving meals shall be limited to paying guests; and~~

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4829 b. ~~The number of persons accommodated per night shall not exceed five,~~

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4830 ~~except that a structure that satisfies the standards of the International Building Code as~~
4831 ~~adopted by King County for R-1 occupancies may accommodate up to ten persons per~~
4832 ~~night.)) Repealed.~~

4833 10. ~~((Only if part of a mixed use development, and subject to the conditions of~~
4834 ~~subsection B.9. of this section.)) Repealed.~~

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4835 11. ~~((Townhouses are permitted, but shall be subject to a conditional use permit~~
4836 ~~if exceeding base density.)) Allowed as part of a mixed-use development and meeting~~

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4837 provisions in K.C.C. 21A.14.xxx (the new section created by section 166 of this
4838 ordinance).

4839 12. ~~((Required before approving more than one dwelling on individual lots,~~
4840 ~~except on lots in subdivisions, short subdivisions, or binding site plans approved for~~
4841 ~~multiple unit lots, and except as provided for accessory dwelling units in subsection B.7.~~
4842 ~~of this section.)) A duplex is allowed on a lot that is four thousand five hundred square
4843 feet or greater, despite base density requirement established in K.C.C. 21A.12.030, if
4844 under K.C.C. chapter 21A.37:~~

4845 (1) The lot is located in Snoqualmie Pass rural town and one transferable
4846 development right is purchased from the rural area or natural resource lands; or

4847 (2) The lot is located in the urban area and one-half transferable development
4848 right is purchased from the rural area or natural resource lands, or one transfer of
4849 development right is purchased from the urban area.

4850 13. No new ~~((mobile)) manufactured home ((parks)) communities~~ are allowed
4851 in ~~((a rural)) the RA zone.~~

4852 14. ~~((a. Limited to domestic violence shelter facilities.~~

4853 ~~b. Limited to domestic violence shelter facilities with no more than eighteen~~
4854 ~~residents or staff.)) Repealed.~~

4855 15. ~~((Only in the R4 R8 zones s))~~ Subject to the following standards:

4856 a. Developments shall contain only cottage housing units with no fewer than
4857 three units. If the site contains an existing ~~((home)) residence~~ that is not being
4858 demolished, the existing ~~((house)) residence~~ is not required to comply with the height

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4859 limitation in K.C.C. 21A.12.020.B.25. or the floor area and footprint limits in K.C.C.

4860 21A.14.025.B.; and

4861 b. Cottage housing developments should consider including a variety of

4862 housing sizes, such as units with a range of bedroom sizes or total floor area ~~((and~~

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4863 ~~e. Before filing an application with the department, the applicant shall hold a~~

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4864 ~~community meeting in accordance with K.C.C. 20.20.035)).~~

4865 16. The development for a single detached ~~((single family))~~ residence shall be

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4866 consistent with the following:

4867 a. The lot ~~((must have))~~ legally existed before March 1, 2005;

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4868 b. The lot has a Comprehensive Plan land use designation of ~~((Rural~~

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4869 ~~Neighborhood Commercial Center or Rural Area))~~ rural neighborhood commercial center

4870 or rural area; and

4871 c. The dimensional standards of this title for the RA-5 zone shall to the

4872 single detached residences.

4873 17. ~~((Only in the R-1 zone as an accessory to a golf facility and consistent with~~

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4874 ~~K.C.C. 21A.08.040.))~~ Repealed.

4875 18. Allowed if consistent with K.C.C. chapter 21A.30.

4876 ~~19.a. A duplex is allowed on a R-4 through R-8 zoned lot that is four thousand~~

4877 ~~five hundred square feet or greater, despite base density requirement established in~~

4878 ~~K.C.C. 21A.12.030, if under K.C.C. chapter 21A.37;~~

4879 ~~(1) When the lot is located in Snoqualmie Pass rural town, one transferable~~

4880 ~~development right is purchased from the Rural Area or Natural Resource Lands under~~

4881 ~~K.C.C. chapter 21A.37; or~~

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4882 ~~———— (2) When the lot is located in the urban area, one half transferable~~
4883 ~~development right is purchased from the Rural Area or Natural Resource Lands or one~~
4884 ~~transfer of development right is purchased from the urban area under K.C.C. chapter~~
4885 ~~21A.37; and~~
4886 ~~———— b. Not allowed on a lot that contains an accessory dwelling unit or accessory~~
4887 ~~living quarter.~~
4888 ~~———— 20. Allowed if:~~
4889 ~~———— a. Not in the R-1 zone; and~~
4890 ~~———— b. on the same site as a religious facility, public agency, or part of uses located~~
4891 ~~in SIC Social Services Group Nos.: 832 Individual and Family Social Services, 836~~
4892 ~~Residential Care, and 839 Social Services, Not Elsewhere Classified.~~
4893 ~~———— 21.a. Only in the urban growth area; and~~
4894 ~~———— b. Exempt from on-site recreation requirements in K.C.C. 21A.14.180 through~~
4895 ~~21A.14.190, landscape requirements in K.C.C. chapter 21A.16, bicycle parking~~
4896 ~~requirements in K.C.C. 21A.18.030.E, and electric vehicle parking infrastructure~~
4897 ~~requirements in K.C.C. 21A.18.140.~~
4898 ~~———— 22. Allowed if consistent with K.C.C. chapter 21A.XX (the new chapter created~~
4899 ~~by section 197 of this ordinance) and K.C.C. chapter 24.XX (the new chapter created by~~
4900 ~~section 203 of this ordinance).~~
4901 ~~———— 23. Must be buffered from adjacent properties with:~~
4902 ~~———— a. a minimum ten-foot setback from the boundary of the lot on which the~~
4903 ~~village is located, excluding access;~~

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4904 ~~b. vegetation meeting the criteria of a Type II landscaping screen in K.C.C.~~

4905 21A.16.040.B; or

4906 ~~c. a six foot high, view obscuring fence.~~

4907 SECTION 403147. Ordinance 10870, Section 331, as amended, and K.C.C.

4908 21A.08.040 are hereby amended to read as follows:

4909 A. Recreational(~~(/)~~) and cultural land uses.

SIC #	SPECIFIC LAND USE	RESOURCE			R U R A L	RESIDENTIAL				COMMERCIAL/INDUSTRIAL				
		A	F	M		RA (18)	UR	R-1	((R-1-8))	R-12	NB	CB	RB	O	I
PARK/RECREATION:														
*	Park	P1	P1	P1	P1	P1	<u>P1</u>	P1	P1	P	P	P	P	P13
*	Trails	P	P	P	P	P	<u>P</u>	P	P	P	P	P	P	P
*	Campgrounds		P16 C16 a	P16	P16 C16 a	P16 C16 a								P16 C16 a
*	Destination Resorts		<u>S30</u>		S (48)) 30	((€))							((€))	
*	Marina		C-3		C((4))5	C((4))5	<u>C5</u>	C((4))5	C((4))5	P5	P	P	P	P
*	Recreational Vehicle Park		P19	P19	C2	C2								

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					((#	P19															
					4																
					18))																
					P19																
*	Sports Club (17)				C4	P31	P31	P31	P31	P31	P	P									
					((#	C((C32	C((4	C((C											
					4))3))32	4))3												
					18))	2			2												
*	Ski Area			S	S((4																
					8))																
*	Recreational Camp			C	P24																
					C																
	AMUSEMENT/ENTERTAINMENT:																				
*	Adult Entertainment Business										P6	P6	P6								
*	Theater										P	P	P	P25							
783	Theater, Drive-in												C								
3																					
793	Bowling Center										P	P		P							
*	Golf Course Facility				C7	P7	P7	P7	P7												
					((#																
					4																
					18))																
799	Amusement and Recreation Services		P21	P21	P8	P8	P8	P8	P8	P21	P	P	P21	P21							
9					P21	P21	P21	P21	P21	P22											
(14)					C15	P22	P22	P22	P22												
					((#	C15	C15	C15	C15												
					4																
					18))																

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*	Indoor Paintball Range									P26	P26		P26
*	Outdoor Paintball Range			C27	C27								
*	Shooting Range		C9	C9							C10		P10
				((#									
				4									
				48))									
*	Amusement Arcades									P	P		
799	Amusement Park										C		
6													
*	Outdoor Performance Center		S	C12		<u>P20</u>	P20	P20			S		
				S((4									
				8))									
CULTURAL:													
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					

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4910 B. Development conditions.

4911 1. The following conditions and limitations shall apply, where appropriate:

4912 a. No stadiums on sites less than ten acres;

4913 b. Lighting for structures and fields shall be directed away from ~~((rural area~~
 4914 ~~and residential)) RA, UR, and R~~ zones;

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4915 c. Structures or service yards shall maintain a minimum distance of fifty feet

4916 from property lines adjoining ~~((rural area and residential)) RA, UR, and R~~ zones, except

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4917 for fences and mesh backstops;

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4918 d. Facilities in the A zone shall be limited to trails and trailheads, including
4919 related accessory uses such as parking and sanitary facilities; and

4920 e. Overnight camping is allowed only in an approved campground.

4921 2. Recreational vehicle parks are subject to the following conditions and
4922 limitations:

4923 a. The maximum length of stay of any vehicle shall not exceed one hundred
4924 eighty days during a three-hundred-sixty-five-day period;

4925 b. The minimum distance between recreational vehicle pads shall be no less
4926 than ten feet; and

4927 c. Sewage shall be disposed in a system approved by ~~((the))~~ public health -
4928 Seattle(-) & King County ~~((health department))~~.

4929 3. Limited to day moorage. The marina shall not create a need for off-site
4930 public services beyond those already available before the date of application.

4931 4. Subject to the following:

4932 a. Not ~~((permitted))~~ allowed in the RA-10 or RA-20 zones. ~~((Limited to~~
4933 ~~recreation facilities subject to the following conditions and limitations:))~~

4934 ~~((a-))~~b. The bulk and scale shall be compatible with ~~((residential or))~~ rural
4935 character of the area;

4936 ~~((b- For sports clubs, t))~~c. The gross floor area shall not exceed ten thousand
4937 square feet unless the building is on the same site or adjacent to a site where a public

4938 facility is located; ~~((or unless the building is a nonprofit facility located in the urban area;~~

4939 and

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4940 ~~e.)) d.~~ Use is limited to residents of a specified residential development or to
4941 sports clubs providing supervised instructional or athletic programs;

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4942 ~~e. Outdoor amplified noise is not allowed; and~~

4943 ~~f. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.~~

4944 5. Limited to day moorage.

4945 6.a. Adult entertainment businesses shall be prohibited within three hundred
4946 thirty feet of any property zoned RA, UR₂ or R or containing schools, licensed daycare
4947 centers, public parks or trails, community centers, public libraries₂ or ~~((churches))~~
4948 religious facilities. In addition, adult entertainment businesses shall not be located closer
4949 than three thousand feet to any other adult entertainment business. These distances shall
4950 be measured from the property line of the parcel or parcels proposed to contain the adult
4951 entertainment business to the property line of the parcels zoned RA, UR₂ or R or that
4952 contain the uses identified in this subsection B.6.a.

4953 b. Adult entertainment businesses shall not be ~~((permitted))~~ allowed within an
4954 area likely to be annexed to a city subject to an executed interlocal agreement between
4955 King County and a city declaring that the city will provide opportunities for the location
4956 of adult businesses to serve the area. The areas include those identified in the maps
4957 attached to Ordinance 13546.

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4958 7.a. Clubhouses, maintenance buildings, equipment storage areas₂ and driving
4959 range tees shall be at least fifty feet from ~~((rural area and residential))~~ RA, UR, and R
4960 zoned property lines.

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4961 ~~b.~~ Lighting for practice greens and driving range ball impact areas shall be
4962 directed away from adjoining ~~((rural area and residential))~~ RA, UR, and R zones.

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4963 c. Applications shall comply with adopted best management practices for golf
4964 course development.

4965 d. Within the RA zone, those facilities shall be ~~((permitted))~~ allowed only in
4966 the RA-5 and RA-2.5 zones.

4967 e. Not ~~((permitted))~~ allowed in designated rural forest focus area ~~((, regionally
4968 significant resource areas, or locally significant resource areas))~~.

4969 f. Ancillary facilities associated with a golf course are limited to practice
4970 putting greens, maintenance buildings, and other structures housing administrative offices
4971 or activities that provide convenience services to players. These convenience services are
4972 limited to a pro shop, food services, and dressing facilities and shall occupy a total of no
4973 more than ten thousand square feet.

4974 g. ~~((Furthermore,))~~ The residential density that is otherwise ~~((permitted))~~
4975 allowed by the zone shall not be used on other portions of the site through clustering or
4976 on other sites through the transfer of density provision. This ~~((residential density))~~
4977 clustering or transfer limitation shall be reflected in a deed restriction that is recorded at
4978 the time applicable permits for the development of the golf course are issued; and

4979 ~~((b))~~ h. In addition to ancillary facilities, an organizational hotel/lodging house
4980 shall be allowed as an accessory use, subject to the following:

- 4981 (1) only allowed in the R-1 zone;
- 4982 (2) only allowed with a privately owned golf course facility that legally
4983 existed as of January 1, 2019;
- 4984 (3) only allowed as an incidental or subordinate use to a principal golf course
4985 facility use;

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- 4986 (4) a maximum of twenty-four sleeping units is allowed; and
- 4987 (5) shall be connected to and served by public sewer.
- 4988 8. Limited to golf driving ranges, only as:
- 4989 a. accessory to golf courses; or
- 4990 b. accessory to a recreation or multiuse park.
- 4991 9.a. New structures and outdoor ranges shall maintain a minimum distance of
- 4992 fifty feet from property lines adjoining ~~((rural area and residential)) RA, UR, and R~~
- 4993 zones, but existing facilities shall be exempt.
- 4994 b. Ranges shall be designed to prevent stray or ricocheting projectiles, pellets,
- 4995 or arrows from leaving the property.
- 4996 c. Site plans shall include: safety features of the range; provisions for reducing
- 4997 sound produced on the firing line; elevations of the range showing target area, backdrops,
- 4998 or butts; and approximate locations of buildings on adjoining properties.
- 4999 d. Subject to the licensing provisions of K.C.C. Title 6.
- 5000 10.a. Only in an enclosed building, and subject to the licensing provisions of
- 5001 K.C.C. Title 6;
- 5002 b. Indoor ranges shall be designed and operated so as to provide a healthful
- 5003 environment for users and operators by:
- 5004 (1) installing ventilation systems that provide sufficient clean air in the user's
- 5005 breathing zone, and
- 5006 (2) adopting appropriate procedures and policies that monitor and control
- 5007 exposure time to airborne lead for individual users.

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5008 11. Only as accessory to a park or in a building listed ~~((en))~~ in the National
5009 Register of Historic Places as an historic site or designated as a King County landmark
5010 subject to K.C.C. chapter 21A.32.

5011 12. ~~((a.))~~ Only as accessory to a nonresidential use established through a
5012 discretionary permit process, if the scale is limited to ensure compatibility with
5013 surrounding neighborhoods ~~((and~~

5014 ~~b. In the UR zone, only if the property is located within a designated~~
5015 ~~unincorporated rural town)).~~

5016 13. Subject to the following:

5017 a. The park shall abut an existing park on one or more sides, intervening roads
5018 notwithstanding;

5019 b. No bleachers or stadiums are ~~((permitted))~~ allowed if the site is less than ten
5020 acres, and no public amusement devices for hire are ~~((permitted))~~ allowed;

5021 c. Any lights provided to illuminate any building or recreational area shall be
5022 so arranged as to reflect the light away from any premises upon which a dwelling unit is
5023 located; and

5024 d. All buildings or structures or service yards on the site shall maintain a
5025 distance not less than fifty feet from any property line and from any public street.

5026 14.a. Excluding amusement and recreational uses classified elsewhere in this
5027 chapter.

5028 b. Fireworks display services, also known as public displays of fireworks, are
5029 allowed in all zones, subject to the requirements of K.C.C. chapter 17.11.

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- 5030 15. For amusement and recreation services not otherwise provided for in this
5031 chapter:
- 5032 a. In the RA zones, not subject to regulation under K.C.C. Title 6 and only on
5033 sites at least five acres or larger;
- 5034 b. Retail sales are limited to incidental sales to patrons of the amusement or
5035 recreation service; and
- 5036 c. Does not involve the operation of motor vehicles or off-road vehicles,
5037 including, but not limited to, motorcycles and gocarts.
- 5038 16. Subject to the following conditions:
- 5039 a. The length of stay per party in campgrounds shall not exceed one hundred
5040 eighty days during a three-hundred-sixty-five-day period; and
- 5041 b. Only for campgrounds that are part of a proposed or existing county park,
5042 that are subject to review and public meetings through the department of natural
5043 resources and parks.
- 5044 17. Only for stand-alone sports clubs that are not part of a park.
- 5045 18. Subject to review and approval of conditions to comply with trail corridor
5046 provisions of K.C.C. chapter 21A.14 ~~((when located in an RA zone))~~.
- 5047 19. Only as an accessory to a recreation or multiuse park.
- 5048 20. Only as an accessory to a recreation or multiuse park of at least twenty acres
5049 located within the urban growth area or on a site immediately adjacent to the urban
5050 growth area with the floor area of an individual outdoor performance center stage limited
5051 to three thousand square feet.

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5052 21. Limited to rentals of sports and recreation equipment with a total floor area
5053 of no more than seven hundred fifty square feet and only as accessory to a park, or in the
5054 RA zones, to a recreation or multiuse park.

5055 22. Only as accessory to a large active recreation and multiuse park and limited
5056 to:

- 5057 a. water slides, wave pools, and associated water recreation facilities; and
- 5058 b. rentals of sports and recreation equipment.

5059 23. Limited to natural resource and heritage museums and only allowed in a
5060 farm or forestry structure, including, but not limited to, barns or sawmills, existing as of
5061 December 31, 2003.

5062 24. Use is ~~(permitted)~~ allowed without a conditional use permit only when in
5063 compliance with all of the following conditions:

5064 a. The use is limited to camps for youths or for persons with special needs due
5065 to a disability, as defined by the American With Disabilities Act of 1990, or due to a
5066 medical condition and including training for leaders for those who use the camp;

5067 b. Active recreational activities shall not involve the use of motorized vehicles
5068 such as cross-country motorcycles or all-terrain vehicles or the use of firearms. The
5069 prohibition on motorized vehicles does not apply to such vehicles that may be necessary
5070 for operation and maintenance of the facility or to a client-specific vehicle used as a
5071 personal mobility device;

5072 c.(1) Except as provided in subsection B.24.c.(2)(b) of this section, the number
5073 of overnight campers, not including camp personnel, in a new camp shall not exceed:

5074 (a) one hundred and fifty for a camp between twenty and forty acres; or

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5075 (b) for a camp greater than forty acres, but less than two hundred and fifty
5076 acres, the number of users allowed by the design capacity of a water system and on-site
5077 sewage disposal system approved by ~~((the department of))~~ public health~~((;))~~ =
5078 ~~Seattle~~ & King County, up to a maximum of three hundred and fifty; and

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5079 (2) Existing camps shall be subject to the following:

5080 (a) For a camp established before August 11, 2005, with a conditional use
5081 permit and that is forty acres or larger, but less than one hundred and sixty acres, the
5082 number of overnight campers, not including camp personnel, may be up to one hundred
5083 ~~((and))~~ fifty campers over the limit established by subsection B.24.c.(1)(b) of this section.

5084 (b) For a camp established before August 11, 2005, with a conditional use
5085 permit and that is one hundred ~~((and))~~ sixty acres or larger, but less than two hundred
5086 acres, the number of overnight campers, not including camp personnel, may be up to
5087 three hundred ~~((and))~~ fifty campers over the limit established by subsection B.24.c.(1)(b)
5088 of this section. The camp may terminate operations at its existing site and establish a
5089 new camp if the area of the camp is greater than two hundred ~~((and))~~ fifty acres and the
5090 number of overnight campers, not including camp personnel, shall not exceed seven
5091 hundred.

5092 d. The length of stay for any individual overnight camper, not including camp
5093 personnel, shall not exceed ninety days during a three-hundred-sixty-five-day period;

5094 e. The camp facilities, such as a medical station, food service hall, and activity
5095 rooms, shall be of a scale to serve overnight camp users;

5096 f. The minimum size of parcel for such use shall be twenty acres;

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5097 g. Except for any permanent caretaker residence, all new structures where
5098 camp users will be housed, fed, or assembled shall be no less than fifty feet from
5099 properties not related to the camp;

5100 h. In order to reduce the visual impacts of parking areas, sports and activity
5101 fields, or new structures where campers will be housed, fed, or assembled, the applicant
5102 shall provide a Type 3 landscape buffer no less than twenty feet wide between the nearest
5103 property line and such parking area, field, or structures, by retaining existing vegetation
5104 or augmenting as necessary to achieve the required level of screening;

5105 i. If the site is adjacent to an arterial roadway, access to the site shall be
5106 directly onto ~~((said))~~ the arterial unless direct access is unsafe due inadequate sight
5107 distance or extreme grade separation between the roadway and the site;

5108 j. If direct access to the site is via local access streets, transportation demand
5109 management measures, such as use of carpools, buses, or vans to bring in campers, shall
5110 be used to minimize traffic impacts;

5111 k. Any lights provided to illuminate any building or recreational area shall be
5112 so arranged as to reflect the light away from any adjacent property; and

5113 l. A community meeting shall be convened by the applicant before submittal
5114 of an application for permits to establish a camp, or to expand the number of camp users
5115 on an existing camp site as provided in subsection B.24.c.(2)(b) of this section. Notice of
5116 the meeting shall be provided at least two weeks in advance to all property owners within
5117 five hundred feet, or at least twenty of the nearest property owners, whichever is greater.
5118 The notice shall at a minimum contain a brief description of the project and the location,
5119 as well as ~~((s))~~ contact persons and numbers.

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5120 25. Limited to theaters primarily for live productions located within a ~~((R))~~ rural
5121 ~~((T))~~ town designated by the King County Comprehensive Plan.

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5122 26.a. Only in an enclosed building; and

5123 b. A copy of the current liability policy of not less than one million dollars for
5124 bodily injury or death shall be maintained in the department.

5125 27. Minimum standards for outdoor paintball recreation fields:

5126 a. The minimum site area is twenty-five acres;

5127 b. Structure shall be no closer than one hundred feet from any lot line adjacent

5128 to a ~~((rural area or residential))~~ RA, UR, and R zoned property;

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5129 c. The area where paintballs are discharged shall be located more than three
5130 hundred feet of any lot line and more than five hundred feet from the lot line of any

5131 adjoining ~~((rural area or residential))~~ RA, UR, and R zoned property. The department

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5132 may allow for a lesser setback if it determines through the conditional use permit review
5133 that the lesser setback in combination with other elements of the site design provides
5134 adequate protection to adjoining properties and rights-of-ways;

5135 d. A twenty-foot high nylon mesh screen shall be installed around all play
5136 areas and shall be removed at the end of each day when the play area is not being used.

5137 The department may allow for the height of the screen to be lowered to no less than ten

5138 feet if it determines through the conditional use permit review that the lower screen in

5139 combination with other elements of the site design provides adequate protection from

5140 discharged paintballs;

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5141 e. All parking and spectator areas, structures, and play areas shall be screened
5142 from adjoining ~~((rural area or residential))~~ RA, UR, and R zoned property and public
5143 ~~((rights-of-way))~~ rights-of-way with Type 1 landscaping at least ten feet wide;

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5144 f. Any retail sales conducted on the property shall be accessory and incidental
5145 to the ~~((permitted))~~ allowed activity and conducted only for the participants of the site;

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5146 g. A plan of operations specifying days and hours of operation, number of
5147 participants and employees, types of equipment to be used by users of the site, safety
5148 procedures, type of compressed air fuel to be used on the site, and storage and
5149 maintenance procedures for the compressed air fuel shall be provided for review in
5150 conjunction with the conditional use permit application. All safety procedures shall be
5151 reviewed and approved by department of public safety before submittal of the conditional
5152 use permit application. All activities shall be in compliance with National Paintball
5153 League standards;

5154 h. The hours of operation shall be limited to Saturdays and Sundays and
5155 statutory holidays from 8:30 ~~((A.M.))~~ a.m. to 8:30 ~~((P.M.))~~ p.m., and further restricted as
5156 applicable to daylight hours;

5157 i. No more than one hundred paintball players shall be allowed on the site at
5158 any one time;

5159 j. ~~((No e))~~ Outdoor lights or amplified sounds ~~((shall be permitted))~~ are
5160 prohibited;

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5161 k. The facility shall have direct access to a road designated as a major collector
5162 (or higher) in the Comprehensive Plan unless the department determines through the
5163 conditional use permit review that the type and amount of traffic generated by the facility

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5164 is such that it will not cause an undue impact on the neighbors or adversely affect safety
5165 of road usage;

5166 l. The facility shall be secured at the close of business each day;

5167 m. All equipment and objects used in the paintball activities shall be removed
5168 from the site within ninety days of the discontinuance of the paintball use; and

5169 n. A copy of the current liability policy of not less than one million dollars for
5170 bodily injury or death shall be submitted with the conditional use permit application and
5171 shall be maintained in the department.

5172 28. Before filing an application with the department, the applicant shall hold a
5173 community meeting in accordance with K.C.C. 20.20.035.

5174 29. Only as accessory to a recreation or multiuse park of least twenty acres
5175 located within the urban growth area or on a site immediately adjacent to the urban
5176 growth area or in a building listed ~~((Ø))~~ in the National Register of Historic Places as an
5177 historic site or designated as a King County landmark subject to K.C.C. chapter 21A.32.

5178 30.a. Before submitting an application, the applicant shall hold Aa community
5179 meeting consistent with K.C.C. 20.20.035 ~~shall be convened by the applicant before~~
5180 ~~submittal of an application for permits to establish a destination resort.~~

5181 ~~b. Subject to review and approval of conditions to comply with trail corridor~~
5182 ~~provisions of K.C.C. chapter 21A.14 when located in an RA zone.~~

5183 eb. Except for trails, residential and recreational structures and facilities shall
5184 be setback at least one hundred feet from adjacent roadways and access easements; and at
5185 least three hundred feet from F, M, A, RA, UR, and R adjacent residential, rural area, or
5186 resource-zoned properties.

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5187 ~~dc. The minimum site area is shall be a minimum of ten acres and must shall~~
5188 ~~be at least five miles from the urban growth area boundary;~~

5189 ~~ed. the number of temporary lodging units shall:~~

5190 ~~(1) not exceed two units per acre and up to one hundred units total; and~~

5191 ~~(2) be proportionately scaled and limited based on developed site area,~~
5192 ~~availability of recreation opportunities, and distance to urban area zones allowing for~~
5193 ~~temporary lodging;~~

5194 ~~fe. The site must shall be within ten miles of at least three off-site, outdoor~~
5195 ~~resource-based recreation activities; and~~

5196 ~~gf. The destination resort shall provide at least two on-site outdoor resource-~~
5197 ~~based recreation activities;~~

5198 ~~hg. Applications must shall identify all aspects of the proposal, including~~
5199 ~~residential, commercial, and recreational uses;~~

5200 ~~ih. Accessory on-site uses shall be at a size and scale to serve primarily the~~
5201 ~~guests of the destination resort;~~

5202 ~~ji. When occurring in the forest zone, forest production district, or rural forest~~
5203 ~~focus areas, the proposal must shall demonstrate that the predominate land area will~~
5204 ~~remain viable for forest resource-based uses or preservation of forestry resources, or~~
5205 ~~both; and~~

5206 ~~kj. When occurring in the forest production district, only allowed if compatible~~
5207 ~~with long-term forestry, protection of Indian tribal cultural resources, and other resource~~
5208 ~~management goals of the Comprehensive Plan.~~

5209 ~~31. Subject to the following:~~

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- 5210 _____ a. Limited to a maximum of two thousand five hundred square feet of gross
 5211 floor area;
 5212 _____ b. Amplified noise is prohibited;
 5213 _____ c. The maximum on-site parking ratio shall be two spaces per one thousand
 5214 square feet and required parking shall not be located between the building and the street;
 5215 and
 5216 _____ d. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.
 5217 _____ 32. Subject to the following;
 5218 _____ a. Amplified noise is prohibited;
 5219 _____ b. Limited to a maximum of ten thousand square feet of gross floor area unless
 5220 the building either is on the same site or adjacent to a site where a public facility is
 5221 located or is nonprofit facility located in the urban area; and
 5222 _____ c. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.
 5223 NEW SECTION. SECTION 148. There is hereby added to K.C.C. chapter
 5224 21A.08 a new section to read as follows:
 5225 A. Health care services and residential care services land uses.

<u>P-Permitted Use</u>		<u>RESOURC</u>			<u>R</u>	<u>RESIDENTIAL</u>				<u>COMMERCIAL/INDUSTRIA</u>				
<u>C-Conditional Use</u>		<u>E</u>			<u>U</u>					<u>L</u>				
<u>S-Special Use</u>					<u>R</u>									
					<u>A</u>									
					<u>L</u>									
<u>SIC #</u>	<u>SPECIFIC LAND</u>	<u>A</u>	<u>F</u>	<u>M</u>	<u>RA</u>	<u>UR</u>	<u>R-1</u>	<u>R-4</u>	<u>R-</u>	<u>NB</u>	<u>CB</u>	<u>RB</u>	<u>O</u>	<u>I</u>
	<u>USE</u>				<u>(19)</u>			<u>-R-</u>	<u>12</u>					
								<u>8</u>	<u>=</u>					
									<u>R-</u>					

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								<u>48</u>					
	<u>HEALTH CARE SERVICES</u>												
801-04	Doctor's Office/Outpatient Clinic	-	-	-	<u>P1</u> <u>C</u>	<u>P1</u> <u>C</u>		<u>P2</u> <u>C3</u>	<u>P3</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
806	Hospital	-	-	-	-	-		<u>C1</u>	<u>P6</u> <u>C1</u>	-	<u>P</u>	<u>P</u>	<u>C</u>
807	Medical/Dental Lab	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>
808-09	Miscellaneous Health	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>
*	Social Services	-	-	-	<u>P1</u> <u>C</u>	<u>P1</u> <u>C</u>	<u>P1</u> <u>C</u>	<u>P1</u> <u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
*	Crisis Care Center				<u>P1</u> <u>C4</u>		<u>P1</u> <u>C4</u>	<u>P1</u> <u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u> <u>P7</u>
	<u>RESIDENTIAL CARE SERVICES</u>												
805	Nursing and Personal Care Facilities	-	-	-	-	-		<u>P1</u> <u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
*	Adult Family Home	<u>P</u>	<u>P1</u> <u>5</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P5</u>	<u>P5</u>	<u>P5</u>
*	Community Residential Facility- I				<u>C</u>	<u>C</u>	<u>P8.a</u> <u>C</u>	<u>P8.a</u> <u>C</u>	<u>P</u>	<u>P5</u>	<u>P5</u>	<u>P5</u>	<u>P5</u>
*	Community Residential Facility- II						<u>P8.b</u>	<u>P8.b</u>	<u>P</u>	<u>P5</u>	<u>P5</u>	<u>P5</u>	<u>P5</u>
*	Permanent Supportive Housing						<u>C9</u>	<u>P10</u>	<u>P10</u>	<u>P10</u>	<u>P10</u>	<u>P10</u>	<u>P10</u>
*	Recuperative Housing						<u>C11</u>	<u>C11</u>	<u>C11</u>	<u>C11</u>	<u>C11</u>	<u>C11</u>	<u>C11</u>
*	Emergency Supportive Housing						<u>C11</u>	<u>C11</u>	<u>C11</u>	<u>C11</u>	<u>C11</u>	<u>C11</u>	<u>C11</u>

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*	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	

5226 B. Development conditions.

5227 1. Only as a reuse of a public school facility or surplus nonresidential facility

5228 subject to K.C.C. chapter 21A.32.

5229 2.a. Only as a reuse of a public school facility or surplus nonresidential facility

5230 subject to K.C.C. chapter 21A.32; and

5231 b. The maximum on-site parking ratio shall be two spaces per one thousand

5232 square feet and required parking shall not be located between the building and the street.

5233 3. The maximum on-site parking ratio shall be two spaces per one thousand

5234 square feet and required parking shall not be located between the building and the street.

5235 4.a. Only allowed on lots of at least four and one-half acres; and

5236 b. Located within one mile of an interstate highway.

5237 5. Only as part of a mixed-use development subject to the conditions of K.C.C.

5238 chapter 21A.14, except in the rural area outside of rural towns on historic properties listed

5239 in the National Register of Historic Places or designated as a King County landmark.

5240 6. Limited to SIC Industries 8063-Psychiatric Hospitals and 8069-Specialty

5241 Hospitals, Except Psychiatric.

5242 7. Only allowed in the Preston Industrial Area.

5243 8.a. Limited to domestic violence shelter facilities.

5244 b. Limited to domestic violence shelter facilities with no more than eighteen

5245 residents and staff.

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- 5246 9. Subject to the following standards:
- 5247 a. Allowed only in the urban area and rural towns;
- 5248 b. Located on the same site as a religious facility, public agency, or social
- 5249 services use; and
- 5250 c. Exempt from bicycle parking requirements in K.C.C. 21A.18.030.E. and
- 5251 electric vehicle parking infrastructure requirements in K.C.C. 21A.18.140.
- 5252 10. Subject to the following standards:
- 5253 a. Allowed only in the urban area and rural towns;
- 5254 b. Only as part of a mixed-use development subject to the conditions of K.C.C.
- 5255 chapter 21A.14, except in the rural area outside of rural towns on historic properties listed
- 5256 in the National Register of Historic Places or designated as a King County landmark; and
- 5257 c. Exempt from bicycle parking requirements in K.C.C. 21A.18.030.E. and
- 5258 electric vehicle parking infrastructure requirements in K.C.C. 21A.18.140.
- 5259 11. Subject to the following standards:
- 5260 a. Allowed only in the urban area and rural towns;
- 5261 b. In the R-4 through R-8 zones, only when located on the same site as a
- 5262 religious facility, public agency, or social service use;
- 5263 c. Exempt from bicycle parking requirements in K.C.C. 21A.18.030.E. and
- 5264 electric vehicle parking infrastructure requirements in K.C.C. 21A.18.140; and
- 5265 d. The application shall include:
- 5266 (1) A description of the staffing and operational characteristics, including
- 5267 sanitation and basic safety measures required for the facility;
- 5268 (2) Occupancy policies, including a description of the population to be served

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5269 and a code of conduct that includes, at a minimum, a prohibition of threatening or unsafe
5270 behavior;
5271 _____ (3) A plan for managing the exterior appearance of the site, including keeping
5272 the site litter free;
5273 _____ (4) A plan for addressing reported concerns and making this information
5274 publicly available, including a phone number, email, and point of contact at the site of the
5275 facility for the community to report concerns;
5276 _____ (5) A plan for outreach with surrounding property owners and residents
5277 addressing items such as noise, smoking areas, parking, security procedures, and litter;
5278 and
5279 _____ (6) Plans and narrative documenting compliance with all applicable codes,
5280 including:
5281 _____ (a) an elevation of the building or buildings to be occupied;
5282 _____ (b) a floor plan that describes the capacities of the buildings for the uses
5283 intended, room dimensions, and a designation of the rooms to be used for nonambulatory
5284 residents, if any; and
5285 _____ (c) a site plan showing property lines, buildings, driveways, parking, fences,
5286 storage areas, gardens, recreation areas, and site improvements.
5287 _____ 12. Subject to the following standards:
5288 _____ a. Allowed in the urban area or rural towns;
5289 _____ b. In the R-4 through R-8 zones, only when located on the same site as a
5290 religious facility, public agency, or social service use;

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5291 c. Exempt from landscaping requirements in K.C.C. chapter 21A.16, bicycle
5292 parking requirements in K.C.C. 21A.18.030.E., and electric vehicle parking infrastructure
5293 requirements in K.C.C. 21A.18.140;
5294 d. The application shall include:
5295 (1) A description of the staffing and operational characteristics, including
5296 sanitation and basic safety measures required for the facility;
5297 (2) Occupancy policies, including a description of the population to be served
5298 and a code of conduct that includes, at a minimum, a prohibition of threatening or unsafe
5299 behavior;
5300 (3) A plan for managing the exterior appearance of the site, including keeping
5301 the site litter free;
5302 (4) A plan for addressing reported concerns and making this information
5303 publicly available, including a phone number, email, and point of contact at the site of the
5304 facility for the community to report concerns;
5305 (5) A plan for outreach with surrounding property owners and residents
5306 addressing items such as noise, smoking areas, parking, security procedures, and litter;
5307 and
5308 (6) Plans and narrative documenting compliance with all applicable codes,
5309 including:
5310 (a) an elevation of the building or buildings to be occupied;
5311 (b) a floor plan that describes the capacities of the buildings for the uses
5312 intended, room dimensions, and a designation of the rooms to be used for nonambulatory
5313 residents, if any; and

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5314 (c) a site plan showing property lines, buildings, driveways, parking, fences,
5315 storage areas, gardens, recreation areas, and site improvements;
5316 e. A setback of ten feet shall be along any property line adjoining a residential
5317 zone; and
5318 f. The use shall be buffered with:
5319 (1) ten feet of Type II landscaping consistent with K.C.C. 21A.16.040; or
5320 (2) a six-foot high, view obscuring fence.
5321 13. Subject to the following standards:
5322 a. Allowed in the urban area or rural towns;
5323 b. In the R-4 through R-8 zones, only when located on the same site as a
5324 religious facility, public agency, or social services use;
5325 c. Exempt from landscaping requirements in K.C.C. chapter 21A.16, bicycle
5326 parking requirements in K.C.C. 21A.18.030.E., and electric vehicle parking infrastructure
5327 requirements in K.C.C. 21A.18.140;
5328 d. The application shall include:
5329 (1) A description of the staffing and operational characteristics, including
5330 sanitation and basic safety measures required for the facility;
5331 (2) Occupancy policies, including a description of the population to be served
5332 and a code of conduct that includes, at a minimum, a prohibition of threatening or unsafe
5333 behavior;
5334 (3) A plan for managing the exterior appearance of the site, including keeping
5335 the site litter free;
5336 (4) A plan for addressing reported concerns and making this information

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5337 publicly available, including a phone number, email, and point of contact at the site of the
5338 facility for the community to report concerns;
5339 _____ (5) A plan for outreach with surrounding property owners and residents
5340 addressing items such as noise, smoking areas, parking, security procedures, and litter;
5341 and
5342 _____ (6) Plans and narrative documenting compliance with all applicable codes,
5343 including:
5344 _____ (a) an elevation of the building or buildings to be occupied;
5345 _____ (b) a floor plan that describes the capacities of the buildings for the uses
5346 intended, room dimensions, and a designation of the rooms to be used for nonambulatory
5347 residents, if any; and
5348 _____ (c) a site plan showing property lines, buildings, driveways, parking, fences,
5349 storage areas, gardens, recreation areas, and site improvements;
5350 _____ e. A setback of ten feet shall be along any property line adjoining a residential
5351 zone;
5352 _____ f. The use shall be buffered with:
5353 _____ (1) ten feet of Type II landscaping consistent with K.C.C. 21A.16.040; or
5354 _____ (2) a six-foot high, view obscuring fence;
5355 _____ g. When safe parking is located on a site with an established primary use, the
5356 director may reduce the minimum number of on-site parking spaces consistent with
5357 K.C.C. chapter 21A.18;
5358 _____ h. A safe parking site shall provide restroom and potable water access within the
5359 buildings or portable facilities and handwashing stations on the property; and

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5360 i. If recreational vehicles are hosted at the safe parking site, provision shall be
5361 made for potable water and for proper disposal of grey water and black water waste from
5362 the vehicles.

5363 14. Excluding residential care uses classified elsewhere in this chapter.

5364 15. In the forest production district, the following conditions apply:

5365 a. Site disturbance shall be limited to three acres. Site disturbance shall mean
5366 all land alterations including, but not limited to, grading, utility installation, landscaping,
5367 clearing for crops, on-site sewage disposal systems, and driveways. Additional site
5368 disturbance for agriculture, including raising livestock, up to the smaller of thirty-five
5369 percent of the lot or seven acres, may be approved only if a farm management plan is
5370 prepared in accordance with K.C.C. chapter 21A.30. Animal densities shall be based on
5371 the area devoted to animal care and not the total area of the lot;

5372 b. A forest management plan shall be required in the forest production district,
5373 that shall be reviewed and approved by the King County department of natural resources
5374 and parks before building permit issuance; and

5375 c. The forest management plan shall incorporate a fire protection element that
5376 includes fire safety best management practices developed by the department.

5377 19. Subject to review and approval of conditions to comply with trail corridor
5378 provisions of K.C.C. chapter 21A.14.

5379 SECTION ~~404149~~. Ordinance 10870, Section 332, as amended, and K.C.C.

5380 21A.08.050 are hereby amended to read as follows:

5381 A. General services land uses.

P-Permitted Use	RESOURCE	R	RESIDENTIAL	COMMERCIAL/INDUSTRIA
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C-Conditional Use S-Special Use					U R A L					L				
SIC #	SPECIFIC LAND USE	A	F	M	RA (31)	UR	R-1	(R-1-8) R-4 -R-8	R-12- R-48	N B	CB	RB	O	I
	PERSONAL SERVICES:													
72	General Personal Service							(C-25) P25 (C-37) 7)	(C-25) 25 (C-37))	P	P	P	P3	P3
7216	Drycleaning Plants													P
7218	Industrial Launderers													P
7261	Funeral Home/Crematory					C4	C4	C4	C4		P	P		
*	Cemetery, Columbarium or Mausoleum (5)				P24 C((5) and 34))	P24 C((5))	P24 C	P24 C((5))	P24 C((5))	P2	P24	P24	P24	
*	(Day Care) Daycare I and II (6)	P6			P((6)7 C	P((6)7 C	P7 C	P((6)7 C	P7 C	P	P	P	P((7))	P((7))
(6)	Day Care II				P8	P8		P8	P8	P	P	P	P7	P7

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				€	€		€	€					
((07	Veterinary	P9		P9	P9				P1	P10	P10		P1
4	Clinic			C10	C10				0				
				and 31									
753	Automotive Repair (1)								P1	P	P		P
									1				
754	Automotive Service								P1	P	P		P
									1				
76	Miscellaneous Repair (44)			P32	P32	<u>P32</u>	P32	P32	P3	P	P		P
									2				
((86	((Church,			P12	P12	<u>P12</u>	P12	P12 C	P	P	P	P	
6))	Synagogue,			C27	C	<u>C</u>	C						
*	Temple))			((and									
	Religious Facility			31))									
((83	Social Services			P12	P12		P12	P12	P	P	P	P1	
	(2)			P13	P13		P13	P13					
				C31	C		C	C					
074	<u>Veterinary</u>	<u>P9</u>		<u>P9</u>	<u>P9</u>				<u>P1</u>	<u>P10</u>	<u>P10</u>		<u>P</u>
	<u>Clinic</u>			<u>C10</u>	<u>C10</u>				<u>0</u>				
075	Animal specialty services			C	C				P	P	P	P	P
				P35									
				P36									
*	Stable	P1		P14	P14	<u>P14</u>	P 14						
		4		C((31	C	<u>C</u>	C						
		C)									
*	Commercial Kennel or Commercial Cattery	P4	2	C43	C43					C43	P43		

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*	<u>Dog training facility</u>	<u>C3</u> 4			<u>C34</u>	<u>C34</u>				<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>
*	Theatrical Production Services										P30	P28		
*	Artist Studios				P28	P28	<u>P28</u>	P28	P28	P	P	P	P29	P
*	Interim Recycling Facility				P21	P21	<u>P21</u>	P21	P21	P2	P22	P	P21	P
(*)	Dog training facility	C3 4			C34	C34				P	P	P		P
	HEALTH SERVICES:													
801	Office/Outpatient Clinic				P12	P12		P12	P12	P	P	P	P	P
-04					C13a	C13a		C13a	C13a					
								C37	C37					
805	Nursing and Personal Care Facilities								C	P	P			
806	Hospital							C13a	C13a	P	P	C		
807	Medical/Dental Lab									P	P	P	P	
808	Miscellaneous Health									P	P	P	P	
	TEMPORARY LODGING:													
701	Hotel/Motel									<u>P</u>	<u>P</u>	<u>P</u>		
1	(45)													
*	Bed and Breakfast	<u>P4</u> 6			<u>P46</u>	<u>P46</u>	<u>P46</u>	<u>P46</u>	<u>P46</u>	<u>P4</u>	<u>P47</u>	<u>P47</u>		
										<u>6</u>				

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	<u>Guesthouse</u>											
704	<u>Organization</u>					<u>P48</u>				<u>P</u>		
1	<u>Hotel/Lodging</u> <u>Houses</u>											
	EDUCATION SERVICES:											
*	Elementary School			P39 P40	P	<u>P</u>	P	P		P16 P40	P16 P40	P16 P40
*	Middle/Junior High School			P40 C39 ((and 34))	P	<u>P</u>	P	P		P16 C40	P16 C40	P16 C40
*	Secondary or High School			C39 ((and 34)) C41 ((and 34))	P26	<u>P26</u>	P26	P26		P16 C15	P16 C15	P16
*	Vocational School			P((13 a))12 C	P12 <u>C</u>	P((13 a))12 C	P((13 a))12 C			P15	P17	P
*	Specialized Instruction School	P1 8		P19 C20 ((and 34))	P19 C20	<u>P19</u> <u>C20</u>	P19 C20	P19 C20	P P	P P	P P	P17 38
*	School District Support Facility				P23 C	<u>P23</u> <u>C</u>	P23 C	P23 C	C1 5	P15	P15	P15 P15

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5382 B. Development conditions.

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- 5383 1. Except SIC Industry ~~((No.))~~ 7534-Tire Retreading, see manufacturing Formatted: Strikethrough
5384 permitted use table.
- 5385 2. Except SIC Industry Groups ~~((Nos.))~~: Formatted: Strikethrough
5386 a. 835-Day Care Services, and
5387 b. Community residential facilities.
- 5388 3. Limited to SIC Industry Groups and ((Group and Industry Nos.)) Industries: Formatted: Strikethrough
5389 a. 723-Beauty Shops;
5390 b. 724-Barber Shops;
5391 c. 725-Shoe Repair Shops and Shoeshine Parlors;
5392 d. 7212-Garment Pressing and Agents for Laundries and Drycleaners; and
5393 e. 217-Carpet and Upholstery Cleaning.
- 5394 4. Only as accessory to a cemetery ~~((, and prohibited from the UR zone only if~~ Formatted: Strikethrough
5395 ~~the property is located within a designated unincorporated Rural Town))~~.
- 5396 5. Structures shall maintain a minimum distance of one hundred feet from
5397 property lines adjoining ~~((rural area and residential))~~ RA, UR, and R zones. Formatted: Strikethrough
- 5398 6. ~~((Only as accessory to residential use, and:~~ Formatted: Strikethrough
5399 ~~a.))~~ Outdoor play areas shall be completely enclosed by a solid wall or fence, Formatted: Strikethrough
5400 with no openings except for gates, and have a minimum height of six feet ~~((, and~~ Formatted: Strikethrough
5401 ~~b. Outdoor play equipment shall maintain a minimum distance of twenty feet~~ Formatted: Strikethrough
5402 ~~from property lines adjoining rural area and residential zones.))~~
- 5403 7. ~~((Permitted as an accessory use. See commercial/industrial accessory, K.C.C.~~ Formatted: Strikethrough
5404 ~~21A.08.060.A.))~~ Limited to facilities for 36 or fewer persons.

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5405 8. ~~((Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32,~~
5406 ~~or an accessory use to a school, ((church)) religious facility, park, sport club, or public~~
5407 ~~housing administered by a public agency, and:~~
5408 ~~a. Outdoor play areas shall be completely enclosed by a solid wall or fence,~~
5409 ~~with no openings except for gates, and have a minimum height of six feet;~~
5410 ~~b. Outdoor play equipment shall maintain a minimum distance of twenty feet~~
5411 ~~from property lines adjoining rural area and residential zones;~~
5412 ~~c. Direct access to a developed arterial street shall be required in any~~
5413 ~~residential zone; and~~
5414 ~~d. Hours of operation may be restricted to assure compatibility with~~
5415 ~~surrounding development)) Repealed.~~

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5416 9. As a home occupation only, but the square footage limitations in K.C.C.
5417 chapter 21A.30 for home occupations apply only to the office space for the veterinary
5418 clinic, and:
5419 a. Boarding or overnight stay of animals is allowed only on sites of five acres
5420 or more;
5421 b. No burning of refuse or dead animals is allowed;
5422 c. The portion of the building or structure in which animals are kept or treated
5423 shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be
5424 surrounded by an eight-foot-high solid wall and the floor area shall be surfaced with
5425 concrete or other impervious material; and
5426 d. The provisions of K.C.C. chapter 21A.30 relative to animal keeping are met.
5427 10.a. No burning of refuse or dead animals is allowed;

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5428 b. The portion of the building or structure in which animals are kept or treated
5429 shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be
5430 surrounded by an eight-foot-high solid wall and the floor area shall be surfaced with
5431 concrete or other impervious material; and

5432 c. The provisions of K.C.C. chapter 21A.30 relative to animal keeping are met.

5433 11. The repair work or service shall only be performed in an enclosed building,
5434 and no outdoor storage of materials. SIC Industry ~~((No.))~~ 7532-Top, Body, and
5435 Upholstery Repair Shops and Paint Shops is ~~((not allowed))~~ prohibited.

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5436 12. Only as a reuse of a public school facility or surplus nonresidential facility
5437 subject to K.C.C. chapter 21A.32. Before filing an application with the department, the
5438 applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

5439 13. ~~((a. Except as otherwise provided in subsection B.13.b. of this section, only
5440 as a reuse of a surplus nonresidential facility subject to K.C.C. chapter 21A.32.~~

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5441 ~~b. Allowed for a social service agency on a site in the NB zone that serves
5442 transitional or low-income housing located within three hundred feet of the site on which
5443 the social service agency is located.~~

5444 ~~c. Before filing an application with the department, the applicant shall hold a
5445 community meeting in accordance with K.C.C. 20.20.035.)~~ Repealed.

5446 14. Covered riding arenas are subject to K.C.C. 21A.30.030 and shall not
5447 exceed twenty thousand square feet, but stabling areas, whether attached or detached,
5448 shall not be counted in this calculation.

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- 5449 15. If located outside of the urban ~~((growth))~~ area, limited to projects that are of ~~Formatted: Strikethrough~~
- 5450 a size and scale designed to primarily serve the ~~((Rural Area and Natural Resource~~ ~~Formatted: Strikethrough~~
- 5451 ~~Lands))~~ rural area and natural resource lands and shall be located within a rural town.
- 5452 16. If located outside of the urban ~~((growth))~~ area, shall be designed to primarily ~~Formatted: Strikethrough~~
- 5453 serve the ~~((Rural Area and Natural Resource Lands))~~ rural area and natural resource lands ~~Formatted: Strikethrough~~
- 5454 and shall be located within a rural town. In CB, RB₂ and O, for K-12 schools with no
- 5455 more than one hundred students.
- 5456 17. All instruction ~~((must be)) shall occur~~ within an enclosed structure. ~~Formatted: Strikethrough~~
- 5457 18. Limited to resource management education programs.
- 5458 19. Only as accessory to residential use, and:
- 5459 a. Students shall be limited to twelve per one-hour session;
- 5460 b. Except as provided in subsection B.19.c. of this section, all instruction
- 5461 ~~((must be)) shall occur~~ within an enclosed structure; ~~Formatted: Strikethrough~~
- 5462 c. Outdoor instruction may be allowed on properties at least two and one-half
- 5463 acres in size. Any outdoor activity ~~((must)) shall comply~~ with the requirements for ~~Formatted: Strikethrough~~
- 5464 setbacks in K.C.C. chapter 21A.12; and
- 5465 d. Structures used for the school shall maintain a distance of twenty-five feet
- 5466 from property lines adjoining ~~((rural area and residential)) RA, UR, and R~~ zones. ~~Formatted: Strikethrough~~
- 5467 20. Subject to the following:
- 5468 a. Structures used for the school and accessory uses shall maintain a minimum
- 5469 distance of twenty-five feet from property lines adjoining ~~((residential)) UR and R~~ zones; ~~Formatted: Strikethrough~~
- 5470 b. On lots over two and one-half acres:

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5471 (1) Retail sale of items related to the instructional courses is ~~((permitted))~~
5472 allowed, if total floor area for retail sales is limited to two thousand square feet;

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5473 (2) Sale of food prepared in the instructional courses is ~~((permitted))~~ allowed

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5474 with ~~((Seattle King County department of))~~ public health - Seattle & King County

5475 approval, if total floor area for food sales is limited to one thousand square feet and is

5476 located in the same structure as the school; and

5477 (3) Other incidental student-supporting uses are allowed, if such uses are

5478 found to be both compatible with and incidental to the principal use; and

5479 c. On sites over ten acres, located in a ~~((designated Rural Town))~~ rural town

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5480 and zoned ~~((any one or more of UR,))~~ R-1, ~~((and))~~ or R-4:

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5481 (1) ~~((Retail sale of items related to the instructional courses is ((permitted))~~

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5482 allowed, provided total floor area for retail sales is limited to two thousand square feet;

5483 (2) Sale of food prepared in the instructional courses is ~~((permitted))~~ allowed

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5484 with ~~((Seattle King County department of))~~ public health - Seattle & King County

5485 approval, if total floor area for food sales is limited to one thousand seven hundred fifty

5486 square feet and is located in the same structure as the school;

5487 (3) Other incidental student-supporting uses are allowed, if the uses are found

5488 to be functionally related, subordinate, compatible with and incidental to the principal

5489 use;

5490 (4) The use shall be integrated with allowable agricultural uses on the site;

5491 (5) Advertised special events shall comply with the temporary use

5492 requirements of this chapter; and

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5493 (6) Existing structures that are damaged or destroyed by fire or natural event,
5494 if damaged by more than fifty percent of their prior value, may reconstruct and expand an
5495 additional sixty-five percent of the original floor area but need not be approved as a
5496 conditional use if the ~~((#))~~ use otherwise complies with ~~((development condition in))~~ this
5497 subsection B.20.c. ~~((of this section))~~ and this title.

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5498 21. Limited to:

5499 a. drop box facilities accessory to a public or community use such as a school,
5500 fire station, or community center; or

5501 b. in the RA zone only, a facility accessory to a retail nursery, garden center
5502 and farm supply store ~~((that))~~ may accept ~~((s))~~ earth materials, vegetation, organic waste,
5503 construction, and demolition materials, or source separated organic materials, if:

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5504 (1) the site is five acres or greater;

5505 (2) all material is deposited into covered containers or onto covered
5506 impervious areas;

5507 (3) the facility and any driveways or other access to the facility maintain a
5508 setback of at least twenty five feet from adjacent properties;

5509 (4) the total area of the containers and covered impervious area is ten
5510 thousand square feet or less;

5511 (5) ten feet of type II landscaping is provided between the facility and
5512 adjacent properties;

5513 (6) no processing of the material is conducted ~~on-on-~~site; and

5514 (7) access to the facility is not from a local access street.

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5515 22. With the exception of drop box facilities for the collection and temporary
5516 storage of recyclable materials, all processing and storage of material shall be within
5517 enclosed buildings. Yard waste processing is not ~~((permitted))~~ allowed.

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5518 23. Only if adjacent to an existing or proposed school.

5519 24. Limited to columbariums accessory to a ~~((church))~~ religious facility. ~~((, but~~
5520 ~~required landscaping and parking shall not be reduced.~~

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5521 25.a. ~~((Not permitted in R-1 and 1))~~ Limited to a maximum of two thousand five
5522 hundred square feet in the R-4 through R-8 zones and five thousand square feet ~~((per~~
5523 ~~establishment ((and subject to the additional requirements in K.C.C. 21A.12.230.))~~ in the

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5524 R-12 through R-48 zones;

5525 b. Amplified noise is prohibited;

5526 c. The maximum on-site parking ratio shall be two spaces per one thousand
5527 square feet and required parking shall not be located between the building and the street;
5528 and

5529 d. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

5530 26.a. New high schools permitted in the ~~((rural and the urban residential and~~
5531 ~~urban reserve))~~ RA, UR, and R zones shall be subject to the review process in K.C.C.
5532 21A.42.140.

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5533 b. Renovation, expansion, modernization, or reconstruction of a school, or the
5534 addition of relocatable facilities, is ~~((permitted))~~ allowed.

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5535 27. Limited to projects that do not require or result in an expansion of sewer
5536 service outside the urban growth area. In addition, such use shall not be ~~((permitted))~~
5537 allowed in the RA-20 zone.

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5538 28. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter
5539 21A.32 or as a joint use of an existing public school facility.

5540 29. All studio use ~~((must be)) shall occur~~ within an enclosed structure.

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5541 30. Adult use facilities shall be prohibited within six hundred sixty feet of any

5542 ~~((rural area and residential)) RA, UR, and R~~ zones, any other adult use facility, school,

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5543 licensed daycare centers, parks, community centers, public libraries, or ~~((churches))~~

5544 religious facilities that conduct religious or educational classes for minors.

5545 31. Subject to review and approval of conditions to comply with trail corridor

5546 provisions of K.C.C. chapter 21A.14 ~~((when located in an RA zone))~~.

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5547 32. Limited to repair of sports and recreation equipment:

5548 a. as accessory to a recreation or multiuse park in the urban ~~((growth))~~ area; or

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5549 b. as accessory to a park and limited to a total floor area of seven hundred fifty

5550 square feet.

5551 33. Repealed.

5552 34. Subject to the following:

5553 a. the lot is at least five acres;

5554 b. in the A zones, area used for dog training shall be located on portions of
5555 agricultural lands that are unsuitable for other agricultural purposes, such as areas within

5556 the already developed portion of such agricultural lands that are not available for direct

5557 agricultural production or areas without prime agricultural soils;

5558 c. structures and areas used for dog training shall maintain a minimum distance

5559 of seventy-five feet from property lines; and

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- 5560 d. all training activities shall be conducted within fenced areas or in indoor
5561 facilities. Fences ~~((must))~~ shall be sufficient to contain the dogs.
- 5562 35. Limited to animal rescue shelters and provided that:
- 5563 a. the property shall be at least four acres;
- 5564 b. buildings used to house rescued animals shall be no less than fifty feet from
5565 property lines;
- 5566 c. outdoor animal enclosure areas shall be located no less than thirty feet from
5567 property lines and shall be fenced in a manner sufficient to contain the animals;
- 5568 d. the facility shall be operated by a nonprofit organization registered under the
5569 Internal Revenue Code as a 501(c)(3) organization; and
- 5570 e. ~~((the facility shall maintain normal h))~~ Hours of operation ~~((no earlier than))~~
5571 shall be limited to 7:00 a.m. ~~((and no later than))~~ through 7:00 p.m.
- 5572 36. Limited to kennel-free dog boarding and daycare facilities, and:
- 5573 a. the property shall be at least four and one-half acres;
- 5574 b. buildings housing dogs shall be no less than seventy-five feet from property
5575 lines;
- 5576 c. outdoor exercise areas shall be located no less than thirty feet from property
5577 lines and shall be fenced in a manner sufficient to contain the dogs;
- 5578 d. the number of dogs allowed on the property at any one time shall be limited
5579 to the number allowed for hobby kennels, as provided in K.C.C. 11.04.060.B; and
- 5580 e. training and grooming are ancillary services that may be provided only to
5581 dogs staying at the facility; and

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5582 f. ~~((the facility shall maintain normal h))~~Hours of operation ~~((no earlier than))~~
5583 shall be limited to 7:00 a.m. ((and no later than)) through 7:00 p.m.

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5584 37. ~~((Not permitted in R-1 and subject to the additional requirements in K.C.C.~~
5585 21A.12.250.)) Repealed.

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5586 38. Driver training is limited to driver training schools licensed under chapter
5587 46.82 RCW.

5588 39. A school may be located outside of the urban growth area only if allowed
5589 under King County Comprehensive Plan policies.

5590 40. Only as a reuse of an existing public school.

5591 41. A high school may be allowed as a reuse of an existing public school if
5592 allowed under King County Comprehensive Plan policies.

5593 42. Commercial kennels and commercial catteries in the A zone are subject to
5594 the following:

5595 a. Only as a home occupation, but the square footage limitations in K.C.C.
5596 chapter 21A.30.085 for home occupations apply only to the office space for the
5597 commercial kennel or commercial cattery; and

5598 b. Subject to K.C.C. 21A.30.020, except:

5599 (1) A building or structure used for housing dogs or cats and any outdoor
5600 runs shall be set back one hundred and fifty feet from property lines;

5601 (2) The portion of the building or structure in which the dogs or cats are kept
5602 shall be soundproofed;

5603 (3) Impervious surface for the kennel or cattery shall not exceed twelve
5604 thousand square feet; and

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5605 (4) Obedience training classes are not allowed except as provided in
 5606 subsection B.34. of this section.

5607 43. Commercial kennels and commercial catteries are subject to K.C.C.
 5608 21A.30.020.

5609 44. ~~((If the m))~~Miscellaneous repair ~~((is))~~ associated with agriculture activities
 5610 ~~((it will)) shall~~ be reviewed in accordance with K.C.C. 21A.08.090.

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5611 ~~45. Except bed and breakfast guesthouses.~~

5612 ~~46. Subject to the following:~~

5613 ~~a. Only as accessory use to the permanent residence of the operator;~~

5614 ~~b. Served meals shall be limited to paying guests; and~~

5615 ~~c. Limited to no more than five rooms accommodating up to ten guests.~~

5616 ~~47. Only if part of a mixed-use development, and subject to the conditions of~~
 5617 ~~subsection B.46. of this section.~~

5618 ~~48. Only in the R-1 zone, as an accessory to a golf course facility and consistent~~
 5619 ~~with K.C.C. 21A.08.040.~~

5620 SECTION ~~405150~~. Ordinance 10870, Section 333, as amended, and K.C.C.

5621 21A.08.060 are hereby amended to read as follows:

5622 A. Government/business services land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			RU RA L	RESIDENTIAL				COMMERCIAL/INDUSTRIAL				
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R-1	(R)	R-	NB	CB	RB	O	I
					(33)			1-	12-					(30)
					1)			8))	R-					
								R-4	48R					

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								R-8	42-48					
	GOVERNMENT SERVICES:													
*	Public agency or utility office				P3 C5	P3 C5	P3 C	P3 C	P3 C	P	P	P	P	P16
*	Public agency or utility yard				P27	P27	P27	P27	P27			P		P
*	Public agency archives											P	P	P
921	Court									P4	P	P		
9221	Police Facility				P7	P7	P7	P7	P7	P7	P	P	P	P
9224	Fire Facility				C6 ((an d33))	C6	C6	C6	C6	P	P	P	P	P
*	Utility Facility (41)	P2 9 C2 8	P2 9 C2 8	P2 9 C2 8	P29 C2 8 ((an d 33))	P29 C28 8	P29 C2 8	P29 C2 8	P29 C28 8	P	P	P	P	P
*	Commuter Parking Lot				C ((3 3)) P19	C P19	C P19	C P19	C P19	P	P	P	P	P35
*	Private Stormwater Management Facility	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8
*	Vector Waste Receiving Facility	P	P	P	P18	P18	P18	P18	P18	P31	P31	P31	P31	P

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	BUSINESS SERVICES:												
*	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 ((4)) and Wholesale Trade (1)											P	
*	Self-service Storage (36)							((P4))	P37	P	P	P	P
4221	Farm Product												P
4222	Warehousing, Refrigeration, and Storage (38)												
*	Log Storage (38)	P		P26									P
47	Transportation Service												P39
473	Freight and Cargo Service									P	P	P	
472	Passenger Transportation Service								P	P	P		
48	Communication Offices									P	P	P	
482	Telegraph and other Communications								P	P	P	P	
*	General Business Service								P	P	P	P	P16

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*	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
	ACCESSORY USES:													
*	Commercial/Industrial Accessory Uses			P	P22					P22	P22	P	P	P
*	Helistop				40	C23	<u>C2</u> <u>3</u>	C2	C23	C23	C23	C24	C23	C24

5623 B. Development conditions.

5624 1. Except self-service storage.

5625 2. Except SIC Industry ~~((No.)) 8732-Commercial Economic, Sociological, and~~

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5626 Educational Research, see general business service/office.

5627 3.a. Only as a reuse of a public school facility or a surplus nonresidential facility

5628 subject to K.C.C. chapter 21A.32; or

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5629 b. only when accessory to a fire facility and the office is no greater than one
5630 thousand five hundred square feet of floor area.

5631 4. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter
5632 21A.32.

5633 5. New utility office locations only if there is no commercial/industrial zoning
5634 in the utility district, and not in the RA-10 or RA-20 zones unless it is demonstrated that
5635 no feasible alternative location is possible~~((, and provided further that))~~; ~~((t))~~ This
5636 condition also applies to the UR zone only if the property is located within a designated
5637 unincorporated Rural Town)).

5638 6.a. All buildings and structures shall maintain a minimum distance of twenty
5639 feet from property lines adjoining ~~((rural area and residential))~~ RA, UR, and R zones;

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5640 b. Any buildings from which fire-fighting equipment emerges onto a street
5641 shall maintain a distance of thirty-five feet from such street;

5642 c. No outdoor storage; and

5643 d. Excluded from the RA-10 and RA-20 zones unless it is demonstrated that no
5644 feasible alternative location is possible.

5645 7. Limited to storefront police offices. Such offices shall not have:

5646 a. holding cells;

5647 b. suspect interview rooms (except in the NB zone); or

5648 c. long-term storage of stolen properties.

5649 8. Private stormwater management facilities serving development proposals

5650 located on commercial/industrial zoned lands shall also be located on

5651 commercial/industrial lands, unless participating in an approved shared facility drainage

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5652 plan. Such facilities serving development within an area designated urban in the King
5653 County Comprehensive Plan shall only be located in the urban area.

5654 9. No outdoor storage of materials.

5655 10. Limited to office uses.

5656 11. Limited to self-service household moving truck or trailer rental accessory to
5657 a gasoline service station.

5658 12. Limited to self-service household moving truck or trailer rental accessory to
5659 a gasoline service station and SIC Industry ~~((No.)) 4215-Courier Services, except by air.~~

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5660 13. Limited to SIC Industry ~~((No.)) 4215-Courier Services, except by air.~~

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5661 14. ~~((Accessory to an apartment development of at least twelve units provided:~~

5662 a. ~~The gross floor area in self service storage shall not exceed the total gross~~
5663 ~~floor area of the apartment dwellings on the site;~~

5664 b. ~~All outdoor lights shall be deflected, shaded and focused away from all~~
5665 ~~adjoining property;~~

5666 c. ~~The use of the facility shall be limited to dead storage of household goods;~~

5667 d. ~~No servicing or repair of motor vehicles, boats, trailers, lawn mowers or~~
5668 ~~similar equipment;~~

5669 e. ~~No outdoor storage or storage of flammable liquids, highly combustible or~~
5670 ~~explosive materials or hazardous chemicals;~~

5671 f. ~~No residential occupancy of the storage units;~~

5672 g. ~~No business activity other than the rental of storage units; and~~

5673 h. ~~A resident director shall be required on the site and shall be responsible for~~
5674 ~~maintaining the operation of the facility in conformance with the conditions of approval.~~

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5675 i. ~~Before filing an application with the department, the applicant shall hold a~~
5676 ~~community meeting in accordance with K.C.C. 20.20.035.)~~ Repealed.

5677 15. Repealed.

5678 16. Only as an accessory use to another permitted use.

5679 17. No outdoor storage.

5680 18. Only as an accessory use to a public agency or utility yard, or to a transfer
5681 station.

5682 19. Limited to new commuter parking lots designed for thirty or fewer parking
5683 spaces or commuter parking lots located on existing parking lots for ~~((churches))~~

5684 religious facilities, schools, or other ~~((permitted))~~ allowed nonresidential uses that have

5685 excess capacity available during commuting ~~((; provided that))~~, but only if the new or

5686 existing lot is adjacent to a designated arterial that has been improved to a standard

5687 acceptable to the department of local services;

5688 20.a. No tow-in lots for damaged, abandoned, or otherwise impounded vehicles,

5689 and

5690 b. Tow-in lots for damaged, abandoned, or otherwise impounded vehicles shall

5691 be:

5692 (1) ~~((permitted))~~ allowed only on parcels located within Vashon Town

5693 Center;

5694 (2) accessory to a gas or automotive service use; and

5695 (3) limited to no more than ten vehicles.

5696 21. No dismantling or salvage of damaged, abandoned, or otherwise impounded

5697 vehicles.

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5698 22. Storage limited to accessory storage of commodities sold at retail on the
5699 premises or materials used in the fabrication of commodities sold on the premises.

5700 23. Limited to emergency medical evacuation sites in conjunction with police,
5701 fire, or health service facility. ~~((Helistops are prohibited from the UR zone only if the
5702 property is located within a designated unincorporated Rural Town.))~~

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5703 24. Allowed as accessory to an allowed use.

5704 25. Limited to private road ambulance services with no outside storage of
5705 vehicles.

5706 26. Limited to two acres or less.

5707 27a. Utility yards only on sites with utility district offices; or

5708 b. Public agency yards are limited to material storage for road maintenance
5709 facilities.

5710 28. Limited to local distribution gas storage tanks that pipe to individual
5711 residences but excluding liquefied natural gas storage tanks.

5712 29. Excluding local distribution gas storage tanks.

5713 30. For I-zoned sites located outside the urban growth area designated by the
5714 King County Comprehensive Plan, uses shall be subject to the provisions for rural
5715 industrial uses in K.C.C. ~~((chapter 21A.12))~~ 21A.14.280.

5716 31. Vactor waste treatment, storage, and disposal shall be limited to liquid
5717 materials. Materials shall be disposed of directly into a sewer system ~~((s))~~ or shall be
5718 stored in tanks, ~~((or other))~~ covered structures ~~((, as well as))~~, or enclosed buildings.

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5719 32. ~~((Provided))~~ Only if:

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5720 a. Off-street required parking for a land use located in the urban area ~~((must))~~ **Formatted: Strikethrough**
5721 shall be located in the urban area;

5722 b. Off-street required parking for a land use located in the rural area ~~((must))~~ **Formatted: Strikethrough**
5723 shall be located in the rural area; and

5724 c. ~~((1) Except as provided in subsection B.32.c.(2) of this section, e))~~ Off-street **Formatted: Strikethrough**
5725 required parking ~~((must))~~ shall be located on a lot that would ~~((permit))~~ allow, either **Formatted: Strikethrough**
5726 outright or through a land use permit approval process, the land use the off-street parking **Formatted: Strikethrough**
5727 will serve.

5728 ~~((2) For a social service agency allowed under K.C.C. 21A.08.050B.13.b. to~~ **Formatted: Strikethrough**
5729 ~~be located on a site in the NB zone, off street required parking may be located on a site~~
5730 ~~within three hundred feet of the social service agency, regardless of zoning classification~~
5731 ~~of the site on which the parking is located.))~~

5732 33. Subject to review and approval of conditions to comply with trail corridor
5733 provisions of K.C.C. chapter 21A.14 when located in an RA zone.

5734 34. Limited to landscape and horticultural services (SIC Industry Group 078)
5735 that are accessory to a retail nursery, garden center and farm supply store. Construction
5736 equipment for the accessory use shall not be stored on the premises.

5737 35. Allowed as a primary or accessory use to an allowed industrial-zoned land
5738 use.

5739 36. ~~((Repealed.)) Prohibited in the White Center unincorporated activity center.~~ **Formatted: Strikethrough**

5740 37. Use shall be limited to the NB zone on parcels outside of the ~~((U))~~ urban
5741 ~~((G))~~ growth ~~((A))~~ area, ~~((R))~~ rural ~~((T))~~ towns, and ~~((Rural Neighborhood))~~ (s)

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5742 ~~Commercial Centers~~ rural neighborhood commercial centers and the building floor area
 5743 devoted to such use shall not exceed ten thousand square feet.

5744 38. If the farm product warehousing, refrigeration and storage, or log storage, is
 5745 associated with agriculture activities it will be reviewed in accordance with K.C.C.
 5746 21A.08.090.

5747 39. Excluding fossil fuel facilities.

5748 40. Helistops are ~~((not allowed)) prohibited~~ in the RA zone as an accessory to a
 5749 government or business services use, ~~((but may be allowed in that zone)) except~~ as part of
 5750 a search and rescue facility ~~((;))~~ subject to K.C.C. 21A.08.100.B.30.

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5751 41. As part of an application for an addition, expansion, or upgrade of electric
 5752 transmission and distribution lines or the siting new gas or hazardous liquid transmission
 5753 pipelines, the applicant shall submit an equity impact review of the proposal using tools
 5754 developed by the office of equity and racial and social justice. The results from the
 5755 equity impact review shall be used to assess equity impacts and opportunities during
 5756 county permit review and may be used to inform determinations of project approval.

5757 SECTION 406151. Ordinance 10870, Section 334, as amended, and K.C.C.
 5758 21A.08.070 are hereby amended to read as follows:

5759 A. Retail land uses.

P-Permitted Use		RESOURCE			RU	RESIDENTIAL				COMMERCIAL/INDUSTRI				
C-Conditional Use					RA					AL				
S-Special Use					L									
SI	SPECIFIC	A	F	M	RA	UR	R-1	((R1	R-	NB	CB	RB	O	I
C#	LAND USE							-8))	12-					((3
								R-4	R-					0)))
								-R-	48					

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								<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							(C1 4a))	P(4 4))	P5	P	P		
								P14	16					
								C15						
54	Food Stores				<u>C30</u>			(C1 5a))	P(4 5))1	<u>P31</u>	P	P	C	P6
								P14	6					
								C15						
*	Agricultural Product Sales (28)									P25	P25	P25	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	Auto Supply										P9	P9		P

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3	Stores												
55	Gasoline								P	P	P		P
4	Service Stations												
56	Apparel and Accessory Stores									P	P		
*	Furniture and Home Furnishings Stores									P	P		
58	Eating and Drinking Places			P21 C19		P20 C19 P14 C15	P20 P16	P10	P	P	P	P	P
*	Remote Tasting Room			P13						P7	P7		
*	Drug Stores					P14 C15	P14 C15 P31		P	P	C		
*	(Marijuana) Cannabis retailer									P26 C27	P2 6 C2 7		
59	Liquor Stores									P	P		
2													
59	Used Goods: Antiques/ Secondhand Shops									P	P		
3													

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*	Sporting Goods and Related Stores			P2 2 and 29	P22 and 29	P22 and 29	P22 and 29	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						P14 C15 ((#))	P((#)) 6	P31		P	P		
*	Jewelry Stores										P	P		
*	Monuments, Tombstones, and Gravestones											P		
*	Hobby, Toy, Game Shops									P31	P	P		
*	Photographic and Electronic Shops									P31	P	P		
*	Fabric Shops										P	P		
59 8	Fuel Dealers										C11	P		P
*	Florist Shops						P14 C15 ((#))	P((#)) 6	P31		P	P	P	
*	Personal Medical Supply Stores										P	P		
*	Pet Shops									P31	P	P		
*	Bulk Retail										P	P		

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*	Auction Houses											P1		P
												2		
*	Livestock Sales (28)													P

5760 B. Development conditions.

5761 1.a. As a permitted use, covered sales areas shall not exceed a total area of two
5762 thousand square feet, unless located in a building designated as historic resource under
5763 K.C.C. chapter 20.62. With a conditional uses permit, covered sales areas of up to three
5764 thousand five hundred square feet may be allowed. Greenhouses used for the display of
5765 merchandise other than plants shall be considered part of the covered sales area.

5766 Uncovered outdoor areas used to grow or display trees, shrubs, or other plants are not
5767 considered part of the covered sales area;

5768 b. The site area shall be at least four and one-half acres;

5769 c. Sales may include locally made arts and crafts; and

5770 d. Outside lighting is ~~((permitted))~~ allowed if no off-site glare is allowed.

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5771 2.a. Only hardware stores; and

5772 b. In rural neighborhood commercial centers, limited to ~~ten-fifteen~~ thousand
5773 square feet of gross floor area.

5774 3.a. Limited to products grown on-site.

5775 b. Covered sales areas shall not exceed a total area of five hundred square feet.

5776 4. No permanent structures or signs.

5777 5. Limited to SIC Industry ~~((No.))~~ 5331-Variety Stores, and further limited to a
5778 maximum of two thousand square feet of gross floor area.

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5779 6. Limited to a maximum of five thousand square feet of gross floor area.

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5780 7. Off-street parking is limited to a maximum of one space per fifty square feet
5781 of tasting and retail areas.

5782 8. Excluding retail sale of trucks exceeding one-ton capacity.

5783 9. Only the sale of new or reconditioned automobile supplies is ~~((permitted))~~

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5784 allowed.

5785 10. Excluding SIC Industry ~~((No.))~~ 5813-Drinking Places.

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5786 11. No outside storage of fuel trucks and equipment.

5787 12. Excluding vehicle and livestock auctions.

5788 13. ~~((Permitted))~~ Allowed as part of the demonstration project authorized by

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5789 K.C.C. 21A.55.110.

5790 14.a. ~~((Not in R-1 and limited to SIC Industry No. 5331-Variety Stores,~~

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5791 ~~1))~~ Limited to a maximum of ((five)) one thousand square feet of gross floor area; ((and

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5792 subject to K.C.C. 21A.12.230((; and

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5793 b. Before filing an application with the department, the applicant shall hold a

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5794 community meeting in accordance with K.C.C. 20.20.035.))

5795 b. Drive-throughs are prohibited, except for detached buildings for eating and

5796 drinking places that do not exceed two hundred square feet and are located at an

5797 intersection with an arterial;

5798 c. Amplified noise is prohibited;

5799 d. The maximum on-site parking ratio shall be two spaces per one thousand

5800 square feet and required parking shall not be located between the building(s) and the

5801 street; and

5802 e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

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5803 15. ~~((a. Not permitted in R-1 and I))~~ Limited to a maximum of ~~((five))~~ two
5804 thousand five hundred square feet of gross floor area; ~~((and subject to K.C.C.~~
5805 ~~21A.12.230; ((and~~

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5806 ~~b. Before filing an application with the department, the applicant shall hold a~~
5807 ~~community meeting in accordance with K.C.C. 20.20.035.))~~

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5808 b. Drive-throughs are prohibited, except for detached buildings for eating and
5809 drinking places that do not exceed two hundred square feet and are located at an
5810 intersection with an arterial;

5811 c. Amplified noise is prohibited;

5812 d. The maximum on-site parking ratio shall be two spaces per one thousand
5813 square feet and required parking shall not be located between the building(s) and the
5814 street; and

5815 e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

5816 16.a. ~~((Not permitted in R-1 and excluding SIC Industry No. 5813 Drinking~~
5817 ~~Places, and I))~~ Limited to a maximum of five thousand square feet of gross floor area;
5818 ~~((and subject to K.C.C. 21A.12.230, except as provided in subsection B.20. of this~~
5819 ~~section; and~~

5820 ~~b. Before filing an application with the department, the applicant shall hold a~~
5821 ~~community meeting in accordance with K.C.C. 20.20.035.))~~

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5822 b. Drive-throughs are prohibited, except for detached buildings for eating and
5823 drinking places that do not exceed two hundred square feet and are located at an
5824 intersection with an arterial;

5825 c. Amplified noise is prohibited;

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5826 d. The maximum on-site parking ratio shall be two spaces per one thousand
5827 square feet and required parking shall not be located between the building and the street;
5828 and
5829 e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

5830

5831 17. Repealed.

5832 18. Repealed.

5833 19. Only as:

5834 a. an accessory use to an ~~an (permitted)~~ allowed manufacturing or retail land
5835 use, limited to espresso stands to include sales of beverages and incidental food items,
5836 and not to include drive-through sales; or

5837 b. an accessory use to a recreation or multiuse park, limited to a total floor area
5838 of three thousand five hundred square feet.

5839 20. Only as:

5840 a. an accessory use to a recreation or multiuse park; or

5841 b. an accessory use to a park and limited to a total floor area of one thousand
5842 five hundred square feet.

5843 21. Accessory to a park, limited to a total floor area of seven hundred fifty
5844 square feet.

5845 22. Only as an accessory use to:

5846 a. a large active recreation and multiuse park in the urban growth area; or

5847 b. a park, or a recreation or multiuse park in the RA zones, and limited to a
5848 total floor area of seven hundred ~~(and)~~ fifty square feet.

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5849 23. Only as accessory to SIC Industry Group ~~((No.))~~ 242-Sawmills and SIC

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5850 Industry ~~((No.))~~ 2431-Millwork and;

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5851 a. limited to lumber milled on-site; and

5852 b. the covered sales area is limited to two thousand square feet. The covered
5853 sales area does not include covered areas used to display only milled lumber.

5854 24. Requires at least five farmers selling their own products at each market and
5855 the annual value of sales by farmers should exceed the annual sales value of nonfarmer
5856 vendors.

5857 25. Limited to sites located within the urban growth area and:

5858 a. The sales area shall be limited to three hundred square feet and ~~((must))~~

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5859 shall be removed each evening;

5860 b. There ~~((must))~~ shall be legal parking that is easily available for customers;

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5861 and

5862 c. The site ~~((must))~~ shall be in an area that is easily accessible to the public,

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5863 will accommodate multiple shoppers at one time and does not infringe on neighboring
5864 properties.

5865 26.a. Per lot, limited to a maximum aggregated total of two thousand square feet
5866 of gross floor area devoted to, and in support of, the retail sale of ~~((marijuana))~~ cannabis.

5867 b. Notwithstanding subsection B.26.a. of this section, the maximum
5868 aggregated total gross floor area devoted to, and in support of, the retail sale of
5869 ~~((marijuana))~~ cannabis may be increased to up to three thousand square feet if the retail
5870 outlet devotes at least five hundred square feet to the sale, and the support of the sale, of
5871 medical ~~((marijuana))~~ cannabis, and the operator maintains a current medical

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5872 ((~~marijuana~~)) cannabis endorsement issued by the Washington state Liquor and Cannabis
5873 Board.

5874 c. Any lot line of a lot having any area devoted to retail ((~~marijuana~~)) cannabis
5875 activity ~~((~~must~~)) shall~~ be one thousand feet or more from any lot line of any other lot
5876 having any area devoted to retail ((~~marijuana~~)) cannabis activity; and a lot line of a lot
5877 having any area devoted to new retail ((~~marijuana~~)) cannabis activity may not be within
5878 one thousand feet of any lot line of any lot having any area devoted to existing retail
5879 ((~~marijuana~~)) cannabis activity.

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5880 d. Whether a new retail ((~~marijuana~~)) cannabis activity complies with this
5881 locational requirement shall be determined based on the date a conditional use permit
5882 application submitted to the department of local services, permitting division, became or
5883 was deemed complete, and:

5884 (1) if a complete conditional use permit application for the proposed retail
5885 ((~~marijuana~~)) cannabis use was not submitted, or if more than one conditional use permit
5886 application became or was deemed complete on the same date, then the director shall
5887 determine compliance based on the date the Washington state Liquor and Cannabis Board
5888 issues a Notice of ((~~Marijuana~~)) Cannabis Application to King County;

5889 (2) if the Washington state Liquor and Cannabis Board issues more than one
5890 Notice of ((~~Marijuana~~)) Cannabis Application on the same date, then the director shall
5891 determine compliance based on the date either any complete building permit or change of
5892 use permit application, or both, were submitted to the department declaring retail
5893 ((~~marijuana~~)) cannabis activity as an intended use;

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5894 (3) if more than one building permit or change of use permit application was
5895 submitted on the same date, or if no building permit or change of use permit application
5896 was submitted, then the director shall determine compliance based on the date a complete
5897 business license application was submitted; and

5898 (4) if a business license application was not submitted or more than one
5899 business license application was submitted, then the director shall determine compliance
5900 based on the totality of the circumstances, including, but not limited to, the date that a
5901 retail (~~(marijuana)~~) cannabis license application was submitted to the Washington state
5902 Liquor and Cannabis Board identifying the lot at issue, the date that the applicant entered
5903 into a lease or purchased the lot at issue for the purpose of retail (~~(marijuana)~~) cannabis
5904 use, and any other facts illustrating the timing of substantial investment in establishing a
5905 licensed retail (~~(marijuana)~~) cannabis use at the proposed location.

5906 e. Retail (~~(marijuana)~~) cannabis businesses licensed by the Washington state
5907 Liquor and Cannabis Board and operating within one thousand feet of each other as of
5908 August 14, 2016, and retail (~~(marijuana)~~) cannabis businesses that do not require a permit
5909 issued by King County, that received a Washington state Liquor and Cannabis Board
5910 license to operate in a location within one thousand feet of another licensed retail
5911 (~~(marijuana)~~) cannabis business (~~(prior to)~~) before August 14, 2016, and that King
5912 County did not object to within the Washington state Liquor and Cannabis Board
5913 (~~(marijuana)~~) cannabis license application process, shall be considered nonconforming
5914 and may remain in (~~(their)~~) the businesses' current locations, subject to the provisions of
5915 K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:

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5916 (1) the time periods identified in K.C.C. 21A.32.045.C. shall be six months;
5917 and

5918 (2) the gross floor area of a nonconforming retail outlet may be increased up
5919 to the limitations in subsection B.26.a. and B.26.b. of this section.

5920 27. Per lot, limited to a maximum aggregated total of five thousand square feet
5921 gross floor area devoted to, and in support of, the retail sale of ~~((marijuana))~~ cannabis,
5922 and~~((;))~~;

5923 a. Any lot line of a lot having any area devoted to retail ~~((marijuana))~~ cannabis
5924 activity ~~((must))~~ shall be one thousand feet or more from any lot line of any other lot
5925 having any area devoted to retail ~~((marijuana))~~ cannabis activity; and any lot line of a lot
5926 having any area devoted to new retail ~~((marijuana))~~ cannabis activity may not be within
5927 one thousand feet of any lot line of any lot having any area devoted to existing retail
5928 ~~((marijuana))~~ cannabis activity; ~~((and))~~

5929 b. Whether a new retail ~~((marijuana))~~ cannabis activity complies with this
5930 locational requirement shall be determined based on the date a conditional use permit
5931 application submitted to the department of local services, permitting division, became or
5932 was deemed complete, and:

5933 (1) if a complete conditional use permit application for the proposed retail
5934 ~~((marijuana))~~ cannabis use was not submitted, or if more than one conditional use permit
5935 application became or was deemed complete on the same date, then the director shall
5936 determine compliance based on the date the Washington state Liquor and Cannabis Board
5937 issues a Notice of ~~((Marijuana))~~ Cannabis Application to King County;

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5938 (2) if the Washington state Liquor and Cannabis Board issues more than one
5939 Notice of ~~((Marijuana))~~ Cannabis Application on the same date, then the director shall
5940 determine compliance based on the date either any complete building permit or change of
5941 use permit application, or both, were submitted to the department declaring retail
5942 ~~((marijuana))~~ cannabis activity as an intended use;

5943 (3) if more than one building permit or change of use permit application was
5944 submitted on the same date, or if no building permit or change of use permit application
5945 was submitted, then the director shall determine compliance based on the date a complete
5946 business license application was submitted; and

5947 (4) if a business license application was not submitted or more than one
5948 business license application was submitted, then the director shall determine compliance
5949 based on the totality of the circumstances, including, but not limited to, the date that a
5950 retail ~~((marijuana))~~ cannabis license application was submitted to the Washington state
5951 Liquor and Cannabis Board identifying the lot at issue, the date that the applicant entered
5952 into a lease or purchased the lot at issue for the purpose of retail ~~((marijuana))~~ cannabis
5953 use, and any other facts illustrating the timing of substantial investment in establishing a
5954 licensed retail ~~((marijuana))~~ cannabis use at the proposed location; and

5955 c. Retail ~~((marijuana))~~ cannabis businesses licensed by the Washington state
5956 Liquor and Cannabis Board and operating within one thousand feet of each other as of
5957 August 14, 2016, and retail ~~((marijuana))~~ cannabis businesses that do not require a permit
5958 issued by King County, that received a Washington state Liquor and Cannabis Board
5959 license to operate in a location within one thousand feet of another licensed retail
5960 ~~((marijuana))~~ cannabis business ~~((prior to))~~ before August 14, 2016, and that King

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5961 County did not object to within the Washington state Liquor and Cannabis Board
5962 ~~((marijuana))~~ cannabis license application process, shall be considered nonconforming
5963 and may remain in ~~((their))~~ the business' current location, subject to the provisions of
5964 K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:

5965 (1) the time periods identified in K.C.C. 21A.32.045.C. shall be six months;
5966 and

5967 (2) the gross floor area of a nonconforming retail outlet may be increased up
5968 to the limitations in subsection B.27. of this section, subject to K.C.C. 21A.42.190.

5969 28. If the agricultural product sales or livestock sales is associated with
5970 agricultural activities it will be reviewed in accordance with K.C.C. 21A.08.090.

5971 29. Businesses selling firearms that have a storefront, have hours during which
5972 it is open for business, and post advertisements or signs observable to passersby that
5973 firearms are available for sale shall be located at least five hundred feet or more from any
5974 elementary, middle/junior high, and secondary, or high school properties. Businesses
5975 selling firearms in existence before June 30, 2020, shall be considered nonconforming
5976 and may remain in their current location, subject to the provisions of K.C.C. 21A.32.020
5977 through 21A.32.075 for nonconforming uses.

5978 30. Only within a former grange hall incorporated under chapter 24.28 RCW
5979 and listed in the National Register of Historic Places or designated as a King County
5980 landmark subject to K.C.C. chapter 21A.32 and if the parcel is located within one
5981 thousand feet of a ~~R~~rural ~~N~~neighborhood ~~C~~commercial ~~C~~enter as designated by the
5982 King County Comprehensive Plan.

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5983 31. In rural neighborhood commercial centers, limited to ~~ten~~fifteen thousand

5984 square feet of gross floor area.

5985 SECTION ~~407152~~. Ordinance 10870, Section 335, as amended, and K.C.C.

5986 21A.08.080 are hereby amended to read as follows:

5987 A. Manufacturing land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			RURAL	RESIDENTIAL				COMMERCIAL/INDUSTRIAL				
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R- 1	(R-1) 8	R- 12	NB	CB	RB	O	I (11)
20	Food and Kindred Products (28)									P2	P2	P2 C		P2 C
*	Winery/Brewery /Distillery Facility I				P32									
*	Winery/Brewery /Distillery Facility II	P3			P3 C30					P17	P17	P29		P31
	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 ((C5))		P4 P18 C((5))	P4						C6		P

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25	Furniture and Fixtures		P19		P19							C		P
26	Paper and Allied Products													C
27	Printing and Publishing							P7	P7	P7C	P7 C			P
*	((Marijuana)) Cannabis Processor I	P20			P27				P21 C22	P21 C22				
*	((Marijuana)) 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			P33 C	
32	Stone, Clay, Glass, and Concrete Products								P((6)) 9	P9			P	
33	Primary Metal Industries													C
34	Fabricated Metal Products													P
35	Industrial and Commercial Machinery													P
351-55	Heavy Machinery and Equipment													C
357	Computer and Office Equipment									C	C			P

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36	Electronic and other Electric Equipment												C		P
371	Motor Vehicles and Motor Vehicle Equipment														C
374	Railroad Equipment														C
375	Motorcycles, Bicycles, and Parts														P34 C
376	Guided Missile and Space Vehicle Parts														C
379	Miscellaneous Transportation Vehicles														C
38	Measuring and Controlling Instruments												C	C	P
39	Miscellaneous Light Manufacturing												C		P
((≠	Motor Vehicle and Bicycle Manufacturing														€))
*	Aircraft, Ship, and Boat Building														P10 C
7534	Tire Retreading												C		P
781- 82	Movie Production/Distribution												P		P

- 5988 B. Development conditions.
- 5989 1. Repealed.
- 5990 2. Except slaughterhouses.

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5991 3.a. In the A zone, only allowed on sites where the primary use is SIC Industry
5992 Group No. 01-Growing and Harvesting Crops or No. 02-Raising Livestock and Small
5993 Animals;

5994 b. Only allowed on lots of at least two and one-half acres, except that this
5995 requirement shall not apply on Vashon-Maury Island to winery, brewery, or distillery
5996 business locations in use and licensed to produce by the Washington state Liquor and
5997 Cannabis Board before January 1, 2019, and that in the RA zone, for sites that contain a
5998 building designated as historic resource under K.C.C. chapter 20.62, only allowed on lots
5999 of at least two acres;

6000 c. The aggregated floor area of structures and areas for winery, brewery,
6001 distillery facility uses shall not exceed three thousand five hundred square feet, unless
6002 located in whole or in part in a structure designated as historic resource under K.C.C.
6003 chapter 20.62, in which case the aggregated floor area of structures and areas devoted to
6004 winery, brewery, distillery facility uses shall not exceed seven thousand square feet in the
6005 RA zone and five thousand square feet in the A zone. Decks that are not occupied and
6006 not open to the public are excluded from the calculation for maximum aggregated floor
6007 area;

6008 d. Structures and parking areas for winery, brewery, distillery facility uses
6009 shall maintain a minimum distance of seventy-five feet from interior property lines
6010 adjoining rural area and residential zones, unless located in a building designated as
6011 historic resource under K.C.C. chapter 20.62, except that on Vashon-Maury Island this
6012 setback requirement shall not apply to structures and parking areas in use on December 4,

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6013 2019, by existing winery, brewery or distillery business locations licensed to produce by
6014 the Washington state Liquor and Cannabis Board before January 1, 2019;

6015 e. In the A zone, sixty percent or more of the products processed must be
6016 grown on-site. At the time of the initial application under K.C.C. chapter 6.74, the
6017 applicant shall submit a projection of the source of products to be produced;

6018 f. At least two stages of production of wine, beer, cider~~;~~ or distilled spirits,
6019 such as crushing, fermenting, distilling, barrel~~;~~ or tank aging, or finishing, as authorized
6020 by the Washington state Liquor and Cannabis Board production license, shall occur on-
6021 site. At least one of the stages of production occurring on-site shall include crushing,
6022 fermenting~~;~~ or distilling;

6023 g. In the A zone, structures and area for non-agricultural winery, brewery,
6024 distillery facility uses shall be located on portions of agricultural lands that are unsuitable
6025 for agricultural purposes, such as areas within the already developed portion of such
6026 agricultural lands that are not available for direct agricultural production, or areas without
6027 prime agricultural soils. No more than one acre of agricultural land may be converted to
6028 a nonagricultural accessory use;

6029 h. Tasting and retail sales of products produced on-site may occur only as
6030 accessory to the primary winery, brewery, distillery production use and may be provided
6031 in accordance with state law. The area devoted to on-site tasting or retail sales shall be
6032 limited to no more than thirty percent of the aggregated floor area and shall be included
6033 in the aggregated floor area limitation in subsection B.3.c. of this section. The limitation
6034 on tasting and retail sales of products produced on-site shall not apply on Vashon-Maury
6035 Island to winery, brewery, or distillery business locations in use and licensed to produce

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6036 by the Washington state Liquor and Cannabis Board before January 1, 2019, or on sites
6037 in the RA zone that contain a building designated as historic resource under K.C.C.
6038 chapter 20.62. Incidental retail sales of merchandise related to the products produced on-
6039 site is allowed subject to the restrictions described in this subsection B.3. Hours of
6040 operation for on-site tasting of products shall be limited as follows: Mondays, Tuesdays,
6041 Wednesdays, and Thursdays, tasting room hours shall be limited to 11:00 a.m. through
6042 7:00 p.m.; and Fridays, Saturdays, and Sundays, tasting room hours shall be limited to
6043 11:00 a.m. through 9:00 p.m.;

6044 i. Access to the site shall be directly to and from an arterial roadway, except
6045 that this requirement shall not apply on Vashon-Maury Island to winery, brewery,
6046 distillery facility business locations in use and licensed to produce by the Washington
6047 state Liquor and Cannabis Board before January 1, 2019;

6048 j. Off-street parking is limited to a maximum of one hundred fifty percent of
6049 the minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;

6050 k. The business operator shall obtain an adult beverage business license in
6051 accordance with K.C.C. chapter 6.74;

6052 l. Events may be allowed with an approved temporary use permit under K.C.C.
6053 chapter 21A.32 or in compliance with the exemption in K.C.C. 21A.32.110.E.; and

6054 m. The impervious surface associated with the winery, brewery, distillery
6055 facility use shall not exceed twenty-five percent of the site, or the maximum impervious
6056 surface for the zone in accordance with K.C.C. 21A.12.030.A. or 21A.12.040.A.,
6057 whichever is less.

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- 6058 4. Limited to rough milling and planing of products grown on-site with portable
6059 equipment.
- 6060 5. ~~((Limited to SIC Industry Group No. 242-Sawmills and SIC Industry No.~~
6061 ~~2431-Millwork. For RA zoned sites, if using lumber or timber grown off site, the~~
6062 ~~minimum site area is four and one-half acres.)) Repealed.~~
- 6063 6. Limited to uses found in SIC Industry No. 2434-Wood Kitchen Cabinets and
6064 No. 2431-Millwork, (excluding planing mills).
- 6065 7. Limited to photocopying and printing services offered to the general public.
- 6066 8. Only within enclosed buildings, and as an accessory use to retail sales.
- 6067 9. Only within enclosed buildings.
- 6068 10. Limited to boat building of craft not exceeding forty-eight feet in length.
- 6069 11. For I-zoned sites located outside the urban growth area designated by the
6070 King County Comprehensive Plan, uses shown as a conditional use in the table of K.C.C.
6071 21A.08.080.A. shall be prohibited, and all other uses shall be subject to the provisions for
6072 rural industrial uses ~~((as set forth))~~ in K.C.C. ~~((chapter 21A.12))~~ 21A.14.280.
- 6073 12.a. In the A zone, only allowed on sites where the primary use is SIC Industry
6074 Group No. 01-Growing and Harvesting Crops or No. 02-Raising Livestock and Small
6075 Animals;
- 6076 b. The aggregated floor area of structures and areas for winery, brewery,
6077 distillery facility uses shall not exceed a total of eight thousand square feet. Decks that
6078 are not occupied and not open to the public are excluded from the calculation for
6079 maximum aggregated floor area;

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6080 c. Only allowed on lots of at least four and one-half acres. If the aggregated
6081 floor area of structures for winery, brewery, distillery uses exceeds six thousand square
6082 feet, the minimum site area shall be ten acres;

6083 d. Wineries, breweries, and distilleries shall comply with Washington state
6084 Department of Ecology and King County board of health regulations for water usage and
6085 wastewater disposal, and must connect to an existing Group A water system. The
6086 definitions and limits of Group A water systems are described in K.C.C. 13.24.007, and
6087 provision of water service is described in K.C.C. 13.24.138, 13.24.140, and 13.24.142;

6088 e. Structures and parking areas for winery, brewery, distillery facility uses
6089 shall maintain a minimum distance of seventy-five feet from interior property lines
6090 adjoining rural area and residential zones, unless located in a building designated as
6091 historic resource under K.C.C. chapter 20.62;

6092 f. In the A Zone, sixty percent or more of the products processed must be
6093 grown on-site. At the time of the initial application under K.C.C. chapter 6.74, the
6094 applicant shall submit a projection of the source of products to be processed;

6095 g. At least two stages of production of wine, beer, cider, or distilled spirits,
6096 such as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized
6097 by the Washington state Liquor and Cannabis Board production license, shall occur on-
6098 site. At least one of the stages of on-site production shall include crushing, fermenting,
6099 or distilling;

6100 h. In the A zone, structures and areas for non-agricultural winery, brewery,
6101 distillery facility uses shall be located on portions of agricultural lands that are unsuitable
6102 for agricultural purposes, such as areas within the already developed portion of such

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6103 agricultural lands that are not available for direct agricultural production, or areas without
6104 prime agricultural soils. No more than one acre of agricultural land may be converted to
6105 a nonagricultural accessory use;

6106 i. Tasting and retail sales of products produced on-site may occur only as
6107 accessory to the primary winery, brewery, distillery production use and may be provided
6108 in accordance with state law. The area devoted to on-site tasting or retail sales shall be
6109 limited to no more than thirty percent of the aggregated floor area and shall be included
6110 in the aggregated floor area limitation in subsection B.12.b. and c. of this section.

6111 Incidental retail sales of merchandise related to the products produced on-site is allowed
6112 subject to the restrictions described in this subsection. Hours of operation for on-site
6113 tasting of products shall be limited as follows: Mondays, Tuesdays, Wednesdays, and
6114 Thursdays, tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and
6115 Fridays, Saturdays, and Sundays, tasting room hours shall be limited to 11:00 a.m.
6116 through 9:00 p.m.;

6117 j. Access to the site shall be directly to and from an arterial roadway;

6118 k. Off-street parking maximums shall be determined through the conditional
6119 use permit process, and should not be more than one hundred fifty percent of the
6120 minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;

6121 l. The business operator shall obtain an adult beverage business license in
6122 accordance with K.C.C. chapter 6.74;

6123 m. Events may be allowed with an approved temporary use permit under
6124 K.C.C. chapter 21A.32 or in compliance with the exemption in K.C.C. 21A.32.110.E.;

6125 and

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6126 n. The impervious surface associated with the winery, brewery, distillery
6127 facility use shall not exceed twenty-five percent of the site, or the maximum impervious
6128 surface for the zone in accordance with K.C.C. 21A.12.030.A. or 21A.12.040.A.,
6129 whichever is less.

6130 13. Only on the same lot or same group of lots under common ownership or
6131 documented legal control, which includes, but is not limited to, fee simple ownership, a
6132 long-term lease, or an easement, and:

6133 a. does not include retail sales of processed materials, and

6134 b.(1) as accessory to a primary forestry use and at a scale appropriate to
6135 process the organic waste generated on the site; or

6136 ~~((b-))~~ (2) as a continuation of a sawmill or lumber manufacturing use only for
6137 that period to complete delivery of products or projects under contract at the end of the
6138 sawmill or lumber manufacturing activity.

6139 14. Only on the same lot or same group of lots under common ownership or
6140 documented legal control, which includes, but is not limited to, fee simple ownership, a
6141 long-term lease, or an easement, and:

6142 a. does not include retail sales of processed materials; and

6143 b.(1) as accessory to a primary mineral use and may only process materials
6144 generated from on-site or properties within three miles of the site; or

6145 ~~((b-))~~ (2) as a continuation of a mineral processing use only for that period to
6146 complete delivery of products or projects under contract at the end of mineral extraction.

6147 15. Continuation of a materials processing facility after reclamation in
6148 accordance with an approved reclamation plan.

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- 6149 16. Only a site that is ten acres or greater and ~~((that))~~ in accordance with the
6150 following:
- 6151 a. the site does not use local access streets that abut lots developed for
6152 residential use;
- 6153 b. the materials processing use meets the requirements of K.C.C. 21A.12.220
6154 and K.C.C. chapter 21A.16;
- 6155 c. the materials processing use obtains and maintains an operational grading
6156 permit;
- 6157 d. storage of fill material, as defined in K.C.C. chapter 16.82, does not exceed
6158 three thousand cubic yards;
- 6159 e. processed fill material, as defined in K.C.C. chapter 16.82, are primarily
6160 from the ~~Rural Area and Natural Resource Lands~~ rural area and natural resource lands;
6161 and
- 6162 f. Does not include retail sales of processed materials.
- 6163 17.a. The aggregated floor area of structures and areas for winery, brewery,
6164 distillery facility uses shall not exceed three thousand five hundred square feet, unless
6165 located in whole or in part in a structure designated as historic resource under K.C.C.
6166 chapter 20.62, in which case the aggregated floor area of structures and areas devoted to
6167 winery, brewery, distillery facility uses shall not exceed five thousand square feet. Decks
6168 that are not occupied and not open to the public are excluded from the calculation for
6169 maximum aggregated floor area;
- 6170 b. Structures and parking areas for winery, brewery, distillery facility uses
6171 shall maintain a minimum distance of seventy-five feet from interior property lines

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6172 adjoining rural area and residential zones, unless located in a building designated as
6173 historic resource under K.C.C. chapter 20.62;
6174 c. Tasting and retail sale of products produced on-site, and merchandise related
6175 to the products produced on-site, may be provided in accordance with state law. The area
6176 devoted to on-site tasting or retail sales shall be included in the aggregated floor area
6177 limitation in subsection B.17.a. of this section;
6178 d. Off-street parking for the tasting and retail areas shall be limited to a
6179 maximum of one space per fifty square feet of tasting and retail areas;
6180 e. The business operator shall obtain an adult beverage business license in
6181 accordance with K.C.C. chapter 6.74; and
6182 f. Events may be allowed with an approved temporary use permit under K.C.C.
6183 chapter 21A.32.

6184 18. Limited to:

6185 a. SIC Industry Group ~~((No.))~~ 242-Sawmills and SIC Industry ~~((No.))~~ 2431-
6186 Millwork, as follows:

6187 (1) If using lumber or timber grown off-site, the minimum site area is four
6188 and one-half acres; and

6189 (2) In the A and RA zones:

6190 (a) The facility shall be limited to an annual production of no more than one
6191 hundred fifty thousand board feet;

6192 ~~((3))~~ (b) Structures housing equipment used in the operation shall be located
6193 at least one-hundred feet from adjacent properties with ~~((residential or rural area))~~ R, UR,
6194 and RA zoning;

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6195 ~~((4))~~ (c) Deliveries and customer visits shall be limited to ~~((the hours of))~~
6196 8:00 a.m. to 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;
6197 ~~((5))~~ (d) In the RA zone, the facility's driveway shall have adequate entering
6198 sight distance required by the 2007 King County Road Design and Construction
6199 Standards. An adequate turn around shall be provided on-site to prevent vehicles from
6200 backing out on to the roadway that the driveway accesses; and
6201 ~~((6))~~ (e) Outside lighting is limited to avoid off-site glare; and
6202 b. SIC Industry ~~((No.))~~ 2411-Logging.
6203 19. Limited to manufacture of custom made wood furniture or cabinets.
6204 20.a. Only allowed on lots of at least four and one-half acres;
6205 b. Only as an accessory use to a Washington state Liquor ~~((Control))~~ and
6206 Cannabis Board licensed ~~((marijuana))~~ cannabis production facility on the same lot;
6207 c. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;
6208 d. Only with documentation that the operator has applied for a Puget Sound
6209 Clean Air Agency Notice of Construction Permit. All department permits issued to either
6210 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall
6211 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved
6212 before ~~((marijuana))~~ cannabis products are imported onto the site; and
6213 e. Accessory ~~((marijuana))~~ cannabis processing uses allowed under this section
6214 are subject to all limitations applicable to ~~((marijuana))~~ cannabis production uses under
6215 K.C.C. 21A.08.090.
6216 21.a. Only in the CB and RB zones located outside the urban growth area;
6217 b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

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6218 c. Only with documentation that the operator has applied for a Puget Sound
6219 Clean Air Agency Notice of Construction Permit. All department permits issued to either
6220 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall
6221 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved
6222 before ~~((marijuana))~~ cannabis products are imported onto the site;

6223 d. Per lot, the aggregated total gross floor area devoted to the use of, and in
6224 support of, processing ~~((marijuana))~~ cannabis together with any separately authorized
6225 production of ~~((marijuana))~~ cannabis shall be limited to a maximum of two thousand
6226 square feet; and

6227 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and
6228 every ~~((marijuana))~~ cannabis-related entity occupying space in addition to the two-
6229 thousand-square-foot threshold area on that lot shall obtain a conditional use permit as
6230 ~~((set forth))~~ required in subsection B.22. of this section.

6231 22.a. Only in the CB and RB zones located outside the urban growth area;

6232 b. Per lot, the aggregated total gross floor area devoted to the use of, and in
6233 support of, processing ~~((marijuana))~~ cannabis together with any separately authorized
6234 production of ~~((marijuana))~~ cannabis shall be limited to a maximum of thirty thousand
6235 square feet;

6236 c. With a lighting plan, only if required by K.C.C. 21A.12.220.G.; and

6237 d. Only with documentation that the operator has applied for a Puget Sound
6238 Clean Air Agency Notice of Construction Permit. All department permits issued to either
6239 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall

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6240 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved
6241 before ~~((marijuana))~~ cannabis products are imported onto the site.

6242 23.a. Only in the CB and RB zones located inside the urban growth area;

6243 b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

6244 c. Only with documentation that the operator has applied for a Puget Sound
6245 Clean Air Agency Notice of Construction Permit. All department permits issued to either
6246 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall
6247 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved
6248 before ~~((marijuana))~~ cannabis products are imported onto the site;

6249 d. Per lot, the aggregated total gross floor area devoted to the use of, and in
6250 support of, processing ~~((marijuana))~~ cannabis together with any separately authorized
6251 production of ~~((marijuana))~~ cannabis shall be limited to a maximum of two thousand
6252 square feet; and

6253 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and
6254 every ~~((marijuana))~~ cannabis-related entity occupying space in addition to the two-
6255 thousand-square-foot threshold area on that lot shall obtain a conditional use permit as
6256 ~~((set forth))~~ required in subsection B.24. of this section.

6257 24.a. Only in the CB and RB zones located inside the urban growth area;

6258 b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

6259 c. Only with documentation that the operator has applied for a Puget Sound
6260 Clean Air Agency Notice of Construction Permit. All department permits issued to either
6261 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall

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6262 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved
6263 before (~~marijuana~~) cannabis products are imported onto the site; and

6264 d. Per lot, the aggregated total gross floor area devoted to the use of, and in
6265 support of, processing (~~marijuana~~) cannabis together with any separately authorized
6266 production of (~~marijuana~~) cannabis shall be limited to a maximum of thirty thousand
6267 square feet.

6268 25.a. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

6269 b. Only with documentation that the operator has applied for a Puget Sound
6270 Clean Air Agency Notice of Construction Permit. All department permits issued to either
6271 (~~marijuana~~) cannabis producers or (~~marijuana~~) cannabis processors, or both, shall
6272 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved
6273 before (~~marijuana~~) cannabis products are imported onto the site; and

6274 c. Per lot, limited to a maximum aggregate total of two thousand square feet of
6275 gross floor area devoted to, and in support of, the processing of (~~marijuana~~) cannabis
6276 together with any separately authorized production of (~~marijuana~~) cannabis.

6277 26.a. With a lighting plan, only if required by- K.C.C. 21A.12.220.G.;

6278 b. Only with documentation that the operator has applied for a Puget Sound
6279 Clean Air Agency Notice of Construction Permit. All department permits issued to either
6280 (~~marijuana~~) cannabis producers or (~~marijuana~~) cannabis processors, or both, shall
6281 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved
6282 before (~~marijuana~~) cannabis products are imported onto the site; and

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6283 c. Per lot, limited to a maximum aggregate total of thirty thousand square feet
6284 of gross floor area devoted to, and in support of, the processing of ~~((marijuana))~~ cannabis
6285 together with any separately authorized production of ~~((marijuana))~~ cannabis.

6286 27.a. ~~((Marijuana))~~ Cannabis processors in all RA zoned areas except for
6287 Vashon-Maury Island, that do not require a conditional use permit issued by King
6288 County, that receive a Washington state Liquor and Cannabis Board license business
6289 ~~((prior to))~~ before October 1, 2016, and that King County did not object to within the
6290 Washington state Liquor and Cannabis Board ~~((marijuana))~~ cannabis license application
6291 process, shall be considered nonconforming as to subsection B.27.e. of this section,
6292 subject to the provisions of K.C.C. 21A.32.020 through 21A.32.075 for nonconforming
6293 uses;

6294 b. Only with a lighting plan that complies with K.C.C. 21A.12.220.G.;

6295 c. Only with documentation that the operator has applied for a Puget Sound
6296 Clean Air Agency Notice of Construction Permit. All department permits issued to either
6297 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall
6298 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved
6299 before ~~((marijuana))~~ cannabis products are imported onto the site;

6300 d. Only allowed on lots of at least four and one-half acres on Vashon-Maury
6301 Island;

6302 e. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,
6303 except on Vashon-Maury Island;

6304 f. Only as an accessory use to a Washington state Liquor Cannabis Board
6305 licensed ~~((marijuana))~~ cannabis production facility on the same lot; and

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6306 g. Accessory (~~(marijuana)~~) cannabis processing uses allowed under this section
6307 are subject to all limitations applicable to (~~(marijuana)~~) cannabis production uses under
6308 K.C.C. 21A.08.090.

6309 28. If the food and kindred products manufacturing or processing is associated
6310 with agricultural activities it will be reviewed in accordance with K.C.C. 21A.08.090.

6311 29.a. Tasting and retail sales of products produced on-site, and merchandise
6312 related to the products produced on-site, may be provided in accordance with state law;

6313 b. Structures and parking areas for winery, brewery, distillery facility uses
6314 shall maintain a minimum distance of seventy-five feet from interior property lines
6315 adjoining rural area and residential zones, unless located in a building designated as
6316 historic resource under K.C.C. chapter 20.62;

6317 c. For winery, brewery, distillery facility uses that do not require a conditional
6318 use permit, off-street parking for the tasting and retail areas shall be limited to a
6319 maximum of one space per fifty square feet of tasting and retail areas. For winery,
6320 brewery, distillery facility uses that do require a conditional use permit, off-street parking
6321 maximums shall be determined through the conditional use permit process, and off-street
6322 parking for the tasting and retail areas should be limited to a maximum of one space per
6323 fifty square feet of tasting and retail areas;

6324 d. The business operator shall obtain an adult beverage business license in
6325 accordance with K.C.C. chapter 6.74; and

6326 e. Events may be allowed with an approved temporary use permit under
6327 K.C.C. chapter 21A.32.

6328 30.a. Only allowed on lots of at least two and one-half acres;

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6329 b. The aggregated floor area of structures and areas for winery, brewery,
6330 distillery facility uses shall not exceed three thousand five hundred square feet, unless
6331 located in whole or in part in a structure designated as historic resource under K.C.C.
6332 chapter 20.62, in which case the aggregated floor area of structures and areas devoted to
6333 winery, brewery, distillery facility uses shall not exceed five thousand square feet. Decks
6334 that are not occupied and not open to the public are excluded from the calculation for
6335 maximum aggregated floor area;

6336 c. Structures and parking areas for winery, brewery, distillery facility uses
6337 shall maintain a minimum distance of seventy-five feet from interior property lines
6338 adjoining rural area and residential zones, unless located in a building designated as
6339 historic resource under K.C.C. chapter 20.62;

6340 d. Tasting and retail sales of products produced on-site may only occur as
6341 accessory to the primary winery, brewery, distillery production use and may be provided
6342 in accordance with state law. The area devoted to on-site tasting or retail sales shall be
6343 limited to no more than thirty percent of the aggregated floor area and shall be included
6344 in the aggregated floor area limitation in subsection B.30.b. of this section. Incidental
6345 retail sales of merchandise related to the products produced on-site is allowed subject to
6346 the restrictions described in this subsection. Hours of operation for on-site tasting of
6347 products shall be limited as follows: Mondays, Tuesdays, Wednesdays, and Thursdays,
6348 tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays,
6349 Saturdays, and Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00
6350 p.m.;

6351 e. Access to the site shall be directly to and from a public roadway;

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6352 f. Off-street parking is limited to a maximum of one hundred fifty percent of
6353 the minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;

6354 g. The business operator shall obtain an adult beverage business license in
6355 accordance with K.C.C. chapter 6.74;

6356 h. Events may be allowed with an approved temporary use permit under
6357 K.C.C. chapter 21A.32 or in compliance with the exemption in K.C.C. 21A.32.110.E.;

6358 i. At least two stages of production of wine, beer, cider, or distilled spirits,
6359 such as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized
6360 by the Washington state Liquor and Cannabis Board production license, shall occur on-
6361 site. At least one of the stages of production occurring on-site shall include crushing,
6362 fermenting, or distilling; and

6363 j. The impervious surface associated with the winery, brewery, distillery
6364 facility use shall not exceed twenty-five percent of the site, or the maximum impervious
6365 surface for the zone in accordance with K.C.C. 21A.12.030.A. or 21A.12.040.A.,
6366 whichever is less.

6367 31.a. Limited to businesses with non-retail brewery and distillery production
6368 licenses from the Washington state Liquor and Cannabis board. Wineries and remote
6369 tasting rooms for wineries shall not be allowed;

6370 b. Tasting and retail sale of products produced on-site and merchandise related
6371 to the products produced on-site may be provided in accordance with state law. The area
6372 devoted to on-site tasting or retail sales shall not exceed one thousand five hundred
6373 square feet;

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6374 c. Structures and parking areas for brewery and distillery facility uses shall
6375 maintain a minimum distance of seventy-five feet from interior property lines adjoining
6376 rural area and residential zones, unless located in a building designated as historic
6377 resource under K.C.C. chapter 20.62;

6378 d. For brewery and distillery facility uses that do not require a conditional use
6379 permit, off-street parking for the tasting and retail areas shall be limited to a maximum of
6380 one space per fifty square feet of tasting and retail areas. For brewery and distillery
6381 facility uses that do require a conditional use permit, off-street parking maximums shall
6382 be determined through the conditional use permit process, and off-street parking for the
6383 tasting and retail areas should be limited to a maximum of one space per fifty square feet
6384 of tasting and retail areas;

6385 e. The business operator shall obtain an adult beverage business license in
6386 accordance with K.C.C. chapter 6.74; and

6387 f. Events may be allowed with an approved temporary use permit under K.C.C.
6388 chapter 21A.32.

6389 32.a. The aggregated floor area of structures and areas for winery, brewery,
6390 distillery facility uses shall not exceed one thousand five hundred square feet;

6391 b. Structures and parking areas for winery, brewery, distillery facility uses
6392 shall maintain a minimum distance of seventy-five feet from interior property lines
6393 adjoining rural area and residential zones, unless located in a building designated as
6394 historic resource under K.C.C. chapter 20.62;

6395 c. One on-site parking stall shall be allowed for the winery, brewery, distillery
6396 facility I use;

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6397 d. The business operator shall obtain an adult beverage business license in
6398 accordance with K.C.C. chapter 6.74;

6399 e. At least two stages of production of wine, beer, cider, or distilled spirits,
6400 such as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized
6401 by the Washington state Liquor and Cannabis Board production license, shall occur on-
6402 site. At least one of the stages of production occurring on-site shall include crushing,
6403 fermenting, or distilling;

6404 f. No product tasting or retail sales shall be allowed on-site;

6405 g. Events may be allowed in accordance with K.C.C. 21A.32.120.B.6; and

6406 h. The impervious surface associated with the winery, brewery, distillery
6407 facility use shall not exceed twenty-five percent of the site or the maximum impervious
6408 surface for the zone in accordance with K.C.C. 21A.12.030.A. or 21A.12.040.A.,
6409 whichever is less.

6410 33. Except leather tanning and finishing.

6411 34. Except gasoline powered motorcycles.

6412 SECTION 408153. Ordinance 10870, Section 336, as amended, and K.C.C.

6413 21A.08.090 are hereby amended to read as follows:

6414 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	UR	R-	(R-	R-	NB	CB	RB	O	I
					A		<u>1</u>	<u>4</u>	<u>12</u>					

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								8)	=						
								R-	R-						
								4-	48						
								R-							
								8							
12	Coal Mining														
13	Oil and Gas Extraction														
*	Anaerobic Digester	P13	C	C	P	C3	C3	C3	C3	C	C	C	C	C	C
		C			1	0	0	0	0						
					3										
					C										
	AGRICULTURE:														
01	Growing and Harvesting Crops	P	P		P	P	P	P	P2	P2	P2	P2	P2	P2	P
									2	2	2	2	2	2	
02	Raising Livestock and Small Animals (6)	P	P		P	P									P
*	Agricultural Activities	P24	P24		P	P24	P2	P2	P2	P2	P2	P2	P2	P2	
		C	C		2	C	2	2	2	2	2	2	2	2	
					4		C2	C2	C2						
					C		93	0C	2						
							0	29							
*	Agricultural Support Services	P25	P25		P	P26	P2	P2		P2	P2				
		C	C		2	C	6	6		7	7				
					6		C	C		C2	C2				
					C					8	8				
*	((Marijuana)) Cannabis producer	P15			P						P1	P1		P2	
		C22			1						8	8		0	
					6						C1	C1		C2	
					C						9	9		1	
					1										
					7										

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*	Agriculture Training Facility	C10																	
*	Agriculture-related special needs camp	P12																	
(*)	Agricultural Anaerobic Digester	P13																	
	FORESTRY:																		
08	Growing ((&)) and Harvesting Forest Production	P	P	P7	P	P	<u>P</u>	P											P
*	Forest Research		P		P	P												P2	P
	FISH AND WILDLIFE MANAGEMENT:																		
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													
	MINERAL:																		
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
	ACCESSORY USES:																		
*	Resource Accessory Uses	P3 P23	P4	P5 3	P 3	P3													P4
*	Farm Worker Housing	P14			P 1														

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- 6415 B. Development conditions.
- 6416 1. May be further subject to K.C.C. chapter 21A.25.
- 6417 2. Only forest research conducted within an enclosed building.
- 6418 3. Farm residences in accordance with K.C.C. 21A.08.030.
- 6419 4. Excluding housing for agricultural workers.
- 6420 5. Limited to either maintenance or storage facilities, or both, in conjunction
- 6421 with mineral extraction or processing operation.
- 6422 6. Allowed in accordance with K.C.C. chapter 21A.30.
- 6423 7. Only in conjunction with a mineral extraction site plan approved in
- 6424 accordance with K.C.C. chapter 21A.22.
- 6425 8. Only on the same lot or same group of lots under common ownership or
- 6426 documented legal control, which includes, but is not limited to, fee simple ownership, a
- 6427 long-term lease₂ or an easement:
- 6428 a. as accessory to a primary mineral extraction use; or
- 6429 b. as a continuation of a mineral processing only for that period to complete
- 6430 delivery of products or projects under contract at the end of a mineral extraction ~~((or~~
- 6431 ~~e. for a public works project under a temporary grading permit issued in~~
- 6432 ~~accordance with K.C.C. 16.82.152)).~~
- 6433 9. Limited to mineral extraction and processing:
- 6434 a. on a lot or group of lots under common ownership or documented legal
- 6435 control, which includes₂ but is not limited to, fee simple ownership, a long-term lease₂ or
- 6436 an easement;

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6437 b. that are located greater than one-quarter mile from an established residence;

6438 and

6439 c. that do not use local access streets that abut lots developed for residential

6440 use.

6441 10. Agriculture training facilities are allowed only as an accessory to existing

6442 agricultural uses and are subject to the following conditions:

6443 a. The impervious surface associated with the agriculture training facilities

6444 shall comprise not more than ten percent of the allowable impervious surface

6445 ~~((permitted))~~ allowed under K.C.C. 21A.12.040;

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6446 b. New or the expansion of existing structures, or other site improvements,

6447 shall not be located on class 1, 2, or 3 soils;

6448 c. The director may require reuse of surplus structures to the maximum extent

6449 practical;

6450 d. The director may require ~~((the clustering of))~~ new structures ~~((with))~~ to be

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6451 sited near existing structures;

6452 e. New structures or other site improvements shall be set back a minimum

6453 distance of seventy-five feet from property lines adjoining ~~((rural area and residential))~~

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6454 RA, UR, and R zones;

6455 f. Bulk and design of structures shall be compatible with the architectural style

6456 of the surrounding agricultural community;

6457 g. New sewers shall not be extended to the site;

6458 h. Traffic generated shall not impede the safe and efficient movement of

6459 agricultural vehicles, nor shall it require capacity improvements to rural roads;

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6460 i. Agriculture training facilities may be used to provide educational services to
6461 the surrounding rural/agricultural community or for community events. Property owners
6462 may be required to obtain a temporary use permit for community events in accordance
6463 with K.C.C. chapter 21A.32;

6464 j. Use of lodging and food service facilities shall be limited only to activities
6465 conducted in conjunction with training and education programs or community events
6466 held on-site;

6467 k. Incidental uses, such as office and storage, shall be limited to those that
6468 directly support education and training activities or farm operations; and

6469 l. The King County agriculture commission shall be notified of and have an
6470 opportunity to comment upon all proposed agriculture training facilities during the permit
6471 process in accordance with K.C.C. chapter 21A.40.

6472 11. Continuation of mineral processing and asphalt/concrete mixtures and block
6473 uses after reclamation in accordance with an approved reclamation plan.

6474 12.a. Activities at the camp shall be limited to agriculture and agriculture-
6475 oriented activities. In addition, activities that place minimal stress on the site's
6476 agricultural resources or activities that are compatible with agriculture are ~~permitted~~
6477 allowed.

- 6478 (1) passive recreation;
- 6479 (2) training of individuals who will work at the camp;
- 6480 (3) special events for families of the campers; and
- 6481 (4) agriculture education for youth.

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6482 b. Outside the camp center, as provided for in subsection B.12.e. of this
6483 section, camp activities shall not preclude the use of the site for agriculture and
6484 agricultural related activities, such as the processing of local food to create value-added
6485 products and the refrigeration and storage of local agricultural products. The camp shall
6486 be managed to coexist with agriculture and agricultural activities both on-site and in the
6487 surrounding area.

6488 c. A farm plan shall be required for commercial agricultural production to
6489 ensure adherence to best management practices and soil conservation.

6490 d.(1) The minimum site area shall be five hundred acres. Unless the property
6491 owner has sold or transferred the development rights as provided in subsection B.12.c.(3)
6492 of this section, a minimum of five hundred acres of the site ~~((must)) shall~~ be owned by a
6493 single individual, corporation, partnership, or other legal entity and ~~((must)) shall~~ remain
6494 under the ownership of a single individual, corporation, partnership, or other legal entity
6495 for the duration of the operation of the camp.

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6496 (2) Nothing in subsection B.12.d.(1) of this section prohibits the property
6497 owner from selling or transferring the development rights for a portion or all of the site to
6498 the King County farmland preservation program or, if the development rights are
6499 extinguished as part of the sale or transfer, to a nonprofit entity approved by the director;

6500 e. The impervious surface associated with the camp shall comprise not more
6501 than ten percent of the allowable impervious surface ~~((permitted)) allowed~~ under K.C.C.
6502 21A.12.040;

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6503 f. Structures for living quarters, dining facilities, medical facilities, and other
6504 nonagricultural camp activities shall be located in a camp center. The camp center shall

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6505 be no more than fifty acres and shall be depicted on a site plan. New structures for
6506 nonagricultural camp activities shall be ~~((clustered with))~~ sited near existing structures;

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6507 g. To the extent practicable, existing structures shall be reused. The applicant
6508 shall demonstrate to the director that a new structure for nonagricultural camp activities
6509 cannot be practicably accommodated within an existing structure on the site, though
6510 cabins for campers shall be ~~((permitted))~~ allowed only if they do not already exist on-
6511 site;

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6512 h. Camp facilities may be used to provide agricultural educational services to
6513 the surrounding rural and agricultural community or for community events. If required
6514 by K.C.C. chapter 21A.32, the property owner shall obtain a temporary use permit for
6515 community events;

6516 i. Lodging and food service facilities shall only be used for activities related to
6517 the camp or for agricultural education programs or community events held on-site;

6518 j. Incidental uses, such as office and storage, shall be limited to those that
6519 directly support camp activities, farm operations, or agricultural education programs;

6520 k. New nonagricultural camp structures and site improvements shall maintain a
6521 minimum set-back of seventy-five feet from property lines adjoining ~~((rural area and
6522 residential))~~ RA, UR, and R zones;

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6523 l. Except for legal nonconforming structures existing as of January 1, 2007,
6524 camp facilities, such as a medical station, food service hall, and activity rooms, shall be
6525 of a scale to serve overnight camp users;

6526 m. Landscaping equivalent to a type III landscaping screen, as provided for in
6527 K.C.C. 21A.16.040, of at least twenty feet shall be provided for nonagricultural structures

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6528 and site improvements located within two hundred feet of an adjacent (~~rural area and~~
6529 ~~residential~~) RA, UR, and R zoned property not associated with the camp;
6530 n. New sewers shall not be extended to the site;
6531 o. The total number of persons staying overnight shall not exceed three
6532 hundred;
6533 p. The length of stay for any individual overnight camper, not including camp
6534 personnel, shall not exceed ninety days during a three-hundred-sixty-five-day period;
6535 q. Traffic generated by camp activities shall not impede the safe and efficient
6536 movement of agricultural vehicles nor shall it require capacity improvements to rural
6537 roads;
6538 r. If the site is adjacent to an arterial roadway, access to the site shall be
6539 directly onto the arterial unless the county road engineer determines that direct access is
6540 unsafe;
6541 s. If direct access to the site is via local access streets, transportation
6542 management measures shall be used to minimize adverse traffic impacts;
6543 t. Camp recreational activities shall not involve the use of motor vehicles
6544 unless the motor vehicles are part of an agricultural activity or are being used for the
6545 transportation of campers, camp personnel, or the families of campers. Camp personnel
6546 may use motor vehicles for the operation and maintenance of the facility. Client-specific
6547 motorized personal mobility devices are allowed; and
6548 u. Lights to illuminate the camp or its structures shall be arranged to reflect the
6549 light away from any adjacent property.

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6550 13. Limited to digester receiving plant and animal and other organic waste from
6551 agricultural activities, and including electrical generation, as follows:

6552 a. the digester ~~((must)) shall~~ be included as part of a Washington state
6553 Department of Agriculture approved dairy nutrient plan;

6554 b. the digester ~~((must)) shall~~ process at least seventy percent livestock manure
6555 or other agricultural organic material from farms in the vicinity, by volume;

6556 c. imported organic waste-derived material, such as food processing waste,
6557 may be processed in the digester for the purpose of increasing methane gas production for
6558 beneficial use, but ~~((not)) shall not~~ exceed thirty percent of volume processed by the
6559 digester; and

6560 d. the use ~~((must)) shall~~ be accessory to an operating dairy or livestock
6561 operation.

6562 14. Farm worker housing. Either:

6563 a. Temporary farm worker housing subject to the following conditions:

6564 (1) The housing ~~((must)) shall~~ be licensed by the -Washington state
6565 Department of Health under chapter 70.114A RCW and chapter 246-358 WAC;

6566 (2) Water supply and sewage disposal systems ~~((must be approved)) are~~
6567 subject to approval by ~~((the Seattle King County department of))~~ public health – Seattle
6568 & King County;

6569 (3) To the maximum extent practical, the housing should be located on
6570 nonfarmable areas that are already disturbed and should not be located in the floodplain
6571 or in a critical area or critical area buffer; and

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6572 (4) The property owner shall file with the department of executive services,
6573 records and licensing services division, a notice approved by the department identifying
6574 the housing as temporary farm worker housing and that the housing shall be occupied
6575 only by agricultural employees and their families while employed by the owner or
6576 operator or on a nearby farm. The notice shall run with the land; or

6577 b. Housing for agricultural employees who are employed by the owner or
6578 operator of the farm year-round as follows:

6579 (1) Not more than:

6580 (a) one agricultural employee dwelling unit on a site less than twenty acres;

6581 (b) two agricultural employee dwelling units on a site of at least twenty
6582 acres and less than fifty acres;

6583 (c) three agricultural employee dwelling units on a site of at least fifty acres
6584 and less than one-hundred acres; and

6585 (d) four agricultural employee dwelling units on a site of at least one-
6586 hundred acres, and one additional agricultural employee dwelling unit for each additional
6587 one hundred acres thereafter;

6588 (2) If the primary use of the site changes to a nonagricultural use, all
6589 agricultural employee dwelling units shall be removed;

6590 (3) The applicant shall file with the department of executive services, records
6591 and licensing services division, a notice approved by the department that identifies the
6592 agricultural employee dwelling units as accessory and that the dwelling units shall only
6593 be occupied by agricultural employees who are employed by the owner or operator year-
6594 round. The notice shall run with the land. The applicant shall submit to the department

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6595 proof that the notice was filed with the department of executive services, records and
6596 licensing services division, before the department approves any permit for the
6597 construction of agricultural employee dwelling units;

6598 (4) An agricultural employee dwelling unit shall not exceed a floor area of
6599 one thousand square feet and may be occupied by no more than eight unrelated
6600 agricultural employees;

6601 (5) To the maximum extent practical, the housing should be located on
6602 nonfarmable areas that are already disturbed;

6603 (6) One off-street parking space shall be provided for each agricultural
6604 employee dwelling unit; and

6605 (7) The agricultural employee dwelling units shall be constructed in
6606 compliance with K.C.C. Title 16.

6607 15. ~~((Marijuana))~~ Cannabis production by ~~((marijuana))~~ cannabis producers
6608 licensed by the Washington state Liquor and Cannabis Board is subject to the following
6609 standards:

6610 a. Only allowed on lots of at least four and one-half acres;

6611 b. With a lighting plan, only if required by and that complies with K.C.C.
6612 21A.12.220.G.;

6613 c. Only with documentation that the operator has applied for a Puget Sound
6614 Clean Air Agency Notice of Construction Permit. All department permits issued to either
6615 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall
6616 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved
6617 before ~~((marijuana))~~ cannabis products are imported onto the site;

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6618 d. Production is limited to outdoor, indoor within ~~((marijuana))~~ cannabis
6619 greenhouses, and within structures that are nondwelling unit structures that exist as of
6620 October 1, 2013, subject to the size limitations in subsection B.15.e. of this section;

6621 e. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
6622 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
6623 aggregated total of two thousand square feet and shall be located within a fenced area or
6624 ~~((marijuana))~~ cannabis greenhouse that is no more than ten percent larger than that
6625 combined area, or may occur in nondwelling unit structures that exist as of October 1,
6626 2013;

6627 f. Outdoor production area fencing as required by the Washington state Liquor
6628 and Cannabis Board, ~~((marijuana))~~ cannabis greenhouses and nondwelling unit structures
6629 shall maintain a minimum street setback of fifty feet and a minimum interior setback of
6630 thirty feet; and

6631 g. If the two-thousand-square-foot-per-lot threshold of plant canopy combined
6632 with area used for processing under K.C.C. 21A.08.080 is exceeded, each and every
6633 ~~((marijuana))~~ cannabis-related entity occupying space in addition to the two-thousand-
6634 square-foot threshold area on that lot shall obtain a conditional use permit as ~~((set forth))~~
6635 required in subsection B.22. of this section.

6636 16. ~~((Marijuana))~~ Cannabis production by ~~((marijuana))~~ cannabis producers
6637 licensed by the Washington state Liquor and Cannabis Board is subject to the following
6638 standards:

6639 a. ~~((Marijuana))~~ Cannabis producers in all RA zoned areas except for Vashon-
6640 Maury Island, that do not require a conditional use permit issued by King County, that

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6641 receive a Washington state Liquor and Cannabis Board license business before October
6642 1, 2016, and that King County did not object to within the Washington state Liquor and
6643 Cannabis Board (~~(marijuana)~~) cannabis license application process, shall be considered
6644 nonconforming as to subsection B.16.d. and h. of this section, subject to the provisions of
6645 K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses;

6646 b. In (~~(all rural area)~~) RA zones, only with a lighting plan that complies with
6647 K.C.C. 21A.12.220.G.;

6648 c. Only allowed on lots of at least four and one-half acres on Vashon-Maury
6649 Island;

6650 d. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,
6651 except on Vashon-Maury Island;

6652 e. Only with documentation that the operator has applied for a Puget Sound
6653 Clean Air Agency Notice of Construction Permit. All department permits issued to either
6654 (~~(marijuana)~~) cannabis producers or (~~(marijuana)~~) cannabis processors, or both, shall
6655 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved
6656 before (~~(marijuana)~~) cannabis products are imported onto the site;

6657 f. Production is limited to outdoor, indoor within (~~(marijuana)~~) cannabis
6658 greenhouses, and within nondwelling unit structures that exist as of October 1, 2013,
6659 subject to the size limitations in subsection B.16.g. of this section; and

6660 g. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
6661 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
6662 aggregated total of two thousand square feet and shall be located within a fenced area or
6663 (~~(marijuana)~~) cannabis greenhouse, that is no more than ten percent larger than that

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6664 combined area, or may occur in nondwelling unit structures that exist as of October 1,
6665 2013;

6666 h. Outdoor production area fencing as required by the Washington state Liquor
6667 and Cannabis Board and ~~((marijuana))~~ cannabis greenhouses shall maintain a minimum
6668 street setback of fifty feet and a minimum interior setback of one hundred feet; and a
6669 minimum setback of one hundred fifty feet from any existing residence; and

6670 i. If the two-thousand-square-foot-per-lot threshold of plant canopy within
6671 fenced areas or ~~((marijuana))~~ cannabis greenhouses is exceeded, each and every
6672 ~~((marijuana))~~ cannabis-related entity occupying space in addition to the two-thousand-
6673 square-foot threshold area on that lot shall obtain a conditional use permit as ~~((set forth))~~
6674 required in subsection B.17. of this section.

6675 17. ~~((Marijuana))~~ Cannabis production by ~~((marijuana))~~ cannabis producers
6676 licensed by the Washington state Liquor and Cannabis Board is subject to the following
6677 standards:

6678 a. Only allowed on lots of at least four and one-half acres on Vashon-Maury
6679 Island;

6680 b. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,
6681 except on Vashon-Maury Island;

6682 c. In ~~((all rural area))~~ RA zones, only with a lighting plan that complies with
6683 K.C.C. 21A.12.220.G.;

6684 d. Only with documentation that the operator has applied for a Puget Sound
6685 Clean Air Agency Notice of Construction Permit. All department permits issued to either
6686 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall

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6687 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved
6688 before (~~(marijuana)~~) cannabis products are imported onto the site;

6689 e. Production is limited to outdoor and indoor within (~~(marijuana)~~) cannabis
6690 greenhouses subject to the size limitations in subsection B.17.f. of this section;

6691 f. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
6692 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
6693 aggregated total of thirty thousand square feet and shall be located within a fenced area or
6694 (~~(marijuana)~~) cannabis greenhouse that is no more than ten percent larger than that
6695 combined area; and

6696 g. Outdoor production area fencing as required by the Washington state Liquor
6697 and Cannabis Board, and (~~(marijuana)~~) cannabis greenhouses shall maintain a minimum
6698 street setback of fifty feet and a minimum interior setback of one hundred feet, and a
6699 minimum setback of one hundred fifty feet from any existing residence.

6700 18.a. Production is limited to indoor only;

6701 b. With a lighting plan only as required by and that complies with K.C.C.

6702 21A.12.220.G.;

6703 c. Only with documentation that the operator has applied for a Puget Sound
6704 Clean Air Agency Notice of Construction Permit. All department permits issued to either
6705 (~~(marijuana)~~) cannabis producers or (~~(marijuana)~~) cannabis processors, or both, shall
6706 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved
6707 before (~~(marijuana)~~) cannabis products are imported onto the site; and

6708 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
6709 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum

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6710 aggregated total of two thousand square feet and shall be located within a building or
6711 tenant space that is no more than ten percent larger than the plant canopy and separately
6712 authorized processing area; and

6713 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and
6714 every ~~((marijuana))~~ cannabis-related entity occupying space in addition to the two-
6715 thousand-square foot threshold area on that parcel shall obtain a conditional use permit as
6716 ~~((set forth))~~ required in subsection B.19. of this section.

6717 19.a. Production is limited to indoor only;

6718 b. With a lighting plan only as required by and that complies with K.C.C.

6719 21A.12.220.G.;

6720 c. Only with documentation that the operator has applied for a Puget Sound
6721 Clean Air Agency Notice of Construction Permit. All department permits issued to either
6722 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall
6723 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved
6724 before ~~((marijuana))~~ cannabis products are imported onto the site; and

6725 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
6726 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
6727 aggregated total of thirty thousand square feet and shall be located within a building or
6728 tenant space that is no more than ten percent larger than the plant canopy and separately
6729 authorized processing area.

6730 20.a. Production is limited to indoor only;

6731 b. With a lighting plan only as required by and that complies with K.C.C.

6732 21A.12.220.G.;

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6733 c. Only with documentation that the operator has applied for a Puget Sound
6734 Clean Air Agency Notice of Construction Permit. All department permits issued to either
6735 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall
6736 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved
6737 before ~~((marijuana))~~ cannabis products are imported onto the site;

6738 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
6739 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
6740 aggregated total of two thousand square feet and shall be located within a building or
6741 tenant space that is no more than ten percent larger than the plant canopy and separately
6742 authorized processing area; and

6743 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and
6744 every ~~((marijuana))~~ cannabis-related entity occupying space in addition to the two-
6745 thousand-square-foot threshold area on that lot shall obtain a conditional use permit as
6746 ~~((set forth))~~ required in subsection B.21. of this section.

6747 21.a. Production is limited to indoor only;

6748 b. With a lighting plan only as required by and that complies with K.C.C.
6749 21A.12.220.G.;

6750 c. Only with documentation that the operator has applied for a Puget Sound
6751 Clean Air Agency Notice of Construction Permit. All department permits issued to either
6752 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall
6753 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved
6754 before ~~((marijuana))~~ cannabis products are imported onto the site; and

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6755 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
6756 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
6757 aggregated total of thirty thousand square feet and shall be located within a building or
6758 tenant space that is no more than ten percent larger than the plant canopy and separately
6759 authorized processing area.

6760 22. ~~((Marijuana))~~ Cannabis production by ~~((marijuana))~~ cannabis producers
6761 licensed by the Washington state Liquor and Cannabis Board is subject to the following
6762 standards:

6763 a. With a lighting plan only as required by and that complies with K.C.C.

6764 21A.12.220.G.;

6765 b. Only allowed on lots of at least four and one-half acres;

6766 c. Only with documentation that the operator has applied for a Puget Sound
6767 Clean Air Agency Notice of Construction Permit. All department permits issued to either
6768 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall
6769 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved
6770 before ~~((marijuana))~~ cannabis products are imported onto the site;

6771 d. Production is limited to outdoor, indoor within ~~((marijuana))~~ cannabis
6772 greenhouses, and within structures that are nondwelling unit structures that exist as of
6773 October 1, 2013, subject to the size limitations in subsection B.22. e. and f. of this
6774 section;

6775 e. On lots less than ten acres, per lot, the plant canopy, as defined in WAC
6776 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall
6777 be limited to a maximum aggregated total of five thousand square feet and shall be

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6778 located within a fenced area or (~~marijuana~~) cannabis greenhouse that is no more than
6779 ten percent larger than that combined area, or may occur in nondwelling unit structures
6780 that exist as of October 1, 2013;

6781 f. On lots ten acres or more, per lot, the plant canopy, as defined in WAC 314-
6782 55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be
6783 limited to a maximum aggregated total of ten thousand square feet, and shall be located
6784 within a fenced area or ~~marijuana~~ (~~marijuana~~) cannabis greenhouse that is no more than
6785 ten percent larger than that combined area, or may occur in nondwelling unit structures
6786 that exist as of October 1, 2013; and

6787 g. Outdoor production area fencing as required by the Washington state Liquor
6788 and Cannabis Board, (~~marijuana~~) cannabis greenhouses and nondwelling unit structures
6789 shall maintain a minimum street setback of fifty feet and a minimum interior setback of
6790 one hundred feet, and a minimum setback of one hundred fifty feet from any existing
6791 residence.

6792 23. The storage and processing of (~~non-manufactured~~) nonmanufactured
6793 source separated organic waste that originates from agricultural operations and that does
6794 not originate from the site, if:

6795 a. agricultural is the primary use of the site;

6796 b. the storage and processing are in accordance with best management
6797 practices included in an approved farm plan; and

6798 c. except for areas used for manure storage, the areas used for storage and
6799 processing do not exceed three acres and ten percent of the site.

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6800 24.a. For activities relating to the processing of crops or livestock for
6801 commercial purposes, including associated activities such as warehousing, storage,
6802 including refrigeration, and other similar activities and excluding winery, brewery,
6803 distillery facility I, II, III and remote tasting room:

6804 (1) limited to agricultural products and sixty percent or more of the products
6805 processed ~~((must)) shall~~ be grown in the Puget Sound counties. At the time of initial
6806 application, the applicant shall submit a projection of the source of products to be
6807 produced;

6808 (2) in the RA and UR zones, only allowed on sites of at least four and one-
6809 half acres;

6810 (3)(a) as a permitted use, the floor area devoted to all processing shall not
6811 exceed two thousand square feet, unless located in a building designated as an historic
6812 resource under K.C.C. chapter 20.62. The agricultural technical review committee, as
6813 established in K.C.C. 21A.42.300, may review and approve an increase in the processing
6814 floor area as follows: -up to three thousand five hundred square feet of floor area may be
6815 devoted to all processing in the RA zones or on farms less than thirty-five acres located in
6816 the A zones or up to seven thousand square feet on farms greater than thirty-five acres in
6817 the A zone; and

6818 (b) as a permitted use, the floor area devoted to all warehousing,
6819 refrigeration, storage, or other similar activities shall not exceed two thousand square
6820 feet, unless located in a building designated as historic resource under K.C.C. chapter
6821 20.62. The agricultural technical review committee, as established in K.C.C.
6822 21A.42.300, may review and approve an increase of up to three thousand five hundred

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6823 square feet of floor area devoted to all (~~warehousing~~) warehousing, storage, including
6824 refrigeration, or other similar activities in the RA zones or on farms less than thirty-five
6825 acres located in the A zones or up to seven thousand square feet on farms greater than
6826 thirty-five acres in the A zone;

6827 (4) in the A zone, structures and areas used for processing, warehousing,
6828 (~~refrigeration~~) refrigeration, storage, and other similar activities shall be located on
6829 portions of agricultural lands that are unsuitable for other agricultural purposes, such as
6830 areas within the already developed portion of such agricultural lands that are not
6831 available for direct agricultural production, or areas without prime agricultural soils; and

6832 (5) structures and areas used for processing, warehousing, storage, including
6833 refrigeration, and other similar activities shall maintain a minimum distance of seventy-
6834 five feet from property lines adjoining (~~rural area and residential~~) RA, UR, and R zones,
6835 unless located in a building designated as historic resource under K.C.C. chapter 20.62.

6836 b. For activities relating to the retail sale of agricultural products, except
6837 livestock:

6838 (1) sales shall be limited to agricultural products and locally made arts and
6839 crafts;

6840 (2) in the RA and UR zones, only allowed on sites at least four and one-
6841 half acres;

6842 (3) as a permitted use, the covered sales area shall not exceed two thousand
6843 square feet, unless located in a building designated as a historic resource under K.C.C.
6844 chapter 20.62. The agricultural technical review committee, as established in K.C.C.

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6845 21A.42.300, may review and approve an increase of up to three thousand five hundred
6846 square feet of covered sales area;

6847 (4) forty percent or more of the gross sales of agricultural product sold
6848 through the store ~~((must)) shall~~ be sold by the producers of primary agricultural products;

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6849 (5) sixty percent or more of the gross sales of agricultural products sold
6850 through the store shall be derived from products grown or produced in the Puget Sound
6851 counties. At the time of the initial application, the applicant shall submit a reasonable
6852 projection of the source of product sales;

6853 (6) tasting of products, in accordance with applicable health regulations, is
6854 allowed;

6855 (7) storage areas for agricultural products may be included in a farm store
6856 structure or in any accessory building; and

6857 (8) outside lighting is ~~((permitted)) allowed~~ if there is no off-site glare.

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6858 c. Retail sales of livestock is ~~((permitted)) allowed~~ only as accessory to
6859 raising livestock.

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6860 d. Farm operations, including equipment repair and related facilities, except
6861 that:

6862 (1) the repair of tools and machinery is limited to those necessary for the
6863 operation of a farm or forest;

6864 (2) in the RA and UR zones, only allowed on sites of at least four and one-
6865 half acres;

6866 (3) the size of the total repair use is limited to one percent of the farm size
6867 in the A zone, and up to one percent of the size in other zones, up to a maximum of five

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6868 thousand square feet unless located within an existing farm structure, including, but not
6869 limited to, barns, existing as of December 31, 2003; and

6870 (4) Equipment repair shall not be ~~((permitted))~~ allowed in the Forest zone.

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6871 e. The agricultural technical review committee, as established in K.C.C.

6872 21A.42.300, may review and approve reductions of minimum site sizes in the ~~((rural and
6873 residential))~~ RA, UR, and R zones and minimum setbacks from ~~((rural and residential))~~

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6874 RA, UR, and R zones.

6875 25. The department may review and approve establishment of agricultural
6876 support services in accordance with the code compliance review process in K.C.C.

6877 21A.42.300 only if:

6878 a. project is sited on lands that are unsuitable for direct agricultural production
6879 based on size, soil conditions, or other factors and cannot be returned to productivity by
6880 drainage maintenance; and

6881 b. the proposed use is allowed under any Farmland Preservation Program
6882 conservation easement and zoning development standards.

6883 26. The agricultural technical review committee, as established in K.C.C.

6884 21A.42.300, may review and approve establishment of agricultural support services only
6885 if the project site:

6886 a. adjoins or is within six hundred sixty feet of the agricultural production
6887 district;

6888 b. has direct vehicular access to the agricultural production district;

6889 c. except for farmworker housing, does not use local access streets that abut
6890 lots developed for residential use; and

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- 6891 ~~((b-))~~ d. has a minimum lot size of four and one-half acres.
- 6892 27. The agricultural technical review committee, as established in K.C.C.
- 6893 21A.42.300, may review and approve establishment of agricultural support services only
- 6894 if the project site:
- 6895 a. is outside the urban growth area~~((;))~~;
- 6896 b. adjoins or is within six hundred sixty feet of the agricultural production
- 6897 district~~((;))~~;
- 6898 c. has direct vehicular access to the agricultural production district~~((;))~~;
- 6899 d. except for farmworker housing, does not use local access streets that abut
- 6900 lots developed for residential use; and
- 6901 e. has a minimum lot size of four and one-half acres.
- 6902 28. Only allowed on properties that are outside the urban growth area.
- 6903 29.a. Permitted as a primary use or an accessory use, if except in
- 6904 accordance with subsection B.29.g. of this section.:
- 6905 ~~(1) An accessory use does not exceed four thousand square feet; and~~
- 6906 ~~(2) In the R-1 zone, on properties with existing tree clearing on at least~~
- 6907 ~~seventy-five percent of the property;~~
- 6908 b. A sufficient water supply shall be available to support cultivation practices
- 6909 on-site;
- 6910 c. The site shall be designed and maintained to prevent water and fertilizer
- 6911 runoff onto adjacent properties;
- 6912 d. Compost materials shall be stored at least twenty feet from interior lot lines
- 6913 and in a manner that minimizes odors and is not visible from adjacent properties;

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6914 ~~e. A farm management plan is required;~~
6915 ~~fe. Raising livestock and small animals, animal mortality management, and on-~~
6916 ~~site animal waste storage, disposal, and processing is not permitted; and~~
6917 ~~ef. In the R-1 through R-48 zones:~~
6918 ~~(1) The total lot area devoted to the use shall not exceed four thousand square~~
6919 ~~feet.~~
6920 ~~(2) Structures used for agricultural activities:~~
6921 ~~(a) shall not exceed one thousand square feet in gross floor area per lot;~~
6922 ~~(b) shall not exceed twelve feet in height, including any pitched roof;~~
6923 ~~(c) shall be limited to raised garden beds, greenhouses, hoop houses, storage~~
6924 ~~sheds, cold frames, and rain barrel systems; and~~
6925 ~~(d) are also subject to the development standards that would apply to an~~
6926 ~~accessory structure in the zone, if the use is accessory.~~
6927 ~~(13) Only mechanical equipment designed for household use may be used;~~
6928 ~~(24) Retail sales and all other public use shall begin no earlier than 7:00 a.m.~~
6929 ~~and end by 7:00 p.m.;~~
6930 ~~(35) Commercial deliveries and pickups are limited to one per day. On-site~~
6931 ~~sales are not considered commercial pickups;~~
6932 ~~(46) No more than two motor vehicles dedicated to the use shall be stored on-~~
6933 ~~site, each with a gross vehicle weight of ten thousand pounds or less;~~
6934 ~~(57) One identification sign is permitted, not exceeding sixty-~~
6935 ~~four one-hundred square inches in area;~~

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6936 ~~(6) Structures accessory to agricultural activities shall be limited to raised~~
6937 ~~garden beds, greenhouses, hoop houses, storage sheds, cold frames, and rain barrel~~
6938 ~~systems; and~~
6939 ~~(7) On a lot with no principal structure:~~
6940 ~~(a) The total gross floor area of all structures may not exceed one thousand~~
6941 ~~square feet;~~
6942 ~~(b) Structures may not exceed twelve feet in height, including any pitched~~
6943 ~~roof; and~~
6944 ~~(c) Structures are also subject to the development standards that would apply~~
6945 ~~to an accessory structure in the zone. g. A conditional use permit is required on~~
6946 ~~properties twenty acres or more in size in the R-1 zone, or to exceed the limitations of~~
6947 ~~subsection B.29.f. of this section in the R-1 through R-48 zones. Conditional use permits~~
6948 ~~shall not be granted for properties with an urban separator land use designation.~~
6949 ~~30. Only on properties twenty acres or more in size in the R-1 zone, if:~~
6950 ~~a. On properties with existing tree clearing on at least seventy-five percent of~~
6951 ~~the property;~~
6952 ~~b. A sufficient water supply is available to support cultivation practices on site;~~
6953 ~~c. The site is designed and maintained to prevent water and fertilizer runoff~~
6954 ~~onto adjacent properties;~~
6955 ~~d. Compost materials are stored at least twenty feet from interior lot lines and~~
6956 ~~in a manner that minimizes odors and is not visible from adjacent properties;~~
6957 ~~e. There is an approved farm management plan for the site;~~
6958 ~~f. No raising livestock and small animals are present; and~~

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6959 ~~g. Approved by a conditional use permit, with additional conditions, as~~
 6960 ~~appropriate, to limit and mitigate impacts on surrounding residential areas.~~
 6961 ~~301. Digester shall be limited to processing of waste generated on-site only.~~
 6962 SECTION 409154. Ordinance 10870, Section 337, as amended, and K.C.C.
 6963 21A.08.100 are hereby amended to read as follows:
 6964 A. Regional 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	UR	R-1	(R-1)	R-2	NB	CB	RB	O	I
								4-	12-					(15)
								8)	R-					
								R-4	48					
								=	R-8					
*	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		C14	C14	<u>C14</u>	C14						
			<u>S14b</u>		<u>S14</u>	<u>S14</u>	<u>S14</u>	<u>S14</u>						
					<u>b</u>	<u>b</u>	<u>b</u>	<u>b</u>						

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*	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					<u>P25</u>	<u>P25</u>							
*	Rural Public Infrastructure Maintenance Facility				C23									P
*	Transit Bus Base						<u>S</u>	S	S	S	S	S	S	P
*	Transit Comfort				P26		<u>P26</u>	P26	P26	P26	P26	P26	P26	P26

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	Facility													
*	School Bus Base				C5	C5	<u>C5</u>	C5	C5	S	S	S	S	P
					S20	S	<u>S</u>	S	S					
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-	College/University(	P10	P10		P10	P10	<u>P10</u>	P10	P10	P10	P	P	P	P
8222	1)				C11	C11	<u>C11</u>	C11	C11	C11				
					S18	S18	<u>S</u>	S	S	S				
*	Zoo Animal Breeding Facility	P16	P16		P16									

6965 B. Development conditions.

6966 1. Except technical institutions. See vocational schools on general services land

6967 use table, K.C.C. 21A.08.050.

6968 2. Except arboretum. See K.C.C. 21A.08.040, (~~recreation/~~) recreational and

6969 cultural land use table.

6970 3. Except weapons armories and outdoor shooting ranges.

6971 4. Except outdoor shooting range.

6972 5. Only in conjunction with an existing or proposed school.

6973 6.a. Limited to no more than three satellite dish antennae.

6974 b. Limited to one satellite dish antenna.

6975 c. Limited to tower consolidations.

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- 6976 7. Limited to landing field for aircraft involved in forestry or agricultural
6977 practices or for emergency landing sites.
- 6978 8. Except racing of motorized vehicles.
- 6979 9. Limited to wildlife exhibit.
- 6980 10. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32.
- 6981 11. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter
6982 21A.32.
- 6983 12.a. Limited to gas extraction as an accessory use to a waste management
6984 process, such as wastewater treatment, landfill waste management, livestock manure, and
6985 composting processes, and excluding anaerobic digesters.
- 6986 b. an equity impact review of the proposal using tools developed by the office
6987 of equity and racial and social justice. The results from the equity impact review shall be
6988 used to assess equity impacts and opportunities during county permit review and may be
6989 used to inform determinations of project approval.
- 6990 13. Excluding impoundment of water using a dam.
- 6991 14.a. Limited to facilities that comply with the following:
- 6992 ~~((a-)) (1)~~ Any new diversion structure shall not:
6993 ~~((+)) a~~ exceed a height of eight feet as measured from the streambed; or
6994 ~~((2)) b~~ impound more than three surface acres of water at the normal
6995 maximum surface level;
- 6996 ~~((b-)) (2)~~ There shall be no active storage;
- 6997 ~~((e-)) (3)~~ The maximum water surface area at any existing dam or diversion
6998 shall not be increased;

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6999 ~~((d.)) (4) An exceedance flow of no greater than fifty percent in mainstream~~ Formatted: Strikethrough
7000 reach shall be maintained;

7001 ~~((e.)) (5) Any transmission line shall ((be limited to a)) comply with the~~ Formatted: Strikethrough
7002 following:

7003 ~~((1)) a) be limited to ((right-of-way)) be limited to right of way of five miles~~ Formatted: Strikethrough
7004 or less; ~~((and))~~ Formatted: Not Strikethrough
7005 ~~((2)) b) be limited to capacity of two hundred thirty KV or less; and~~ Formatted: Strikethrough
7006 ~~(3) as part of an application for an addition, expansion, or upgrade of electric~~
7007 ~~transmission and distribution lines, the applicant shall submit an equity impact review of~~
7008 ~~the proposal using tools developed by the office of equity and racial and social justice.~~
7009 ~~The results from the equity impact review shall be used to assess equity impacts and~~
7010 ~~opportunities during county permit review and may be used to inform determinations of~~
7011 ~~project approval.~~

7012 ~~((f.)) (6) Any new, permanent access road shall be limited to five miles or less;~~ Formatted: Strikethrough
7013 and

7014 ~~((g.)) (7) The facility shall only be located above any portion of the stream~~
7015 used by anadromous fish.

7016 ~~b. The applicant shall submit an equity impact review of the proposal using~~
7017 ~~tools developed by the office of equity and racial and social justice. The results from the~~
7018 ~~equity impact review shall be used to assess equity impacts and opportunities during~~
7019 ~~county permit review and may be used to inform determinations of project approval.~~

7020 15. For I-zoned sites located outside the urban growth area designated by the
7021 King County Comprehensive Plan, uses shown as a conditional or special use in K.C.C.

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7022 21A.08.100.A., except for ~~((waste water))~~ wastewater treatment facilities and racetracks,
7023 shall be prohibited. All other uses, including ~~((waste water))~~ wastewater treatment
7024 facilities, shall be subject to the provisions for rural industrial uses in K.C.C. ~~((chapter~~
7025 ~~21A.12))~~ 21A.14.280.

7026 16. The operator of such a facility shall provide verification to the department of
7027 natural resources and parks or its successor organization that the facility meets or exceeds
7028 the standards of the Animal and Plant Health Inspection Service of the United States
7029 Department of Agriculture and the accreditation guidelines of the American Zoo and
7030 Aquarium Association.

7031 17. The following provisions of the table apply only to major communication
7032 facilities. Minor communication facilities shall be reviewed in accordance with the
7033 processes and standard outlined in K.C.C. chapter 21A.27.

7034 18. Only for facilities related to resource-based research.

7035 19. Limited to work release facilities associated with natural resource-based
7036 activities.

7037 20. Limited to projects ~~((which))~~ that do not require or result in an expansion of
7038 sewer service outside the urban growth area, unless a finding is made that no cost-
7039 effective alternative technologies are feasible, in which case a tightline sewer sized only
7040 to meet the needs of the school bus base and serving only the school bus base may be
7041 used. Renovation, expansion, modernization, or reconstruction of a school bus base is
7042 ~~((permitted))~~ allowed but shall not require or result in an expansion of sewer service
7043 outside the urban growth area, unless a finding is made that no cost-effective alternative

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7044 technologies are feasible, in which case a tightline sewer sized only to meet the needs of
7045 the school bus base.

7046 21. Only in conformance with the King County Site Development Plan Report,
7047 through modifications to the plan of up to ten percent are allowed for the following:

- 7048 a. building square footage;
- 7049 b. landscaping;
- 7050 c. parking;
- 7051 d. building height; or
- 7052 e. impervious surface.

7053 22. A special use permit shall be required for any modification or expansion of
7054 the King County fairgrounds facility that is not in conformance with the King County
7055 Site Development Plan Report or that exceeds the allowed modifications to the plan
7056 identified in subsection B.21. of this section.

7057 23. The facility shall be primarily devoted to rural public infrastructure
7058 maintenance and is subject to the following conditions:

7059 a. The minimum site area shall be ten acres, unless:

7060 (1) the facility is a reuse of a public agency yard; or

7061 (2) the site is separated from a county park by a street or utility ~~(right-of-~~
7062 way)) right of way;

7063 b. Type 1 landscaping as provided in K.C.C. chapter 21A.16 shall be provided
7064 between any stockpiling or grinding operations and adjacent residential zoned property;

7065 c. Type 2 landscaping as provided in K.C.C. chapter 21A.16 shall be provided
7066 between any office and parking lots and adjacent residential zoned property;

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7067 d. Access to the site does not use local access streets that abut residential zoned
7068 property, unless the facility is a reuse of a public agency yard;

7069 e. Structural setbacks from property lines shall be as follows:

7070 (1) Buildings, structures, and stockpiles used in the processing of materials
7071 shall be no closer than:

7072 (a) one hundred feet from any residential zoned properties, except that the
7073 setback may be reduced to fifty feet when the grade where the building or structures are
7074 proposed is fifty feet or greater below the grade of the residential zoned property;

7075 (b) fifty feet from any other zoned property, except when adjacent to a
7076 mineral extraction or materials processing site;

7077 (c) the greater of fifty feet from the edge of any public street or the setback
7078 from residential zoned property on the far side of the street; and

7079 (2) Offices, scale facilities, equipment storage buildings, and stockpiles shall
7080 not be closer than fifty feet from any property line except when adjacent to M or F zoned
7081 property or when a reuse of an existing building. Facilities necessary to control access to
7082 the site, when demonstrated to have no practical alternative, may be located closer to the
7083 property line;

7084 f. On-site clearing, grading, or excavation, excluding that necessary for
7085 required access, roadway, or storm drainage facility construction, shall not be

7086 ~~((permitted))~~ allowed within fifty feet of any property line except along any portion of the
7087 perimeter adjacent to M or F zoned property. If native vegetation is restored, temporary

7088 disturbance resulting from construction of noise attenuation features located closer than

7089 fifty feet shall be ~~((permitted))~~ allowed; and

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- 7090 g. Sand and gravel extraction shall be limited to forty thousand yards per year.
- 7091 24. The following accessory uses to a motor race track operation are allowed if
- 7092 approved as part of the special use permit:
- 7093 a. motocross;
- 7094 b. autocross;
- 7095 c. skidpad;
- 7096 d. garage;
- 7097 e. driving school; and
- 7098 f. fire station.
- 7099 25. Regional transit authority facilities shall be exempt from setback and height
- 7100 requirements.
- 7101 26. Transit comfort facility shall:
- 7102 a. only be located outside of the urban growth area boundary;
- 7103 b. be exempt from street setback requirements; and
- 7104 c. be no more than ((200)) two hundred square feet in size.
- 7105 27.a. Required for all new, modified, or expanded fossil fuel facilities.
- 7106 Modification or expansion includes, but is not limited to:
- 7107 (1) new uses or fuel types within existing facilities;
- 7108 (2) changes to the type of refining, manufacturing, or processing;
- 7109 (3) changes in the methods or volumes of storage or transport of raw
- 7110 materials or processed products;
- 7111 (4) changes in the location of the facilities on-site;
- 7112 (5) replacement of existing facilities;

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- 7113 (6) increases in power or water demands; or
- 7114 (7) increases in production capacity.
- 7115 b. Before filing an application with the department, the applicant shall hold a
- 7116 community meeting in accordance with K.C.C. 20.20.035.
- 7117 c. As part of permit application submittal for new, modified, or expanded fossil
- 7118 fuel facilities, the applicant shall submit the following documentation:
- 7119 (1) an inventory of similar existing facilities in King County and neighboring
- 7120 counties, including their locations and capacities;
- 7121 (2) a forecast of the future needs for the facility;
- 7122 (3) an ~~((analysis of the potential social and economic impacts and benefits to~~
- 7123 ~~jurisdictions and local communities receiving or surrounding the facility))~~ equity impact
- 7124 review of the proposal using tools developed by the office of equity and racial and social
- 7125 justice. The results from the equity impact review shall be used to assess equity impacts
- 7126 and opportunities during county permit review and may be used to inform determinations
- 7127 of project approval;
- 7128 (4) an analysis of alternatives to the facility, including location, conservation,
- 7129 demand management, and other strategies;
- 7130 (5) an analysis of economic and environmental impacts, including mitigation,
- 7131 of any similar existing facilities and of any new site~~((s))~~ or sites under consideration as
- 7132 an alternative to expansion of an existing facility;
- 7133 (6) an extensive public involvement strategy ~~((which))~~ that strives to
- 7134 effectively engage a wide range of racial, ethnic, cultural, and ~~((socio-economic))~~
- 7135 socioeconomic groups, including communities that are the most impacted; ~~and~~

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7136 (7) considered evaluation of any applicable prior review conducted by a
7137 public agency, local government, or ~~((stakeholder group))~~ interested party; and-
7138 ~~d. As part of permit application submittal, a greenhouse gas impact analysis~~
7139 ~~shall be prepared by the applicant for all proposals for new, modified, or expanded fossil~~
7140 ~~fuel facilities. The results of this analysis shall be used to identify and mitigate the~~
7141 ~~impacts of such facilities. (8) a greenhouse gas impact analysis prepared by the~~
7142 ~~applicant, the results of which shall be used to identify and mitigate the impacts of such~~
7143 ~~facilities.~~
7144 d.(1) As part of permit application submittal, the applicant shall demonstrate
7145 financial responsibility in an amount necessary to compensate for the cost of
7146 decommissioning, and for the maximum damages that might occur from an explosion
7147 resulting from a worst-case release, as defined in the 40 C.F.R. Sec. 68.3, of flammable
7148 gases and flammable liquids.
7149 (2) The amount of financial responsibility necessary to compensate for
7150 damages that might occur from an explosion shall be determined by the director based on
7151 a study of the maximum potential damages. The study shall:
7152 (a) incorporate the volume of oils, gases, refrigerants, and other flammable
7153 or explosive chemicals stored, used, or generated within the facility;
7154 (b) consider such matters as: the frequency of facility operations; facility
7155 layout and vegetation that could cause flammable vapor accumulation; the damages that
7156 could result from the explosion to public and private structures on-site and off-site, public
7157 infrastructure and environmental resources and functions; and the potential loss of life
7158 and injury to persons on-site and to members of the public;

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7159 _____ (c) include modeling and disclosure of a nil or very low wind condition
7160 vapor cloud explosion scenario;
7161 _____ (d) be prepared by a person accredited in vapor cloud explosion analysis, or
7162 an equally qualified individual as authorized by the director, at the applicant's expense;
7163 and
7164 _____ (e) undergo third-party validation by a qualified entity to be hired upon
7165 mutual agreement of the applicant and the department, at the applicant's expense.
7166 _____ (3) The amount of financial responsibility necessary to compensate for
7167 facility decommissioning shall be determined by the director based on a
7168 decommissioning plan for the closure of the facility. The plan shall include, but need not
7169 be limited to, the following:
7170 _____ (a) listing of the hazardous substances, as defined in RCW 70A.305.020,
7171 that will be stored, handled or generated within the facility; the range of potential release
7172 volumes requiring cleanup in the event of failures of technological or safety catchment
7173 features; and whether such releases have the potential to contaminate groundwater or
7174 surface waters on or adjacent to the site;
7175 _____ (b) the range of cleanup activities that would be required to address such
7176 hazardous substances;
7177 _____ (c) detailed estimates of the cost to implement the plan, including
7178 conducting cleanup and facility closure, based on the cost of hiring a third party to
7179 conduct all activities. All cost estimates (~~must~~) shall be in current dollars and may not
7180 include a net present value adjustment or offsets for salvage value of wastes or other
7181 property; and

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7182 (d) methods for estimating closure costs.
7183 (4)(a) Financial responsibility shall be provided for the duration of fossil fuel
7184 facility operations, to be verified in periodic review of the facilities in keeping with
7185 K.C.C. chapter 21A.22. Financial responsibility required by this subsection B.27.e. may
7186 be established by any one of, or a combination of, the following methods acceptable to
7187 the department:
7188 i. evidence of insurance;
7189 ii. surety bonds issued by a bonding company authorized to do business in
7190 the United States; and
7191 iii. other evidence of financial responsibility deemed acceptable by the
7192 department.
7193 (b) Self-bonding, as defined in the 30 C.F.R. Sec. 800.5, shall not be an
7194 accepted method of providing financial responsibility.
7195 (5) Where enforcement of this subsection B.27.e. would conflict with chapter
7196 36.32 RCW, the director may request the applicant to sign an agreement to complete
7197 retention of required financial responsibility consistent with K.C.C. 27A.30.060, in an
7198 amount equivalent to that indicated by the study of the damages, prior to the issuance of a
7199 clearing and grading permit.
7200 e. New, modified, or expanded fossil fuel facilities shall:
7201 (1) not be located within one thousand feet ~~((from))~~ of any schools, medical
7202 care facilities, or places of assembly that have occupancies of greater than one thousand
7203 persons;

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7204 (2) not be located within two hundred fifty feet ~~((from))~~ of a regulated
7205 wetland or aquatic area, except when a larger buffer is required under K.C.C. chapter
7206 21A.24, the buffer in K.C.C. chapter 21A.24 shall apply;

7207 (3) maintain an interior setback of at least two hundred feet;

7208 (4) store fossil fuels completely within enclosed structures, tanks, or similar
7209 facilities; ~~and~~

7210 (5) be accessed directly to and from an arterial roadway; ~~and~~
7211 ~~(6) comply with all applicable regulations in K.C.C. chapter 21A.22.~~

7212 ~~f. Proposals shall only be approved when the following conditions are met:~~

7213 ~~(1) the proposed facility can confine or mitigate all operational impacts;~~
7214 ~~(2) the facility can adequately mitigate conflicts with adjacent land uses;~~
7215 ~~(3) the full scope of environmental impacts, including life cycle greenhouse~~
7216 ~~gas emissions and public health, have been evaluated and appropriately conditioned or~~
7217 ~~mitigated as necessary, consistent with the County's substantive State Environmental~~
7218 ~~Policy Act authority;~~

7219 ~~(4) the applicant can comply with applicable federal and state regulations,~~
7220 ~~including the Clean Water Act, Clean Air Act, and Endangered Species Act;~~
7221 ~~(5) the applicant has demonstrated early, meaningful, and robust consultation~~
7222 ~~with Indian tribes, the public, and surrounding property owners to assess impacts to~~
7223 ~~Indian tribal treaty-protected cultural and fisheries resources; and~~
7224 ~~(6) risks to public health and public safety can be mitigated.~~

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7225 28. Limited to uses that will not convert more than two acres of farmland or
7226 forestland, or ~~((2.5))~~ two and one-half percent of the farmland or forestland, whichever is
7227 less.

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7228 29.a. Before filing an application with the department, the applicant shall hold a
7229 community meeting in accordance with K.C.C. 20.20.035.

7230 b. As part of permit application submittal for non-hydroelectric generation
7231 facilities, the applicant shall submit the following documentation:

7232 (1) an inventory of similar existing facilities in King County and neighboring
7233 counties, including their locations and capacities;

7234 (2) a report demonstrating that the facility would serve a significant portion
7235 of the county, metropolitan region, or is part of a statewide or national system;

7236 (3) a forecast of the future needs for the facility;

7237 (4) an ~~((analysis of the potential social and economic impacts and benefits to
7238 jurisdictions and local communities receiving or surrounding the facility))~~ equity impact
7239 review of the proposal using tools developed by the office of equity and racial and social
7240 justice. The results from the equity impact review shall be used to assess equity impacts
7241 and opportunities during county permit review and may be used to inform determinations
7242 of project approval;

7243 (5) an analysis of alternatives to the facility, including location, conservation,
7244 demand management, and other strategies;

7245 (6) an analysis of economic and environmental impacts, including mitigation,
7246 of any similar existing facilities and of any new site~~((s))~~ or sites under consideration as
7247 an alternative to expansion of an existing facility;

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7248 (7) an extensive public involvement strategy (~~(which)~~ that strives to
7249 effectively engage a wide range of racial, ethnic, cultural, and socioeconomic groups,
7250 including communities that are the most impacted; and

7251 (8) considered evaluation of any applicable prior review conducted by a
7252 public agency, local government or (~~(stakeholder group)~~) interested party; and

7253 (9) a greenhouse gas impact analysis prepared by the applicant, the results of
7254 which shall be used to identify and mitigate the impacts of such facilities.

7255 c.(1) As part of permit application submittal, an applicant shall demonstrate
7256 financial responsibility in an amount necessary to compensate for decommissioning, and
7257 for the maximum damages that might occur from an explosion resulting from a worst-
7258 case release, as defined in 40 C.F.R. Sec. 68.3, of flammable gases and flammable
7259 liquids.

7260 (2) The amount of financial responsibility needed to compensate for damages
7261 that might occur from an explosion shall be as determined by the director based on a
7262 study of the maximum damages. The study shall:

7263 (a) incorporate the volume of oils, gases, refrigerants, and other flammable
7264 or explosive chemicals stored, used, or generated within the facility;

7265 (b) consider such matters as: the frequency of facility operations; facility
7266 layout and vegetation that could cause flammable vapor accumulation; the damages that
7267 could result from the explosion to public and private structures on-site and off-site, public
7268 infrastructure and environmental resources and functions; and the potential loss of life
7269 and injury to persons on-site and to members of the public;

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7270 _____ (c) include modeling and disclosure of a nil or very low wind condition
7271 vapor cloud explosion scenario;
7272 _____ (d) be prepared by a person accredited in vapor cloud explosion analysis, or
7273 an equally qualified individual as authorized by the director, at the applicant's expense;
7274 and
7275 _____ (e) undergo third-party validation by a qualified entity to be hired upon
7276 mutual agreement of the applicant and the department, at the applicant's expense.
7277 _____ (3) The amount of financial responsibility necessary to compensate for
7278 facility decommissioning shall be determined by the director based on a
7279 decommissioning plan for the closure of the facility. The plan shall include, but need not
7280 be limited to, the following:
7281 _____ (a) listing of the hazardous substances, as defined in RCW 70A.305.020,
7282 that will be stored, handled, or generated within the facility; the range of potential release
7283 volumes requiring cleanup in the event of failures of technological or safety catchment
7284 features; and whether such releases have the potential to contaminate groundwater or
7285 surface waters on or adjacent to the site;
7286 _____ (b) the range of cleanup activities that would be required to address such
7287 hazardous substances;
7288 _____ (c) detailed estimates of the cost to implement the plan, including
7289 conducting cleanup and facility closure, based on the cost of hiring a third party to
7290 conduct all activities. All cost estimates (~~must~~) shall be in current dollars and may not
7291 include a net present value adjustment or offsets for salvage value of wastes or other
7292 property; and

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7293 ~~_____ (d) methods for estimating closure costs.~~
7294 ~~_____ (4)(a) Financial responsibility shall be provided for the duration of facility~~
7295 ~~operations, to be verified in the periodic review of the facilities required by subsection~~
7296 ~~B.29.d. of this section. Financial responsibility required by this subsection B.29.c. may~~
7297 ~~be established by any one of, or a combination of, the following methods acceptable to~~
7298 ~~the department:~~
7299 ~~_____ i. evidence of insurance;~~
7300 ~~_____ ii. surety bonds issued by a bonding company authorized to do business in~~
7301 ~~the United States; ~~(and)~~ or~~
7302 ~~_____ iii. other evidence of financial responsibility deemed acceptable by the~~
7303 ~~department.~~
7304 ~~_____ (b) Self-bonding, as defined by 30 C.F.R. Sec. 800.5, shall not be an accepted~~
7305 ~~method of providing financial responsibility.~~
7306 ~~_____ (5) Where enforcement of this subsection B.29.c. would conflict with chapter~~
7307 ~~36.32 RCW, the director may request the applicant to sign an agreement to complete~~
7308 ~~retention of required financial responsibility consistent with K.C.C. 27A.30.060, in an~~
7309 ~~amount equivalent to that indicated by the study of the damages, prior to the issuance of a~~
7310 ~~clearing and grading permit.~~
7311 ~~_____ d. Non-hydroelectric generation facilities shall be subject to a periodic review~~
7312 ~~meeting the same standards given in K.C.C. 21A.22.050.—— e. As part of permit~~
7313 ~~application submittal, a greenhouse gas impact analysis shall be prepared by the~~
7314 ~~applicant. The results of this analysis shall be used to identify and mitigate the impacts~~
7315 ~~of such facilities.~~

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7316 30.a. For all search and rescue facilities:
 7317 (1) the minimum lot size is four and one half acres;
 7318 (2) structures and parking areas for search and rescue facilities shall maintain
 7319 a minimum distance of seventy-five feet from interior lot lines that adjoin ~~((rural area and~~
 7320 ~~residential)) RA, UR, and R~~ zones, unless located in a building designated as historic
 7321 resource under K.C.C. chapter 20.62;
 7322 (3) use of the search and rescue facility is limited to activities directly relating
 7323 to the search and rescue organization, except that the facility may be used by law
 7324 enforcement and other public emergency responders for training and operations related to
 7325 search and rescue activities; and
 7326 (4) the applicant ~~((must)) shall~~ demonstrate the absence of existing search and
 7327 rescue facilities that are adequate to conduct search and rescue operations in the rural
 7328 area.
 7329 b. A special use permit is required when helicopter fueling, maintenance, or
 7330 storage is proposed.

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7331 SECTION ~~440155~~. Ordinance 10870, Section 340, as amended, and K.C.C.
 7332 21A.12.030 are hereby amended to read as follows:

7333 A. Densities and dimensions – residential and rural zones.

((RURAL))	RURAL AREA				RESIDENTIAL								
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	c	c	(28)	(28)	(21)	ac	ac	(6)	(6)	c	c	c	
(15) ((28))	(28)	(28)					(6)						

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Maximum	0.4					1.5	6	9	12	18	27	36	72
Density:	du/a					du/ac	du/	du/ac	du/ac	du/a	du/a	du/a	du/ac
Dwelling	c					(221)	ac	(221)	(221)	c	c	c	(221)
Unit/Acre	(20)					((422))	((422))	12	16	(221)	(221)	(221)	96
((41))						((41))	du/ac	du/ac	)	)	)	du/ac	
							8	(27)	(27)	24	36	48	(27)
							du/	(34)	(34)	du/a	du/a	du/a	(34)
							ac			c	c	c	
							(27)			(27)	(27)	(27)	
							(34)			(34)	(34)	(34)	
Minimum							85%	85%	85%	80%	75%	70%	65%
Density:							(12)	(12)	(12)	((41)	((41)	((41)	((418)
(2)							((418))	((418))	((418))	((8))	((8))	((8)))
)))				
							(23)						
Minimum Lot	1.87	3.75	7.5	15 ac			10,00						
Area (13)	5 ac	ac	ac				0 sf						
							(3430)						
)						
Minimum Lot	135	135	135	135 ft	35 ft	35 ft	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft
Width	ft	ft	ft		(7)	(7)							
(3)													
Minimum Street	30	30	30ft	30 ft	30 ft	20 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10ft	10 ft
Setback	ft	ft	(9)	(9)	(7)	(7)	(8)	(8)	(8)	(8)	(8)	(8)	(8)
(3)	(9)	(9)				((29))	((29))			(30)	(30)	(30)	(30)
)	#						
							(31))						
Minimum	5 ft	10ft	10 ft	10 ft	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft
Interior	(9)	(9)	(9)	(9)	(7)	(7)	((40)		(30)	((41)	((41)	((41)	((410)
Setback						((29))	#			(30)	(30)	(30))
(3) (16)						)	(31))			(30)	(30)	(30)	(30)
									(33)	(33)	(33)	(33)	
Base Height	40	40	40 ft	40 ft	35 ft	35 ft	35 ft	35 ft	35 ft	60 ft	60 ft	60 ft	60 ft
(25a)	ft	ft				((29))	((25))	((25))	((25))				

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)	#	#	#				
							(25a)	(25a)	(25a)				
))))				
Maximum Height (25b) (31)	75 ft (4)	75 ft (4)	75 ft (4)	75 ft (4)	75 ft (4)	75 ft (4)	45 ft (25b) (14c)	45 ft (25b) (14)	45 ft (25b) (14)	65 ft (18)	75 ft (4)	75 ft (4)	75 ft (4)
							45 ft (14c)	45 ft (25b) (14)	45 ft (25b) (14)	75 ft (4)	80 ft (4)	80 ft (4)	80 ft (4)
							35 ft (32)	35 ft (14) (32)	35 ft (25b) (14)	35 ft (25b) (14)	4) (32)	4) (18)	4) (18)
							75 ft (4)	75 ft (4)	75 ft (4)				
							35 ft (32)	35 ft (32)	35 ft (32)				
Maximum Impervious Surface: Percentage (5) (26)	25% (11)	20% (11)	15% (19)	12.5% (19)	30% (11)	30% (11)	55% ((26))	70% ((26))	75% ((26))	85% ((2))	85% ((2))	85% ((2))	90% ((26))
)))	6) (30)	6) (30)	6) (30)) (30)
)))				
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7334 B. Development conditions.

7335 1. ~~This maximum density may be achieved only through the application of:~~

7336 a. ~~(residential density incentives in accordance with K.C.C. chapter 21A.34~~

7337 ~~or) transfer(s) of development rights in accordance with K.C.C. chapter 21A.37, (or~~

7338 ~~any combination of density incentive or density transfer) except for properties within the~~

7339 ~~Skyway-West Hill or North Highline community service area subarea geographies; (or)~~

7340 b. ~~(for properties within the Skyway West Hill or North Highline community~~

7341 ~~service area subarea geographies, only as provided in the) the inclusionary housing~~

7342 ~~(regulations) program in accordance with K.C.C. chapter 21A.48;~~

7343 c. K.C.C. 21A.08.030.B.1219; or

7344 d. a one hundred and fifty percent bonus as allowed in subsection B.22.e. of

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7345 ~~this section~~ development of nine or fewer units on a site located within a half-mile
7346 ~~walkshed of a high-capacity or frequent transit stop as mapped by the Metro transit~~
7347 ~~department.~~

7348 2. Also see K.C.C. 21A.12.060 ~~and K.C.C. 21A.12.085.~~

7349 3. These standards may be modified under the provisions for zero-lot-line and
7350 townhouse developments.

7351 4.a. ~~((Portions of a))~~ ~~A nonresidential~~ structure may exceed the base height if
7352 one additional foot of street and interior setback is provided for each foot above the base
7353 height ~~((limit))~~. The following restrictions apply:

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7354 (1) for netting or fencing and support structures for the netting or fencing
7355 used to contain golf balls in the operation of golf courses or golf driving ranges, the
7356 maximum height shall not exceed seventy-five feet, except for recreation or multiuse
7357 parks, where the maximum height shall not exceed one hundred twenty-five feet, unless a
7358 golf ball trajectory study requires a higher fence. All such netting, fencing, and support
7359 structures are exempt from the additional interior setback requirement, regardless of
7360 whether located in a recreation or multiuse park;

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7361 (2) properties ~~((within the Skyway West Hill or North Highline community~~
7362 ~~service area subarea geographies))~~ with inclusionary housing developed in accordance
7363 with K.C.C. chapter 21A.48 shall not increase height through this method; and

7364 (3) for all other structures, the maximum height achieved through this method
7365 shall not exceed seventy-five feet.

7366 b. Accessory dwelling units and accessory living quarters shall not exceed base
7367 heights, except that this requirement shall not apply to accessory dwelling units

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7368 constructed wholly within an existing dwelling unit.

7369 5. Applies to each individual lot. Impervious surface area standards for:

7370 a. Regional uses shall be established at the time of permit review;

7371 b. Nonresidential uses in ~~((rural area and residential))~~ RA, UR, and R zones

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7372 shall comply with K.C.C. 21A.12.120 and 21A.12.220;

7373 c. Individual lots in the R-4 through R-6 zones that are less than nine thousand
7374 seventy-six square feet in area shall be subject to the applicable provisions of the nearest
7375 comparable R-6 or R-8 zone; and

7376 d. A lot may be increased beyond the total amount ~~((permitted))~~ allowed in this
7377 chapter subject to approval of a conditional use permit.

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7378 6. ~~((Mobile))~~ Manufactured and mobile home ~~((parks))~~ communities shall be
7379 allowed a base density of ~~((six))~~ twelve dwelling units per acre.

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7380 7. The standards of the R-4 zone apply if a lot is less than fifteen thousand
7381 square feet in area.

7382 8. At least twenty linear feet of driveway shall be provided between any garage,
7383 carport, or other fenced parking area and the street property line. The linear distance
7384 shall be measured along the center line of the driveway from the access point to such
7385 garage, carport, or fenced area to the street property line.

7386 9.a. Residences shall have a setback of at least one hundred feet from any
7387 property line adjoining A, M, or F zones or existing extractive operations. However,
7388 residences on lots less than one hundred fifty feet in width adjoining A, M, or F zones or
7389 existing extractive operations shall have a setback from the rear property line equal to
7390 fifty percent of the lot width and a setback from the side property equal to twenty-five

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7391 percent of the lot width.

7392 b. Except for residences along a property line adjoining A, M, or F zones or
7393 existing extractive operations, lots between one acre and two and one-half acres in size
7394 shall conform to the requirements of the R-1 zone and lots under one acre shall conform
7395 to the requirements of the R-4 zone.

7396 10. ~~(a. For developments consisting of three or more single detached dwellings
7397 located on a single parcel, the setback shall be ten feet along any property line abutting
7398 R-1 through R-8, RA, and UR zones, except for structures in on-site play areas required
7399 in K.C.C. 21A.14.190, which shall have a setback of five feet.~~

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7400 ~~b. For townhouse and apartment development, the setback shall be twenty feet
7401 along any property line abutting R-1 through R-8, RA, and UR zones, except for
7402 structures in on-site play areas required in K.C.C. 21A.14.190, which shall have a setback
7403 of five feet, unless the townhouse or apartment development is adjacent to property upon
7404 which an existing townhouse or apartment development is located.)~~ Repealed.

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7405 11. Lots smaller than one-half acre in area shall comply with standards of the
7406 nearest comparable R-4 through R-8 zone. For lots that are one-half acre in area or
7407 larger, the maximum impervious surface area allowed shall be at least ten thousand
7408 square feet. On any lot over one acre in area, an additional five percent of the lot area
7409 may be used for buildings related to agricultural or forestry practices. For lots smaller
7410 than two acres but larger than one-half acre, an additional ten percent of the lot area may
7411 be used for structures that are determined to be medically necessary, if the applicant
7412 submits with the permit application a notarized affidavit, conforming with K.C.C.
7413 21A.32.170A.2.

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7414 12. For purposes of calculating minimum density, the applicant may request that
7415 the minimum density factor be modified based upon the weighted average slope of the
7416 net buildable area of the site in accordance with K.C.C. 21A.12.087.

7417 13. The minimum lot area does not apply to lot clustering proposals as provided
7418 in K.C.C. chapter 21A.14, ~~except in the Rural Town of Fall City between the effective~~
7419 ~~date of Ordinance 19690 and thirteen months after the effective date of Ordinance 19690.~~

7420 14. This maximum height is only allowed as follows:

7421 a. ~~((in R-6 and R-8 zones,))~~ for a building with a footprint built on slopes
7422 exceeding a fifteen percent finished grade; ~~((and))~~

7423 b. ~~((in R-18, R-24, and R-48 zones, only through application of:~~
7424 ~~(1) ((for properties within the Skyway West Hill or North Highline~~
7425 ~~community service area subarea geographies, only if meeting the requirements of))~~

7426 ~~through the inclusionary housing regulations in accordance with K.C.C. chapter 21A.48;~~
7427 or

7428 ~~((2) ((for all other properties, using residential density incentives and))~~
7429 ~~transfer of ((density credits)) development rights in accordance with ((this title)) K.C.C.~~
7430 ~~chapter 21A.37, except for properties within the Skyway West Hill or North Highline~~
7431 ~~community service area subarea geographies.))~~

7432 c. A structure may exceed the base height if one additional foot of street and
7433 interior setback is provided for each foot above the base height.

7434 15. Density applies only to dwelling units and not to sleeping units.

7435 16. Vehicle access points from garages, carports, or fenced parking areas shall
7436 be set back from the property line on which a joint use driveway is located to provide a

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7437 straight line length of at least twenty-six feet as measured from the center line of the
7438 garage, carport, or fenced parking area, from the access point to the opposite side of the
7439 joint use driveway.

7440 17.a. Clustering consistent in accordance with K.C.C. 21A.14.0040 shall be
7441 required for ((All)) subdivisions and short subdivisions in the R-1 zone ((shall be
7442 required to be clustered)) if the property is located within or contains:

- 7443 (1) ((a floodplain)) alluvial fan hazard areas;
- 7444 (2) ((a)) critical aquifer recharge area;
- 7445 (3) ((a regionally or locally significant resource area)) moderate or severe
7446 coal mine hazard areas;
- 7447 (4) flood hazard areas;
- 7448 (5) landslide hazard areas;
- 7449 (6) the riparian area of a type S or F aquatic area;
- 7450 (7) steep slope hazard area;
- 7451 (8) category I or II wetlands or their buffers;
- 7452 (9) existing or planned public parks or trails, or connections to such facilities;
- 7453 ((5) a category type S or F aquatic area or category I or II wetland;
- 7454 (6) a steep slope; or
- 7455 (7)) (10) an urban separator or wildlife habitat network designated by the
7456 Comprehensive Plan ((or a community plan)).

7457 b. The development shall be clustered away from critical areas or the axis of
7458 designated corridors such as urban separators or the wildlife habitat network to the extent
7459 possible and the open space shall be placed in a separate tract ((that includes at least fifty

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7460 percent of the site)). Open space tracts shall be permanent and shall be dedicated to a
7461 ((homeowner's)) homeowners association or other suitable organization, as determined
7462 by the director, and meet the requirements in K.C.C. 21A.14.040. On-site critical area
7463 and buffers and designated urban separators shall be placed within the open space tract to
7464 the extent possible. Passive recreation, with no development of recreational facilities,
7465 and natural-surface pedestrian and equestrian trails are acceptable uses within the open
7466 space tract.

7467 18. ~~((See K.C.C. 21A.12.085.))~~ Only through application of:
7468 a. inclusionary housing regulations in accordance with K.C.C. chapter 21A.48;
7469 or
7470 b. transfer of development rights in accordance with K.C.C. chapter 21A.37,
7471 except for properties within the Skyway-West Hill or North Highline ~~community service~~
7472 area-subarea geographies.

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7473 19. All subdivisions and short subdivisions in R-1 and RA zones within the
7474 North Fork and Upper Issaquah Creek subbasins of the Issaquah Creek Basin (the North
7475 Fork and Upper Issaquah Creek subbasins are identified in the Issaquah Creek Basin and
7476 Nonpoint Action Plan) and the portion of the Grand Ridge ~~((subarea of the East
7477 Sammamish Community Planning Area))~~ area of the Snoqualmie Valley/Northeast King
7478 County Community Service Areasubarea geography that drains to Patterson Creek shall
7479 have a maximum impervious surface area of eight percent of the gross acreage of the plat.
7480 Distribution of the allowable impervious area among the platted lots shall be recorded on
7481 the face of the plat. Impervious surface of roads need not be counted towards the
7482 allowable impervious area. Where both lot- and plat-specific impervious limits apply, the

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7483 more restrictive shall be required.

7484 20. This density may only be achieved on RA-2.5 zoned parcels receiving
7485 density from rural forest focus areas through a transfer of density credit ~~((pursuant to))~~
7486 under K.C.C. chapter 21A.37.

7487 21. Base density may be exceeded, if the property is located in a designated
7488 ~~((rural city or))~~Urban ~~((g))~~Growth ~~((a))~~Area for Cities in the Rural Area and each
7489 proposed lot contains an occupied legal residence that predates 1959.

7490 22. ~~((a. The maximum density is four dwelling units per acre for properties
7491 zoned R-4 when located in the Rural Town of Fall City.~~

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7492 ~~((b. For properties within the Skyway West Hill or North Highline
7493 ((community service area)) subarea geographies, only as provided in the inclusionary
7494 housing regulations in K.C.C. chapter 21A.48 or subsection B.22.c. of this section.))~~

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7495 Repealed.

7496 ~~c. In the R-1 through R-48 zones, for duplex, triplex, fourplex, or townhouse
7497 developments with nine or fewer units and when located within a half mile of high
7498 capacity or frequent transit as defined in the King County Countywide Planning Policies.~~

7499 23. ~~((The subdivision or short subdivision of property within the Rural Town of
7500 Fall City is not required to meet with the minimum density requirements of this chapter.))~~

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7501 Repealed.

7502 24. The impervious surface standards for the county fairground facility are
7503 established in the King County Fairgrounds Site Development Plan, Attachment A to
7504 Ordinance 14808, on file at the department of natural resources and parks and the
7505 department of local services, permitting division. Modifications to that standard may be

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7506 allowed provided the square footage does not exceed the approved impervious surface
7507 square footage established in the King County Fairgrounds Site Development Plan
7508 Environmental Checklist, dated September 21, 1999, Attachment B to Ordinance 14808,
7509 by more than ten percent.

7510 25. For cottage housing developments only:

7511 a. The base height is twenty-five feet.

7512 b. Buildings that have pitched roofs with a minimum slope of six over twelve
7513 may achieve a maximum height of thirty feet at the ridge of the roof.

7514 26. Impervious surface does not include access easements serving neighboring
7515 property and driveways to the extent that they extend beyond the street setback due to
7516 location within an access panhandle or due to the application of King County Code
7517 requirements to locate features over which the applicant does not have control.

7518 27. Only through the application of:

7519 ~~a. ((For properties within the Skyway West Hill or North Highline ((community~~
7520 ~~service area)) subarea geographies, only in accordance with the)) the inclusionary~~
7521 ~~housing ((regulations)) program in K.C.C. chapter 21A.48((;)) or~~

7522 b. ~~((For all other properties, only for:~~

7523 ~~(1) in accordance with ((K.C.C. 21A.34.040.F.1.g., F.6.)) the K.C.C. chapter~~
7524 ~~21A.48; or~~

7525 ~~(2) a project using the transfer of development rights affordable housing pilot~~
7526 ~~program in accordance with K.C.C. 21A.37.130.A.2., except for properties within the~~
7527 ~~Skyway West Hill or North Highline community service area subarea geographies.~~

7528 28. On a site zoned RA with a building listed ~~((en))~~ in the ~~((n))~~ National

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7529 ((#))Register of ((#))Historic ((#))Places, additional dwelling units in excess of the
7530 maximum density may be allowed under K.C.C. 21A.12.042.

7531 29. Height and setback requirements shall not apply to regional transit authority
7532 facilities.

7533 30. Properties within the North Highline ~~((community service area))~~ subarea
7534 geography shall meet the setback and GreenCenter requirements in K.C.C. chapter
7535 ~~21A.60~~~~21A.XX~~ ~~(the new chapter created in section 8 of Ordinance 19687).~~

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7536 ~~((3130. Applies only in the Rural Town of Fall City between the effective date
7537 of Ordinance 19690 and thirteen months after the effective date of Ordinance 19690.))~~

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7538 ~~3231. For p~~Properties in the Vashon Rural Town shall have a maximum height
7539 limit of three stories not to exceed forty feet. Floors above two stories shall be set back at
7540 least an additional ten feet from the ~~setbacks-street property line~~ in this section.

7541 ~~33. A safe parking site shall be setback at least ten feet from adjacent residential
7542 uses and R-zoned properties.~~

7543 ~~33. A safe parking site shall be setback at least ten feet from adjacent residential
7544 uses and R-zoned properties.~~

7545 ~~34. If served by public sewers, mobile-manufactured home parks can have one
7546 additional unit per mobile-manufactured home parking space or pad provided for the
7547 relocation of a mobile-manufactured home that has been or will be displaced due to
7548 closure of a mobile-manufactured home park in King County, up to the maximum density
7549 allowed for the zone.~~

7550 SECTION ~~111~~156. Ordinance 10870, Section 341, as amended, and K.C.C.
7551 21A.12.040 are hereby amended to read as follows:

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7552

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

STANDARD 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		4 du/ac (1)	4 du/ac (1)	(36 du/ac (2))	4 du/ac (1)	
Maximum Density: Dwelling Unit/Acre					12 du/ac (3)	72 du/ac ((16)) (3)	(48 du/ac (3))	4 du/ac (1)	
					16 du/ac (15)	96 du/ac ((17)) (16)	72 du/ac ((16)) (3)	72 du/ac ((16)) (3)	
							96 du/ac ((17)) (316)	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 (7) (21)	20 ft (7) (21)	20 ft (7) (21)	20 ft (7) (7) (21) (8)

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Base Height	35 ft	35 ft	35 ft	35 ft	35 ft	35 ft	35 ft	35 ft (24) 45 ft	35 ft (24) 45 ft
Maximum Height (17)	75 ft (10)	75 ft (10)	75 ft (10)	75 ft (10)	4035 ft (2422) 45 ft (6) 65 ft ((20)) (15) 75 ft (10)	4035 ft (2422) 60 ft (6) 65 ft ((17)) (2016) 75 ft (10) 80 ft ((20)) (15)	4035 ft (2422) 65 ft (6) 75 ft (10) 85 ft ((20)) (15)	4035 ft (2422) 65 ft (6) 75 ft (10) 85 ft ((20)) (15)	403 5 ft (242 2) 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 % 35 % (11)	10% 35% (11)	10% 35% (11)	85% (21)	85% (21)	90% (21)	75% (21)	90%	

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7553 B. Development conditions.
7554 1. ((In the RB zone on property located within the Potential Annexation Area of
7555 a rural city, this density is not allowed.)) For properties with a designation of rural
7556 neighborhood commercial center through the application of mixed-use development
7557 standards. Such properties shall not exceed this base density except under subsection

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7558 B.2.c. of this section.

7559 2. These densities are allowed only in:

7560 a. ~~in~~ the urban area and rural towns through the application of mixed-use

7561 development standards; ~~((and,))~~

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7562 b. ~~((in))~~ the NB zone on property in the urban area designated commercial

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7563 outside of center, for stand-alone townhouse development; and

7564 c. the rural area outside of rural towns on historic properties within existing

7565 buildings listed in the National Register of Historic Places or designated as a King

7566 County landmark, for multiunit residential uses.

7567 3. ~~((These densities may only be achieved))~~ Only through the application of:

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7568 a. ~~((for properties within the Skyway West Hill or North Highline community~~

7569 ~~service area subarea geographies,)) as provided in))~~ the inclusionary housing

7570 ~~((regulations))~~ program in K.C.C. chapter 21A.48; ~~((or))~~

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7571 b. ~~((for all other properties,))~~ through the application of ~~((residential density~~

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7572 ~~incentives or))~~ transfer of development rights ~~((in mixed-use developments ((and,))~~ in the

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7573 urban area or rural towns in accordance with K.C.C. chapter 21A.37, except for

7574 properties within the Skyway-West Hill or North Highline ~~community service area~~

7575 subarea geographies; ~~or~~

7576 e. ~~((in the NB zone on property in the urban area designated commercial~~

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7577 outside of center, for stand-alone townhouse development. ~~((See K.C.C. chapters 21A.34~~

7578 and 21A.37.))

7579 4.a. in the F zone, scaling stations may be located thirty-five feet from property

7580 lines. Residences shall have a setback of at least thirty feet from all property lines.

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7581 b. for lots between one acre and two and one-half acres in size, the setback
7582 requirements of the R-1 zone shall apply. For lots under one acre, the setback
7583 requirements of the R-4 zone shall apply.

7584 ~~((e. for developments consisting of three or more single detached dwellings~~
7585 ~~located on a single parcel, the setback shall be ten feet along any property line abutting~~
7586 ~~R-1 through R-8, RA, and UR zones.))~~

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7587 5. Gas station pump islands shall be placed no closer than twenty-five feet to
7588 street front lines.

7589 6. This maximum height allowed only for:

7590 a. mixed-use developments; and

7591 b. ~~((for))~~ stand-alone townhouse development in the NB zone on property
7592 designated commercial outside of center in the urban area.

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7593 7. Required on property lines adjoining ~~((rural area and residential))~~ RA, UR,
7594 and R zones.

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7595 8. Required on property lines adjoining ~~((rural area and residential))~~ RA, UR,
7596 and R zones for industrial uses established by conditional use permits.

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7597 9. The floor-to-lot ratio for ~~((mixed-use))~~ mixed-use developments shall
7598 conform to K.C.C. chapter 21A.14 or ~~((if meeting the requirements of))~~ K.C.C. chapter
7599 21A.48.

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7600 10. Portions of a structure may exceed the base height if one additional foot of
7601 street and interior setback is provided for each foot above the base height, up to a
7602 maximum of seventy-five feet. The following restrictions apply:

7603 a. ~~((for))~~ netting or fencing, and support structures for the netting or fencing

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7604 used to contain golf balls in the operation of golf courses or golf driving ranges ~~((the~~
7605 ~~maximum height shall not exceed seventy five feet. All such netting, fencing, and~~
7606 ~~support structures))~~ are exempt from the additional interior setback requirement; and

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7607 b. properties ~~((within the Skyway West Hill or North Highline community~~
7608 ~~service area subarea planning geographies))~~ with inclusionary housing developed in
7609 accordance with K.C.C. chapter 21A.48 shall not increase height through this method;

7610 and

7611 ~~((e. ((mixed use developments outside the Skyway West Hill or North~~
7612 ~~Highline community service subarea geographies are not subject to a height restriction~~
7613 ~~when using this method; and~~

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7614 ~~d.))~~ for all other structures, the maximum height achieved through this method
7615 shall not exceed seventy five feet)).

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7616 11. Applicable only to lots containing less than one acre of lot area.

7617 Development on lots containing less than fifteen thousand square feet of lot area shall be
7618 governed by impervious surface standards of the nearest comparable R-4 through R-8
7619 zone.

7620 12. See K.C.C. 21A.22.060 for setback requirements in the mineral zone.

7621 13. The impervious surface area for any lot may be increased beyond the total
7622 amount ~~((permitted))~~ allowed in this chapter subject to approval of a conditional use
7623 permit.

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7624 14. Required on property lines adjoining ~~((rural area and residential))~~ RA, UR,
7625 and R zones unless a stand-alone townhouse development on property designated
7626 commercial outside of center in the urban area is ~~((proposed to be located))~~ adjacent to

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7627 property upon which an existing townhouse development is located.

7628 15. ~~((a. For properties within the Skyway West Hill or North Highline~~
7629 ~~community service area subarea geographies, e))~~ Only through the application of ~~((as~~
7630 ~~provided in))~~ the inclusionary housing ~~((regulations))~~ program in K.C.C. chapter 21A.48.
7631 b. ~~For all other properties, only ((as provided for walkable communities under~~
7632 ~~K.C.C. 21A.34.040.F.8. well served by transit or))~~ for a mixed use ~~((development~~
7633 ~~through the application of rural area and residential density incentives under K.C.C.~~
7634 ~~21A.34.040.F.1.g.))~~ in accordance with K.C.C. chapter 21A.48.

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7635 16. Only through the application of:

7636 ~~((a. ((For properties within the Skyway West Hill or North Highline~~
7637 ~~((community service area)) subarea geographies, only as provided in))~~ the inclusionary
7638 housing ~~((regulations in))~~ program in K.C.C. chapter 21A.48~~((; or~~
7639 b. ~~((For all other properties, only for mixed use development through the~~
7640 ~~application of ((residential density incentives under K.C.C. chapter 21A.34))~~ inclusionary
7641 housing regulations in accordance with K.C.C. chapter 21A.48 ~~or the))~~ transfer of
7642 development rights affordable housing pilot program ~~((under))~~ in the urban areas and
7643 rural towns in accordance with K.C.C. ((chapter)) 21A.37.130.A.2. ~~((In the RB zone on~~
7644 ~~property located within the Potential Annexation Area of a rural city, this density is not~~
7645 ~~allowed.))~~

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7646 17. ~~((a. For properties within the Skyway West Hill or North Highline~~
7647 ~~((community service area)) subarea geographies, only as provided in the inclusionary~~
7648 ~~housing regulations in K.C.C. chapter 21A.48.~~

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7649 b. For properties in Snoqualmie Pass Rural Town developed under K.C.C.

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7650 ~~chapter 21A.48.~~
7651 ~~e.~~ For all other properties, only for mixed-use development through the
7652 application of ~~((residential density incentives under K.C.C. chapter 21A.34))~~ inclusionary
7653 housing regulations in accordance with K.C.C. chapter 21A.48 or the transfer of
7654 development rights ~~((under))~~ in urban areas and rural towns in accordance with K.C.C.
7655 ~~chapter 21A.37.)~~ Upper-level setbacks are required for any facade facing a pedestrian
7656 street for any portion of the structure greater than forty-five feet in height. The upper-
7657 level setback shall be at least one foot for every two feet of height above forty-five feet,
7658 up to a maximum required setback of fifteen feet. The first four feet of horizontal
7659 projection of decks, balconies with open railings, eaves, cornices, and gutters shall be
7660 ~~((permitted))~~ allowed in required setbacks. ~~((In the RB zone on property located within~~
7661 ~~the Potential Annexation Area of a rural city, this density is not allowed.))~~

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7662 18. Required on property lines adjoining ~~((rural area and residential))~~ RA, UR,
7663 and R zones only for a social service agency office reusing a residential structure in
7664 existence on January 1, 2010.

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7665 19. On a site zoned A with a building designated as a county landmark in
7666 accordance with the procedures in K.C.C. 20.62.070, additional dwelling units in excess
7667 of the maximum density may be allowed under K.C.C. 21A.12.042.

7668 20. This maximum height allowed only for properties ~~((within the Skyway West~~
7669 ~~Hill or North Highline community service area subarea geographies, if meeting the~~
7670 ~~requirements of))~~ in the Snoqualmie Pass Rural Town developed with inclusionary
7671 housing developed in accordance with under K.C.C. chapter 21A.48.

7672 21. Properties within the North Highline ~~((community service area))~~ subarea

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7673 geography shall meet the setback and GreenCenter requirements in K.C.C. chapter

7674 21A. ~~XX 60~~ (the new chapter created in section 8 of Ordinance 19687).

7675 ~~22. Only when consistent with 21A.08.030.B.19.~~

7676 ~~23. A safe parking site shall be setback at least ten feet from adjacent residential~~

7677 ~~uses and R-zoned properties.~~

7678 ~~2422. P~~For properties in Vashon Rural Town shall have a maximum height limit

7679 of three stories, not to exceed forty feet. Floors above two stories shall be set back at

7680 least an additional ten feet from the street property line setbacks in this section.

7681 SECTION ~~112157~~. Ordinance 10870, Section 344, as amended, and K.C.C.

7682 21A.12.070 are hereby amended to read as follows:

7683 ~~(Permitted)~~ Allowed number of units, ~~((ø))~~ lots, or floor area shall be

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7684 determined as follows:

7685 A. The allowed number of dwelling units or lots ~~((ø))~~, which is "base

7686 density~~((ø))~~," shall be computed by multiplying the site area specified in K.C.C.

7687 21A.12.080 by the applicable residential base density number;

7688 B. The maximum density (unit or lot) limits shall be computed by adding the

7689 bonus or transfer units authorized by K.C.C. chapters ~~((21A.34,))~~ 21A.37 and 21A.48 to

7690 the base units computed under subsection A. of this section;

7691 C. The allowed floor area, which excludes structured or underground parking

7692 areas and areas housing mechanical equipment, shall be computed by applying the floor-

7693 to-lot area ratio to the project site area specified in K.C.C. 21A.12.080;

7694 D. If calculations result in a fraction, the fraction shall be rounded to the nearest

7695 whole number as follows, except as provided in subsection E. of this section and K.C.C.

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7696 21A.48.050:

7697 1. Fractions of 0.50 or above shall be rounded up; and

7698 2. Fractions below 0.50 shall be rounded down; and

7699 E. For subdivisions and short subdivisions in the RA and A zones, rounding up of

7700 the number of development units or lots is not allowed.

7701 SECTION 158. Ordinance 10870, Section 354, as amended, and K.C.C.

7702 21A.12.170 are hereby amended to read as follows:

7703 Provided that the required setbacks from regional utility corridors of K.C.C.

7704 21A.12.140, the adjoining half-street or designated arterial setbacks of K.C.C.

7705 21A.12.160, and the sight distance requirements of K.C.C. 21A.12.210 are maintained,

7706 structures may extend into or be located in required setbacks, including setbacks as

7707 required by K.C.C. 21A.12.220.B, as follows:

7708 A. Fireplace structures, bay or garden windows, enclosed stair landings, closets,

7709 or similar structures may project into any setback, provided such projections are:

7710 1. Limited to two per facade;

7711 2. Not wider than ten feet; and

7712 3. Not more than twenty-four inches into an interior setback or thirty inches into

7713 a street setback;

7714 B. Uncovered porches and decks that exceed eighteen inches above the finished

7715 grade may project:

7716 1. Eighteen inches into interior setbacks; and

7717 2. Five feet into the street setback;

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7718 C. Uncovered porches and decks not exceeding eighteen inches above the
7719 finished grade may project to the property line;
7720 D. Eaves may not project more than:
7721 1. Eighteen inches into an interior setback;
7722 2. Twenty-four inches into a street setback; or
7723 3. Eighteen inches across a lot line in a zero-lot-line development;
7724 E. Fences with a height of six feet or less may project into or be located in any
7725 setback;
7726 F. Rockeries, retaining walls, and curbs may project into or be located in any
7727 setback. Except for structures that cross the setback perpendicularly to property lines or
7728 that abut a critical area, these structures:
7729 1. Shall not exceed a height of six feet in the R-1 through R-18, UR, RA, and
7730 resource zones;
7731 2. Shall not exceed a height of eight feet in the R-24 and R-48 zones; and
7732 3. Shall not exceed the building height for the zone in commercial/industrial
7733 zones, measured in accordance with the standards established in the King County
7734 Building Code, K.C.C. Title 16;
7735 G. Fences located on top of rockeries, retaining walls, or berms are subject to the
7736 requirements of K.C.C. 21A.14.220;
7737 H. Telephone, power, light, and flag poles;
7738 I. The following may project into or be located within a setback, but may only
7739 project into or be located within a five-foot interior setback area if an agreement
7740 documenting consent between the owners of record of the abutting properties is recorded

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7741 with the records and licensing services division prior to the installment or construction of
7742 the structure:

7743 1. Sprinkler systems, electrical, and cellular equipment cabinets and other
7744 similar utility boxes and vaults;

7745 2. Security system access controls;

7746 3. Structures, except for buildings, associated with trails and on-site recreation
7747 spaces and play areas required in K.C.C.21A.14.180 ((and K.C.C. 21A.14.190)) such as
7748 benches, picnic tables, and drinking fountains; and

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7749 4. Surface water management facilities as required by K.C.C. 9.04;

7750 J. Freestanding air conditioners and heat pumps ((may project into or be located
7751 within a setback abutting a residential property, but may only be located closer than five
7752 feet of an abutting residential property if an agreement documenting consent between the
7753 owners of record of the abutting properties is recorded with the records and licensing
7754 services division prior to permit issuance.));

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7755 K. Mailboxes and newspaper boxes may project into or be located within street
7756 setbacks;

7757 L. Fire hydrants and associated appendages;

7758 M. Metro bus shelters may be located within street setbacks;

7759 N. Unless otherwise allowed in K.C.C. 21A.20.080, free standing and monument
7760 signs four feet or less in height, with a maximum sign area of twenty square feet, may
7761 project into or be located within street setbacks;

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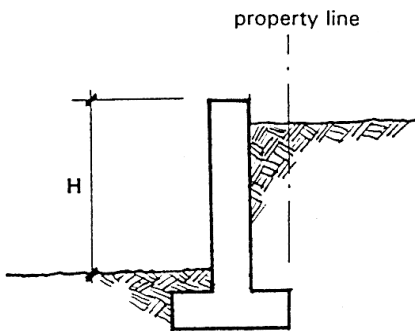
7762 O. On a parcel in the RA zone, in the interior setback that adjoins a property
7763 zoned NB or CB, structures housing refrigeration equipment that extends no more than
7764 ten feet into the setback and is no more than sixty feet in length; and

7765 P. Stormwater conveyance and control facilities, both above and below ground,
7766 provided such projections are:

7767 1. Consistent with setback, easement, and access requirements specified in the
7768 Surface Water Design Manual; or

7769 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

7770
7771

7772 SECTION 443159. Ordinance 10870, Section 355, as amended, and K.C.C.

7773 21A.12.180 are hereby amended to read as follows:

7774 The following structures may be erected above the height limits of K.C.C.

7775 21A.12.030((-) through 21A.12.050.

7776 A. Roof structures housing or screening elevators, stairways, tanks, ventilating
7777 fans, or similar equipment required for building operation and maintenance; and

7778 B. Fire or parapet walls~~((;))~~; skylights~~((;))~~; flagpoles~~((;))~~; chimneys~~((;))~~;

7779 smokestacks~~((;))~~; ~~((church))~~ religious facility steeples, crosses, and spires,

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7780 communication transmission and receiving structures, utility line towers and poles, and
7781 similar structures.

7782 SECTION 44160. Ordinance 10870, Section 357, as amended, and K.C.C.

7783 21A.12.200 are hereby amended to read as follows:

7784 When a lot or site is divided by a zone boundary, the following applies:

7785 A. If a lot or site contains both ~~((rural area and residential))~~ RA, UR, or R zoning
7786 and nonresidential zoning, the zone boundary between the ~~((rural area and residential))~~
7787 RA, UR, or R zone and the nonresidential zone shall be considered a lot line for
7788 determining ~~((permitted))~~ allowed building height and required setbacks on the site((-));

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7789 B. If a lot or site contains residential zones of varying density:

7790 1. Any residential density transfer within the lot or site shall be allowed if:

7791 a. the density, as a result of moving dwelling units from one lot to another lot
7792 within a site or across zone ~~((lines))~~ boundaries within a single lot, does not exceed one
7793 hundred fifty percent of the base density on any of the lots or portions of a lot to which
7794 the density is transferred;

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7795 b. the transfer does not reduce the minimum density achievable on the lot or
7796 site;

7797 c. the transfer enhances the efficient use of needed infrastructure;

7798 d. the transfer does not result in significant adverse impacts to the low density
7799 portion of the lot or site;

7800 e. the transfer contributes to preservation of ~~((environmentally sensitive))~~
7801 critical areas, wildlife corridors, or other natural features; and

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7802 f. the transfer does not result in significant adverse impacts to adjoining lower
7803 density properties;

7804 2. Residential density transfers from one lot to another lot within a site or from
7805 one portion of a lot to another portion of a lot across a zone ~~((line shall not be allowed))~~
7806 boundary is prohibited in the RA zone;

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7807 3. Residential density transfers ~~((shall not be allowed))~~ to a lot or portion of a
7808 lot zoned R-1 is prohibited;

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7809 4. Compliance with the criteria in this subsection B₂ shall be evaluated during
7810 review of any development proposals in which such a transfer is proposed; and

7811 ~~((5. Residential density transfers from one lot to another lot within a site or from
7812 one portion of a lot to another portion of a lot across a zone line shall not, in of itself, be
7813 considered development above the base density for purposes of requiring a conditional
7814 use permit for apartments or townhouses in the R-1 through R-8 zones.))~~

7815 C. Uses on each portion of the lot shall only be those ~~((permitted))~~ allowed in
7816 each zone in accordance with K.C.C. chapter 21A.08.

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7817 SECTION 445161. Ordinance 10870, Section 3559, as amended, and K.C.C.
7818 21A.12.220 are hereby amended to read as follows:

7819 ~~((Except for utility facilities, uses listed in K.C.C. 21A.08.100, and nonresidential
7820 uses regulated by K.C.C. 21A.12.230, all n))~~ Nonresidential uses, except for those uses
7821 listed in subsection H., located in the RA, UR, or R zones shall be subject to the
7822 following requirements:

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7823 A. Impervious surface coverage shall not exceed:

7824 1. Forty percent of the site in the RA zone.

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7825 2. Seventy percent of the site in the UR and the R-1 through R-8 zones.

7826 3. Eighty percent of the site in the R-12 through R-48 zones.

7827 B. Buildings and structures, except fences and wire or mesh backstops, shall not

7828 be closer than 30 feet to any property line, except as provided in subsection C. of this

7829 section.

7830 C. Single detached ~~((dwelling))~~ residence allowed as accessory to a ~~((church))~~

7831 religious facility or school shall conform to the setback requirements of the zone.

7832 D. Parking areas are ~~((permitted))~~ allowed within the required setback area from

7833 property lines, provided such parking areas are located outside of the required landscape

7834 area.

7835 E. Sites shall abut or be accessible from at least one public street functioning at a

7836 level consistent with King County Road Design Standards. New high school sites shall

7837 abut or be accessible from a public street functioning as an arterial per the King County

7838 Design Standards.

7839 F. The base height shall conform to the zone in which the use is located.

7840 G. Building illumination and lighted signs shall be designed so that no direct rays

7841 of light are projected into neighboring residences or onto any street right-of-way.

7842 H. The following nonresidential uses shall not be subject to the requirements of

7843 this section:

7844 1. Sports clubs;

7845 2. General personal service;

7846 3. Retail uses in K.C.C. 21A.08.070; and

7847 4. Utility facilities.

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7848 SECTION 162. Ordinance 15032, Section 18, as amended, and K.C.C.
7849 21A.14.025 are hereby amended to read as follows:
7850 ~~((For cottage housing developments in the R4 R8 zones:))~~
7851 A. The total area of the common open space ~~((must))~~ shall be at least two
7852 hundred and fifty square feet per unit and at least fifty percent of the units ~~((must))~~ shall
7853 be ~~((clustered))~~ sited around the common space.
7854 B. The total floor area of each unit, except for two hundred and fifty square feet
7855 of any enclosed parking, is limited to one thousand two hundred square feet. The
7856 footprint of each unit, including any enclosed parking, is limited to nine hundred square
7857 feet. A front or wraparound porch of up to one hundred square feet is ~~((permitted))~~
7858 allowed and ~~((is not to be included))~~ shall not be counted in the floor area or footprint
7859 calculation.
7860 C. Fences within the cottage housing unit development are limited to three feet in
7861 height. Fences along the perimeter of the cottage housing development are limited to six
7862 feet.
7863 D. Individual cottage housing units ~~((must))~~ shall be at least ten feet apart.
7864 E. Each dwelling unit that abuts common open space shall have either a primary
7865 entry or a covered porch, or both, oriented to the common open space.
7866 F. Each dwelling unit within forty feet of a public right-of-way, not including
7867 alleys, shall have a facade oriented to the public right-of-way that includes a porch, an
7868 entrance, or a bay window that projects a minimum of six inches and is a minimum of
7869 four feet in width. If a dwelling unit is within forty feet of more than one public right-of-
7870 way, the department shall determine which right-of-way towards which the facade

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7871 elements shall be oriented. Materials used on this facade shall wrap the corners of the
7872 unit.

7873 SECTION ~~446~~163. Ordinance 10870, Section 364, as amended, and K.C.C.
7874 21A.14.040 are hereby amended to read as follows:

7875 A. Residential lot clustering is allowed in the R, UR₂ and RA zones. ~~((If residential lot clustering is proposed, the following requirements shall be met:))~~

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7877 B. Tracts created through lot clustering shall be designated as permanent open
7878 space as follows:

7879 1. Tracts shall not be altered or disturbed except as specified on recorded
7880 documents creating the open space;

7881 2. Active recreational facilities are prohibited. Acceptable uses within open
7882 space tracts are passive recreation, natural-surface pedestrian and equestrian foot trails,
7883 and passive recreational facilities;

7884 3. Tracts may be retained under ownership by the subdivider or retained in
7885 undivided interest by the residents of the development and maintained by a homeowners
7886 association. The department may require tracts to be dedicated to an appropriate
7887 managing public agency or qualifying private entity such as a nature conservancy; and

7888 4. If access to the open space is provided, the access shall be located in a
7889 separate tract;

7890 ~~((A. In the R zones, any designated open space tract resulting from lot clustering~~
7891 ~~shall not be altered or disturbed except as specified on recorded documents creating the~~
7892 ~~open space. Open spaces may be retained under ownership by the subdivider, conveyed~~

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7893 to residents of the development or conveyed to a third party. If access to the open space
7894 is provided, the access shall be located in a separate tract;

7895 ~~B.)~~ C. In the RA zone:

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7896 1. No more than eight lots of less than two and one-half acres shall be allowed
7897 in a cluster;

7898 2. No more than eight lots of less than two and one-half acres shall be served by
7899 a single cul-de-sac street;

7900 3. Clusters containing two or more lots of less than two and one-half acres,
7901 whether in the same or adjacent developments, shall be separated from similar clusters by
7902 at least one hundred twenty feet;

7903 4. ~~((The overall amount, and the individual degree of clustering shall be limited
7904 to a level that can be adequately served by rural facilities and services, including, but not
7905 limited to, on-site sewage disposal systems and rural roadways;~~

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7906 ~~5.)~~ A fifty-foot Type II landscaping screen, as defined in K.C.C. 21A.16.040,
7907 shall be provided along the frontage of all public roads when adjoining differing types of
7908 development such as commercial and industrial uses, between differing types of
7909 residential development and to screen industrial uses from the street. The planting
7910 materials shall consist of species that are native to the Puget Sound region. Preservation
7911 of existing healthy vegetation is encouraged and may be used to augment new plantings
7912 to meet the requirements of this section;

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7913 ~~((6. Except as provided in subsection B.7. of this section, open space tracts
7914 created by clustering in the RA zone shall be designated as permanent open space.~~

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7915 Acceptable uses within open space tracts are passive recreation, with no development of

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7916 active recreational facilities, natural surface pedestrian and equestrian foot trails, and
7917 passive recreational facilities. ~~((A resource tract created under K.C.C. 16.82.152.E. may
7918 be considered an open space tract for purposes of this subsection B.6))~~;

7919 ~~7.a.)~~ 5.a. In the RA zone, a resource tract may be created through ~~((a cluster
7920 development))~~ clustering in lieu of an open space tract. ~~((A resource tract created under
7921 K.C.C. 16.82.152.E. may be considered a resource tract for purposes of this subsection
7922 B.7.))~~ The resource tract may be used as a working forest or farm if:

7923 (1) the department determines the resource tract is suitable for forestry or
7924 agriculture; and

7925 (2) the applicant submits a forest management plan prepared by a
7926 professional forester that has been approved by the King County department of natural
7927 resources and parks, or a farm management plan developed by the King Conservation
7928 District. The management plan ~~((must))~~ shall:

7929 (a) ensure that forestry or farming will remain as a sustainable use of the
7930 resource tract;

7931 (b) set impervious surface and clearing limitations and identify the type of
7932 buildings or structures that will be allowed within the resource tract; and

7933 (c) if critical areas are included in the resource tract, clearly distinguish
7934 between the primary purpose of the resource portion of the tract and the primary purpose
7935 of the critical area portion of the tract as required under K.C.C. 21A.24.180.

7936 b. The recorded plat or short plat shall designate the resource tract as a
7937 working forest or farm.

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7938 c. ~~((If the applicant conveys the resource tract to residents of the development,~~
7939 ~~the resource tract shall be retained in undivided interest by the residents of the~~
7940 ~~subdivision or short subdivision.~~

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7941 ~~d.))~~ A homeowners association shall be established to ensure implementation
7942 of the forest management plan or farm management plan if the resource tract is retained
7943 in undivided interest by the residents of the subdivision or short subdivision.

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7944 ~~((e.))~~ d. The applicant shall file a notice with the King County department of
7945 executive services, records, and licensing services division. The required contents and
7946 form of the notice shall be ~~((set forth))~~ established in a public rule. The notice shall
7947 inform the property owner or owners that the resource tract is designated as a working
7948 forest or farm~~((s))~~ that ~~((must))~~ shall be managed in accordance with the ~~((provisions~~
7949 ~~established in the))~~ approved forest management plan or farm management plan.

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7950 ~~((f.))~~ e. The applicant shall provide to the department proof of the approval of
7951 the forest management plan or farm management plan and the filing of the notice
7952 required in subsection ~~((B.7.g.))~~ C.5.f. of this section before recording of the final plat or
7953 short plat.

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7954 ~~((g.))~~ f. The notice shall run with the land.

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7955 ~~((h.))~~ h. Natural-surface pedestrian and equestrian foot trails, passive
7956 recreation, and passive recreational facilities, with no development of active recreational
7957 facilities, are allowed uses in resource tracts ~~((, and))~~.

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7958 ~~((8.))~~ 6. The requirements of subsection ~~((B.))~~ C.1., 2., or 3. of this subsection
7959 may be modified or waived by the director if the property is encumbered by critical areas
7960 containing habitat for, or there is the presence of, species listed as threatened or

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7961 endangered under the Endangered Species Act when it is necessary to protect the habitat;
7962 and

7963 ~~((C.))~~ D. In the R-1 zone, open space tracts ~~((created by clustering required by~~
7964 ~~K.C.C. 21A.12.030))~~ shall be located and configured to create urban separators and
7965 greenbelts, as required by the ~~((e))~~ Comprehensive ~~((p))~~ Plan, ~~((o))~~ subarea plans, or open
7966 space functional plans, to connect and increase protective buffers for critical areas, to
7967 connect and protect wildlife habitat corridors designated by the ~~((e))~~ Comprehensive
7968 ~~((p))~~ Plan and to connect existing or planned public parks or trails. ~~((The department may~~
7969 ~~require open space tracts created under this subsection to be dedicated to an appropriate~~
7970 ~~managing public agency or qualifying private entity such as a nature conservancy. In the~~
7971 ~~absence of such a requirement, open space tracts shall be retained in undivided interest by~~
7972 ~~the residents of the subdivision or short subdivision. A homeowners association shall be~~
7973 ~~established for maintenance of the open space tract.))~~

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7974 SECTION 164. Ordinance 10870, Section 365, as amended, and K.C.C.
7975 21A.14.050 are hereby amended to read as follows:

7976 Subdivision of UR zoned property of ten or more acres shall ~~((be required to be~~
7977 ~~clustered and))~~ provide a reserve tract ~~((shall be created))~~ for future development ~~((in~~
7978 ~~accordance with the following))~~ as follows:

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7979 A. The reserve tract shall be no less than seventy-five percent of the net
7980 developable area of the property to be subdivided.

7981 B. The reserve tract shall be configured to contain lands with topography and
7982 natural features that allow future conversion of the reserve tract to residential
7983 development at urban densities.

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- 7984 C. The reserve tract may contain a single dwelling unit, only if:
7985 1. The unit was included in the overall density calculations for the original
7986 subdivision creating the reserve tract; and
7987 2. The unit was noted on the face of the original subdivision (plat or short plat).
7988 D. The reserve tract shall not be altered or disturbed except as specified on the
7989 face of the original subdivision (plat or short plat).
7990 E. The reserve tract may be retained under the ownership of the subdivider,
7991 conveyed to residents of the subdivisions, or conveyed to a third party. Regardless of
7992 ownership of the reserve tract, all restrictions relative to the reserve tract shall apply.
7993 F. The reserve tract shall not be used to satisfy the recreation space requirement
7994 of the original subdivision.
7995 G. The layout of the lots and roadways created in the original subdivision shall
7996 facilitate future development of the reserve tract.
7997 H. The reserve tract shall not be eligible for further subdivision until ((such time
7998 that)) reclassification of the reserve tract occurs in accordance with the ((community
7999 plan)) area zoning process ((outlined)) in K.C.C. 20.08.030.
8000 I. Any proposed subsequent development on the reserve tract shall be governed
8001 by the development standards in effect at the time of such development.

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8002 SECTION 447165. Ordinance 10870, Section 367, as amended, and K.C.C.
8003 21A.14.070 are hereby amended to read as follows:

- 8004 A. The standards of ((K.C.C. 21A.14.080 through 21A.14.090)) this section shall
8005 apply to ((all)) new ((apartment)) developments with more than nine ((exceeding four))
8006 dwelling or sleeping units ((new townhouse development)) with five or more

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8007 ~~emergency housing service uses, and new group residences except Class I Community~~
8008 ~~Residential Facilities ("CRF I"))~~. Expansions of existing development that involve
8009 ~~((four) five, or)) more than nine dwelling or sleeping units shall be subject to compliance~~
8010 with ~~((K.C.C. 21A.14.080 ((to) and 21A.14.090)) with this section.~~

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8011 ~~SECTION 118. Ordinance 10870, Section 368, as amended, and K.C.C.~~
8012 ~~21A.14.080 are hereby amended to read as follows:~~

8013 ~~AB. On sites abutting an alley constructed to a width of at least ((20)) twenty~~
8014 ~~feet, duplex, triplex, fourplexhouseplexes, ((apartment, and townhouse development and~~
8015 ~~all group residences except Class I Community Residential Facilities ("CRF I")) shall~~
8016 ~~have parking areas shall be placed to the rear of buildings with primary vehicular access~~
8017 ~~via the alley, except when waived by the director due to physical site limitations.~~

8018 ~~1B. When alley access is provided, no additional driveway access from the~~
8019 ~~public street shall be allowed except as necessary to access parking under the structure or~~
8020 ~~for fire protection.~~

8021 ~~2C. When the number of uncovered common parking spaces for attached~~
8022 ~~dwelling and group residences exceed thirty spaces and when there is alley access, no~~
8023 ~~more than fifty percent of these uncovered parking spaces shall be allowed between the~~
8024 ~~street property line and any building, except when authorized by the director due to~~
8025 ~~physical site limitations.~~

8026 ~~SECTION 119. Ordinance 10870, Section 369, as amended, and K.C.C.~~
8027 ~~21A.14.090 are hereby amended to read as follows:~~

8028 ~~C. Duplex, triplex, fourplexHouseplexes, apartment, and townhouse~~
8029 ~~developments and all group residences-Developments shall provide building facade~~

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8030 modulation on facades exceeding sixty feet and ~~facing abutting~~ adjoining streets or
8031 properties zoned R-1 through R-4. The following standards shall apply:

8032 ~~A1.~~ The maximum wall length without modulation shall be thirty feet;

8033 ~~B2.~~ The sum of the modulation depth and the modulation width shall be no less
8034 than eight feet. Neither the modulation depth nor the modulation width shall be less than
8035 two feet; and

8036 ~~C3.~~ Any other technique approved by the director that achieves the intent of this
8037 section.

8038 NEW SECTION. SECTION 166. There is hereby added to K.C.C. chapter
8039 21A.14 a new section to read as follows:

8040 A. A congregate residence shall include at least one common kitchen facility. In a
8041 congregate residence with more than two floors, at least one common kitchen facility is
8042 required on each floor with sleeping units. In a congregate residence consisting of more
8043 than one building, at least one common kitchen facility is required in each building.

8044 2. A sleeping unit that does not include sanitation facilities in the sleeping unit
8045 shall have access to shared sanitation facilities on the same floor as the sleeping unit.

8046 3. Communal areas, such as common kitchen facilities, lounges, recreation
8047 rooms, dining rooms, living rooms, laundry rooms, foyers, and lobbies, shall be open to
8048 all residents of the congregate residence and shall meet the following standards:

8049 a. The total floor area of communal areas shall be at least twelve percent of the
8050 total floor area of all sleeping and dwelling units; and

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8051 b. Service areas, including, but not limited to hallways and corridors, supply or
8052 janitorial storage areas, operations and maintenance areas, staff areas, and offices may
8053 not be counted toward the communal area total floor area requirement.

8054 SECTION 420167. Ordinance 10870, Section 376, as amended, and K.C.C.
8055 21A.14.160 are hereby amended to read as follows:

8056 New ~~((mobile)) manufactured home ((parks)) communities~~ shall be developed
8057 subject to the following standards:

8058 A. ~~((A mobile home park))~~ The site shall be at least three acres in area;

8059 B. Residential densities ~~((in a mobile home park))~~ shall be as follows:

8060 1. ~~((Six))~~ Twelve dwelling units per acre in ~~the R-4 through R-8 zones; and~~

8061 2. The base density of the zone in which the ~~((park))~~ site is located in ~~((all R-6))~~

8062 ~~the R-12 through R-48 zones; ((and~~

8063 ~~3. Mobile home parks shall be eligible to achieve the maximum density~~

8064 ~~permitted in the zone by providing the ((affordable)) displaced housing benefit for mobile~~

8065 ~~home parks ((set forth)) in K.C.C. ((21A.34)) 21A.12.030;))~~

8066 C. Both insignia and non-insignia ~~((mobile)) manufactured~~ homes may be

8067 installed ~~((in mobile home parks))~~, provided that non-insignia ~~((mobile)) manufactured~~

8068 homes shall meet the minimum livability and safety requirements ~~((set forth))~~ in K.C.C.

8069 Title 16, Building Code;

8070 D. ~~((A mobile home park shall be exempt from))~~ The impervious surface limits

8071 ~~((set forth))~~ in K.C.C. chapter 21A.12 shall not apply;

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8072 E. At least one of the off-street parking spaces required for each ~~((mobile))~~
8073 manufactured home shall be located on or adjacent to each ~~((mobile))~~ manufactured
8074 home pad; Formatted: Strikethrough

8075 F. Internal roads and sidewalks shall provide access to each ~~((mobile))~~
8076 manufactured home space and shall be constructed in accordance with the adopted King
8077 County road standards for residential minor access streets; Formatted: Strikethrough

8078 G. There shall be a minimum of ten feet of separation maintained between all
8079 ~~((mobile))~~ manufactured homes on the site, unless the flexible setback option ~~((set forth))~~
8080 in K.C.C. 21A.14.170 is used. Accessory structures shall be located no closer than: Formatted: Strikethrough

8081 1. Ten feet to ~~((mobile))~~ manufactured homes on adjacent spaces, unless Formatted: Strikethrough
8082 constructed of noncombustible materials, in which case the minimum setback shall be
8083 five feet;

8084 2. Five feet to accessory structures of ~~((mobile))~~ manufactured homes on Formatted: Strikethrough
8085 adjacent spaces; and

8086 3. Five feet to the ~~((mobile))~~ manufactured home or other accessory structures Formatted: Strikethrough
8087 on the same space, except a carport or garage may be attached to the ~~((mobile))~~ Formatted: Strikethrough
8088 manufactured home, and the separation may be waived when such structures are
8089 constructed of noncombustible materials;

8090 H. All ~~((mobile))~~ manufactured homes and ~~((RVs))~~ recreational vehicles Formatted: Strikethrough
8091 supported by piers shall be fully skirted; and

8092 I. ~~((A mobile home park may include a s))~~ Storage areas for ~~((RVs))~~ recreational Formatted: Strikethrough
8093 vehicles owned by residents of the park are allowed, provided the storage area contains

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8094 no utility hook-ups and ~~((no ((RV)) recreational vehicle within the storage area ((shall~~
8095 ~~be)) are not~~ used as living quarters.

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8096 SECTION ~~42+168~~. Ordinance 10870, Section 378, as amended, and K.C.C.

8097 21A.14.180 are hereby amended to read as follows:

8098 A. ~~((Residential))~~ ~~The standards of this section shall apply to new~~
8099 ~~developments ((, other than cottage housing developments, of))~~ ~~with nine or more ((than~~
8100 ~~four)) dwelling or sleeping units. ((in the UR and R 4 through R 48 zones, stand alone~~
8101 ~~townhouse developments in the NB zone on property designated commercial outside of~~
8102 ~~center in the urban area of more than four units, and mixed-use developments of more~~
8103 ~~than four units, shall provide r))~~ Recreation space for leisure, play, and sport activities
8104 ~~shall be provided~~ as follows:

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8105 1. Residential subdivisions, townhouses, and apartments developed at a density
8106 of eight units or less per acre: three hundred ninety square feet per unit;

8107 2. ~~((Mobile)) Manufactured home ((park)) community~~: two hundred sixty
8108 square feet per unit;

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8109 3. Residential subdivisions developed at a density of greater than eight units per
8110 acre: one hundred seventy square feet per unit; and

8111 4. Apartments and townhouses developed at a density of greater than eight units
8112 per acre and mixed-use:

8113 a. Studio and one bedroom: ninety square feet per unit;

8114 b. Two bedrooms: one hundred seventy square feet per unit; and

8115 c. Three or more bedrooms: one hundred seventy square feet per unit.

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8116 B. Recreation space shall be placed in a designated recreation space tract if part
8117 of a subdivision. The tract shall be dedicated to a (~~homeowner's~~) homeowners
8118 association or other workable organization acceptable to the director, to provide
8119 continued maintenance of the recreation space tract consistent with K.C.C. 21A.14.200.

8120 C. Any recreation space located outdoors that is not part of a (~~storm water~~)
8121 stormwater tract developed in accordance with subsection F. of this section shall:

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- 8122 1. Be of a grade and surface suitable for recreation improvements and have a
8123 maximum grade of five percent;
- 8124 2. Be on the site of the proposed development;
- 8125 3. Be located in an area where the topography, soils, hydrology, and other
8126 physical characteristics are of such quality as to create a flat, dry, obstacle-free space in a
8127 configuration that allows for passive and active recreation;
- 8128 4. Be centrally located with good visibility of the site from roads and sidewalks;
- 8129 5. Have no dimensions less than thirty feet, except trail segments;
- 8130 6. Be located in one designated area, unless the director determines that
8131 residents of large subdivisions, townhouses, and apartment developments would be better
8132 served by multiple areas developed with recreation or play facilities;
- 8133 7. Have a street roadway or parking area frontage along ten percent or more of
8134 the recreation space perimeter, except trail segments, if the required outdoor recreation
8135 space exceeds five thousand square feet and is located in a single detached or townhouse
8136 subdivision;
- 8137 8. Be accessible and convenient to all residents within the development; and

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8138 9. Be located adjacent to, and be accessible by, trail or walkway to any existing
8139 or planned municipal, county, or regional park, public open space, or trail system(
8140 ~~which may~~) that ~~might~~ ~~may~~ be located on adjoining property.

8141 D. Indoor recreation areas may be credited towards the total recreation space
8142 requirement, if the director determines that the areas are located, designed, and improved
8143 in a manner that provides recreational opportunities functionally equivalent to those
8144 recreational opportunities available outdoors. For senior (~~citizen~~) assisted housing,
8145 indoor recreation areas need not be functionally equivalent (~~but~~) and may include social
8146 areas, game and craft rooms, and other multipurpose entertainment and education areas.

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8147 E. Play equipment or age-appropriate facilities shall be provided within dedicated
8148 recreation space areas according to the following requirements:

8149 1. (~~For developments of five dwelling units or more, a~~) ~~A~~ tot lot or children's
8150 play area within the recreation space on-site, that includes age-appropriate play
8151 equipment and benches, shall be provided (~~consistent with K.C.C. 21A.14.190;~~) ~~except~~
8152 if the use is either senior assisted housing or located within one quarter mile walking
8153 distance of a public park that is accessible without crossing an arterial street. The tot lot
8154 or children's play area shall:

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8155 a. Provide at least forty-five square feet per dwelling unit, with a minimum
8156 size of four hundred square feet;

8157 b. Be adjacent to main pedestrian paths or near building entrances;

8158 c. Meet the requirements of this section; and

8159 d. Provide play equipment that meets, at a minimum, the Consumer Product
8160 Safety Standards for equipment, soft surfacing, and spacing.

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8161 2. For developments of five to twenty-five dwelling units, one of the following
8162 recreation facilities shall be provided in addition to the tot lot or children's play area:

8163 a. playground equipment;

8164 b. sport court;

8165 c. sport field;

8166 d. tennis court; or

8167 e. any other recreation facility proposed by the applicant and approved by the
8168 director;

8169 3. For developments of twenty-six to fifty dwelling units, at least two or more of
8170 the recreation facilities listed in subsection E.2. of this section shall be provided in
8171 addition to the tot lot or children's play area; and

8172 4. For developments of more than fifty dwelling units, one or more of the
8173 recreation facilities listed in subsection E.2. of this section shall also be provided for
8174 every twenty-five dwelling units in addition to the tot lot or children's play area. If
8175 calculations result in a fraction, the fraction shall be rounded to the nearest whole number
8176 as follows:

8177 a. Fractions of 0.50 or above shall be rounded up; and

8178 b. Fractions below 0.50 shall be rounded down.

8179 F. In subdivisions, recreation areas that are contained within the on-site
8180 stormwater tracts, but are located outside of the one hundred year design water surface,
8181 may be credited for up to fifty percent of the required square footage of the on-site
8182 recreation space requirement on a foot-per-foot basis, subject to the following criteria:

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8183 1. The stormwater tract and any on-site recreation tract shall be contiguously
8184 located. At final plat recording, contiguous stormwater and recreation tracts shall be
8185 recorded as one tract and dedicated to the (~~homeowner's~~) homeowners association or
8186 other organization as approved by the director;

8187 2. The drainage facility shall be constructed to meet the following conditions:

8188 a. The side slope of the drainage facility shall not exceed thirty-three percent
8189 unless slopes are existing, natural, and covered with vegetation;

8190 b. A bypass system or an emergency overflow pathway shall be designed to
8191 handle flow exceeding the facility design and located so that it does not pass through
8192 active recreation areas or present a safety hazard;

8193 c. The drainage facility shall be landscaped and developed for passive
8194 recreation opportunities such as trails, picnic areas, and aesthetic viewing; and

8195 d. The drainage facility shall be designed so they do not require fencing under
8196 the King County Surface Water Design Manual.

8197 G. When the tract is a joint use tract for a drainage facility and recreation space,
8198 King County is responsible for maintenance of the drainage facility only and requires a
8199 drainage easement for that purpose.

8200 H.1. A recreation space plan shall be submitted to the department and reviewed
8201 and approved with engineering plans.

8202 ~~((+))~~ 2. The recreation space plans shall address all portions of the site that will
8203 be used to meet recreation space requirements of this section, including drainage facility.
8204 The plans shall show dimensions, finished grade, equipment, landscaping, and
8205 improvements, as required by the director, to demonstrate that the requirements of the on-

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8206 site recreation space and play areas in K.C.C. 21A.14.180 ~~((and play areas in K.C.C.~~
8207 ~~21A.14.190))~~ have been met.

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8208 ~~((2-))~~ 3. If engineering plans indicate that the on-site drainage facility or

8209 stormwater tract ~~((must))~~ is required to be increased in size from that shown in

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8210 preliminary approvals, the recreation plans ~~((must))~~ shall show how the required

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8211 minimum recreation space under K.C.C. 21A.14.180.A. will be met.

8212 ~~SECTION 122. Ordinance 10870, Section 379, as amended, and K.C.C.~~

8213 ~~21A.14.190 are hereby amended to read as follows:~~

8214 ~~A. All single detached subdivisions, apartment, townhouse, and mixed-use~~

8215 ~~developments, of more than four units in the UR and R-4 through R-48 zones and stand-~~

8216 ~~alone townhouse developments in the NB zone of more than four units on property~~

8217 ~~designated commercial outside of center in the urban area, excluding age-restricted senior~~

8218 ~~((citizen)) housing, shall provide children play areas within the recreation space on-site,~~

8219 ~~except if facilities are available to the public that meet all of the following:~~

8220 ~~1. Developed as a county, municipal, or regional park;~~

8221 ~~2. Located within one-quarter mile walking distance; and~~

8222 ~~3. Accessible without crossing any arterial street.~~

8223 ~~B. Play area designs shall:~~

8224 ~~1. Provide at least forty-five square feet per dwelling unit, with a minimum size~~

8225 ~~of four hundred square feet;~~

8226 ~~2. Be adjacent to main pedestrian paths or near building entrances;~~

8227 ~~3. Meet the requirements of K.C.C. 21A.14.180; and~~

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8228 ~~4. Provide play equipment that meets, at a minimum, the Consumer Product~~
8229 ~~Safety Standards for equipment, soft surfacing, and spacing.~~

8230 ~~SECTION 169. Ordinance 14045, Section 35, and K.C.C. 21A.14.195 are hereby~~
8231 ~~amended to read as follows:~~

8232 ~~Financial guarantees for construction of recreation facilities required under~~
8233 ~~K.C.C. 21A.14.180 ((and 21A.14.190)) shall be provided consistent with K.C.C. Title~~
8234 ~~27A.~~

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8235 ~~SECTION 170.~~ Ordinance 14045, Section 30, and K.C.C. 21A.14.225 are
8236 hereby amended to read as follows:

8237 A. Tracts and easements containing hazardous liquid and gas transmission
8238 pipelines and required setbacks from such pipelines may include the following uses,
8239 subject to other regulations applicable to each use and approval of the holder of the
8240 easement: utility structures ~~that are~~ not normally occupied ~~and that are~~ necessary for the
8241 operation of the pipeline, landscaping, trails, open space, keeping of animals, agriculture,
8242 forestry, commercial signage, minor communication facilities and ~~((the))~~ utility structures
8243 ~~that are~~ not normally occupied ~~and that are~~ necessary for the operation of the minor
8244 communication facility, and other compatible uses as specified on the face of the
8245 recorded plat or short plat; ~~((provided that))~~ ~~however,~~ structures designed for human
8246 occupancy shall never be allowed within pipeline tracts, easements, or setbacks.

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8247 B. Hazardous liquid and gas transmission pipelines shall not be located in aquifer
8248 recharge areas, landslide hazard areas, or erosion hazard areas. When it is impractical to
8249 avoid such areas, special engineering precautions should be taken to protect public health,
8250 safety, and welfare.

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8251 C. As part of an application for the ~~siting new~~ new, modified, or expanded gas or
8252 hazardous liquid transmission pipelines, the applicant shall submit an equity impact
8253 review of the proposal using tools developed by the office of equity and racial and social
8254 justice. The results from the equity impact review shall be used to assess equity impacts
8255 and opportunities during county permit review and may be used to inform determinations
8256 of project approval.

8257 SECTION 124171. Ordinance 11621, Section 99, as amended, and K.C.C.
8258 21A.14.280 are hereby amended to read as follows:

8259 A. The purpose of the rural industries section is to establish standards for
8260 development on industrial (I) zoned ~~((development))~~ properties in the rural area((s)). Site
8261 and building designs, buffering, compatible commercial and industrial uses are required
8262 to maintain rural character.

8263 B. The following development standards shall apply to uses locating in the
8264 ~~((industrial (I)))~~ I((I)) zone within the rural area;

8265 1. All uses occurring outside an enclosed building shall be screened from
8266 adjoining rural residential uses;

8267 2. All buildings shall be set back fifty-feet from perimeter streets and from
8268 ~~((rural area and residential))~~ RA, UR, and R zones;

8269 3. The total ~~((permitted))~~ allowed floor area\lot area ratio shall not exceed one
8270 hundred percent for a development consisting of multiple lots and one hundred twenty-
8271 five percent on any individual building lot;

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8272 4. The total ~~((permitted))~~ allowed impervious lot coverage shall not exceed
8273 seventy percent for a development consisting of multiple lots and eighty percent on any
8274 individual building lot;

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8275 5. The landscaping standards in K.C.C. chapter 21A.16 are modified as follows:

8276 a. Twenty-foot-wide Type II landscaping shall be provided along exterior
8277 streets ~~((s))~~;

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8278 b. Twenty-foot-wide Type I landscaping shall be provided along property lines
8279 adjacent to rural residential zoned areas; and

8280 c. Fifteen-foot-wide Type II landscaping shall be provided along lines adjacent
8281 to nonresidential zoned areas.

8282 6. Outdoor lighting shall be focused downward and configured to minimize
8283 intrusion of light into surrounding rural residential areas;

8284 7. Refuse collection ~~((s))~~, recycling ~~((areas))~~, and loading or delivery areas shall
8285 be located at least one hundred feet from ~~((rural area and residential))~~ RA, UR, and R
8286 zones and screened with a solid view obscuring barrier;

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8287 8. Off street parking standards shall be no less than one space for every one
8288 thousand square feet of floor area and no greater than one space for every five hundred
8289 square feet of floor area;

8290 9. Sign are allowed as follows:

8291 a. Signs shall not exceed an area of sixty-four square feet per sign;

8292 b. Pole signs ~~((shall not be permitted))~~ are prohibited; and

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8293 c. Signs shall not be internally illuminated;

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8294 10. The director shall approve building design, materials, and color. Buildings
8295 shall be designed and use accent materials ~~((e.g.))~~ such as wood and brick~~((s))~~,
8296 nonreflective glass, and muted colors to be compatible with rural character; ~~((and))~~

8297 11. Building height shall be limited to forty feet;

8298 12. Uses shall not require substantial investments in infrastructure, such as
8299 water, sewers, or transportation, or facilities that generate substantial volumes of heavy
8300 gross-weight truck trips.

8301 SECTION 125172. Ordinance 14045, Section 43 and K.C.C. 21A.14.330 are
8302 hereby amended to read as follows:

8303 In the RA zone, all subdivisions and short subdivisions shall be recorded with a
8304 condition prohibiting any covenant that would ~~((preclude ((the keeping of horses or other~~
8305 ~~large livestock))~~ restrict farming or agricultural and forestry activities.

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8306 SECTION 126173. Ordinance 10870, Section 387, as amended, and K.C.C.
8307 21A.16.020 are hereby amended to read as follows:

8308 ~~((Except for communication facilities regulated ((pursuant to)) under K.C.C.~~
8309 ~~chapter 21A.26, a))~~ All new development listed in K.C.C. 21A.16.030 shall be subject to
8310 the landscaping provisions of this chapter, ((provided that)) although except that:

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8311 A. Communication facilities regulated under K.C.C. chapter 21A.26 are not
8312 subject to these provisions; and

8313 B. ((specific)) Landscaping and tree retention provisions for uses ((established
8314 through)) requiring a conditional use permit~~((s))~~ or a special use permit~~((s or an urban
8315 planned development application)) shall be determined ~~((during))~~ through the applicable~~

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8316 review process.

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8317 SECTION ~~127174~~. Ordinance 10870, Section 388, as amended, and K.C.C.

8318 21A.16.030 are hereby amended to read as follows:

8319 To facilitate the application of this chapter, the land uses of K.C.C. chapter

8320 21A.08 have been grouped in the following manner:

8321 A. Residential development refers to those uses listed in K.C.C. 21A.08.030 and

8322 K.C.C. 21A.08.xxx (the new section created by section 148 of this ordinance), except

8323 those uses listed under Accessory uses, ~~((and))~~ as follows:

8324 1. Attached ~~((group residences))~~ housing refers to:

8325 a. townhouses ~~((, except as provided in subsection A.2.a. of this section))~~;

8326 b. apartments ~~((and detached dwelling units developed on common property at~~

8327 a density of twelve or more units per acre));

8328 c. senior ~~((citizen))~~ assisted housing;

8329 d. ~~((temporary lodging))~~ congregate housing residence;

8330 e. ~~((group residences other than Type I community residential facilities))~~

8331 manufactured home communities;

8332 f. ~~((mobile home parks; and))~~ residential care services uses; and

8333 2. ~~((Single family))~~ Detached residential development refers to:

8334 a. single detached residences, including residential subdivisions and short

8335 subdivisions ~~((, including attached and detached dwelling units on individually platted or~~

8336 short platted lots));

8337 b. ~~((any detached dwelling units located on a lot including cottage housing~~

8338 units)) duplexes;

8339 c. houseplexes;

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8340 ~~_____~~ d. adult family homes; and

8341 ~~((e. Type I))~~ e. community residential facilities I;

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8342 B. Commercial development refers to those uses in:

8343 1. K.C.C. 21A.08.040 as amusement/entertainment uses, except golf facilities;

8344 2. K.C.C. 21A.08.xxx (the new section created by section 148 of this ordinance)

8345 as health care services, except hospitals;

8346 ~~_____~~ 3. K.C.C. 21A.08.050 except recycling centers, ~~((health and))~~ educational

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8347 services, daycare I and II, ~~((churches, synagogues and temples))~~ religious facilities, and

8348 miscellaneous repair as allowed in the A and RA zones; and

8349 3. K.C.C. 21A.08.070, except forest product sales and agricultural product sales

8350 as allowed in the A, F₂ and RA zones and building, hardware, and garden materials as

8351 allowed in the A zones;

8352 C. Industrial development refers to those uses listed in:

8353 1. K.C.C. 21A.08.050 as recycling center;

8354 2. K.C.C. 21A.08.060, except government services and farm product

8355 warehousing, refrigeration, and storage as allowed in the A zones;

8356 3. K.C.C. 21A.08.080, except food and kindred products as allowed in the A

8357 and F zones; and

8358 4. K.C.C. 21A.08.090 as mineral extraction and processing;

8359 D. Institutional development refers to those uses listed in:

8360 1. K.C.C. 21A.08.040 as cultural uses, except arboretums;

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8361 2. K.C.C. 21A.08.050 as ~~((churches, synagogues and temples,))~~ religious
8362 facilities; ~~((health services))~~; and education services except specialized instruction
8363 schools ~~((permitted))~~ allowed as an accessory use;

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8364 3. K.C.C. 21A.08.060 as government services; ~~((and))~~

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8365 4. Search and rescue facilities; and

8366 5. Hospitals.

8367 E. Utility development refers to those uses listed in K.C.C. 21A.08.060 as utility
8368 facilities; and

8369 F. Uses in K.C.C. chapter 21A.08 that are not listed in subsections A. through E.

8370 of this section shall not be subject to landscaping and tree retention requirements except

8371 as ~~((specified in any))~~ determined through the applicable review of a conditional use

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8372 permit, ~~((or))~~ special use permit~~((s)), or ~~((reviews conducted))~~ by the agricultural~~

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8373 technical review committee in accordance with K.C.C. 21A.42.300.

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8374 SECTION 175. Ordinance 10870, Section 390, as amended, and K.C.C.

8375 21A.16.050 are hereby amended to read as follows:

8376 The average width of perimeter landscaping along street frontages shall be

8377 provided as follows:

8378 A. Twenty feet of Type II landscaping shall be provided for an institutional use,

8379 excluding playgrounds and playfields;

8380 B. Ten feet of Type II landscaping shall be provided for an industrial

8381 development;

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8382 C. Ten feet of Type II landscaping shall be provided for an ~~((above ground))~~
8383 aboveground utility facilities development, excluding distribution and transmission
8384 corridors, located outside a public right-of-way;

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8385 D. Ten feet of Type III landscaping shall be provided for a commercial or
8386 attached~~((group residence))~~ housing development; and

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8387 E. For single~~((family))~~ detached subdivisions and short subdivisions in the urban
8388 ~~((growth))~~ area;

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8389 1. Trees shall be planted at the rate of one tree for every forty feet of frontage
8390 along all public streets;

8391 2. The trees shall be:

8392 a. Located within the street right-of-way if ~~((permitted))~~ allowed by the
8393 custodial state or local agency;

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8394 b. No more than twenty feet from the street right-of-way line if located within
8395 a lot;

8396 c. Maintained by the adjacent landowner unless part of a county maintenance
8397 program; and

8398 d. A species approved by the county if located within the street right-of way
8399 and compatible with overhead utility lines.

8400 3. The trees may be spaced at irregular intervals to accommodate sight distance
8401 requirements for driveways and intersections.

8402 SECTION 176. Ordinance 10870, Section 391, as amended, and K.C.C.

8403 21A.16.060 are hereby amended to read as follows:

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8404 The average width of perimeter landscaping along interior lot lines shall be
8405 provided as follows:

8406 A. Twenty feet of Type I landscaping shall be included in a commercial or
8407 industrial development along any portion adjacent to a residential development;

8408 B. Five feet of Type II landscaping shall be included in an attached
8409 residence)) housing development, except that along portions of the development adjacent
8410 to property developed with single detached residences or vacant property that is zoned
8411 RA, UR, R-1, R-4, R-6, or ((R-1-8)) R-8, the requirement shall be ten feet of Type II
8412 landscaping;

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8413 C. Ten feet of Type II landscaping shall be included in an industrial development
8414 along any portion adjacent to a commercial or institutional development; and

8415 D. Ten feet of Type II landscaping shall be included in an institutional use,
8416 excluding playgrounds and playfields, or an aboveground utility facility development,
8417 excluding distribution or transmission corridors, when located outside a public right-of-
8418 way.

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8419 SECTION 428177. Ordinance 10870, Section 395, as amended, and K.C.C.
8420 21A.16.100 are hereby amended to read as follows:

8421 The following alternative landscape options may be allowed, subject to county
8422 approval, only if they accomplish equal or better levels of screening, or when existing
8423 conditions on or adjacent to the site, such as significant topographic differences,
8424 vegetation, structures, or utilities would render application of this chapter ineffective or
8425 result in scenic view obstruction:

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8426 A. The amount of required landscape area may be reduced to ensure that the total
8427 area for required landscaping, and/or the area remaining undisturbed for the purpose of
8428 wildlife habitat or corridors does not exceed ~~((15))~~ fifteen percent of the net developable
8429 area of the site. For the purpose of this subsection A, the net developable area of the site
8430 shall not include areas deemed unbuildable due to their location within sensitive areas
8431 and any associated buffers~~((:))~~;

8432 B. The average width of the perimeter landscape strip may be reduced up to
8433 ~~((25))~~ twenty-five percent along any portion where:

8434 1. Berms at least three feet in height or architectural barriers at least six feet in
8435 height are incorporated into the landscape design; or

8436 2. The landscape materials are incorporated elsewhere on-site;

8437 C. In pedestrian district overlays, street perimeter landscaping may be waived
8438 provided a site plan, consistent with the applicable adopted area zoning document, is
8439 approved that provides street trees and other pedestrian-related amenities;

8440 D. Landscaping standards for uses located in a rural town or rural neighborhood
8441 ~~((business))~~ commercial centers designated by the ~~((e))~~ Comprehensive ~~((p))~~ Plan may be
8442 waived or modified by the director if deemed necessary to maintain the historic character
8443 of the area. Where a ~~((local or))~~ subarea plan with design guidelines has been adopted,
8444 the director shall base the landscaping modifications on the policies and guidelines of
8445 such plan~~((:))~~;

8446 E. When an existing structure precludes installation of the total amount of
8447 required site perimeter landscaping, such landscaping material shall be incorporated on
8448 another portion of the site~~((:))~~;

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8449 F. Single-stemmed deciduous tree species that cannot generally be planted and
8450 established in larger sizes may have a caliper of less than 1.5 inches; ~~((and))~~

8451 G. The number of trees and shrubs to be provided in required perimeter and
8452 parking area landscaping may be reduced up to ~~((25))~~ twenty-five percent when a
8453 development uses landscaping materials consisting of species typically associated with
8454 the Puget Sound Basin in the following proportions:

8455 1. Seventy-five percent of groundcover and shrubs~~((:))~~; and

8456 2. Fifty percent of trees~~((:))~~;

8457 H. The department shall, ~~((pursuant to))~~ in accordance with K.C.C. chapter 2.98,
8458 develop and maintain an advisory listing of trees recommended for new plantings. Such
8459 list shall describe their general characteristics and suitability, and provide guidelines for
8460 their inclusion within required landscape areas; and

8461 I. Crops may be planted in place of up to twenty-five percent of required Type II
8462 or Type III landscaping in a commercial, residential, or institutional development.

8463 SECTION 178. Ordinance 10870, Section 406, as amended, and K.C.C.

8464 21A.18.020 are hereby amended to read as follows:

8465 A. Before an occupancy permit may be granted for any new or enlarged building
8466 or for a change of use in any existing building, the use shall be required to meet the
8467 requirements of this chapter. In addition, K.C.C. 21A.18.110.~~((:))~~I. and J. establish
8468 residential parking limitations applicable to existing~~((, as well as))~~ and new~~((:))~~
8469 residential uses.

8470 B. If this chapter does not specify a parking requirement for a land use, the
8471 director shall establish the minimum requirement based on a study of anticipated parking

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8472 demand. Transportation demand management actions taken at the site shall be considered
8473 in determining anticipated demand. If the site is located in an unincorporated activity
8474 center or community business center, the minimum requirement shall be set at a level less
8475 than the anticipated demand, but at no less than seventy-five percent of the anticipated
8476 demand. In the study, the applicant shall provide sufficient information to demonstrate
8477 that the parking demand for a specific land use will be satisfied. Parking studies shall be
8478 prepared by a professional engineer with expertise in traffic and parking analyses, or an
8479 equally qualified individual as authorized by the director.

8480 C. If the required amount of off-street parking has been proposed to be provided
8481 off-site, the applicant shall provide written contracts with affected landowners showing
8482 that required off-street parking shall be provided in a manner consistent with this chapter.
8483 The contracts shall be reviewed by the director for compliance with this chapter, and if
8484 approved, the contracts shall be recorded with the records and licensing services division
8485 as a deed restriction on the title to all applicable properties. These deed restrictions may
8486 not be revoked or modified without authorization by the director.

8487 D. Upon request from the ((proponent of any use subject to the this chapter))
8488 applicant, the director may waive or modify the requirements of this chapter for uses
8489 located in a rural town, rural neighborhood center, any commercial zone located in a rural
8490 area or natural resource ((production district)) lands ((designated by the Comprehensive
8491 Plan)), or any agricultural product production, processing or sales use allowed in the A or
8492 F zones, ((the director may waive or modify this chapter)) in order to protect or enhance
8493 the historic character of the area, to reduce the need for pavement or other impervious
8494 surfaces, to recognize the seasonal nature of any such activity, or to minimize the

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8495 ~~conversion of agriculturally productive soils. Where a ((neighborhood or)) subarea plan~~
8496 ~~with design guidelines that includes the subject property has been adopted, the director~~
8497 ~~shall base allowable waivers or modifications on the policies and guidelines in such a~~
8498 ~~plan.~~

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8499 SECTION ~~129179~~. Ordinance 10870, Section 407, as amended, and K.C.C.
8500 21A.18.030 are hereby amended to read as follows:

8501 A.1. Except as modified in K.C.C. 21A.18.070.B. through D., ~~the required~~
8502 ~~number of~~ off-street parking ~~((areas)) spaces~~ shall ~~((contain at a minimum the number of~~
8503 ~~parking spaces as stipulated in the following))~~ ~~be provided in accordance with the table in~~
8504 ~~subsection A.4. of this section.~~

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8505 _____ 2. Off-street parking ratios ~~((expressed as number of spaces per square feet~~
8506 ~~means))~~ shall be based on the usable or net square footage of floor area, exclusive of
8507 ~~((non-public)) non-occupied~~ areas. ~~((Non-public))~~ For the purposes of this section,
8508 ~~"nonpublic non-occupied~~ areas" include, but are not limited to, building maintenance
8509 areas, storage areas, closets, or restrooms.

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8510 _____ 3. If the formula for determining the number of off-street parking spaces results
8511 in a fraction, the number of off-street parking spaces shall be rounded to the nearest
8512 whole number with fractions of 0.50 or greater rounding up and fractions below 0.50
8513 rounding down.

8514 _____ 4. Minimum Required Parking Spaces.

LAND USE	MINIMUM PARKING SPACES REQUIRED
RESIDENTIAL (K.C.C. 21A.08.030.A):	

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<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 <u>residence</u> /Townhouse	2.0 per dwelling unit
<u>Duplex, triplex, fourplex 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
((Mobile)) <u>Manufactured home</u>	2.0 per dwelling unit
((park)) <u>community</u>	
Senior ((citizen)) <u>assisted housing</u>	1 per 2 dwelling or sleeping units
((Community residential facilities <u>1 per</u> ((two)) <u>2 bedrooms</u>)	
((Dormitory, including religious)) <u>Congregate residence</u>	<u>1 per</u> ((two)) <u>2 bedrooms</u> <u>2 dwelling or sleeping units</u>
((Hotel/Motel including <u>organizational hotel/lodging</u>	<u>1 per bedroom</u>

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Bed and breakfast guesthouse	1 per guest room, plus 2 per facility
Cottage housing	1 per dwelling unit
<u>HEALTH CARE SERVICES AND RESIDENTIAL CARE SERVICES</u>	
<u>(K.C.C. 21A.08.XXX (the new section created by section 148 of this ordinance))</u>	
<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 bedroomssleeping unit</u>
<u>Emergency supportive housing</u>	<u>1 per 2 employees plus 1 per 20 bedroomssleeping unit</u>
<u>Interim housing</u>	<u>1 per 2 employees plus 1 per 20 bedrooms</u>
<u>Microshelter villages</u>	<u>1 per 2 employees plus 1 per 20 microshelters</u>

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((RECREATION/)) RECREATIONAL AND CULTURAL (K.C.C. 21A.08.040.A₂):	
((Recreation/)) <u>Recreational and cultural</u> ((e)) <u>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 club house facilities
<u>Tennis Club</u>	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</u> 1 per 3 fixed seats ((:)) plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1 per ((bed)) room ((, whichever results in the greater number of spaces)) .
LAND USE	MINIMUM PARKING SPACES REQUIRED
GENERAL SERVICES (K.C.C. 21A.08.050.A₂):	
General services uses ((:))	1 per 300 square feet
Exceptions:	

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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
((Churches, synagogue, temple)) Religious facility	1 per 5 fixed seats, plus 1 per 50 square feet of gross floor area without fixed seats used for assembly purposes
((Outpatient and)) Veterinary clinic ((offices))	1 per 300 square feet of office, labs, and examination rooms
((Nursing and personal care — Facilities	1 per 4 beds
Hospital	1 per bed
Hotel/Motel	1 per room
Organizational hotel/lodging	1 per room
Bed and breakfast guesthouse	1 per guest room, plus 2 per facility
Elementary schools	1 per classroom, plus 1 per 50 students
((Secondary schools))	
Middle/junior high schools	1 per classroom, plus 1 per 50 students
Secondary or ((H))high schools	1 per classroom, plus 1 per 10 students

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Secondary or ((H)) high schools with stadiums	((g)) 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 ((five)) <u>5</u> students
Specialized instruction Schools	1 per classroom, plus 1 per ((two)) <u>2</u> students
Artist Studios	<u>0.9</u> per 1,000 square feet of area used for studios
GOVERNMENT/BUSINESS SERVICES (K.C.C. 21A.08.060.A₂):	
Government/business services uses ((f))	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 <u>1,000</u> 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)

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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
LAND USE	MINIMUM PARKING SPACES REQUIRED
RETAIL ((WHOLESALE)) (K.C.C. 21A.08.070.A.):	
Retail ((trade)) uses ((?))	1 per 300 square feet
Exceptions:	
Food stores, less than 15,000 square feet	3 plus 1 per 350 square feet
Gasoline service stations ((w/o)) without grocery	3 per facility, plus 1 per service bay
Gasoline service stations ((w/)) with grocery, no	1 per facility, plus 1 per 300 square feet of store

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service bays	
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
((Retail and wholesale trade mixed use	1 per 300 square feet))
MANUFACTURING (K.C.C. 21A.08.080.A₂):	
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
RESOURCES (K.C.C. 21A.08.090.A₂):	
Resource uses	(director)
REGIONAL (K.C.C. 21A.08.100.A₂):	
Regional uses	(director)

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8515 B. An applicant may request a modification of the minimum required number of
8516 parking spaces by ~~((providing)) demonstrating~~ that parking demand can be met with a
8517 reduced parking requirement. In such cases, the director may approve a reduction of up
8518 to fifty percent of the minimum required number of spaces.

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8519 C. When the county has received a shell building permit application, off-street
8520 parking requirements shall be based on the possible tenant improvements or uses
8521 authorized by the zoning classification and compatible with the limitations of the shell
8522 permit. When the range of possible uses result in different parking requirements, the
8523 director will establish the amount of parking based on a likely range of uses.

8524 D. Where other provisions of this code stipulate maximum parking allowed or
8525 reduced minimum parking requirements, those provisions shall apply.

8526 E.1. In any development required to provide six or more parking spaces, bicycle
8527 parking shall be provided. Bicycle parking shall be bike racks or locker-type parking
8528 facilities unless otherwise specified.

8529 ~~((+))~~ 2. Off-street parking areas shall contain at least one bicycle parking space
8530 for every twelve spaces required for motor vehicles except as follows:

8531 a. The director may reduce ~~((bike rack))~~ bicycle parking facilities for patrons
8532 when it is demonstrated that bicycle activity will not occur at that location.

8533 b. The director may require additional spaces when it is determined that the
8534 use or its location will generate a high volume of bicycle activity. Such a determination
8535 will include, but not be limited to, the following uses:

8536 (1) Park/playfield~~(());~~

8537 (2) Marina~~(());~~

8538 (3) Library/museum/arboretum~~(());~~

8539 (4) Elementary/secondary school~~(());~~

8540 (5) Sports club~~(());~~ or

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8541 (6) Retail business (when located along a developed bicycle trail or
8542 designated bicycle route).

8543 ((2-)) 3. Bicycle ((facilities)) parking for patrons shall be located within 100 feet
8544 of the building entrance and shall be designed to allow either a bicycle frame or wheels to
8545 be locked to a structure attached to the pavement.

8546 ((3-)) 4. All bicycle parking and storage shall be located in safe, visible areas
8547 that do not impede pedestrian or vehicle traffic flow, and shall be well lit for nighttime
8548 use.

8549 ((4-)) 5. When more than ten people are employed on-site, enclosed locker-type
8550 parking facilities for employees shall be provided. The director shall allocate the
8551 required number of parking spaces between bike rack parking and enclosed locker-type
8552 parking facilities.

8553 ((5-)) 6. One indoor bicycle storage space shall be provided for every two
8554 dwelling units in townhouses and apartments ~~((residential uses))~~, unless individual
8555 garages are provided for every unit. The director may reduce the number of ~~((bike rack))~~
8556 bicycle parking spaces if indoor storage facilities are available to all residents.

8557 SECTION 430180. Ordinance 10870, Section 410, as amended, and K.C.C.
8558 21A.18.050 are hereby amended to read as follows:

8559 A. For community residential facilities and senior assisted housing, ~~((F))~~ the
8560 minimum parking requirement ~~((of one off street parking space per two bedrooms for
8561 ((CRF's)) CRFs and one off street parking space per two senior ((citizen)) assisted
8562 housing units))~~ may be reduced by up to ~~((50))~~ fifty percent, as determined by the
8563 director based on the following considerations:

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8564 1. Availability of private, convenient transportation services to meet the needs
8565 of ~~((the CRF))~~ residents;

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8566 2. Accessibility to and frequency of public transportation; and

8567 3. Pedestrian access to health, medical, and shopping facilities;

8568 B. If a ~~((CRF))~~ community residential facility or senior ~~((citizen))~~ assisted
8569 housing is no longer used for such purposes, additional off-street parking spaces shall be
8570 required in compliance with this chapter ~~((prior to))~~ before the issuance of a new
8571 certificate of occupancy.

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8572 SECTION 131181. Ordinance 10870, Section 414, as amended, and K.C.C.
8573 21A.18.100 are hereby amended to read as follows:

8574 A. ~~((Non residential))~~ Nonresidential uses. All ~~((permitted))~~ nonresidential uses
8575 shall provide pedestrian and bicycle ~~((access))~~ facilities within and onto the site~~((s))~~ as
8576 follows:

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8577 1. Access points onto the site shall be provided;

8578 ~~((a))~~ a. approximately every ~~((800))~~ eight hundred to ~~((1,000))~~ one thousand
8579 feet along existing and proposed perimeter sidewalks and walkways~~((s))~~; and

8580 ~~((b))~~ b. at all arrival points to the site, including abutting street intersections,
8581 crosswalks, and transit stops~~((s))~~;

8582 2. ~~((In addition, a))~~ Access points to and from adjacent lots shall be coordinated
8583 to provide pedestrian and bicycle circulation patterns between developments; and

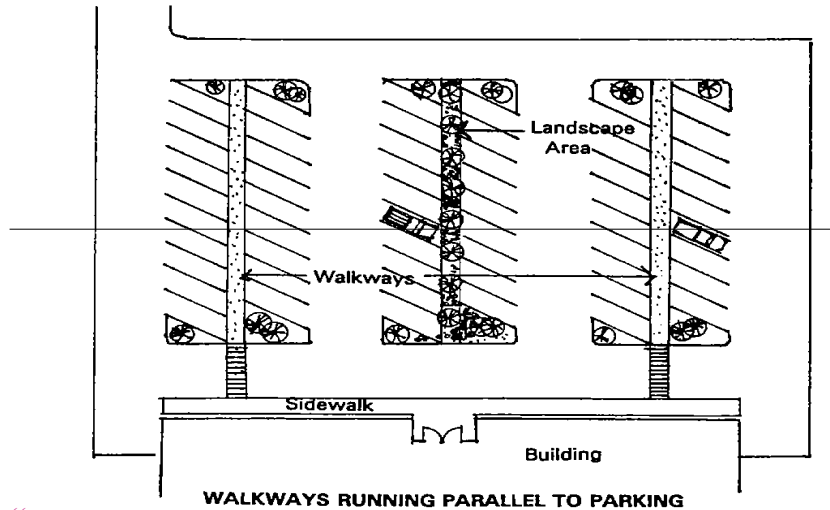
8584 3. In the urban ~~growth~~ area, sidewalks, walkways, and bicycle facilities in
8585 commercial developments shall be sufficient width and surface material to support
8586 anticipated bicyclist volumes and pedestrian access to all ages and abilities.

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8587 B. Residential uses.~~((~~
8588 ~~((1-))~~ All ~~((permitted))~~ residential uses of five or more dwelling units shall
8589 provide pedestrian and bicycle ~~((access))~~ facilities within and onto the site~~((-~~) as follows:
8590 1. Access points onto the site shall be provided:
8591 ~~((a))~~ a. approximately every ~~((800))~~ eight hundred to ~~((1,000))~~ one thousand
8592 feet along existing and proposed perimeter sidewalks and walkways~~((-~~); and
8593 ~~((b))~~ b. at all arrival points to the site, including abutting street intersections,
8594 crosswalks, and transit and school bus stops~~((-~~);
8595 2. ~~((In addition, a))~~ Access points to and from adjacent lots shall be coordinated
8596 to provide pedestrian and bicycle circulation patterns between sites~~((-~~);
8597 ~~((2-))~~ 3. Residential uses of five or more dwelling units shall provide for ~~((non-~~
8598 ~~motorized))~~ pedestrian and bicycle circulation between cul-de-sacs or groups of buildings
8599 to allow ~~((pedestrian and bicycle))~~ access within and through the development to adjacent
8600 activity centers, parks, common tracts, dedicated open space intended for active
8601 recreation, schools or other public facilities, transit and school bus stops, and public
8602 streets~~((-~~); and
8603 ~~((3-))~~ 4. Access shall only be required to school bus stops that are within or
8604 adjacent to a proposed residential use of five or more dwelling units and that are
8605 identified by the affected school district in response to a Notice of Application. In order
8606 to allow school districts to identify school bus stops, the department shall send a Notice
8607 of Application to affected school districts on all applications for residential uses of five or
8608 more dwelling units.

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8609 (())

8610 C. Walkways shall form an on-site circulation system that minimizes the conflict
8611 between pedestrians and traffic at all points of pedestrian access to on-site parking and
8612 building entrances. Walkways shall be provided when the pedestrian access point onto
8613 the site, or any parking space, is more than ((75)) seventy-five feet from the building
8614 entrance or principal on-site destination and as follows:

8615 1. All developments ((which)) that contain more than one building shall provide
8616 walkways between the principal entrances of the buildings;

8617 2. All non-residential buildings set back more than ((400)) one hundred feet
8618 from the public ((right-of-way)) right of way shall provide for direct pedestrian access
8619 from the building to buildings on adjacent lots; and

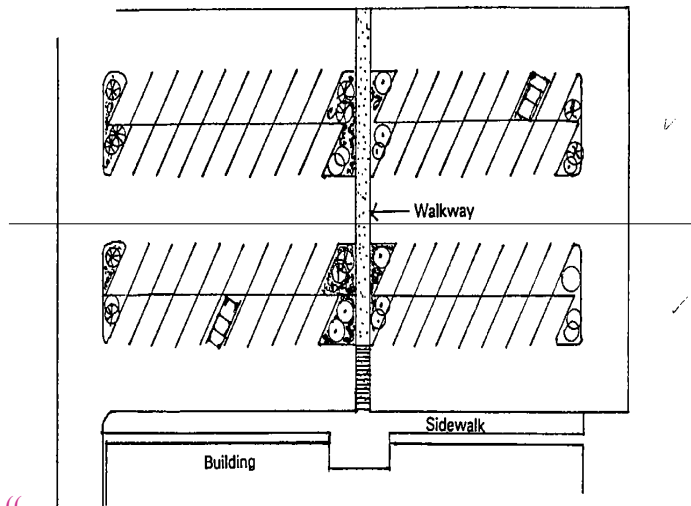
8620 3. Walkways across parking areas shall be located as follows:

8621 a. Walkways running parallel to the parking rows shall be provided for every
8622 six rows. Rows without walkways shall be landscaped or contain barriers or other means
8623 to encourage pedestrians to use the walkways; and

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8624 b. Walkways running perpendicular to the parking rows shall be no further
8625 than twenty parking spaces. Landscaping, barriers, or other means shall be provided
8626 between the parking rows to encourage pedestrians to use the walkways((s)).



8627 ((

8628 ~~WALKWAYS RUNNING PERPENDICULAR TO PARKING~~)

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8629 D. Pedestrian and bicycle access and walkways shall meet the following
8630 minimum design standards:

8631 1. Access and walkways shall be well lit and physically separated from
8632 driveways and parking spaces by landscaping, berms, barriers, grade separation, or other
8633 means to protect pedestrians from vehicular traffic;

8634 2. Access and walkways shall be a minimum of ((48)) forty-eight inches of
8635 unobstructed width and meet the surfacing standards of the King County Road Standards
8636 for walkways or sidewalks;

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8637 3. The minimum standard for walkways required to be accessible for persons
8638 with disabilities shall be designed and constructed to comply with the current State
8639 Building Code regulations for barrier-free accessibility; and

8640 4. A crosswalk shall be required when a walkway crosses a driveway or a paved
8641 area accessible to vehicles(~~(; and)~~).

8642 E. Blocks in excess of (~~(660)~~) six hundred sixty feet shall be provided with a
8643 crosswalk at the approximate midpoint of the block.

8644 F.1. The director may waive or modify the requirements of this section when:

8645 (~~(1-)~~) a. (~~(E)~~)existing or proposed improvements would create an unsafe
8646 condition or security concern;

8647 (~~(2-)~~) b. (~~(F)~~)there are topographical constraints, or existing or required
8648 structures effectively block access;

8649 (~~(3-)~~) c. (~~(F)~~)the site is in ((a)) the rural area, as defined by the Comprehensive
8650 Plan, or designated natural resource lands outside of or not contiguous to an activity
8651 center, park, common tract, dedicated open space, school, transit stop, or other public
8652 facility;

8653 (~~(4-)~~) d. (~~(F)~~)the land use would not generate the need for pedestrian or bicycle
8654 access; or

8655 (~~(5-)~~) e. the public is not allowed access to the subject land use(~~(-)~~); and

8656 2. The director's waiver may not be used to modify or waive the requirements of
8657 K.C.C. 21A.18.100 relating to sidewalks and safe walking conditions for students.

8658 G. (~~(The provisions of t)~~)1. This section shall not apply on school district property.

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8659 SECTION ~~432182~~. Ordinance 10870, Section 415, as amended, and K.C.C.

8660 21A.18.110 are hereby amended to read as follows:

8661 A. Off-street parking areas shall not be located more than six hundred feet from
8662 the building they are required to serve for all uses except those specified as follows~~(?)~~,
8663 where an off-street parking area does not abut the building it serves, the required
8664 maximum distance shall be measured from the nearest building entrance that the parking
8665 area serves:

8666 1. For ~~((all))~~ single detached ~~((dwellings))~~ residences, duplex, ~~triplex, or~~
8667 ~~fourplex or houseplexes~~, the parking spaces shall be located on the same lot they are
8668 required to serve;

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8669 2. For all other residential ~~((dwellings))~~ developments, at least a portion of
8670 parking areas shall be located within one hundred fifty feet from the building or buildings
8671 they are required to serve;

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8672 3. For all nonresidential uses ~~((permitted))~~ allowed in ~~((rural area and~~
8673 ~~residential))~~ RA, UR, and R zones, the parking spaces shall be located on the site they are
8674 required to serve and at least a portion of parking areas shall be located within one
8675 hundred fifty feet from the nearest building entrance they are required to serve;

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8676 4. In ~~((designated))~~ unincorporated activity centers, community business
8677 centers, and neighborhood business centers, parking lots shall be located to the rear or
8678 sides of buildings. Relief from this subsection A.4. may be granted by the director only if
8679 the applicant can demonstrate that there is no practical site design to meet this
8680 requirement. The director may allow only the number of parking spaces that cannot be
8681 accommodated to the rear or sides of buildings to be located to the front of buildings;

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8682 5. Parking lots shall be so arranged as to permit the internal circulation of
 8683 vehicles between parking aisles without ~~((re-entering))~~ reentering adjoining public
 8684 streets; and

8685 6. Accessible ((P)) parking stalls and access ((for the disabled)) shall be
 8686 provided in accordance with ~~((K.C.C. 21A.18.060))~~ chapter 19.27 RCW and chapter
 8687 70.92 RCW.

8688 B. The minimum parking space and aisle dimensions for the most common
 8689 parking angles are shown on the table in this subsection. For parking angles other than
 8690 those shown on the chart, the minimum parking space and aisle dimensions shall be
 8691 determined by the director. Regardless of the parking angle, one-way aisles shall be at
 8692 least ten feet wide, and two-way aisles shall be at least twenty feet wide. If dead-end
 8693 aisles are used in the parking layout, they shall be constructed as two-way aisles. Parking
 8694 plans for angle parking shall use space widths no less than eight feet six inches for a
 8695 standard parking space design and eight feet for a compact car parking space design.

8696 MINIMUM PARKING STALL AND AISLE DIMENSIONS

A	B	C	D	E	F
PARKING	STALL	CURB	STALL	 AISLE	 UNIT DEPTH
G	 WIDTH	 LENGTH	 DEPT	 WIDTH	 1-WAY 2-
 ANGLE		 H	 H	 1-WAY 2-	 WAY
	 8.0*	 20.0*	 8.0	 12.0 20.0	 ** **
 0 — 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

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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
30	Desired 9.0	18.0	17.0	10.0 20.0	44.0 54.0
45	8.0*	11.5*	17.0*	12.0 20.0	** **
	Min 8.5	12.0		12.0 20.0	50.0 58.0
45	Desired 9.0	12.5		12.0 20.0	51.0 59.0
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
60	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
90	Desired 9.0	9.0	18.0	23.0 24.0	60.0 60.0

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<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	
<u>PARKING</u>	<u>STALL</u>	<u>CURB</u>	<u>STALL</u>	<u>AISLE WIDTH</u>	
<u>ANGLE</u>	<u>WIDTH</u>	<u>LENGTH</u>	<u>-DEPTH</u>	<u>1-WAY</u>	<u>2-WAY</u>
0	Compact: 8.0 feet	20.0 feet	8.0 feet	12.0 feet	20.0 feet
	Minimum 8.5 feet	22.5 feet	8.5 feet	12.0 feet	20.0 feet
	Desired 9.0 feet	22.5 feet	9.0 feet	12.0 feet	20.0 feet
30	Compact: 8.0 feet	16.0 feet	15.0 feet	10.0 feet	20.0 feet
	Minimum 8.5 feet	17.0 feet	16.5 feet	10.0 feet	20.0 feet
	Desired 9.0 feet	18.0 feet	17.0 feet	10.0 feet	20.0 feet

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45	Compact: 8.0 feet	11.5 feet	17.0 feet	12.0 feet	20.0 feet
	Minimum 8.5 feet	12.0 feet	18.5 feet	12.0 feet	20.0 feet
	Desired 9.0 feet	12.5 feet	19.0 feet	12.0 feet	20.0 feet
60	Compact: 8.0 feet	9.6 feet	18.0 feet	18.0 feet	20.0 feet
	Minimum 8.5 feet	10.0 feet	20.0 feet	18.0 feet	20.0 feet
	Desired 9.0 feet	10.5 feet	21.0 feet	18.0 feet	20.0 feet
90	Compact: 8.0 feet	8.0 feet	16.0 feet	24.0 feet	24.0 feet
	Minimum 8.5 feet	8.5 feet	18.0 feet	24.0 feet	24.0 feet
	Desired 9.0 feet	9.0 feet	18.0 feet	24.0 feet	24.0 feet

8698

~~(*) for compact stalls only~~

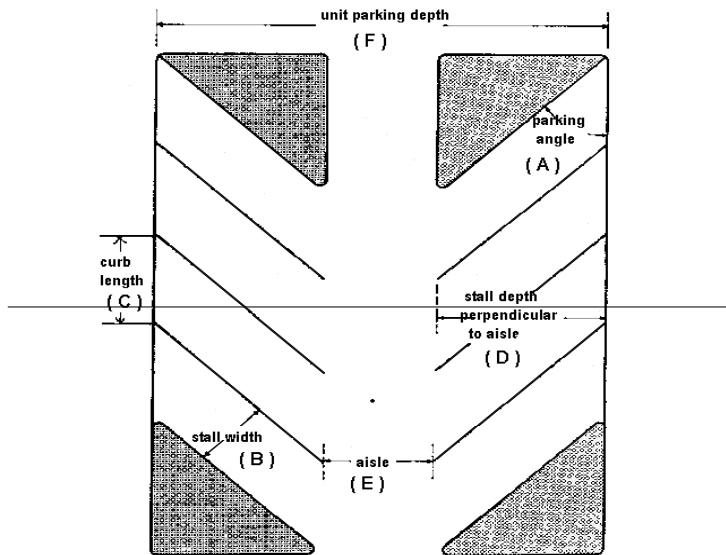
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8699

~~** variable with compact and standard combinations~~

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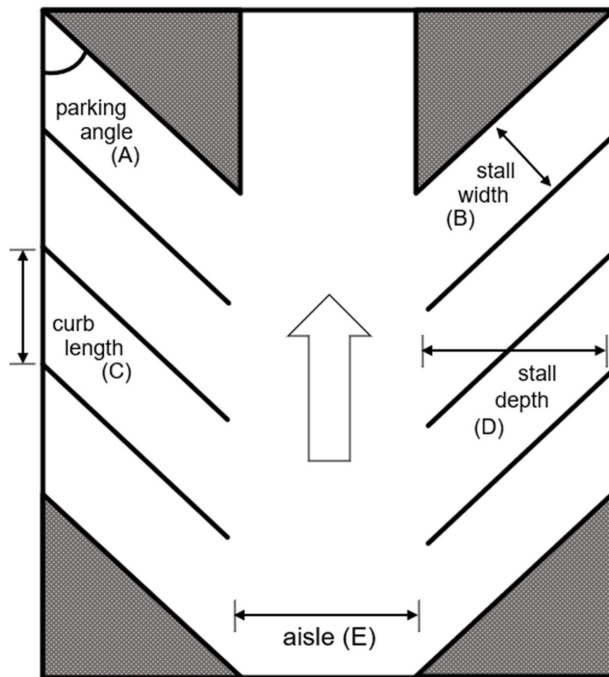
NOMENCLATURE OF OFF-STREET PARKING AREA



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8702 C. Any parking spaces abutting a required landscaped area on the driver or
8703 passenger side of the vehicle shall provide an additional eighteen inches above the
8704 minimum space width requirement to provide a place to step other than in the landscaped
8705 area. The additional width shall be separated from the adjacent parking space by a
8706 parking space division stripe.

8707 D. The parking stall depth may be reduced if vehicles overhang a walkway or
8708 landscaping under the following conditions:

- 8709 1. Wheelstops or curbs are installed;
- 8710 2. The remaining walkway provides a minimum of forty-eight inches of
- 8711 unimpeded passageway for pedestrians;

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8712 3. The amount of space depth reduction is limited to a maximum of eighteen
8713 inches; and

8714 4. Landscaping is designed in accordance with K.C.C. 21A.16.070.E.

8715 E. Driveways providing ingress and egress between off-street parking areas and
8716 abutting streets shall be designed, located, and constructed in accordance with K.C.C.

8717 chapter 14.42, Road Standards. Driveways for single detached ~~((dwellings, no more than~~

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8718 ~~twenty feet in width,)) residences~~ may cross required setbacks or landscaped areas to

8719 provide access between the off-street parking areas and the street, ~~((provided))~~ if the

8720 driveway is no more than twenty feet in width and eliminates no more than fifteen

8721 percent of the required landscaping or setback area ~~((is eliminated by the driveway)).~~

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8722 Joint use driveways may be located within required landscaping or setback areas.

8723 Driveways for all other developments may cross or be located within required setbacks or
8724 landscaped areas to provide access between the off-street parking areas and the street, if

8725 no more than ten percent of the required landscaping is displaced by the driveway and the

8726 driveway is located no closer than five feet from any property line except where

8727 intersecting the street.

8728 F. Parking spaces ~~((required under this title))~~ shall be located as follows:

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8729 1. For single detached ~~((dwelling units)) residences, duplex, or houseplexes~~ the

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8730 required parking spaces shall be outside of any required setbacks or landscaping, but

8731 driveways crossing setbacks and required landscaping may be used for parking.

8732 However, if the driveway is a joint use driveway, ~~((no))~~ a vehicle parked on the driveway

8733 shall not obstruct any joint user's access to the driveway or parking spaces;

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8734 2. For all other developments, parking spaces may be ~~((permitted))~~ allowed by
8735 the director in setback areas in accordance with an approved landscape plan; and

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8736 3. For nonresidential uses in ~~((rural area and residential))~~ RA, UR, and R zones,
8737 parking is ~~((permitted))~~ allowed in setback areas in accordance with K.C.C. 21A.12.220.

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8738 G. Lighting shall be provided for safety of traffic and pedestrian circulation on
8739 the site. It shall be designed to minimize direct illumination of abutting properties and
8740 adjacent streets. The director shall have the authority to waive the requirement to provide
8741 lighting.

8742 H. Tandem or end-to-end parking is allowed in residential developments.

8743 ~~Duplex, triplex, fourplex, ((A))apartment, or townhouse d~~ Developments may have
8744 tandem parking areas for each dwelling unit but shall not combine parking for separate
8745 dwelling units in tandem parking areas.

8746 I. All vehicle parking and storage for single detached ~~((dwellings))~~ residences
8747 ~~((must))~~ shall be in a garage~~((s))~~ or carport or on an approved impervious surface. Any
8748 impervious surface used for vehicle parking or storage ~~((must))~~ shall have direct and
8749 unobstructed driveway access.

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8750 J. The total number of vehicles parked or stored outside of a building on a single
8751 ~~((family))~~ detached lot in the R-1 through R-8 zones, excluding recreational vehicles and
8752 trailers, shall not exceed six vehicles on lots that are twelve thousand five hundred square
8753 feet or less and eight vehicles on lots that are greater than twelve thousand five hundred
8754 square feet.

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8755 K. Vanpool and carpool parking areas shall meet the following minimum design
8756 standards:

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8757 1. A minimum vertical clearance of seven feet three inches shall be provided to
8758 accommodate van vehicles if designated vanpool and carpool parking spaces are located
8759 in a parking structure; and

8760 2. A minimum turning radius of twenty-six feet four inches with a minimum
8761 turning diameter, curb to curb, of fifty-two feet five inches shall be provided from
8762 parking aisles to adjacent vanpool and carpool parking spaces.

8763 L. Direct access from the street ~~((right-of-way))~~ right of way to off-street parking
8764 areas shall be subject to K.C.C. 21A.28.120.

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8765 M. No dead-end alley may provide access to more than eight off-street parking
8766 spaces.

8767 N. Any parking stalls located in enclosed buildings ~~((must))~~ shall be totally
8768 within the enclosed building.

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8769 SECTION 433.183. Ordinance 10870, Section 417, and K.C.C. 21A.18.130 are
8770 hereby amended to read as follows:

8771 A. ~~((In any d))~~ Development containing more than ((20)) twenty parking
8772 spaces ((,)) may designate up to ~~((50))~~ fifty percent of the total number of spaces ~~((may be~~
8773 sized to accommodate)) for compact cars ~~((,))~~.

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8774 B. Residential developments with less than twenty parking spaces may designate
8775 up to 40 percent of the total number of spaces as compact.

8776 C. Parking spaces for compact cars are subject to the following:

8777 ~~((A))~~ 1. Each space shall be clearly identified as a compact car space by
8778 painting the word "COMPACT" in capital letters, a minimum of 8 inches high, on the
8779 pavement at the base of the parking space and centered between the striping; and

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8780 ~~((B.))~~ 2. Aisle widths shall conform to the standards set for standard size cars(~~(;~~
8781 ~~and))~~.

8782 ~~((C.))~~ B. Duplex, triplex, fourplex, or (A) apartment developments with less
8783 than twenty parking spaces may designate up to ~~((40))~~ forty percent of the required
8784 parking spaces as compact spaces.)

8785 SECTION 134184. Ordinance 13022, Section 26, as amended, and K.C.C.
8786 21A.20.190 are hereby amended to read as follows:

8787 Community identification signs are ~~((permitted))~~ allowed subject to the following
8788 ~~((provisions))~~:

8789 A. ~~((Only ((Unincorporated Activity Center, ((urban planned development,))
8790 Rural Town)) Unincorporated activity centers and rural towns ((, or)) designated ((and
8791 delineated)) by the Comprehensive Plan,))~~ are eligible to be identified with community
8792 identification signs~~((, Identification signs for Unincorporated Activity Centers ((, urban
8793 planned developments)) or Rural Towns shall be))~~ placed along the boundaries identified
8794 by the Comprehensive Plan;

8795 B. Two types of community identification signs are ~~((permitted))~~ allowed.
8796 Primary signs are intended to mark the main arterial street entrances to a ~~((designated
8797 community, ((Unincorporated Activity Center, ((urban planned development,)) Rural
8798 Town)) unincorporated activity center or rural town~~. Auxiliary signs are intended to
8799 mark entrances to a ~~((designated community, ((Unincorporated Activity Center, ((urban
8800 planned development,)) Rural Town,)) unincorporated activity center or rural town~~, along
8801 local access streets;

8802 C. Primary signs are subject to the following ~~((provisions))~~:

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8803 1. No more than four primary signs shall be allowed per ~~((Unincorporated~~
8804 ~~Activity Center, ((urban planned development,)) Rural Town, or designated community))~~
8805 unincorporated activity center or rural town, or designated community;

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8806 2. Each primary sign shall be no more than thirty-two square feet in area and no
8807 more than six feet in height; and

8808 3. Primary signs shall only be located along arterial streets, outside of the
8809 ~~((right-of-way));~~

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8810 D. Auxiliary community identification signs are subject to the following
8811 ~~((provisions)):~~

8812 1. There shall be no limits on the number of auxiliary community identification
8813 signs allowed per ~~((Unincorporated Activity Center, ((urban planned development,))~~
8814 ~~Rural Town or designated community,))~~ unincorporated activity center or rural town; and

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8815 2. Each auxiliary sign shall be no more than two square feet, and shall be
8816 located only outside of the ~~((right-of-way)); ((and))~~

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8817 E. No commercial advertisement shall be ~~((permitted))~~ allowed on either primary
8818 or auxiliary signs except as follows:

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8819 1. When located on property within the RA, UR, and R-1 ~~((, R-8, and R-12))~~
8820 through R-48 zones, signs may have a logo or other symbol of a community service or
8821 business group, such as Kiwanis, Chamber of Commerce, or a similar group, sponsoring
8822 construction of the sign or signs. Any ~~((permitted))~~ allowed logo or symbol shall be
8823 limited to an area of no more than two square feet on primary signs and no more than
8824 seventy-two square inches on auxiliary signs; or

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8825 2. When located on properties within the NB, CB, RB, O₂ and I zones, signs
8826 may have a logo or other symbol of the company, community service, or business group
8827 sponsoring construction of the sign or signs. Any ~~((permitted))~~ allowed logo or symbol
8828 shall be limited to an area of no more than four square feet on primary signs and no more
8829 than seventy-two square inches on auxiliary signs; and

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8830 F. Community identification signs shall be exempt from the provisions of K.C.C.
8831 21A.20.060.A. that require signs to be on-premise.

8832 SECTION 135185. Ordinance 10870, Section 444, as amended, and K.C.C.
8833 21A.22.060 are hereby amended to read as follows:

8834 Except as otherwise provided in K.C.C. 21A.22.040, in addition to requirements
8835 in this title, all uses regulated under this chapter shall comply with the following
8836 standards:

8837 A. The minimum site area shall be ten acres;

8838 B. On sites larger than twenty acres, activities shall occur in phases to minimize
8839 environmental impacts. The size of each phase shall be determined during the review
8840 process ~~((:))~~ in accordance with the following:

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8841 1. On sites one hundred acres or less, each phase shall not be more than twenty-
8842 five acres;

8843 2. On sites more than one hundred acres, each phase shall not be more than fifty
8844 acres. Phases that include areas of greater than twenty-five acres shall have setbacks
8845 double those specified in subsections E. and F. of this section;

8846 3. A third phase shall not be initiated until reclamation of the first phase is
8847 substantially complete. More than two phases shall not be allowed to operate at a time

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8848 without previous phases having been reclaimed. The status of reclamation shall be
8849 determined by:
8850 _____ a. the Washington state Department of Natural Resources, unless authority has
8851 been ceded to the county under RCW 78.44.390; or
8852 _____ b. the county for sites that are exempt from chapter 78.44 RCW and that are
8853 subject to K.C.C. 21A.22.081; and
8854 _____ 4. Minor variation from the standards in subsections B.1. through 3. of this
8855 section may be requested and approved as part of the permit review process where it is
8856 demonstrated to be needed or beneficial for compliant operation of the mineral extraction
8857 based on regulations for protection of water quality, environmental conditions, or safety;

8858 C. If the department determines they are necessary to eliminate a safety hazard,
8859 fences or alternatives to fences shall be:

8860 1. Provided in a manner that discourages access to areas of the site where:

8861 a. active extracting, processing, stockpiling, and loading of materials is
8862 occurring;

8863 b. boundaries are in common with residential or commercial zone property or
8864 public lands; or

8865 c. any unstable slope or any slope exceeding a grade of forty percent is present;

8866 2. At least six feet in height above the grade measured at a point five feet
8867 outside the fence and the fence material shall have no opening larger than two inches;

8868 3. Installed with lockable gates at all openings or entrances;

8869 4. No more than four inches from the ground to fence bottom; and

8870 5. Maintained in good repair;

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8871 D. Warning and trespass signs advising of the use shall be placed on the
8872 perimeter of the site adjacent to RA, UR₂ or R zones at intervals no greater than two
8873 hundred feet along any unfenced portion of the site where the items noted in subsection
8874 C.1. of this section are present;

8875 E. Structural setbacks from property lines shall be as follows:

8876 1. Buildings, structures₂ and stockpiles used in the processing of materials shall
8877 be no closer than:

8878 a. one hundred feet from any residential zoned properties except that the
8879 setback may be reduced to fifty feet when the grade where such building or structures are
8880 proposed is fifty feet or greater below the grade of the residential zoned property;

8881 b. fifty feet from any other zoned property, except when adjacent to another
8882 use regulated under this chapter; and

8883 c. the greater of fifty feet from the edge of any public street or the setback from
8884 residential zoned property on the far side of the street; and

8885 2. Offices, scale facilities, equipment storage buildings₂ and stockpiles,
8886 including those for reclamation, shall not be closer than fifty feet from any property line
8887 except when adjacent to another use regulated under this chapter or M or F zoned
8888 property. Facilities necessary to control access to the site, when demonstrated to have no
8889 practical alternative, may be located closer to the property line;

8890 F. On-site clearing, grading₂ or excavation, excluding that necessary for required
8891 access, roadway₂ or storm drainage facility construction₂ or activities in accordance with
8892 an approved reclamation plan, shall not be ~~((permitted))~~ allowed within fifty feet of any
8893 property line except along any portion of the perimeter adjacent to another use regulated

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8894 under this chapter or M or F zoned property. If native vegetation is restored, temporary
8895 disturbance resulting from construction of noise attenuation features located closer than
8896 fifty feet shall be ~~((permitted))~~ allowed;

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8897 G. Landscaping consistent with type 1 screening under K.C.C. chapter 21A.16,
8898 except using only plantings native to the surrounding area, shall be provided along any
8899 portion of the site perimeter where site disturbances associated with a use regulated under
8900 this chapter are performed, except where adjacent to another use regulated under this
8901 chapter, forestry operation, or M or F-zoned property;

8902 H. Relevant clearing and grading operating standards from K.C.C. chapter 16.82
8903 shall be applied; ~~((and))~~

8904 I. Lighting shall:

8905 1. Be limited to that required for security, lighting of structures and equipment,
8906 and vehicle operations; and

8907 2. Not directly glare onto surrounding properties; and

8908 J. Uses, buildings, structures, storage of equipment, and stockpile of materials not
8909 directly related to an approved mineral extraction use, reclamation plan, ~~or~~ materials
8910 processing use, or fossil fuel facility, are prohibited.

8911 ~~SECTION 136. Ordinance 15051, Section 137, as amended, and K.C.C.~~

8912 ~~21A.24.045 are hereby amended to read as follows:~~

8913 ~~A. Within the following seven critical areas and their buffers all alterations are~~
8914 ~~allowed if the alteration complies with the development standards, impact avoidance and~~
8915 ~~mitigation requirements, and other applicable requirements established in this chapter:~~

8916 ~~1. Critical aquifer recharge area;~~

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8917 ~~2. Coal mine hazard area;~~
8918 ~~3. Erosion hazard area;~~
8919 ~~4. Flood hazard area except in the severe channel migration hazard area;~~
8920 ~~5. Landslide hazard area under forty percent slope;~~
8921 ~~6. Seismic hazard area; and~~
8922 ~~7. Volcanic hazard area((s)).~~
8923 ~~B. Within the following seven critical areas and their buffers, unless allowed as~~
8924 ~~an alteration exception under K.C.C. 21A.24.070, only the alterations on the table in~~
8925 ~~subsection C. of this section are allowed if the alteration complies with conditions in~~
8926 ~~subsection D. of this section and the development standards, impact avoidance and~~
8927 ~~mitigation requirements and other applicable requirements established in this chapter:~~
8928 ~~1. Severe channel migration hazard area;~~
8929 ~~2. Landslide hazard area over forty percent slope;~~
8930 ~~3. Steep slope hazard area;~~
8931 ~~4. Wetland;~~
8932 ~~5. Aquatic area;~~
8933 ~~6. Wildlife habitat conservation area; and~~
8934 ~~7. Wildlife habitat network.~~
8935 ~~C. In the following table where an activity is included in more than one activity~~
8936 ~~category, the numbered conditions applicable to the most specific description of the~~
8937 ~~activity governs. Where more than one numbered condition appears for a listed activity,~~
8938 ~~each of the relevant conditions specified for that activity within the given critical area~~

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8939 applies. For alterations involving more than one critical area, compliance with the
 8940 conditions applicable to each critical area is required.

A= alternation is allowed Numbers indicate applicable development condition in subsection D. of this section	Landslide Hazard Over 40% and Buffer	Steep Slope Hazard and Buffer	Wetland and Buffer	Aquatic Area and Buffer and Severe Channel Migration	Wildlife Habitat Conservati on Area and Wildlife Habitat Network
Structures					
Construction of new single detached ((dwelling unit)) residence			A-1	A-2	
Construction of a new tree- supported structure			A-64	A-64	A-64
Construction of nonresidential structure			A-3	A-3	A-3,4
Maintenance or repair of existing structure	A-5	A	A	A	A-4
Expansion or replacement of existing structure	A-5,7	A-5,7	A-7,8	A-6,7,8	A-4,7
Interior remodeling	A	A	A	A	A

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Construction of new dock or pier			A-9	A-9, 10, 11	
Maintenance, repair, or replacement of dock or pier			A-12	A-10, 11	A-4
Grading					
Grading		A-13		A-14	A-4, 14
Construction of new slope stabilization	A-15	A-15	A-15	A-15	A-4, 15
Maintenance of existing slope stabilization	A-16	A-13	A-17	A-16, 17	A-4
Mineral extraction	A	A			
Clearing					
Clearing	A-18	A-18	A-18, 20	A-14, 18, 20	A-4, 14, 18, 20
Cutting firewood		A-21	A-21	A-21	A-4, 21
Vegetation management	A-19	A-19	A-19	A-19	A-4, 19
Removal of vegetation for fire safety	A-22	A-22	A-22	A-22	A-4, 22
Removal of noxious weeds or invasive vegetation	A-23	A-23	A-23	A-23	A-4, 23
Forest Practices					
Forest management activity	A	A	A	A	A-25
Roads					

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Construction of new public road right-of-way structure on unimproved ((right-of-way)) <u>right of way</u>			A-26	A-26	
Construction of new road in a plat			A-26	A-26	
Maintenance of public road right-of-way structure	A-16	A-16	A-16	A-16	A-16, 27
Expansion beyond public road right-of-way structure	A	A	A-26	A-26	
Repair, replacement, or modification within the roadway	A-16	A-16	A-16	A-16	A-16, 27
Construction of driveway or private access road	A-28	A-28	A-28	A-28	A-28
Construction of farm field access drive	A-29	A-29	A-29	A-29	A-29
Maintenance of driveway, private access road, farm field access drive, or parking lot	A	A	A-17	A-17	A-17, 27
Construction of a bridge or culvert as part of a driveway or private access road	A-39	A-39	A-39	A-39	A-39

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Bridges or culverts					
Maintenance or repair of bridge or culvert	A 16, 17	A 16, 17	A 16, 17	A 16, 17	A 16, 17, 27
Construction of a new bridge	A 16, 39	A 16, 39	A 16, 39	A 16, 39	A 4, 16, 39
Replacement of bridge or culvert	A 16	A 16	A 16	A 16, 30	A 16, 27
Expansion of bridge or culvert	A 16, 17	A 16, 17	A 16, 17, 31	A 17, 31	A 4
Utilities and other infrastructure					
Construction of new utility corridor or utility facility	A 32, 33	A 32, 33	A 32, 34	A 32, 34	A 27, 32, 35
Construction or maintenance of a hydroelectric generating facility	A 67	A 67	A 66	A 66	A 4, 66
Construction of a new residential utility service distribution line	A 32, 33	A 32, 33	A 32, 60	A 32, 60	A 27, 32, 60
Maintenance, repair, or replacement of utility corridor or utility facility	A 32, 33	A 32, 33	A 32, 34, 36	A 32, 34, 36	A 4, 32, 37
Construction of a new on-site	A 24	A 24	A 63	A 63	

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sewage disposal system or well					
Maintenance or repair of existing well	A 37	A 37	A 37	A 37	A 4, 37
Maintenance or repair of on-site sewage disposal system	A	A	A	A 37	A 4
Construction of new surface water conveyance system	A 32, 33	A 32, 33	A 32, 38	A 32, 38	A 4
Construction, maintenance, or repair of in-water heat exchanger			A 68	A 68	
Maintenance, repair, or replacement of existing surface water conveyance system	A 33	A 33	A 16, 32, 38	A 16, 40, 41	A 4, 37
Construction of new surface water flow control or surface water quality treatment facility			A 32	A 32	A 4, 32
Maintenance or repair of existing surface water flow control or surface water quality treatment facility	A 16	A 16	A 16	A 16	A 4
Construction of new flood protection facility			A 42	A 42	A 27, 42
Maintenance, repair, or	A 33, 43	A 33,	A 43	A 43	A 27, 43

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replacement of flood protection facility		43			
Flood risk reduction gravel removal	A-61	A-61	A-61	A-61	A-61
Construction of new instream structure or instream work	A-16	A-16	A-16	A-16, 44, 45	A-4, 16, 44, 45
Maintenance or repair of existing instream structure	A-16	A	A	A	A-4
Recreation					
Construction of new trail	A-46	A-46	A-47	A-47	A-4, 47
Maintenance of outdoor public park facility, trail, or publicly improved recreation area	A-48	A-48	A-48	A-48	A-4, 48
Habitat, education, and science projects					
Habitat restoration or enhancement project	A-49	A-49	A-49	A-49	A-4, 49
Scientific sampling for salmonids			A-50	A-50	A-50
Drilling and testing for critical areas report	A-51	A-51	A-51, 52	A-51, 52	A-4
Environmental education project	A-62	A-62	A-62	A-62	A-62

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Agriculture					
Horticulture activity including tilling, discing, planting, seeding, harvesting, preparing soil, rotating crops, and related activity	A-53	A-53	A-53, 54	A-53, 54	A-53, 54
Grazing livestock	A-53	A-53	A-53, 54	A-53, 54	A-53, 54
Construction or maintenance of a commercial fish farm			A-53, 54	A-53, 54	A-53, 54
Construction or maintenance of livestock manure storage facility			A-53, 54, 55	A-53, 54, 55, 56	A-53, 54
Construction of a livestock heavy use area			A-53, 54, 55	A-53, 54, 55, 56	A-53, 54
Construction or maintenance of a farm pad			A-56	A-56	
Construction of agricultural drainage			A-57	A-57	A-4, 57
Maintenance or replacement of agricultural drainage	A-23, 58	A-23, 58	A-23, 53, 54, 58	A-23, 53, 54, 58	A-4, 23, 53, 54, 58
Maintenance of agricultural waterway			A-69	A-69	
Construction or maintenance of	A-53	A-53	A-53, 54	A-53, 54	A-53, 54

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farm pond, fish pond, or livestock watering pond					
Other					
Shoreline water dependent or shoreline water oriented use				A-65	
Excavation of cemetery graves in established and approved cemetery	A	A	A	A	A
Maintenance of cemetery graves	A	A	A	A	A
Maintenance of lawn, landscaping, or garden for personal consumption	A-59	A-59	A-59	A-59	A-59
Maintenance of golf course	A-17	A-17	A-17	A-17	A-4, 17

8941 ~~———— D. The following alteration conditions apply:~~

8942 ~~———— 1. Limited to farm residences in grazed or tilled wet meadows and subject to the~~

8943 ~~limitations of subsection D.3. of this section.~~

8944 ~~———— 2. Only allowed in a buffer of a lake that is twenty acres or larger on a lot that~~

8945 ~~was created before January 1, 2005, if:~~

8946 ~~———— a. at least seventy five percent of the lots abutting the shoreline of the lake or~~

8947 ~~seventy five percent of the lake frontage, whichever constitutes the most developable~~

8948 ~~lake frontage, has existing density of four dwelling units per acre or more;~~

8949 ~~———— b. the development proposal, including mitigation required by this chapter, will~~

8950 ~~have the least adverse impact on the critical area;~~

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8951 ~~————— e. existing native vegetation within the critical area buffer will remain~~
8952 ~~undisturbed except as necessary to accommodate the development proposal and required~~
8953 ~~building setbacks;~~
8954 ~~————— d. access is located to have the least adverse impact on the critical area and~~
8955 ~~critical area buffer;~~
8956 ~~————— e. the site alteration is the minimum necessary to accommodate the~~
8957 ~~development proposal and in no case in excess of five thousand square feet;~~
8958 ~~————— f. the alteration is no closer than:~~
8959 ~~————— (1) on a site with a shoreline environment designation of high intensity or~~
8960 ~~residential, the greater of twenty five feet or the average of the setbacks on adjacent lots~~
8961 ~~on either side of the subject property, as measured from the ordinary high water mark of~~
8962 ~~the lake shoreline;~~
8963 ~~————— (2) on a site with a shoreline environment designation of rural, conservancy,~~
8964 ~~resource, or forestry, the greater of fifty feet or the average of the setbacks on adjacent~~
8965 ~~lots on either side of the subject property, as measured from the ordinary high water~~
8966 ~~mark; and~~
8967 ~~————— (3) on a site with a shoreline environment designation of natural, the greater~~
8968 ~~of one hundred feet or the average of the setbacks on adjacent lots on either side of the~~
8969 ~~subject property, as measured from the ordinary high water mark; and~~
8970 ~~————— g. to the maximum extent practical, alterations are mitigated on the~~
8971 ~~development proposal site by enhancing or restoring remaining critical area buffers.~~
8972 ~~————— 3. Limited to nonresidential farm structures in grazed or tilled wet meadows~~
8973 ~~((or))₂ buffers of wetlands₂ or aquatic areas where:~~

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- 8974 ~~_____ a. the site is predominantly used for the practice of agriculture;~~
- 8975 ~~_____ b. the structure is in compliance with an approved farm management plan in~~
- 8976 ~~accordance with K.C.C. 21A.24.051;~~
- 8977 ~~_____ c. the structure is either:~~
- 8978 ~~_____ (1) on or adjacent to existing nonresidential impervious surface areas,~~
- 8979 ~~additional impervious surface area is not created waterward of any existing impervious~~
- 8980 ~~surface areas and the area was not used for crop production;~~
- 8981 ~~_____ (2) higher in elevation and no closer to the critical area than its existing~~
- 8982 ~~position; or~~
- 8983 ~~_____ (3) at a location away from existing impervious surface areas that is~~
- 8984 ~~determined to be the optimum site in the farm management plan;~~
- 8985 ~~_____ d. all best management practices associated with the structure specified in the~~
- 8986 ~~farm management plan are installed and maintained;~~
- 8987 ~~_____ e. installation of fencing in accordance with K.C.C. chapter 21A.30 does not~~
- 8988 ~~require the development of a farm management plan if required best management~~
- 8989 ~~practices are followed and the installation does not require clearing of critical areas or~~
- 8990 ~~their buffers; and~~
- 8991 ~~_____ f. in a severe channel migration hazard area portion of an aquatic buffer only~~
- 8992 ~~if:~~
- 8993 ~~_____ (1) there is no feasible alternative location on site;~~
- 8994 ~~_____ (2) the structure is located where it is least subject to risk from channel~~
- 8995 ~~migration;~~

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8996 ~~———— (3) the structure is not used to house animals or store hazardous substances;~~
8997 ~~and~~
8998 ~~———— (4) the total footprint of all accessory structures within the severe channel~~
8999 ~~migration hazard area will not exceed the greater of one thousand square feet or two~~
9000 ~~percent of the severe channel migration hazard area on the site.~~
9001 ~~———— 4. No clearing, external construction, or other disturbance in a wildlife habitat~~
9002 ~~conservation area is allowed during breeding seasons established under K.C.C.~~
9003 ~~21A.24.382.~~
9004 ~~———— 5. Allowed for structures when:~~
9005 ~~———— a. the landslide hazard poses little or no risk of injury;~~
9006 ~~———— b. the risk of landsliding is low; and~~
9007 ~~———— c. there is not an expansion of the structure.~~
9008 ~~———— 6. Within a severe channel migration hazard area allowed for:~~
9009 ~~———— a. existing legally established primary structures if:~~
9010 ~~———— (1) there is not an increase of the footprint of any existing structure; and~~
9011 ~~———— (2) there is not a substantial improvement as defined in K.C.C. 21A.06.1270;~~
9012 ~~and~~
9013 ~~———— b. existing legally established accessory structures if:~~
9014 ~~———— (1) additions to the footprint will not make the total footprint of all existing~~
9015 ~~structures more than one thousand square feet; and~~
9016 ~~———— (2) there is not an expansion of the footprint towards any source of channel~~
9017 ~~migration hazard, unless the applicant demonstrates that the location is less subject to risk~~
9018 ~~and has less impact on the critical area.~~

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9019 ~~7. Allowed only in grazed wet meadows or the buffer or building setback~~
9020 ~~outside a severe channel migration hazard area if:~~
9021 ~~a. the expansion or replacement does not increase the footprint of a~~
9022 ~~nonresidential structure;~~
9023 ~~b.(1) for a legally established dwelling unit, the expansion or replacement,~~
9024 ~~including any expansion of a legally established accessory structure allowed under this~~
9025 ~~subsection B.7.b., does not increase the footprint of the dwelling unit and all other~~
9026 ~~structures by more than one thousand square feet, not including any expansion of a~~
9027 ~~drainfield made necessary by the expansion of the dwelling unit. To the maximum extent~~
9028 ~~practical, the replacement or expansion of a drainfield in the buffer should be located~~
9029 ~~within areas of existing lawn or landscaping, unless another location will have a lesser~~
9030 ~~impact on the critical area and its buffer;~~
9031 ~~(2) for a structure accessory to a dwelling unit, the expansion or replacement~~
9032 ~~is located on or adjacent to existing impervious surface areas and does not result in a~~
9033 ~~cumulative increase in the footprint of the accessory structure and the dwelling unit by~~
9034 ~~more than one thousand square feet;~~
9035 ~~(3) the location of the expansion has the least adverse impact on the critical~~
9036 ~~area; and~~
9037 ~~(4) a comparable area of degraded buffer area shall be enhanced through~~
9038 ~~removal of nonnative plants and replacement with native vegetation in accordance with~~
9039 ~~an approved landscaping plan;~~
9040 ~~c. the structure was not established as the result of an alteration exception,~~
9041 ~~variance, buffer averaging, or reasonable use exception;~~

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9042 ~~———— d. to the maximum extent practical, the expansion or replacement is not~~
9043 ~~located closer to the critical area or within the relic of a channel that can be connected to~~
9044 ~~an aquatic area; and~~
9045 ~~———— e. The expansion of a residential structure in the buffer of a Type S aquatic~~
9046 ~~area that extends towards the ordinary high water mark requires a shoreline variance if:~~
9047 ~~———— (1) the expansion is within thirty five feet of the ordinary high water mark; or~~
9048 ~~———— (2) the expansion is between thirty five and fifty feet of the ordinary high~~
9049 ~~water mark and the area of the expansion extending towards the ordinary high water mark~~
9050 ~~is greater than three hundred square feet.~~
9051 ~~———— 8. Allowed upon another portion of an existing impervious surface outside a~~
9052 ~~severe channel migration hazard area if:~~
9053 ~~———— a. except as otherwise allowed under subsection D.7. of this section, the~~
9054 ~~structure is not located closer to the critical area;~~
9055 ~~———— b. except as otherwise allowed under subsection D.7. of this section, the~~
9056 ~~existing impervious surface within the critical area or buffer is not expanded; and~~
9057 ~~———— c. the degraded buffer area is enhanced through removal of nonnative plants~~
9058 ~~and replacement with native vegetation in accordance with an approved landscaping plan.~~
9059 ~~———— 9. Limited to piers or seasonal floating docks in a category II, III₂ or IV wetland~~
9060 ~~or its buffer or along a lake shoreline or its buffer where:~~
9061 ~~———— a. the vegetation where the alteration is proposed does not consist of dominant~~
9062 ~~native wetland herbaceous or woody vegetation six feet in width or greater and the lack~~
9063 ~~of this vegetation is not the result of any violation of law;~~
9064 ~~———— b. the wetland or lake shoreline is not a salmonid spawning area;~~

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- 9065 ~~———— e. hazardous substances or toxic materials are not used; and~~
- 9066 ~~———— d. if located in a freshwater lake, the pier or dock conforms to the standards for~~
- 9067 ~~docks under K.C.C. 21A.25.180.~~
- 9068 ~~———— 10. Allowed on type N or O aquatic areas if hazardous substances or toxic~~
- 9069 ~~materials are not used.~~
- 9070 ~~———— 11. Allowed on type S or F aquatic areas outside of the severe channel~~
- 9071 ~~migration hazard area if in compliance with K.C.C. 21A.25.180.~~
- 9072 ~~———— 12. When located on a lake, must be in compliance with K.C.C. 21A.25.180.~~
- 9073 ~~———— 13. Limited to regrading and stabilizing of a slope formed as a result of a legal~~
- 9074 ~~grading activity.~~
- 9075 ~~———— 14. The following are allowed in the severe channel migration hazard area if~~
- 9076 ~~conducted more than one hundred sixty five feet from the ordinary high water mark in~~
- 9077 ~~the rural area and natural resource lands and one hundred fifteen feet from the ordinary~~
- 9078 ~~high water mark in the urban area:~~
- 9079 ~~———— a. grading of up to fifty cubic yards on lot less than five acres; and~~
- 9080 ~~———— b. clearing of up to one thousand square feet or up to a cumulative thirty five~~
- 9081 ~~percent of the severe channel migration hazard area.~~
- 9082 ~~———— 15. Only where erosion or landsliding threatens a structure, utility facility,~~
- 9083 ~~roadway, driveway, public trails, aquatic area, or wetland if, to the maximum extent~~
- 9084 ~~practical, stabilization work does not disturb the slope and its vegetative cover and any~~
- 9085 ~~associated critical areas.~~
- 9086 ~~———— 16. Allowed when performed by, at the direction of or authorized by a~~
- 9087 ~~government agency in accordance with regional road maintenance guidelines.~~

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- 9088 ~~17. Allowed when not performed under the direction of a government agency~~
9089 ~~only if:~~
- 9090 ~~a. the maintenance or expansion does not involve the use of herbicides,~~
9091 ~~hazardous substances, sealants, or other liquid oily substances in aquatic areas((,)) or~~
9092 ~~wetlands, or their buffers; and~~
- 9093 ~~b. when maintenance, expansion, or replacement of bridges or culverts~~
9094 ~~involves water used by salmonids:~~
- 9095 ~~(1) the work is in compliance with ditch standards in public rule; and~~
9096 ~~(2) the maintenance of culverts is limited to removal of sediment and debris~~
9097 ~~from the culvert and its inlet, invert and outlet and the stabilization of the disturbed or~~
9098 ~~damaged bank or channel immediately adjacent to the culvert and shall not involve the~~
9099 ~~excavation of a new sediment trap adjacent to the inlet.~~
- 9100 ~~18. Allowed for the removal of hazard trees and vegetation as necessary for~~
9101 ~~surveying or testing purposes.~~
- 9102 ~~19. The limited trimming, pruning, or removal of vegetation under a vegetation~~
9103 ~~management plan approved by the department:~~
- 9104 ~~a. in steep slope and landslide hazard areas, for the making and maintenance of~~
9105 ~~view corridors; and~~
- 9106 ~~b. in all critical areas for habitat enhancement, invasive species control, or~~
9107 ~~forest management activities.~~
- 9108 ~~20. Harvesting of plants and plant materials, such as plugs, stakes, seeds, or~~
9109 ~~fruits, for restoration and enhancement projects is allowed.~~
- 9110 ~~21. Cutting of firewood is subject to the following:~~

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- 9111 ~~_____ a. within a wildlife habitat conservation area, cutting firewood is not allowed;~~
- 9112 ~~_____ b. within a wildlife network, cutting shall be in accordance with a management~~
- 9113 ~~plan approved under K.C.C. 21A.24.386; and~~
- 9114 ~~_____ c. within a critical area buffer, cutting shall be for personal use and in~~
- 9115 ~~accordance with an approved forest management plan or rural stewardship plan.~~
- 9116 ~~_____ 22. Allowed only in buffers if in accordance with ((best management practices~~
- 9117 ~~approved by the King County fire marshal)) K.C.C. chapter 16.82.~~
- 9118 ~~_____ 23. Allowed as follows:~~
- 9119 ~~_____ a. if conducted in accordance with an approved forest management plan, farm~~
- 9120 ~~management plan₂, or rural stewardship plan; or~~
- 9121 ~~_____ b. without an approved forest management plan, farm management plan₂, or~~
- 9122 ~~rural stewardship plan, only if:~~
- 9123 ~~_____ (1) removal is undertaken with hand labor, including hand-held mechanical~~
- 9124 ~~tools, unless the King County noxious weed control board otherwise prescribes the use of~~
- 9125 ~~riding mowers, light mechanical cultivating equipment₂, or herbicides or biological~~
- 9126 ~~control methods;~~
- 9127 ~~_____ (2) the area is stabilized to avoid regrowth or regeneration of noxious weeds;~~
- 9128 ~~_____ (3) the cleared area is revegetated with native vegetation and stabilized~~
- 9129 ~~against erosion; and~~
- 9130 ~~_____ (4) herbicide use is in accordance with federal and state law;~~
- 9131 ~~_____ 24. Allowed to repair or replace existing on-site wastewater disposal systems in~~
- 9132 ~~accordance with the applicable public health standards within Marine Recovery Areas~~
- 9133 ~~adopted by ((the P)) public ((H))health — Seattle & King County and:~~

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- 9134 ~~———— a. there is no alternative location available with less impact on the critical area;~~
- 9135 ~~———— b. impacts to the critical area are minimized to the maximum extent~~
- 9136 ~~practicable;~~
- 9137 ~~———— c. the alterations will not subject the critical area to increased risk of landslide~~
- 9138 ~~or erosion;~~
- 9139 ~~———— d. vegetation removal is the minimum necessary to accommodate the septic~~
- 9140 ~~system; and~~
- 9141 ~~———— e. significant risk of personal injury is eliminated or minimized in the landslide~~
- 9142 ~~hazard area.~~
- 9143 ~~———— 25. Only if in compliance with published Washington state Department of Fish~~
- 9144 ~~and Wildlife and Washington state Department of Natural Resources Management~~
- 9145 ~~standards for the species. If there are no published Washington state standards, only if in~~
- 9146 ~~compliance with management standards determined by the county to be consistent with~~
- 9147 ~~best available science.~~
- 9148 ~~———— 26. Allowed only if:~~
- 9149 ~~———— a. there is not another feasible location with less adverse impact on the critical~~
- 9150 ~~area and its buffer;~~
- 9151 ~~———— b. the corridor is not located over habitat used for salmonid rearing or~~
- 9152 ~~spawning or by a species listed as endangered or threatened by the state or federal~~
- 9153 ~~government unless the department determines that there is no other feasible crossing~~
- 9154 ~~site(());~~
- 9155 ~~———— c. the corridor width is minimized to the maximum extent practical;~~
- 9156 ~~———— d. the construction occurs during approved periods for instream work;~~

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- 9157 ~~———— e. the corridor will not change or diminish the overall aquatic area flow peaks,~~
9158 ~~duration, or volume or the flood storage capacity; and~~
- 9159 ~~———— f. no new public ((right of way)) right of way is established within a severe~~
9160 ~~channel migration hazard area.~~
- 9161 ~~———— 27. To the maximum extent practical, during breeding season established under~~
9162 ~~K.C.C. 21A.24.382, land clearing machinery such as bulldozers, graders, or other heavy~~
9163 ~~equipment are not operated within a wildlife habitat conservation area.~~
- 9164 ~~———— 28. Allowed only if:~~
- 9165 ~~———— a. an alternative access is not available;~~
- 9166 ~~———— b. impact to the critical area is minimized to the maximum extent practical~~
9167 ~~including the use of walls to limit the amount of cut and fill necessary;~~
- 9168 ~~———— c. the risk associated with landslide and erosion is minimized;~~
- 9169 ~~———— d. access is located where it is least subject to risk from channel migration; and~~
- 9170 ~~———— e. construction occurs during approved periods for instream work.~~
- 9171 ~~———— 29. Only if in compliance with a farm management plan in accordance with~~
9172 ~~K.C.C. 21A.24.051.~~
- 9173 ~~———— 30. Allowed only if:~~
- 9174 ~~———— a. the new construction or replacement is made fish passable in accordance~~
9175 ~~with the most recent Washington state Department of Fish and Wildlife manuals or with~~
9176 ~~the National Marine and Fisheries Services guidelines for federally listed salmonid~~
9177 ~~species; and~~
- 9178 ~~———— b. the site is restored with appropriate native vegetation.~~

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- 9179 ~~31. Allowed if necessary to bring the bridge or culvert up to current standards~~
9180 ~~and if:~~
- 9181 ~~a. there is not another feasible alternative available with less impact on the~~
9182 ~~aquatic area and its buffer; and~~
- 9183 ~~b. to the maximum extent practical, the bridge or culvert is located to minimize~~
9184 ~~impacts to the aquatic area and its buffers.~~
- 9185 ~~32. Allowed in an existing roadway if conducted consistent with the regional~~
9186 ~~road maintenance guidelines.~~
- 9187 ~~33. Allowed outside the roadway if:~~
- 9188 ~~a. the alterations will not subject the critical area to an increased risk of~~
9189 ~~landslide or erosion;~~
- 9190 ~~b. vegetation removal is the minimum necessary to locate the utility or~~
9191 ~~construct the corridor; and~~
- 9192 ~~c. significant risk of personal injury is eliminated or minimized in the landslide~~
9193 ~~hazard area.~~
- 9194 ~~34. Limited to the pipelines, cables, wires, and support structures of utility~~
9195 ~~facilities within utility corridors if:~~
- 9196 ~~a. there is no alternative location with less adverse impact on the critical area~~
9197 ~~and critical area buffer;~~
- 9198 ~~b. new utility corridors meet the all of the following to the maximum extent~~
9199 ~~practical:~~

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9200 ~~————— (1) are not located over habitat used for salmonid rearing or spawning or by a~~
9201 ~~species listed as endangered or threatened by the state or federal government unless the~~
9202 ~~department determines that there is no other feasible crossing site;~~
9203 ~~————— (2) the mean annual flow rate is less than twenty cubic feet per second; and~~
9204 ~~————— (3) paralleling the channel or following a down valley route near the channel~~
9205 ~~is avoided;~~
9206 ~~————— c. to the maximum extent practical utility corridors are located so that:~~
9207 ~~————— (1) the width is the minimized;~~
9208 ~~————— (2) the removal of trees greater than twelve inches diameter at breast height is~~
9209 ~~minimized;~~
9210 ~~————— (3) an additional, contiguous, and undisturbed critical area buffer, equal in~~
9211 ~~area to the disturbed critical area buffer area including any allowed maintenance roads, is~~
9212 ~~provided to protect the critical area;~~
9213 ~~————— d. to the maximum extent practical, access for maintenance is at limited access~~
9214 ~~points into the critical area buffer rather than by a parallel maintenance road. If a parallel~~
9215 ~~maintenance road is necessary the following standards are met:~~
9216 ~~————— (1) to the maximum extent practical the width of the maintenance road is~~
9217 ~~minimized and in no event greater than fifteen feet; and~~
9218 ~~————— (2) the location of the maintenance road is contiguous to the utility corridor~~
9219 ~~on the side of the utility corridor farthest from the critical area;~~
9220 ~~————— e. the utility corridor or facility will not adversely impact the overall critical~~
9221 ~~area hydrology or diminish flood storage capacity;~~
9222 ~~————— f. the construction occurs during approved periods for instream work;~~

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- 9223 ~~g. the utility corridor serves multiple purposes and properties to the maximum~~
9224 ~~extent practical;~~
- 9225 ~~h. bridges or other construction techniques that do not disturb the critical areas~~
9226 ~~are used to the maximum extent practical;~~
- 9227 ~~i. bored, drilled, or other trenchless crossing is laterally constructed at least~~
9228 ~~four feet below the maximum depth of scour for the base flood;~~
- 9229 ~~j. bridge piers or abutments for bridge crossing are not placed within the~~
9230 ~~FEMA floodway or the ordinary high water mark;~~
- 9231 ~~k. open trenching is only used during low flow periods or only within aquatic~~
9232 ~~areas when they are dry. The department may approve open trenching of type S or F~~
9233 ~~aquatic areas only if there is not a feasible alternative and equivalent or greater~~
9234 ~~environmental protection can be achieved; and~~
- 9235 ~~l. minor communication facilities may collocate on existing utility facilities if:~~
- 9236 ~~(1) no new transmission support structure is required; and~~
- 9237 ~~(2) equipment cabinets are located on the transmission support structure.~~
- 9238 ~~35. Allowed only for new utility facilities in existing utility corridors.~~
- 9239 ~~36. Allowed for ~~((onsite)) on site~~ private individual utility service connections~~
9240 ~~or private or public utilities if the disturbed area is not expanded and no hazardous~~
9241 ~~substances, pesticides, or fertilizers are applied.~~
- 9242 ~~37. Allowed if the disturbed area is not expanded, clearing is limited to the~~
9243 ~~maximum extent practical, and no hazardous substances, pesticides, or fertilizers are~~
9244 ~~applied.~~
- 9245 ~~38. Allowed if:~~

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- 9246 ~~———— a. conveying the surface water into the wetland or aquatic area buffer and~~
9247 ~~discharging into the wetland or aquatic area buffer or at the wetland or aquatic area edge~~
9248 ~~has less adverse impact upon the wetland or aquatic area or wetland or aquatic area buffer~~
9249 ~~than if the surface water were discharged at the buffer's edge and allowed to naturally~~
9250 ~~drain through the buffer;~~
- 9251 ~~———— b. the volume of discharge is minimized through application of low impact~~
9252 ~~development and water quality measures identified in the King County Surface Water~~
9253 ~~Design Manual;~~
- 9254 ~~———— c. the conveyance and outfall are installed with hand equipment where~~
9255 ~~feasible;~~
- 9256 ~~———— d. the outfall shall include bioengineering techniques where feasible; and~~
- 9257 ~~———— e. the outfall is designed to minimize adverse impacts to critical areas.~~
- 9258 ~~———— 39. Allowed only if:~~
- 9259 ~~———— a. there is no feasible alternative with less impact on the critical area and its~~
9260 ~~buffer;~~
- 9261 ~~———— b. to the maximum extent practical, the bridge or culvert is located to minimize~~
9262 ~~impacts to the critical area and its buffer;~~
- 9263 ~~———— c. the bridge or culvert is not located over habitat used for salmonid rearing or~~
9264 ~~spawning unless there is no other feasible crossing site;~~
- 9265 ~~———— d. construction occurs during approved periods for in-stream work; and~~
- 9266 ~~———— e. bridge piers or abutments for bridge crossings are not placed within the~~
9267 ~~FEMA floodway, severe channel migration hazard area₁ or waterward of the ordinary~~
9268 ~~high water mark.~~

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- 9269 ~~40. Allowed for an open, vegetated stormwater management conveyance system~~
9270 ~~and outfall structure that simulates natural conditions if:~~
- 9271 ~~a. fish habitat features necessary for feeding, cover, and reproduction are~~
9272 ~~included when appropriate;~~
 - 9273 ~~b. vegetation is maintained and added adjacent to all open channels and ponds,~~
9274 ~~if necessary to prevent erosion, filter out sediments, or shade the water; and~~
 - 9275 ~~c. bioengineering techniques are used to the maximum extent practical.~~
- 9276 ~~41. Allowed for a closed, tightlined conveyance system and outfall structure if:~~
- 9277 ~~a. necessary to avoid erosion of slopes; and~~
 - 9278 ~~b. bioengineering techniques are used to the maximum extent practical.~~
- 9279 ~~42. Allowed in a severe channel migration hazard area or an aquatic area buffer~~
9280 ~~to prevent bank erosion only:~~
- 9281 ~~a. if consistent with the Integrated Streambank Protection Guidelines~~
9282 ~~(Washington State Aquatic Habitat Guidelines Program, 2002) and if bioengineering~~
9283 ~~techniques are used to the maximum extent practical, unless the applicant demonstrates~~
9284 ~~that other methods provide equivalent structural stabilization and environmental function;~~
 - 9285 ~~b. based on a critical areas report, the department determines that the new~~
9286 ~~flood protection facility will not cause significant impacts to upstream or downstream~~
9287 ~~properties; and~~
 - 9288 ~~c. to prevent bank erosion for the protection of:~~
- 9289 ~~(1) public roadways;~~
 - 9290 ~~(2) sole access routes in existence before February 16, 1995;~~

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9291 ~~————— (3) new primary dwelling units, accessory dwelling units or accessory living~~
9292 ~~quarters and residential accessory structures located outside the severe channel migration~~
9293 ~~hazard area if:~~
9294 ~~————— (a) the site is adjacent to or abutted by properties on both sides containing~~
9295 ~~buildings or sole access routes protected by legal bank stabilization in existence before~~
9296 ~~February 16, 1995. The buildings, sole access routes, or bank stabilization must be~~
9297 ~~located no more than six hundred feet apart as measured parallel to the migrating~~
9298 ~~channel; and~~
9299 ~~————— (b) the new primary dwelling units, accessory dwelling units, accessory~~
9300 ~~living quarters, or residential accessory structures are located no closer to the aquatic area~~
9301 ~~than existing primary dwelling units, accessory dwelling units, accessory living quarters,~~
9302 ~~or residential accessory structures on abutting or adjacent properties; or~~
9303 ~~————— (4) existing primary dwelling units, accessory dwelling units, accessory living~~
9304 ~~quarters, or residential accessory structures if:~~
9305 ~~————— (a) the structure was in existence before the adoption date of a King County~~
9306 ~~Channel Migration Zone hazard map that applies to that channel, if such a map exists;~~
9307 ~~————— (b) the structure is in imminent danger, as determined by a geologist,~~
9308 ~~engineering geologist, or geotechnical engineer;~~
9309 ~~————— (c) the applicant has demonstrated that the existing structure is at risk, and~~
9310 ~~the structure and supporting infrastructure cannot be relocated on the lot further from the~~
9311 ~~source of channel migration; and~~
9312 ~~————— (d) nonstructural measures are not feasible.~~
9313 ~~————— 43. Applies to lawfully established existing structures if:~~

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- 9314 ~~_____ a. the height of the facility is not increased, unless the facility is being replaced~~
9315 ~~in a new alignment that is landward of the previous alignment and enhances aquatic area~~
9316 ~~habitat and process;~~
- 9317 ~~_____ b. the linear length of the facility is not increased, unless the facility is being~~
9318 ~~replaced in a new alignment that is landward of the previous alignment and enhances~~
9319 ~~aquatic area habitat and process;~~
- 9320 ~~_____ c. the footprint of the facility is not expanded waterward;~~
- 9321 ~~_____ d. consistent with the Integrated Streambank Protection Guidelines~~
9322 ~~(Washington State Aquatic Habitat Guidelines Program, 2002) and bioengineering~~
9323 ~~techniques are used to the maximum extent practical;~~
- 9324 ~~_____ e. the site is restored with appropriate native vegetation and erosion protection~~
9325 ~~materials; and~~
- 9326 ~~_____ f. based on a critical areas report, the department determines that the~~
9327 ~~maintenance, repair, replacement, or construction will not cause significant impacts to~~
9328 ~~upstream or downstream properties.~~
- 9329 ~~_____ 44. Allowed in type N and O aquatic areas if done in least impacting way at~~
9330 ~~least impacting time of year, in conformance with applicable best management practices,~~
9331 ~~and all affected instream and buffer features are restored.~~
- 9332 ~~_____ 45. Allowed in a type S or F water when such work is:~~
- 9333 ~~_____ a. included as part of a project to evaluate, restore, or improve habitat, and~~
9334 ~~_____ b. sponsored or cosponsored by a public agency that has natural resource~~
9335 ~~management as a function or by a federally recognized tribe.~~

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9336 ~~46. Allowed as long as the trail is not constructed of impervious surfaces that~~
9337 ~~will contribute to surface water run-off, unless the construction is necessary for soil~~
9338 ~~stabilization or soil erosion prevention or unless the trail system is specifically designed~~
9339 ~~and intended to be accessible to handicapped persons.~~

9340 ~~47. Not allowed in a wildlife habitat conservation area. Otherwise, allowed in~~
9341 ~~the buffer or for crossing a category II, III₂ or IV wetland or a type F, N₂ or O aquatic~~
9342 ~~area, if:~~

9343 ~~a. the trail surface is made of pervious materials, except that public~~
9344 ~~multipurpose trails may be made of impervious materials if they meet all the~~
9345 ~~requirements in K.C.C. chapter 9.12. A trail that crosses a wetland or aquatic area shall~~
9346 ~~be constructed as a raised boardwalk or bridge;~~

9347 ~~b. to the maximum extent practical, buffers are expanded equal to the width of~~
9348 ~~the trail corridor including disturbed areas;~~

9349 ~~c. there is not another feasible location with less adverse impact on the critical~~
9350 ~~area and its buffer;~~

9351 ~~d. the trail is not located over habitat used for salmonid rearing or spawning or~~
9352 ~~by a species listed as endangered or threatened by the state or federal government unless~~
9353 ~~the department determines that there is no other feasible crossing site;~~

9354 ~~e. the trail width is minimized to the maximum extent practical;~~

9355 ~~f. the construction occurs during approved periods for instream work; and~~

9356 ~~g. the trail corridor will not change or diminish the overall aquatic area flow~~
9357 ~~peaks, duration or volume or the flood storage capacity.~~

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9358 ~~h. the trail may be located across a critical area buffer for access to a viewing~~
9359 ~~platform or to a permitted dock or pier;~~
9360 ~~i. A private viewing platform may be allowed if it is:~~
9361 ~~(1) located upland from the wetland edge or the ordinary high water mark of~~
9362 ~~an aquatic area;~~
9363 ~~(2) located where it will not be detrimental to the functions of the wetland or~~
9364 ~~aquatic area and will have the least adverse environmental impact on the critical area or~~
9365 ~~its buffer;~~
9366 ~~(3) limited to fifty square feet in size;~~
9367 ~~(4) constructed of materials that are nontoxic; and~~
9368 ~~(5) on footings located outside of the wetland or aquatic area.~~
9369 ~~48. Only if the maintenance:~~
9370 ~~a. does not involve the use of herbicides or other hazardous substances except~~
9371 ~~for the removal of noxious weeds or invasive vegetation;~~
9372 ~~b. when salmonids are present, the maintenance is in compliance with ditch~~
9373 ~~standards in public rule; and~~
9374 ~~c. does not involve any expansion of the roadway, lawn, landscaping, ditch,~~
9375 ~~culvert, engineered slope, or other improved area being maintained.~~
9376 ~~49. Limited to alterations to restore habitat forming processes or directly restore~~
9377 ~~habitat function and value, including access for construction, as follows:~~
9378 ~~a. projects sponsored or cosponsored by a public agency that has natural~~
9379 ~~resource management as a primary function or by a federally recognized tribe;~~
9380 ~~b. restoration and enhancement plans prepared by a qualified biologist; or~~

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9381 ~~———— e. conducted in accordance with an approved forest management plan, farm~~
9382 ~~management plan, or rural stewardship plan.~~
9383 ~~———— 50. Allowed in accordance with a scientific sampling permit issued by~~
9384 ~~Washington state Department of Fish and Wildlife or an incidental take permit issued~~
9385 ~~under Section 10 of the Endangered Species Act.~~
9386 ~~———— 51. Allowed for the minimal clearing and grading, including site access,~~
9387 ~~necessary to prepare critical area reports.~~
9388 ~~———— 52. The following are allowed if associated spoils are contained:~~
9389 ~~———— a. data collection and research if carried out to the maximum extent practical~~
9390 ~~by nonmechanical or hand held equipment;~~
9391 ~~———— b. survey monument placement;~~
9392 ~~———— c. site exploration and gage installation if performed in accordance with state-~~
9393 ~~approved sampling protocols and accomplished to the maximum extent practical by~~
9394 ~~hand held equipment and; or similar work associated with an incidental take permit~~
9395 ~~issued under Section 10 of the Endangered Species Act or consultation under Section 7 of~~
9396 ~~the Endangered Species Act.~~
9397 ~~———— 53. Limited to activities in continuous existence since January 1, 2005, with no~~
9398 ~~expansion within the critical area or critical area buffer. "Continuous existence" includes~~
9399 ~~eyclical operations and managed periods of soil restoration, enhancement or other fallow~~
9400 ~~states associated with these horticultural and agricultural activities.~~
9401 ~~———— 54. Allowed for expansion of existing or new agricultural activities where:~~
9402 ~~———— a. the site is predominantly involved in the practice of agriculture;~~
9403 ~~———— b. there is no expansion into an area that:~~

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- 9404 ~~———— (1) has been cleared under a class I, II, III, IV S₂ or nonconversion IV-G~~
9405 ~~forest practice permit; or~~
- 9406 ~~———— (2) is more than ten thousand square feet with tree cover at a uniform density~~
9407 ~~more than ninety trees per acre and with the predominant mainstream diameter of the~~
9408 ~~trees at least four inches diameter at breast height, not including areas that are actively~~
9409 ~~managed as agricultural crops for pulpwood, Christmas trees, or ornamental nursery~~
9410 ~~stock;~~
- 9411 ~~———— e. the activities are in compliance with an approved farm management plan in~~
9412 ~~accordance with K.C.C. 21A.24.051; and~~
- 9413 ~~———— d. all best management practices associated with the activities specified in the~~
9414 ~~farm management plan are installed and maintained.~~
- 9415 ~~———— 55. Only allowed in grazed or tilled wet meadows or their buffers if:~~
- 9416 ~~———— a. the facilities are designed to the standards of an approved farm management~~
9417 ~~plan in accordance K.C.C. 21A.24.051 or an approved livestock management plan in~~
9418 ~~accordance with K.C.C. chapter 21A.30;~~
- 9419 ~~———— b. there is not a feasible alternative location available on the site; and~~
- 9420 ~~———— c. the facilities are located close to the outside edge of the buffer to the~~
9421 ~~maximum extent practical.~~
- 9422 ~~———— 56. Only allowed in:~~
- 9423 ~~———— a.(1) a severe channel migration hazard area located outside of the shorelines~~
9424 ~~jurisdiction area;~~
- 9425 ~~———— (2) grazed or tilled wet meadow or wet meadow buffer; or~~
- 9426 ~~———— (3) aquatic area buffer; and only if:~~

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9427 ~~———— b.(1) the applicant demonstrates that adverse impacts to the critical area and~~
9428 ~~critical area buffers have been minimized;~~
9429 ~~———— (2) there is not another feasible location available on the site that is located~~
9430 ~~outside of the critical area or critical area buffer;~~
9431 ~~———— (3) the farm pad is designed to the standards in an approved farm~~
9432 ~~management plan in accordance with K.C.C. 21A.24.051; and~~
9433 ~~———— (4) for proposals located in the severe channel migration hazard area, the~~
9434 ~~farm pad or livestock manure storage facility is located where it is least subject to risk~~
9435 ~~from channel migration.~~
9436 ~~———— 57. Allowed for new agricultural drainage in compliance with an approved farm~~
9437 ~~management plan in accordance with K.C.C. 21A.24.051 and all best management~~
9438 ~~practices associated with the activities specified in the farm management plan are~~
9439 ~~installed and maintained.~~
9440 ~~———— 58. If the agricultural drainage is used by salmonids, maintenance shall be in~~
9441 ~~compliance with an approved farm management plan in accordance with K.C.C.~~
9442 ~~21A.24.051.~~
9443 ~~———— 59. Allowed within existing landscaped areas or other previously disturbed~~
9444 ~~areas.~~
9445 ~~———— 60. Allowed for residential utility service distribution lines to residential~~
9446 ~~dwellings, including, but not limited to, well water conveyance, septic system~~
9447 ~~conveyance, water service, sewer service, natural gas, electrical, cable, and telephone, if:~~
9448 ~~———— a. there is no alternative location with less adverse impact on the critical area~~
9449 ~~or the critical area buffer;~~

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9450 ~~b. the residential utility service distribution lines meet the all of the following,~~
9451 ~~to the maximum extent practical:~~
9452 ~~(1) are not located over habitat used for salmonid rearing or spawning or by a~~
9453 ~~species listed as endangered or threatened by the state or federal government unless the~~
9454 ~~department determines that there is no other feasible crossing site;~~
9455 ~~(2) not located over a type S aquatic area;~~
9456 ~~(3) paralleling the channel or following a down valley route near the channel~~
9457 ~~is avoided;~~
9458 ~~(4) the width of clearing is minimized;~~
9459 ~~(5) the removal of trees greater than twelve inches diameter at breast height is~~
9460 ~~minimized;~~
9461 ~~(6) an additional, contiguous and undisturbed critical area buffer, equal in~~
9462 ~~area to the disturbed critical area buffer area is provided to protect the critical area;~~
9463 ~~(7) access for maintenance is at limited access points into the critical area~~
9464 ~~buffer.~~
9465 ~~(8) the construction occurs during approved periods for instream work;~~
9466 ~~(9) bored, drilled, or other trenchless crossing is encouraged, and shall be~~
9467 ~~laterally constructed at least four feet below the maximum depth of scour for the base~~
9468 ~~flood; and~~
9469 ~~(10) open trenching across Type O or Type N aquatic areas is only used~~
9470 ~~during low flow periods or only within aquatic areas when they are dry.~~
9471 ~~61. Allowed if sponsored or cosponsored by the countywide flood control zone~~
9472 ~~district and the department determines that the project and its location:~~

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- 9473 ~~_____ a. is the best flood risk reduction alternative practicable;~~
- 9474 ~~_____ b. is part of a comprehensive, long-term flood management strategy;~~
- 9475 ~~_____ c. is consistent with the King County Flood Hazard Management Plan policies;~~
- 9476 ~~_____ d. will have the least adverse impact on the ecological functions of the critical~~
- 9477 ~~area or its buffer, including habitat for fish and wildlife that are identified for protection~~
- 9478 ~~in the King County Comprehensive Plan; and~~
- 9479 ~~_____ e. has been subject to public notice in accordance with K.C.C. 20.44.060.~~
- 9480 ~~_____ 62.a. Not allowed in wildlife habitat conservation areas;~~
- 9481 ~~_____ b. Only allowed if:~~
- 9482 ~~_____ (1) the project is sponsored or cosponsored by a public agency whose primary~~
- 9483 ~~function deals with natural resources management;~~
- 9484 ~~_____ (2) the project is located on public land or on land that is owned by a~~
- 9485 ~~nonprofit agency whose primary function deals with natural resources management;~~
- 9486 ~~_____ (3) there is not a feasible alternative location available on the site with less~~
- 9487 ~~impact to the critical area or its associated buffer;~~
- 9488 ~~_____ (4) the aquatic area or wetland is not for salmonid rearing or spawning;~~
- 9489 ~~_____ (5) the project minimizes the footprint of structures and the number of access~~
- 9490 ~~points to any critical areas; and~~
- 9491 ~~_____ (6) the project meets the following design criteria:~~
- 9492 ~~_____ (a) to the maximum extent practical size of platform shall not exceed one~~
- 9493 ~~hundred square feet;~~
- 9494 ~~_____ (b) all construction materials for any structures, including the platform,~~
- 9495 ~~pilings, exterior and interior walls, and roof, are constructed of nontoxic material, such as~~

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9496 ~~nontreated wood, vinyl coated wood, nongalvanized steel, plastic, plastic wood,~~
9497 ~~fiberglass, or cured concrete that the department determines will not have an adverse~~
9498 ~~impact on water quality;~~
9499 ~~————— (e) the exterior of any structures are sufficiently camouflaged using netting~~
9500 ~~or equivalent to avoid any visual deterrent for wildlife species to the maximum extent~~
9501 ~~practical. The camouflage shall be maintained to retain concealment effectiveness;~~
9502 ~~————— (d) structures shall be located outside of the wetland or aquatic area~~
9503 ~~landward of the Ordinary High Water Mark or open water component (if applicable) to~~
9504 ~~the maximum extent practical on the site;~~
9505 ~~————— (e) construction occurs during approved periods for work inside the~~
9506 ~~Ordinary High Water Mark;~~
9507 ~~————— (f) construction associated with bird blinds shall not occur from March 1~~
9508 ~~through August 31, in order to avoid disturbance to birds during the breeding, nesting,~~
9509 ~~and rearing seasons;~~
9510 ~~————— (g) to the maximum extent practical, provide accessibility for persons with~~
9511 ~~physical disabilities in accordance with the International Building Code;~~
9512 ~~————— (h) trail access is designed in accordance with public rules adopted by the~~
9513 ~~department;~~
9514 ~~————— (i) existing native vegetation within the critical area will remain undisturbed~~
9515 ~~except as necessary to accommodate the proposal. Only minimal hand clearing of~~
9516 ~~vegetation is allowed; and~~
9517 ~~————— (j) disturbed bare ground areas around the structure must be replanted with~~
9518 ~~native vegetation approved by the department.~~

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9519 ~~63. Not allowed in the severe channel migration zone, there is no alternative~~
9520 ~~location with less adverse impact on the critical area and buffer and clearing is minimized~~
9521 ~~to the maximum extent practical.~~
9522 ~~64. Only structures wholly or partially supported by a tree and used as accessory~~
9523 ~~living quarters or for play and similar uses described in K.C.C. 16.02.240.1, subject to the~~
9524 ~~following:~~
9525 ~~a. not allowed in wildlife habitat conservation areas or severe channel~~
9526 ~~migration hazard areas;~~
9527 ~~b. the structure's floor area shall not exceed two hundred square feet, excluding~~
9528 ~~a narrow access stairway or landing leading to the structure;~~
9529 ~~c. the structure shall be located as far from the critical area as practical, but in~~
9530 ~~no case closer than seventy five feet from the critical area;~~
9531 ~~d. only one tree supported structure within a critical area buffer is allowed on a~~
9532 ~~lot;~~
9533 ~~e. all construction materials for the structure, including the platform, pilings,~~
9534 ~~exterior and interior walls, and roof, shall be constructed of nontoxic material, such as~~
9535 ~~nontreated wood, vinyl coated wood, nongalvanized steel, plastic, plastic wood,~~
9536 ~~fiberglass, or cured concrete that the department determines will not have an adverse~~
9537 ~~impact on water quality;~~
9538 ~~f. to the maximum extent practical, the exterior of the structure shall be~~
9539 ~~camouflaged with natural wood and earth tone colors to limit visual impacts to wildlife~~
9540 ~~and visibility from the critical area. The camouflage shall be maintained to retain~~
9541 ~~concealment effectiveness;~~

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9542 ~~g. the structure must not adversely impact the long term health and viability of~~
9543 ~~the tree. The evaluation shall include, but not be limited to, the following:~~
9544 ~~(1) the quantity of supporting anchors and connection points to attach the tree~~
9545 ~~house to the tree shall be the minimum necessary to adequately support the structure;~~
9546 ~~(2) the attachments shall be constructed using the best available tree anchor~~
9547 ~~bolt technology; and~~
9548 ~~(3) an ISA Certified Arborist shall evaluate the tree proposed for placement~~
9549 ~~of the tree house and shall submit a report discussing how the tree's long term health and~~
9550 ~~viability will not be negatively impacted by the tree house or associated infrastructure;~~
9551 ~~h. exterior lighting shall meet the following criteria:~~
9552 ~~(1) limited to the minimum quantity of lights necessary to meet the building~~
9553 ~~code requirements to allow for safe exiting of the structure and stairway; and~~
9554 ~~(2) exterior lights shall be fully shielded and shall direct light downward, in~~
9555 ~~an attempt to minimize impacts to the nighttime environment;~~
9556 ~~i. unless otherwise approved by the department, all external construction shall~~
9557 ~~be limited to September 1 through March 1 in order to avoid disturbance to wildlife~~
9558 ~~species during typical breeding, nesting, and rearing seasons;~~
9559 ~~j. trail access to the structure shall be designed in accordance with trail~~
9560 ~~standards under subsection D.47. of this section;~~
9561 ~~k. to the maximum extent practical, existing native vegetation shall be left~~
9562 ~~undisturbed. Only minimal hand clearing of vegetation is allowed; and~~

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9563 ~~———— I. vegetated areas within the critical area buffer that are temporarily impacted~~
9564 ~~by construction of the structure shall be restored by planting native vegetation according~~
9565 ~~to a vegetation management plan approved by the department.~~

9566 ~~———— 65. Shoreline water dependent and shoreline water oriented uses are allowed in~~
9567 ~~the aquatic area and aquatic area buffer of a Type S aquatic area if consistent with K.C.C.~~
9568 ~~chapter 21A.25, chapter 90.58 RCW, and the King County Comprehensive Plan.~~

9569 ~~———— 66. Only hydroelectric generating facilities meeting the requirements of K.C.C.~~
9570 ~~21A.08.100B.14., and only as follows:~~

9571 ~~———— a. there is not another feasible location within the aquatic area with less adverse~~
9572 ~~impact on the critical area and its buffer;~~

9573 ~~———— b. the facility and corridor is not located over habitat used for salmonid rearing~~
9574 ~~or spawning or by a species listed as endangered or threatened by the state or federal~~
9575 ~~government unless the department determines that there is no other feasible location;~~

9576 ~~———— c. the facility is not located in Category I wetlands or Category II wetlands with~~
9577 ~~a habitat score of ~~((8))~~ eight points or greater;~~

9578 ~~———— d. the corridor width is minimized to the maximum extent practical;~~

9579 ~~———— e. paralleling the channel or following a down valley route within an aquatic~~
9580 ~~area buffer is avoided to the maximum extent practical;~~

9581 ~~———— f. the construction occurs during approved periods for instream work;~~

9582 ~~———— g. the facility and corridor will not change or adversely impact the overall~~
9583 ~~aquatic area flow peaks, duration, or volume or the flood storage capacity;~~

9584 ~~———— h. the facility and corridor is not located within a severe channel migration~~
9585 ~~hazard area;~~

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- 9586 ~~———— i. to the maximum extent practical, buildings will be located outside the buffer~~
9587 ~~and away from the aquatic area or wetland;~~
- 9588 ~~———— j. to the maximum extent practical, access for maintenance is at limited access~~
9589 ~~points into the critical area buffer rather than by a parallel maintenance road. If a parallel~~
9590 ~~maintenance road is necessary the following standards are met:~~
- 9591 ~~———— (1) to the maximum extent practical the width of the maintenance road is~~
9592 ~~minimized and in no event greater than fifteen feet; and~~
- 9593 ~~———— (2) the location of the maintenance road is contiguous to the utility corridor~~
9594 ~~on the side of the utility corridor farthest from the critical area;~~
- 9595 ~~———— k. the facility does not pose an unreasonable threat to the public health, safety,~~
9596 ~~or welfare on or off the development proposal site and is consistent with the general~~
9597 ~~purposes of this chapter and the public interest; and~~
- 9598 ~~———— l. the facility connects to or is an alteration to a public roadway, public trail, a~~
9599 ~~utility corridor or utility facility, or other infrastructure owned or operated by a public~~
9600 ~~utility.~~
- 9601 ~~———— 67. Only hydroelectric generating facilities meeting the requirements of K.C.C.~~
9602 ~~21A.08.100.B.14, and only as follows:~~
- 9603 ~~———— a. there is not another feasible location with less adverse impact on the critical~~
9604 ~~area and its buffer;~~
- 9605 ~~———— b. the alterations will not subject the critical area to an increased risk of~~
9606 ~~landslide or erosion;~~
- 9607 ~~———— c. the corridor width is minimized to the maximum extent practical;~~

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9608 ~~———— d. vegetation removal is the minimum necessary to locate the utility or~~
9609 ~~construct the corridor;~~
9610 ~~———— e. the facility and corridor do not pose an unreasonable threat to the public~~
9611 ~~health, safety, or welfare on or off the development proposal site and is consistent with~~
9612 ~~the general purposes of this chapter, and the public interest and significant risk of~~
9613 ~~personal injury is eliminated or minimized in the landslide hazard area; and~~
9614 ~~———— f. the facility connects to or is an alteration to a public roadway, public trail, a~~
9615 ~~utility corridor or utility facility, or other infrastructure owned or operated by a public~~
9616 ~~utility.~~
9617 ~~———— 68. Only for a single detached ((dwelling unit)) residence on a lake twenty acres~~
9618 ~~or larger and only as follows:~~
9619 ~~———— a. the heat exchanger must be a closed loop system that does not draw water~~
9620 ~~from or discharge to the lake;~~
9621 ~~———— b. the lake bed shall not be disturbed, except as required by the county or a~~
9622 ~~state or federal agency to mitigate for impacts of the heat exchanger;~~
9623 ~~———— c. the in water portion of system is only allowed where water depth exceeds~~
9624 ~~six feet; and~~
9625 ~~———— d. system structural support for the heat exchanger piping shall be attached to~~
9626 ~~an existing dock or pier or be attached to a new structure that meets the requirements of~~
9627 ~~K.C.C. 21A.25.180.~~
9628 ~~———— 69. Only for maintenance of agricultural waterways if:~~
9629 ~~———— a. the purpose of the maintenance project is to improve agricultural production~~
9630 ~~on a site predominately engaged in the practice of agriculture;~~

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9631 ~~———— b. the maintenance project is conducted in compliance with a hydraulic project~~
9632 ~~approval issued by the Washington state Department of Fish and Wildlife ((pursuant to))~~
9633 ~~in accordance with chapter 77.55 RCW;~~
9634 ~~———— c. the maintenance project complies with the King County agricultural~~
9635 ~~drainage assistance program as agreed to by the Washington state Department of Fish and~~
9636 ~~Wildlife, the department of local services, permitting division, and the department of~~
9637 ~~natural resources and parks, and as reviewed by the Washington state Department of~~
9638 ~~Ecology;~~
9639 ~~———— d. the person performing the maintenance and the land owner have attended~~
9640 ~~training provided by King County on the King County agricultural drainage assistance~~
9641 ~~program and the best management practices required under that program; and~~
9642 ~~———— e. the maintenance project complies with K.C.C. chapter 16.82.~~
9643 ~~———— SECTION 137. Ordinance 15051, Section 151, as amended, and K.C.C.~~
9644 ~~21A.24.133 are hereby amended to read as follows:~~
9645 ~~———— A. To the maximum extent practical, an applicant shall mitigate adverse impacts~~
9646 ~~to a wetland, aquatic area, wildlife habitat conservation area, or wildlife habitat network~~
9647 ~~on or contiguous to the development site. The department may approve mitigation that is~~
9648 ~~off the development site if an applicant demonstrates that:~~
9649 ~~———— 1. It is not practical to mitigate on or contiguous to the development proposal~~
9650 ~~site; and~~
9651 ~~———— 2. The off site mitigation will achieve equivalent or greater hydrological, water~~
9652 ~~quality, and wetland or aquatic area habitat functions.~~

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9653 ~~———— B. When off site mitigation is authorized, the department shall give priority to~~
9654 ~~locations within the same drainage subbasin as the development proposal site that meet~~
9655 ~~the following:~~

9656 ~~———— 1. Mitigation banking sites and resource mitigation reserves as authorized by~~
9657 ~~this chapter;~~

9658 ~~———— 2. Private mitigation sites that are established in compliance with the~~
9659 ~~requirements of this chapter and approved by the department; and~~

9660 ~~———— 3. Public mitigation sites that have been ranked in a process that has been~~
9661 ~~supported by ecological assessments, including wetland and aquatic areas established as~~
9662 ~~priorities for mitigation in King County ((basin plans or other)) watershed plans.~~

9663 ~~———— C. The department may require documentation that the mitigation site has been~~
9664 ~~permanently preserved from future development or alteration that would be inconsistent~~
9665 ~~with the functions of the mitigation. The documentation may include, but is not limited~~
9666 ~~to, a conservation easement or other agreement between the applicant and owner of the~~
9667 ~~mitigation site. King County may enter into agreements or become a party to any~~
9668 ~~easement or other agreement necessary to ensure that the site continues to exist in its~~
9669 ~~mitigated condition.~~

9670 ~~———— D. The department shall maintain a list of sites available for use for off site~~
9671 ~~mitigation projects.~~

9672 ~~———— E.1. The department and the department of natural resources and parks have~~
9673 ~~((develop)) developed a program to allow the payment of a fee in lieu of providing~~
9674 ~~mitigation on a development site. The program addresses:~~

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9675 ~~_____ a. when the payment of a fee is allowed considering the availability of a site in~~
9676 ~~geographic proximity with comparable hydrologic and biological functions and potential~~
9677 ~~for future habitat fragmentation and degradation; and~~

9678 ~~_____ b. the use of the fees for mitigation on public or private sites that have been~~
9679 ~~ranked according to ecological criteria through one or more programs that have included~~
9680 ~~a public process.~~

9681 ~~_____ 2. The in lieu fee mitigation program shall submit a report by May 1 in the first~~
9682 ~~year of the biennial budget cycle, filed in the form of a paper original and an electronic~~
9683 ~~copy with the clerk of the council, who shall retain the original and provide an electronic~~
9684 ~~copy to all councilmembers, the council chief of staff, and the lead staff for the~~
9685 ~~transportation economy and environment committee or its successor. The report should~~
9686 ~~address the following:~~

9687 ~~_____ a. information on the amount and source of revenues received by the program;~~
9688 ~~_____ b. a description and rationale for projects selected for funding;~~
9689 ~~_____ c. an accounting of budgeted and actual expenditures made;~~
9690 ~~_____ d. the status of all projects approved in the previous five years, and anticipated~~
9691 ~~completion date for those projects, if not yet complete.~~

9692 ~~_____ SECTION 138. Ordinance 10870, Section 469, as amended, and K.C.C.~~
9693 ~~21A.24.220 are hereby amended to read as follows:~~

9694 ~~_____ The following development standards apply to development proposals and~~
9695 ~~alterations on sites containing erosion hazard areas:~~

9696 ~~_____ A. Clearing in an erosion hazard area is allowed only from April 1 to October 1,~~
9697 ~~except that:~~

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9698 ~~1. Clearing of up to fifteen thousand square feet within the erosion hazard area~~
9699 ~~may occur at any time on a lot;~~
9700 ~~2. Clearing of noxious weeds may occur at any time; and~~
9701 ~~3. Forest practices regulated by the department are allowed at any time in~~
9702 ~~accordance with a clearing and grading permit if the harvest is in conformance with~~
9703 ~~chapter 76.09 RCW and Title 222 WAC;~~
9704 ~~B. All subdivisions, short subdivisions, or binding site plans ((or urban planned~~
9705 ~~developments)) on sites with erosion hazard areas shall retain existing vegetation in all~~
9706 ~~erosion hazard areas until building permits are approved for development on individual~~
9707 ~~lots. The department may approve clearing of vegetation on lots if:~~
9708 ~~1. The clearing is a necessary part of a large scale grading plan; and~~
9709 ~~2. It is not feasible to perform the grading on an individual lot basis; and~~
9710 ~~C. If the department determines that erosion from a development site poses a~~
9711 ~~significant risk of damage to downstream wetlands or aquatic areas, based either on the~~
9712 ~~size of the project, the proximity to the receiving water, or the sensitivity of the receiving~~
9713 ~~water, the applicant shall provide regular monitoring of surface water discharge from the~~
9714 ~~site. If the project does not meet water quality standards established by law or public~~
9715 ~~rules, the county may suspend further development work on the site until such standards~~
9716 ~~are met.~~
9717 ~~SECTION 139. Ordinance 10870, Section 470, as amended, and K.C.C.~~
9718 ~~21A.24.230 are hereby amended to read as follows:~~
9719 ~~A. The regulated flood hazard area consists of one or more of the following~~
9720 ~~components:~~

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- 9721 ~~———— 1. Floodplain;~~
- 9722 ~~———— 2. Zero rise flood fringe;~~
- 9723 ~~———— 3. Zero rise floodway;~~
- 9724 ~~———— 4. FEMA floodway; and~~
- 9725 ~~———— 5. Channel migration zones.~~
- 9726 ~~———— B. The FEMA floodway and floodplain are identified in a scientific and~~
- 9727 ~~engineering report entitled Flood Insurance Study for King County, Washington and~~
- 9728 ~~Incorporated Areas, dated August 19, 2020, with accompanying Flood Insurance Rate~~
- 9729 ~~Maps, and any revisions thereto.~~
- 9730 ~~———— C.1. The department may delineate or require a delineation of a flood hazard area~~
- 9731 ~~using data or information from any of the following sources, but only if the data is at least~~
- 9732 ~~as restrictive as the data in the Flood Insurance Study and Flood Insurance Rate Maps~~
- 9733 ~~referenced in subsection B. of this section. The department may also use data from the~~
- 9734 ~~following sources to determine base flood elevations, floodway boundaries, or other~~
- 9735 ~~regulatory flood information:~~
- 9736 ~~———— a. Flood Insurance Study;~~
- 9737 ~~———— b. Flood Insurance Rate Maps;~~
- 9738 ~~———— c. Preliminary Flood Insurance Study or pending Flood Insurance Study;~~
- 9739 ~~———— d. Preliminary Flood Insurance Rate Maps or pending Flood Insurance Rate~~
- 9740 ~~Maps;~~
- 9741 ~~———— e. draft flood boundary work maps and associated technical reports;~~

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9742 ~~———— f. critical area reports prepared in accordance with FEMA standards contained~~
9743 ~~in 44 C.F.R. Part 65 and consistent with the King County Surface Water Design Manual~~
9744 ~~provisions for floodplain analysis;~~
9745 ~~———— g. letters of map change;~~
9746 ~~———— h. channel migration zone maps and studies;~~
9747 ~~———— i. historical flood hazard information;~~
9748 ~~———— j. ((basin plan or)) hydrologic study that includes projected flows under future~~
9749 ~~developed conditions that have been completed and approved by King County; and~~
9750 ~~———— k. any other available data that accurately classifies and delineates the flood~~
9751 ~~hazard area or base flood elevation.~~
9752 ~~———— 2. When there are multiple sources of flood hazard data for flood hazard area~~
9753 ~~boundaries, FEMA floodway or zero rise floodway boundaries, base flood elevations or~~
9754 ~~cross sections, the department may determine which data most accurately classifies and~~
9755 ~~delineates the flood hazard area, as long as the data is at least as restrictive as the Flood~~
9756 ~~Insurance Study and Flood Insurance Maps referenced in subsection B. of this section.~~
9757 ~~———— D. Proof that a land use or development activity is occurring within the area~~
9758 ~~mapped on the Flood Insurance Rate Maps shall be sufficient, but not required, to prove~~
9759 ~~that the area of concern is subject to inundation by the base flood in an action to enforce~~
9760 ~~code compliance under K.C.C. Title 23.~~
9761 ~~———— E. A number of channel migration zones are mapped by the county for portions~~
9762 ~~of river systems. These channel migration zones and the criteria and process used to~~
9763 ~~designate and classify channel migration zones are specified by public rule adopted by~~
9764 ~~the department. An applicant for a development proposal may submit a critical area~~

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9765 ~~report to the department to determine channel migration zone boundaries or classify~~
9766 ~~channel migration hazard areas on a specific property if there is an apparent discrepancy~~
9767 ~~between the site specific conditions or data and the adopted channel migration zone~~
9768 ~~maps.~~

9769 ~~SECTION 140. Ordinance 10870, Section 471, as amended, and K.C.C.~~
9770 ~~21A.24.240 are hereby amended to read as follows:~~

9771 ~~The following development standards apply to floodplain development and~~
9772 ~~alterations on sites within the zero rise flood fringe:~~

9773 ~~A. Floodplain development and alterations shall not reduce the effective base~~
9774 ~~flood storage volume of the floodplain. Floodplain development shall provide~~
9775 ~~compensatory storage if grading or other activity displaces any effective flood storage~~
9776 ~~volume. Compensatory storage is not required for grading or fill placed within the~~
9777 ~~foundation of an existing residential building to bring the interior foundation grade to the~~
9778 ~~same level as the lowest adjacent exterior grade. Compensatory storage shall:~~

9779 ~~1. Provide equivalent volume at equivalent elevations to that which is being~~
9780 ~~displaced. For this purpose, equivalent elevations means having similar relationship to~~
9781 ~~ordinary high water and to the best available ten year, fifty year, and one hundred year~~
9782 ~~water surface profiles. If the difference between the fifty year and the one hundred year~~
9783 ~~surface profiles is less than one foot, equivalent elevations means having similar~~
9784 ~~relationships to ordinary high water and to the best available ten year and one hundred~~
9785 ~~year water surface profiles;~~

9786 ~~2. Hydraulically connect to the source of flooding;~~

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9787 ~~3. Provide compensatory storage in the same construction season as when the~~
9788 ~~displacement of flood storage volume occurs and before the flood season begins on~~
9789 ~~September 30 for that year;~~
9790 ~~4. Occur on the site. The director may approve equivalent compensatory~~
9791 ~~storage off the site if legal arrangements, acceptable to the department, are made to~~
9792 ~~ensure that the effective compensatory storage volume will be preserved over time; and~~
9793 ~~5. The director may approve of off-site compensatory storage through a~~
9794 ~~compensatory storage bank managed by the department of natural resources and parks;~~
9795 ~~B. A structural engineer shall design and certify all elevated buildings and submit~~
9796 ~~the design to the department;~~
9797 ~~C. A civil engineer shall prepare a base flood depth and base flood velocity~~
9798 ~~analysis and submit the analysis to the department. A base flood depth and base flood~~
9799 ~~velocity analysis is not required for agricultural buildings. Floodplain development and~~
9800 ~~alterations are not allowed if the base flood depth exceeds three feet and the base flood~~
9801 ~~velocity exceeds three feet per second, except for the following projects:~~
9802 ~~1. Agricultural structures and farm pads;~~
9803 ~~2. Roads and bridges;~~
9804 ~~3. Utilities;~~
9805 ~~4. Surface water flow control or surface water conveyance systems;~~
9806 ~~5. Public park structures; and~~
9807 ~~6. Flood hazard mitigation projects, such as, but not limited to construction,~~
9808 ~~repair, or replacement of flood protection facilities or for building elevations or~~
9809 ~~relocations;~~

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9810 ~~———— D. Subdivisions, short subdivisions, ((urban planned developments)) and binding~~
9811 ~~site plans should be consistent with the need to minimize flood damage within the flood~~
9812 ~~hazard area and shall meet the following requirements:~~
9813 ~~———— 1. New building lots shall include five thousand square feet or more of buildable~~
9814 ~~land outside the zero-rise floodway;~~
9815 ~~———— 2. All public infrastructure and utilities such as sewer, gas, electrical, and water~~
9816 ~~systems are consistent with subsection J. of this section;~~
9817 ~~———— 3. A civil engineer shall prepare detailed base flood elevations in accordance~~
9818 ~~with FEMA guidelines for all new lots;~~
9819 ~~———— 4. A development proposal shall provide adequate drainage in accordance with~~
9820 ~~the King County Surface Water Design Manual to reduce exposure to flood damage; and~~
9821 ~~———— 5. The face of the recorded subdivision, short subdivision, ((urban planned~~
9822 ~~development)) or binding site plan shall include the following for all lots:~~
9823 ~~———— a. setback areas restricting structures to designated buildable areas;~~
9824 ~~———— b. base flood data and sources and flood hazard notes including, but not limited~~
9825 ~~to, base flood elevation, required flood protection elevations, the boundaries of the~~
9826 ~~floodplain and the zero-rise floodway, if determined, and channel migration zone~~
9827 ~~boundaries, if determined; and~~
9828 ~~———— c. include the following notice:~~
9829 ~~———— "Lots and buildings located within flood hazard areas may be inaccessible~~
9830 ~~by emergency vehicles during flood events. Residents and property owners should take~~
9831 ~~appropriate advance precautions.";~~

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9832 ~~———— E. New, substantially improved, or converted residential buildings and flood~~
9833 ~~mitigation home elevations shall meet the following standards:~~
9834 ~~———— 1. Elevate the lowest floor, including basement, to or above the flood protection~~
9835 ~~elevation;~~
9836 ~~———— 2. Fully enclosed areas below the lowest floor and below the flood protection~~
9837 ~~elevation, including crawlspaces or attached garages, shall be designed to automatically~~
9838 ~~equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of~~
9839 ~~floodwaters. Designs for meeting this requirement must either be certified by a registered~~
9840 ~~professional engineer or architect or meet or exceed the following:~~
9841 ~~———— a. a minimum of two openings having a net total area of no less than one~~
9842 ~~square inch for every one square foot of enclosed space shall be provided. The openings~~
9843 ~~shall be located on at least two opposite side walls in the direction of flow;~~
9844 ~~———— b. the bottom of all openings shall not be higher than one foot above the~~
9845 ~~adjacent grade;~~
9846 ~~———— c. openings may be equipped with screens, louvers, valves, or other coverings~~
9847 ~~or devices, but only if they allow the automatic entry and exit of floodwaters; and~~
9848 ~~———— d. if a building has more than one enclosed area, each area must have openings~~
9849 ~~to allow floodwaters to automatically enter and exit;~~
9850 ~~———— 3. Fully enclosed areas below the lowest floor meeting the criteria in subsection~~
9851 ~~E.2. of this section shall not have all sides of the building below grade;~~
9852 ~~———— 4. Fully enclosed areas below the lowest floor shall be used solely for the~~
9853 ~~parking of vehicles, building access or limited storage of readily removable items;~~

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9854 ~~5. Use materials and methods that are resistant to and minimize flood damage;~~
9855 ~~and~~
9856 ~~6. Elevate or dry floodproof all building utilities to or above the flood protection~~
9857 ~~elevation;~~
9858 ~~F. New, substantially improved, or converted nonresidential buildings and flood~~
9859 ~~mitigation elevations of existing nonresidential buildings shall meet the following~~
9860 ~~standards:~~
9861 ~~1. Elevate the lowest floor to or above the flood protection elevation, except as~~
9862 ~~otherwise provided in subsection G. of this section, or dry floodproof the building and~~
9863 ~~building utilities to or above the flood protection elevation. The applicant shall provide~~
9864 ~~certification by a civil or structural engineer that the dry floodproofing methods are~~
9865 ~~adequate to withstand the flood depths, pressures, velocities, impacts, uplift forces, and~~
9866 ~~other factors associated with the base flood. After construction, the engineer shall certify~~
9867 ~~that the permitted work conforms to the approved plans and specifications;~~
9868 ~~2. Use materials and methods that are resistant to and minimize flood damage;~~
9869 ~~3. For nonresidential buildings that have not been dry floodproofed, design fully~~
9870 ~~enclosed areas below the lowest floor and below the flood protection elevation, including~~
9871 ~~crawlspaces or attached garages, to automatically equalize hydrostatic flood forces on~~
9872 ~~exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this~~
9873 ~~requirement must either be certified by a registered professional engineer or architect or~~
9874 ~~meet or exceed the following:~~

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- 9375 ~~———— a. a minimum of two openings having a net total area of no less than one~~
9376 ~~square inch for every one square foot of enclosed space shall be provided. The openings~~
9377 ~~shall be located on at least two opposite side walls in the direction of flow;~~
9378 ~~———— b. the bottom of all openings shall not be higher than one foot above adjacent~~
9379 ~~grade;~~
9380 ~~———— c. openings may be equipped with screens, louvers, valves, or other coverings~~
9381 ~~or devices, but only if they allow the automatic entry and exit of floodwaters; and~~
9382 ~~———— d. if a building has more than one enclosed area, each area shall have openings~~
9383 ~~to allow floodwaters to automatically enter and exit;~~
9384 ~~———— 4. Not have all sides of the building below grade for fully enclosed areas below~~
9385 ~~the lowest floor meeting the criteria in subsection F.3. of this section;~~
9386 ~~———— 5. Fully enclosed areas below the lowest floor shall be used solely for the~~
9387 ~~parking of vehicles, building access, or limited storage of readily removable items; and~~
9388 ~~———— 6. Elevate or dry floodproof all building utilities to or above the flood protection~~
9389 ~~elevation;~~
9390 ~~———— G. New, substantially improved, or converted accessory buildings may have the~~
9391 ~~lowest floor below the flood protection elevation, but only if the building complies with~~
9392 ~~the following:~~
9393 ~~———— 1. The building shall not be used for human habitation;~~
9394 ~~———— 2. The use of the building shall be limited to parking of vehicles or limited~~
9395 ~~storage of readily removable items;~~
9396 ~~———— 3. The floor area shall not exceed four hundred square feet;~~

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9897 ~~4. The building should be constructed with materials and practices to minimize~~
9898 ~~flood damage;~~
9899 ~~5. The building shall be built of and have flood resistant materials for portions~~
9900 ~~below the flood protection elevation;~~
9901 ~~6. The building shall be designed to automatically equalize hydrostatic flood~~
9902 ~~forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for~~
9903 ~~meeting this requirement must either be certified by a registered professional engineer or~~
9904 ~~architect or must meet or exceed the following:~~
9905 ~~a. a minimum of two openings having a net total area of no less than one~~
9906 ~~square inch for every one square foot of enclosed space shall be provided. The openings~~
9907 ~~shall be located on at least two opposite side walls in the direction of flow;~~
9908 ~~b. the bottom of all openings shall not be higher than one foot above adjacent~~
9909 ~~grade; and~~
9910 ~~c. openings may be equipped with screens, louvers, valves, or other coverings~~
9911 ~~or devices, but only if they allow the automatic entry and exit of floodwaters;~~
9912 ~~7. Building utilities shall not be installed except electrical fixtures, which must~~
9913 ~~be elevated or dry floodproofed to or above the flood protection elevation; and~~
9914 ~~8. The building shall be constructed and placed on the site so as to offer the~~
9915 ~~minimum resistance to the flow of floodwaters;~~
9916 ~~H. Anchor all new or substantially improved buildings to prevent flotation,~~
9917 ~~collapse, or lateral movement of the building. The department shall approve the method~~
9918 ~~used to anchor the building;~~

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9919 ~~———— I.1. Newly sited ((manufactured)) mobile homes and substantial improvements of~~
9920 ~~existing ((manufactured)) mobile homes shall meet the standards in subsections E. and H.~~
9921 ~~of this section and shall be installed using methods and practices that minimize flood~~
9922 ~~damage;~~

9923 ~~———— 2. All ((manufactured)) mobile homes within a new ((mobile)) manufactured~~
9924 ~~home park or expansion of an existing ((mobile)) manufactured home park must meet the~~
9925 ~~requirements of this subsection I.;~~

9926 ~~———— 3. In a new or existing ((mobile)) manufactured home park located in a flood~~
9927 ~~hazard area, no buildings other than ((mobile)) manufactured homes are allowed;~~

9928 ~~———— J.1. New and replacement public infrastructure utilities including, but not limited~~
9929 ~~to, sewage treatment and storage facilities, shall be elevated or dry floodproofed to or~~
9930 ~~above the flood protection elevation;~~

9931 ~~———— 2. New on-site sewage disposal systems should be located outside of the~~
9932 ~~floodplain. When there is insufficient area outside the floodplain, new on-site sewage~~
9933 ~~disposal systems are allowed only in the zero-rise flood fringe. On-site sewage disposal~~
9934 ~~systems in the zero-rise flood fringe shall be designated and located to avoid:~~

9935 ~~———— a. impairment to the system during flooding; and~~

9936 ~~———— b. contamination from the system during flooding;~~

9937 ~~———— 3. Design all new and replacement water supply systems to minimize or~~
9938 ~~eliminate infiltration of floodwaters into the system;~~

9939 ~~———— 4. Above-ground utility transmission lines are allowed only for the transport of~~
9940 ~~nonhazardous substances or electricity;~~

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9941 ~~5. Underground utility transmission lines transporting hazardous substances~~
9942 ~~shall be buried at a minimum depth of four feet below the maximum depth of scour for~~
9943 ~~the base flood, as predicted by a civil engineer, and achieve sufficient negative buoyancy~~
9944 ~~so that any potential for flotation or upward migration is eliminated; and~~
9945 ~~6. New water wells shall be located where not subject to ponding and not in the~~
9946 ~~FEMA floodway. The well shall be protected to the flood protection elevation and shall~~
9947 ~~be protected from any surface or subsurface drainage capable of impairing the quality of~~
9948 ~~the groundwater supply, in accordance with WAC 173-160-171;~~
9949 ~~K. Critical facilities are allowed within the zero-rise flood fringe only when a~~
9950 ~~feasible alternative site is not available and the following standards are met, in addition to~~
9951 ~~the other applicable standards in this section:~~
9952 ~~1. Elevate the lowest floor to the five-hundred year floodplain elevation or three~~
9953 ~~or more feet above the base flood elevation, whichever is higher;~~
9954 ~~2. Dry floodproof and seal buildings to ensure that hazardous substances are not~~
9955 ~~displaced by or released into floodwaters; and~~
9956 ~~3. Elevate access routes to or above the base flood elevation from the critical~~
9957 ~~facility to the nearest maintained public street or roadway;~~
9958 ~~L. New construction or expansion of existing farm pads is allowed only on a site~~
9959 ~~with existing agriculture if emergency flood relief is required for the protection of~~
9960 ~~livestock or assets or for operations that must continue during flood events as follows:~~
9961 ~~1. A farm pad is allowed only if there is no other suitable holding area on the~~
9962 ~~site outside the floodplain;~~

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9963 ~~2. Construct the farm pad to the standards in an approved farm management~~
9964 ~~plan prepared in accordance with K.C.C. 21A.24.051 and K.C.C. chapter 21A.30;~~
9965 ~~3. The farm pad proposal shall demonstrate compliance with the following:~~
9966 ~~a. flood storage compensation consistent with subsection A. of this section;~~
9967 ~~b. siting and sizing that do not increase base flood elevations consistent with~~
9968 ~~K.C.C. 21A.24.250.B. or, if any portion of the farm pad is located in the FEMA~~
9969 ~~floodway, siting and sizing that do not increase base flood elevations consistent with~~
9970 ~~K.C.C. 21A.24.260.B.;~~
9971 ~~c. siting that is located in the area least subject to risk from floodwaters; and~~
9972 ~~d. an alternatives analysis demonstrating adverse impacts to wetlands, wetland~~
9973 ~~buffers, and aquatic area buffers have been minimized;~~
9974 ~~4. The farm pad is constructed to base flood elevation plus one foot. An~~
9975 ~~elevation report shall be completed after construction to demonstrate compliance with~~
9976 ~~this elevation requirement;~~
9977 ~~5.a. The farm pad should be sized as is necessary for the protection of livestock~~
9978 ~~and assets and operations that must continue during flood events;~~
9979 ~~b. for farm pads larger than two thousand square feet of finished usable~~
9980 ~~surface, a site specific evaluation of agricultural operations must demonstrate the need for~~
9981 ~~the size of the pad; and~~
9982 ~~c. for farm pads larger than ten thousand square feet, an area wide analysis~~
9983 ~~must demonstrate that sufficient flood storage is available for reasonably foreseeable~~
9984 ~~future land use needs in the vicinity;~~

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9985 ~~6. If there are multiple areas on a site that meet all of the applicable criteria, the~~
9986 ~~farm pad should be located as far as practical from the interior property lines;~~
9987 ~~7. Agricultural buildings are allowed on a farm pad as shelter for livestock or~~
9988 ~~other farm animals, greenhouses for plant starts to be used on the property, milking~~
9989 ~~parlors, storage of farm vehicles and agricultural equipment, and shelter for farm~~
9990 ~~products including, but not limited to, feed, seeds, flower bulbs, and hay and farm~~
9991 ~~operations that must continue during a flood event. Agricultural buildings allowed on a~~
9992 ~~farm pad shall not be used for retail operations or any residential or public use; and~~
9993 ~~8. The property owner shall file with the department of executive services,~~
9994 ~~records and licensing services division, a notice approved by the department that restricts~~
9995 ~~the use of the farm pad to nonresidential agricultural uses. The notice shall run with the~~
9996 ~~land. The applicant shall submit to the department proof that the notice was filed before~~
9997 ~~the department approves any permit for the construction of the farm pad;~~
9998 ~~M. New or expanded livestock manure storage facilities are only allowed as~~
9999 ~~follows:~~
10000 ~~1. There is not a feasible alternative area on the site outside the floodplain;~~
10001 ~~2. The livestock manure storage facility is constructed to the standards in an~~
10002 ~~approved farm management plan prepared in accordance with K.C.C. 21A.24.051 and~~
10003 ~~K.C.C. chapter 21A.30. The farm management plan shall demonstrate compliance with~~
10004 ~~the following:~~
10005 ~~a. flood storage compensation consistent with subsection A. of this section;~~
10006 ~~b. siting and sizing that do not increase base flood elevations consistent with~~
10007 ~~K.C.C. 21A.24.250.B. or, if the liquid manure storage facility is located in the FEMA~~

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10008 ~~floodway, siting and sizing that do not increase base flood elevations consistent with~~
10009 ~~K.C.C. 21A.24.260.B.;~~
10010 ~~—— c. dry floodproofing the liquid manure storage facility to one foot above the~~
10011 ~~base flood elevation; and~~
10012 ~~—— d. siting that is located in the area least subject to risk from floodwaters;~~
10013 ~~—— N. Recreational vehicles must be on site for fewer than one hundred eighty~~
10014 ~~consecutive days or be fully licensed and ready for highway use, which means on their~~
10015 ~~wheels or jacking system, attached to the site only by quick disconnect type utilities and~~
10016 ~~security devices and have no permanently attached additions; and~~
10017 ~~—— O. Any alteration or relocation of a watercourse shall comply with the following~~
10018 ~~standards, in addition to the other applicable standards in this title:~~
10019 ~~—— 1. The department shall notify adjacent communities and the Washington state~~
10020 ~~Department of Ecology before any alteration or relocation of a watercourse proposed by~~
10021 ~~the applicant and shall submit evidence of the notification to the Federal Emergency~~
10022 ~~Management Agency within six months; and~~
10023 ~~—— 2. The applicant shall ensure that the flood carrying capacity is maintained.~~
10024 ~~—— SECTION 141. Ordinance 10870, Section 477, as amended, and K.C.C.~~
10025 ~~21A.24.300 are hereby amended to read as follows:~~
10026 ~~—— The following development standards apply to development proposal and~~
10027 ~~alterations on sites containing volcanic hazard areas:~~
10028 ~~—— A. Within volcanic hazard areas located along the White river upstream from~~
10029 ~~Mud Mountain dam:~~

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10030 ~~1. Critical facilities, duplexes, triplexes, fourplexes, apartments, townhouses, or~~
10031 ~~commercial structures are not allowed;~~

10032 ~~2. All new lots created by subdivision, short subdivision, or binding site plan~~
10033 ~~shall designate building areas and building setbacks outside of the volcanic hazard area;~~
10034 ~~and~~

10035 ~~3. The notice of critical areas required under this chapter is required for new~~
10036 ~~single detached ((dwellings)) residences on existing lots;~~

10037 ~~B. Within volcanic hazard areas located along the White river downstream from~~
10038 ~~Mud Mountain dam and the Green and Duwamish rivers, the department shall evaluate~~
10039 ~~development proposals for critical facilities for risk of inundation or flooding resulting~~
10040 ~~from mudflows originating on Mount Rainier. The applicant shall design critical~~
10041 ~~facilities to withstand, without damage, the effects of mudflows equal in magnitude to the~~
10042 ~~prehistoric Electron mudflow; and~~

10043 ~~C. This section does not apply until King County has refined the mapping of~~
10044 ~~volcanic hazard areas in cooperation with the United State Geological Survey and~~
10045 ~~adopted volcanic hazard area maps by public rule.~~

10046 ~~SECTION 142. Ordinance 11621, Section 52, as amended, and K.C.C.~~
10047 ~~21A.24.385 are hereby amended to read as follows:~~

10048 ~~The department shall make certain that segments of the wildlife habitat network~~
10049 ~~are set aside and protected along the designated wildlife habitat network adopted by the~~
10050 ~~King County Comprehensive Plan as follows:~~

10051 ~~A. This section applies to the following development proposals on parcels that~~
10052 ~~include a segment of the designated wildlife habitat network:~~

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10053 ~~1. All ((urban planned developments, fully contained communities,)) binding~~
10054 ~~site plans, subdivisions, and short subdivisions; and~~
10055 ~~2. All development proposals on individual lots unless a segment of the wildlife~~
10056 ~~habitat network in full compliance with K.C.C. 21A.24.386 already exists in a tract,~~
10057 ~~easement, or setback area, and a notice of the existence of the segment has been recorded;~~
10058 ~~B. Segments of the wildlife habitat network must be identified and protected in~~
10059 ~~one of the following ways:~~
10060 ~~1. In ((urban planned developments, fully contained communities,)) binding site~~
10061 ~~plans, subdivisions, and short subdivisions, native vegetation is placed in a contiguous~~
10062 ~~permanent open space tract with all developable lots sited on the remaining portion of the~~
10063 ~~project site, or the lots are designed so that required setback areas can form a contiguous~~
10064 ~~setback covering the network segments; or~~
10065 ~~2. For individual lots, the network is placed in a county approved setback area.~~
10066 ~~To the maximum extent practical, existing native vegetation is included in the network.~~
10067 ~~The notice required by K.C.C. 21A.27.170 is required; and~~
10068 ~~C. All wildlife habitat network tracts or setback areas must meet the design~~
10069 ~~standards in K.C.C. 21A.24.386.~~
10070 ~~SECTION 143. Ordinance 11621, Section 53, as amended, and K.C.C.~~
10071 ~~21A.24.386 are hereby amended to read as follows:~~
10072 ~~The following standards apply to development proposals and alterations on sites~~
10073 ~~containing wildlife habitat network:~~
10074 ~~A. Unless allowed as an alteration exception under K.C.C. 21A.24.070, only the~~
10075 ~~alterations identified in K.C.C. 21A.24.045 are allowed in the wildlife habitat network;~~

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10076 ~~———— B. The wildlife habitat network is sited to meet the following conditions:~~
10077 ~~———— 1. The network forms one contiguous tract or setback area that enters and exits~~
10078 ~~the property where the network crosses the property boundary;~~
10079 ~~———— 2. To the maximum extent practical, the network maintains a width of three-~~
10080 ~~hundred feet. The network width shall not be less than one hundred fifty feet at any~~
10081 ~~point; and~~
10082 ~~———— 3. The network is contiguous with and includes critical areas and their buffers;~~
10083 ~~———— 4. To the maximum extent practical, the network connects isolated critical areas~~
10084 ~~or habitat; and~~
10085 ~~———— 5. To the maximum extent practical, the network connects with wildlife habitat~~
10086 ~~network segments, open space tracts, or wooded areas on adjacent properties, if present;~~
10087 ~~———— C. The wildlife habitat network tract must be permanently marked in accordance~~
10088 ~~with this chapter;~~
10089 ~~———— D. An applicant proposing recreation, forestry, or any other use compatible with~~
10090 ~~preserving and enhancing the habitat value of the wildlife habitat network located within~~
10091 ~~the site must have an approved management plan. The applicant shall include and record~~
10092 ~~the approved management plan for a binding site plan or subdivision with the covenants,~~
10093 ~~conditions, and restrictions (CCRs), if any. Clearing within the wildlife habitat network~~
10094 ~~in a tract or tracts is limited to that allowed by an approved management plan;~~
10095 ~~———— E. If the wildlife habitat network is contained in a setback area, a management~~
10096 ~~plan is not required. Clearing is not allowed within a wildlife habitat network within a~~
10097 ~~setback area on individual lots, unless the property owner has an approved management~~
10098 ~~plan;~~

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10099 ~~———— F. In ((urban planned developments, fully contained communities,)) binding site~~
10100 ~~plans, subdivisions, and short subdivisions a homeowners association or other entity~~
10101 ~~capable of long term maintenance and operation shall monitor and assure compliance~~
10102 ~~with any approved management plan;~~
10103 ~~———— G. ((Segments of the wildlife habitat network set aside in tracts, conservation~~
10104 ~~easements or setback area must comply with K.C.C. 16.82.150;~~
10105 ~~———— H.)) The department may credit a permanent open space tract containing the~~
10106 ~~wildlife habitat network toward the other applicable requirements such as surface water~~
10107 ~~management and the recreation space requirement of K.C.C. 21A.14.180, if the proposed~~
10108 ~~uses within the tract are compatible with preserving and enhancing the wildlife habitat~~
10109 ~~value. Restrictions on other uses within the wildlife habitat network tract shall be clearly~~
10110 ~~identified in the management plan; and~~
10111 ~~———— ((I.)) H. The director may waive or reduce these standards for public facilities~~
10112 ~~such as schools, fire stations, parks, and road projects.~~
10113 SECTION 186. Ordinance 3688, Section 303 and K.C.C. 21A.25.050 are hereby
10114 amended to read as follows:
10115 A. The requirements of the shoreline master program apply to all uses and
10116 development occurring within the shoreline jurisdiction. The King County shoreline
10117 jurisdiction consists of shorelines, shorelines of statewide significance, and shorelands as
10118 defined in RCW 90.58.030 and K.C.C. chapter 21A.06, and the one-hundred-year
10119 floodplain.
10120 B. The shoreline jurisdiction does not include tribal reservation lands and lands
10121 held in trust by the federal government for tribes. Nothing in the King County shoreline

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10122 master program or action taken under that program shall affect any treaty right to which
10123 the United States is a party.

10124 C. The lakes and segments of rivers and streams constituting the King County
10125 shoreline jurisdiction are set forth in Attachment H to Ordinance 19146. The King
10126 County shoreline jurisdiction is shown on a map adopted in chapter 6 of the King County
10127 Comprehensive Plan. If there is a discrepancy between the map and the criteria
10128 established in subsection A. of this section, the criteria shall constitute the official King
10129 County shoreline jurisdiction. The county shall update the shoreline master program to
10130 reflect the new designation within three years of the discovery of the discrepancy.

10131 NEW SECTION. SECTION 187. There is hereby added to K.C.C. chapter
10132 21A.25 a new section to read as follows:

10133 When a critical area report is required by this chapter, the applicant shall submit a
10134 report documenting the presence, type, and function of ecological critical areas. If the
10135 development proposal will affect only a part of the development proposal site, the
10136 department may limit the scope of the critical area report to include only that part of the
10137 site that is affected by the development proposal. The report shall document how the
10138 proposal avoids and minimizes impacts to the greatest extent feasible and document
10139 measures taken to mitigate unavoidable impacts to ensure the proposal causes no net loss
10140 of ecological function. The applicant may combine a critical area report with any studies
10141 required by other laws and regulations.

10142 ~~SECTION 144. Ordinance 16985, Section 129, and K.C.C. 21A.25.080 are~~
10143 hereby amended to read as follows:

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- 10144 ~~———— A. Mitigation measures shall be applied in the following sequence of steps listed~~
10145 ~~in order of priority, with subsection A.1. of this section being top priority:~~
- 10146 ~~———— 1. Avoiding the impact altogether by not taking a certain action or parts of an~~
10147 ~~action;~~
- 10148 ~~———— 2. Minimizing impacts by limiting the degree or magnitude of the action and its~~
10149 ~~implementation by using appropriate technology or by taking affirmative steps to avoid~~
10150 ~~or reduce impacts;~~
- 10151 ~~———— 3. Rectifying the impact by repairing, rehabilitating, or restoring the affected~~
10152 ~~environment;~~
- 10153 ~~———— 4. Reducing or eliminating the impact over time by preservation and~~
10154 ~~maintenance operations;~~
- 10155 ~~———— 5. Compensating for the impact by replacing, enhancing, or providing substitute~~
10156 ~~resources or environments; and~~
- 10157 ~~———— 6. Monitoring the impact and the compensation projects and taking appropriate~~
10158 ~~corrective measures.~~
- 10159 ~~———— B. In determining appropriate mitigation measures applicable to shoreline~~
10160 ~~development, lower priority measures shall be applied only where higher priority~~
10161 ~~measures are determined to be infeasible or inapplicable.~~
- 10162 ~~———— C. Mitigation shall be designed to:~~
- 10163 ~~———— 1. Achieve no net loss of ecological functions for each new development;~~
10164 ~~———— 2. Not require mitigation in excess of that necessary to assure that the~~
10165 ~~development will result in no net loss of shoreline ecological functions; and~~

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10166 ~~3. Not result in a significant adverse impact on other shoreline ecological~~
10167 ~~functions.~~

10168 ~~D. When a critical area report is required by this chapter, the applicant shall~~
10169 ~~submit a report documenting the presence and types of wetlands and aquatic areas on the~~
10170 ~~site. If the development proposal will affect only a part of the development proposal site,~~
10171 ~~the department may limit the scope of the required critical area report to include only that~~
10172 ~~part of the site that is affected by the development proposal. The report shall document~~
10173 ~~how the proposal avoids and minimizes impacts to the greatest extent feasible and~~
10174 ~~document measures taken to mitigate unavoidable impacts to ensure the proposal causes~~
10175 ~~no net loss of ecological function. The applicant may combine a critical area report with~~
10176 ~~any studies required by other laws and regulations.~~

10177 ~~E. When compensatory measures are appropriate under the mitigation priority~~
10178 ~~sequence in subsection A. of this section, preferential consideration shall be given to~~
10179 ~~measures that replace the impacted functions directly and in the immediate vicinity of the~~
10180 ~~impact. The department may approve alternative compensatory mitigation within the~~
10181 ~~watershed if the mitigation addresses limiting factors or identified critical needs for~~
10182 ~~shoreline resource conservation based on watershed or comprehensive resource~~
10183 ~~management plans applicable to the area of impact. The department may require~~
10184 ~~appropriate safeguards, terms or conditions as necessary to ensure no net loss of shoreline~~
10185 ~~ecological functions as conditions of approval for compensatory mitigation measures.~~

10186 SECTION 145188. Ordinance 16958, Section 31, as amended, and K.C.C.
10187 21A.25.100 are hereby amended to read as follows:

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10188 A. The shoreline use table in this section determines whether a specific use is
10189 allowed within each of the shoreline environments. The shoreline environment is located
10190 on the vertical column and the specific use is located on the horizontal row of the table.
10191 The specific uses are grouped by the shoreline use categories in WAC 173-26-241. The
10192 specific uses are defined by those uses in K.C.C. chapter 21A.08. The table should be
10193 interpreted as follows:

10194 1. If the cell is blank in the box at the intersection of the column and the row,
10195 the use is prohibited in that shoreline environment;

10196 2. If the letter "P" appears in the box at the intersection of the column and the
10197 row, the use may be allowed within the shoreline environment;

10198 3. If the letter "C" appears in the box at the intersection of the column and the
10199 row, the use may be allowed within the shoreline environment subject to the shoreline
10200 conditional use review procedures specified in K.C.C. 21A.44.100.

10201 4. If a number appears in the box at the intersection of the column and the row,
10202 the use may be allowed subject to the appropriate review process in this section, the
10203 general requirements of this chapter and the specific development conditions indicated
10204 with the corresponding number in subsection C. of this section. If more than one number
10205 appears after a letter, all numbers apply.

10206 5. If more than one letter-number combination appears in the box at the
10207 intersection of the column and the row, the use is allowed in accordance with each letter-
10208 number combination.

10209 6. A shoreline use may be allowed in the aquatic environment only if that
10210 shoreline use is allowed in the adjacent shoreland environment.

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10211 7. This section does not authorize a land use that is not allowed by the
 10212 underlying zoning, but may add additional restrictions or conditions or prohibit specific
 10213 land uses within the shoreline jurisdiction. When there is a conflict between the
 10214 ~~((permitted))~~ allowed land uses in K.C.C. chapter 21A.08 and shoreline uses in this
 10215 section, preference for shoreline uses shall first be given to water-dependent uses, then to
 10216 water related uses, and finally to water enjoyment uses. All uses in the shoreline
 10217 jurisdiction ~~((must))~~ shall comply with all relevant county code provisions and with the
 10218 King County Shoreline Master Program.

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10219 B. Shoreline uses,

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((P— Permitted Use	High	Resident	Rur	Conserva	Resour	Fores	Natur	Aqua
C— Shoreline Conditional Use Blank— Prohibited.	Intensi ty	ial	al	ncy	ce	try	al	tic
Shoreline uses are allowed only if the underlying zoning allows the use. Shoreline uses are allowed in the aquatic environment only if the adjacent upland environment allows								

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the use.))								
Agriculture								
Agriculture (K.C.C. 21A.08.090)		P	P	P	P	P	P1	
Aquaculture (fish and wildlife management K.C.C. 21A.08.090)								
Nonnative marine finfish aquaculture								
Commercial salmon net pens								
Noncommercial native salmon net pens	P2	P2	P2	P2	P2	P2	P2	P2
Native non- salmonid finfish net pens		C2	C2	C2				C2
Geoduck aquaculture	C2	C2	C2	C2	C2	C2	C2	C2
Aquaculture, not	P2	P2	P2	P2	P2	P2	P2	P2

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otherwise listed								
Boating Facilities								
Marinas (K.C.C. 21A.08.040)	C3	C3	C3					C3
Commercial Development								
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. 21A.08.070)	P7	P8						
Government Services								
Government services except	P9	P9	P9	P9	P9	P9	P9	C10

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commuter parking lot, utility facility, and private stormwater management facility (K.C.C. 21A.08.060)								
Forest Practices								
Forestry (K.C.C. 21A.08.090)		P11	P11	P11	P11	P11	C11	
Industry								
Manufacturing (K.C.C. 21A.08.080)	P12							
In-stream structural uses								
Hydroelectric generation facility, wastewater treatment facility, and municipal water production (K.C.C.	C13	C13	C13			C13		C13

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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
Mining								
Mineral uses (K.C.C. 21A.08.090)					C17	C17		C17
Recreational Development								

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Recreational ((/)) <u>and</u> cultural except for marinas and docks and piers (K.C.C. 21A.08.040)	P18	P19	P19	P20		P19	P21	C
Residential Development								
Single detached ((dwelling units)) <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. <u>21A.08.xxx (the</u> <u>new section created</u> <u>by section 148 of</u> <u>this ordinance)</u>		P	P	P	P	C22	C22	
Duplex, triplex, fourplexHouseplex, ((F)) townhouse,	P23	P			P			

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<p>apartment, ((mobile)) <u>manufactured</u> home ((park)) <u>community</u>, cottage housing (K.C.C. 21A.08.030)</p>							
<p>((Group residences)) <u>Congregate</u> <u>residence and</u> <u>senior assisted</u> <u>housing</u> (K.C.C. 21A.08.030), <u>community</u> <u>residential facility</u> <u>II and permanent</u> <u>supportive housing</u> <u>(K.C.C.</u> <u>21A.08.xxx (the</u> <u>new section created</u> <u>by section 148 of</u> <u>this ordinance))</u></p>	<p>P23</p>	<p>P</p>					

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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
Transportation and parking								
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)								
Utilities								
Utility facility (K.C.C.)	P26	P26	P26	P26	P26	P26	P26	C26

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21A.08.060)								
Regional land uses								
Regional uses except hydroelectric generation facility, wastewater treatment facility, and municipal water production (K.C.C. 21A.08.100)	P30							

10220 C. Development conditions:

10221 1. In the Natural environment, limited to low intensity agriculture, such as
 10222 livestock use with an animal unit density of no more than one per two acres in the
 10223 shoreline jurisdiction, seasonal hay mowing and related activities, and horticulture not to
 10224 exceed twenty percent of the site area located within the shoreline jurisdiction.

10225 2.a. The supporting infrastructure for aquaculture may be located landward of
 10226 the aquaculture operation, subject to the limitations of K.C.C. Title 21A.

10227 b. The aquaculture operation ~~(must)~~ shall meet the standards in K.C.C.
 10228 21A.25.110.

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10229 c. In aquatic areas adjacent to the residential shoreline environment, net pen
 10230 facilities shall be located no closer than one thousand five hundred feet from the ordinary

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10231 high water mark of this environment, unless the department allows a specific lesser
10232 distance that it determines is appropriate based upon a visual impact analysis. Other
10233 types of floating culture facilities may be located within one thousand five hundred feet
10234 of the ordinary high water mark if supported by a visual impact analysis.

10235 d. In aquatic areas adjacent to the rural shoreline environment, net pen
10236 facilities shall be located no closer than one thousand five hundred feet from the ordinary
10237 high water mark of this environment, unless the department allows a specific lesser
10238 distance that it determines is appropriate based upon a visual impact analysis.

10239 e. In the natural shoreline environment and aquatic areas adjacent to the natural
10240 shoreline environment, commercial net pens are prohibited and other aquaculture
10241 activities are limited to activities that do not require structures, facilities, or mechanized
10242 harvest practices and that will not alter the natural systems, features, or character of the
10243 site.

10244 f. Farm-raised geoduck aquaculture requires a shoreline substantial
10245 development permit if a specific project or practice causes substantial interference with
10246 normal public use of the surface waters.

10247 g. A conditional use permit is required for new commercial geoduck
10248 aquaculture only, consistent with WAC 173-26-241(3)(b). All subsequent cycles of
10249 planting and harvest shall not require a new conditional permit.

10250 3.a. New marinas are not allowed along the east shore of Maury Island, from
10251 Piner Point to Point Robinson.

10252 b. Marinas ~~((must)) shall~~ meet the standards in K.C.C. 21A.25.120.

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10253 4. Water dependent general services land uses in K.C.C. 21A.08.050 are
10254 allowed. ~~((Non-water)) Nonwater~~-dependent general services land uses in K.C.C.
10255 21A.08.050 are only allowed on sites that are not contiguous with the ordinary high water
10256 mark or on sites that do not have an easement that provides direct access to the water.

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10257 5.a. Water-dependent general services land uses in K.C.C. 21A.08.050 are
10258 allowed.

10259 b. ~~((Non-water)) Nonwater~~-dependent general services land uses in K.C.C.
10260 21A.08.050 are only allowed as part of a shoreline mixed-use development that includes
10261 water-dependent uses.

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10262 c. ~~((Non-water)) Nonwater~~-oriented general services land uses ~~((must)) shall~~
10263 provide a significant public benefit by helping to achieve one or more of the following
10264 shoreline master program goals:

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- 10265 (1) economic development for water-dependent uses;
- 10266 (2) public access;
- 10267 (3) water-oriented recreation;
- 10268 (4) conservation of critical areas, scenic vistas, aesthetics, or fish and wildlife
10269 habitat; and
- 10270 (5) protection and restoration of historic properties.

10271 6. Water-dependent business services uses in K.C.C. 21A.08.050 are allowed.
10272 Water-related business services uses are only allowed as part of a shoreline mixed-use
10273 development and only if they support a water-dependent use. The water-related business
10274 services uses ~~((must)) shall~~ comprise less than one-half of the square footage of the
10275 structures or the portion of the site within the shoreline jurisdiction.

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10276 7.a Water-dependent retail uses in K.C.C. 21A.08.050 are allowed.

10277 b. ~~((Non-water))Nonwater~~-dependent retail uses in K.C.C. 21A.08.050 are

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10278 only allowed as part of a shoreline mixed-use development if the ~~((non-water))nonwater~~-

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10279 dependent retail use supports a water-dependent use. ~~((Non-water))Nonwater~~-dependent

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10280 uses ~~((must)) shall~~ comprise less than one-half of the square footage of the structures or

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10281 the portion of the site within the shoreline jurisdiction.

10282 c. ~~((Non-water))Nonwater~~-oriented retail uses ~~((must)) shall~~ provide a

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10283 significant public benefit by helping to achieve one or more of the following shoreline

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10284 master program goals:

10285 (1) economic development for water-dependent uses;

10286 (2) public access;

10287 (3) water-oriented recreation;

10288 (4) conservation of critical areas, scenic vistas, aesthetics, or fish and wildlife

10289 habitat; and

10290 (5) protection and restoration of historic properties.

10291 8. Water-dependent retail uses in K.C.C. 21A.08.050 are allowed. ~~((Non-~~

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10292 ~~water))Nonwater~~-dependent retail uses in K.C.C. 21A.08.050 are only allowed if the

10293 retail use provides a significant public benefit by helping to achieve one or more of the

10294 following shoreline master program goals:

10295 a. economic development for water-dependent uses;

10296 b. public access;

10297 c. water-oriented recreation;

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10298 d. conservation of critical areas, scenic vistas, aesthetics, or fish and wildlife
10299 habitat; and

10300 e. protection and restoration of historic properties.

10301 9.a. Water-dependent government services in K.C.C. 21A.08.060 are allowed.

10302 b. ~~((Non-water))Nonwater~~-dependent government services in K.C.C.
10303 21A.08.060 are only allowed as part of a shoreline mixed-use development if the ~~((non-~~
10304 ~~water))nonwater~~-dependent government use supports a water-dependent use. ~~((Non-~~
10305 ~~water))Nonwater~~-dependent uses ~~((must)) shall~~ comprise less than one-half of the square
10306 footage of the structures or the portion of the site within the shoreline jurisdiction. Only
10307 low-intensity water-dependent government services are allowed in the Natural
10308 environment.

10309 10. The following standards apply to government services uses within the
10310 Aquatic environment:

10311 a. Stormwater and sewage outfalls are allowed if upland treatment and
10312 infiltration to groundwater, streams, or wetlands is not feasible and there is no impact on
10313 critical saltwater habitats, salmon migratory habitat, and the nearshore zone. However,
10314 stormwater and sewage outfalls are not allowed in the Maury Island Aquatic Reserve,
10315 except from Piner Point to Point Robinson;

10316 b. Water intakes shall not be located near fish spawning, migratory, or rearing
10317 areas. Water intakes ~~((must)) shall~~ adhere to Washington state Department of Fish and
10318 Wildlife fish screening criteria. To the maximum extent practical, intakes should be
10319 placed at least thirty feet below the ordinary high water mark;

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10320 c. Desalination facilities shall not be located near fish spawning, migratory,
10321 or rearing areas. Intakes should generally be placed deeper than thirty feet below the
10322 ordinary high water mark and ~~((must)) shall~~ adhere to Washington state Department Fish
10323 and Wildlife fish screening criteria. Discharge of desalination wastewater or
10324 concentrated mineral is not allowed in the Maury Island Aquatic Reserve, except that
10325 outside the Inner and Outer Harbormaster Harbor, discharge may be considered if there is
10326 no impact on critical saltwater habitats, salmon migratory habitat, and the nearshore zone;

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10327 d. Cable crossings for telecommunications and power lines shall:
10328 (1) be routed around or drilled below aquatic critical habitat or species;
10329 (2) be installed in sites free of vegetation, as determined by physical or video
10330 seabed survey;
10331 (3) be buried, preferably using directional drilling, from the uplands to
10332 waterward of the deepest documented occurrence of native aquatic vegetation; and
10333 (4) use the best available technology;

10334 e. Oil, gas, water, and other pipelines shall meet the same standards as cable
10335 crossings and in addition:

10336 (1) pipelines ~~((must)) shall~~ be directionally drilled to depths of seventy feet or
10337 one half mile from the ordinary high water mark; and
10338 (2) use the best available technology for operation and maintenance;

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10339 f. Breakwaters are not allowed within the Maury Island Aquatic Reserve or
10340 within the Aquatic environment adjacent to the Conservancy and Natural shorelines.

10341 11. In the Natural environment, limited to low intensity forest practices that
10342 conserve or enhance the health and diversity of the forest ecosystem or ecological and

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10343 hydrologic functions conducted for the purpose of accomplishing specific ecological
10344 enhancement objectives. In all shoreline environments, forest practices ~~((must)) shall~~
10345 meet the standards in K.C.C. 21A.25.130.

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10346 12. Manufacturing uses in the shoreline environment ~~((must)) shall~~ give
10347 preference first to water-dependent manufacturing uses and second to water-related
10348 manufacturing uses:

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10349 a. ~~((Non-water))Nonwater~~-oriented manufacturing uses are allowed only:

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10350 (1) as part of a shoreline mixed-use development that includes a water-
10351 dependent use, but only if the water-dependent use comprises over fifty percent of the
10352 floor area or portion of the site within the shoreline jurisdiction;

10353 (2) on sites where navigability is severely limited; or

10354 (3) on sites that are not contiguous with the ordinary high water mark or on
10355 sites that do not have an easement that provides direct access to the water; and

10356
10357 (4) all ~~((non-water))nonwater~~-oriented manufacturing uses ~~((must)) shall~~ also
10358 provide a significant public benefit, such as ecological restoration, environmental clean-
10359 up, historic preservation, or water-dependent public education;

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10360 b. public access is required for all manufacturing uses unless it would result in
10361 a public safety risk or is incompatible with the use;

10362 c. shall be located, designed, and constructed in a manner that ensures that
10363 there are no significant adverse impacts to other shoreline resources and values((-);

10364 d. restoration is required for all new manufacturing uses; and

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10365 e. boat repair facilities are not ~~(permitted)~~ allowed within the Maury Island
10366 Aquatic Reserve, except as follows:

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10367 (1) engine repair or maintenance conducted within the engine space without
10368 vessel haul-out;

10369 (2) topside cleaning, detailing, and bright work;

10370 (3) electronics servicing and maintenance;

10371 (4) marine sanitation device servicing and maintenance that does not require
10372 haul-out;

10373 (5) vessel rigging; and

10374 (6) minor repairs or modifications to the vessel's superstructure and hull
10375 above the waterline that do not exceed twenty-five percent of the vessel's surface area
10376 above the waterline.

10377 13. The water-dependent in-stream portion of a hydroelectric generation facility,
10378 wastewater treatment facility, and municipal water production are allowed, including the
10379 upland supporting infrastructure, and shall provide for the protection and preservation, of
10380 ecosystem-wide processes, ecological functions, and cultural resources, including, but not
10381 limited to, fish and fish passage, wildlife and water resources, shoreline critical areas,
10382 hydrogeological processes, and natural scenic vistas.

10383 14. New in-stream portions of utility facilities may be located within the
10384 shoreline jurisdiction if:

10385 a. there is no feasible alternate location;

10386 b. provision is made to protect and preserve ecosystem-wide processes,
10387 ecological functions, and cultural resources, including, but not limited to, fish and fish

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10388 passage, wildlife and water resources, shoreline critical areas, hydrogeological processes,
10389 and natural scenic vistas; and

10390 c. the use complies with the standards in K.C.C. 21A.25.260.

10391 15. Limited to in-stream infrastructure, such as bridges, and ~~((must)) shall~~

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10392 consider the priorities of the King County Shoreline Protection and Restoration Plan

10393 when designing in-stream transportation facilities. In-stream structures shall provide for

10394 the protection and preservation ~~((s))~~ of ecosystem-wide processes, ecological functions,

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10395 and cultural resources, including, but not limited to, fish and fish passage, wildlife and

10396 water resources, shoreline critical areas, hydrogeological processes, and natural scenic

10397 vistas.

10398 16. Limited to hatchery and fish preserves.

10399 17. Mineral uses:

10400 a. ~~((must)) shall~~ meet the standards in K.C.C. chapter 21A.22;

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10401 b. ~~((must)) shall~~ be dependent upon a shoreline location;

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10402 c. ~~((must)) shall~~ avoid and mitigate adverse impacts to the shoreline

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10403 environment during the course of mining and reclamation to achieve no net loss of

10404 shoreline ecological function. In determining whether there will be no net loss of

10405 shoreline ecological function, the evaluation may be based on the final reclamation

10406 required for the site. Preference shall be given to mining proposals that result in the

10407 creation, restoration, or enhancement of habitat for priority species;

10408 d. ~~((must)) shall~~ provide for reclamation of disturbed shoreline areas to achieve

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10409 appropriate ecological functions consistent with the setting;

10410 e. may be allowed within the active channel of a river only as follows:

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10411 (1) removal of specified quantities of sand and gravel or other materials at
10412 specific locations will not adversely affect the natural processes of gravel transportation
10413 for the river system as a whole;

10414 (2) the mining and any associated permitted activities will not have
10415 significant adverse impacts to habitat for priority species nor cause a net loss of
10416 ecological functions of the shoreline; and

10417 (3) if no review has been previously conducted under this subsection C.17.e.,
10418 ~~((prior to))~~ before renewing, extending, or reauthorizing gravel bar and other in-channel
10419 mining operations in locations where they have previously been conducted, the
10420 department shall require compliance with this subsection C.17.e. If there has been prior
10421 review, the department shall review previous determinations comparable to the
10422 requirements of this section C.17.e. to ensure compliance with this subsection under
10423 current site conditions; and

10424 f. ~~((Must))~~ shall comply with K.C.C. 21A.25.190.

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10425 18. Only water-dependent recreational uses are allowed, except for public parks
10426 and trails, in the High Intensity environment and ~~((must))~~ shall meet the standards in
10427 K.C.C. 21A.25.140 for public access and K.C.C. 21A.25.150 for recreation.

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10428 19. Water-dependent and water-enjoyment recreational uses are allowed in the
10429 Residential, Rural, and Forestry environments and ~~((must))~~ shall meet the standards in
10430 K.C.C. 21A.25.140 for public access and K.C.C. 21A.25.150 for recreation.

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10431 20. In the Conservancy environment, only the following recreation uses are
10432 allowed and ~~((must))~~ shall meet the standards in K.C.C. 21A.25.140 for public access and
10433 K.C.C. 21A.25.150 for recreation:

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10434 a. parks; and

10435 b. trails.

10436 21. In the Natural environment, only passive and low-impact recreational uses
10437 are allowed.

10438 22. Single detached ~~((dwelling units must))~~ residences shall be located outside
10439 of the aquatic area buffer and set back from the ordinary high water mark to the
10440 maximum extent practical.

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10441 23. Only allowed as part of a water-dependent shoreline mixed-use development
10442 where water-dependent uses comprise more than half of the square footage of the
10443 structures on the portion of the site within the shoreline jurisdiction.

10444 24. Residential accessory uses ~~((must))~~ shall meet the following standards:

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10445 a. docks, piers, moorage, buoys, floats, or launching facilities ~~((must meet))~~

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10446 shall comply with the standards in K.C.C. 21A.25.180;

10447 b. residential accessory structures located within the aquatic area buffer shall
10448 be limited to a total footprint of one-hundred fifty square feet; and

10449 c. accessory structures shall be sited to preserve visual access to the shoreline
10450 to the maximum extent practical.

10451 25. New highway and street construction is allowed only if there is no feasible
10452 alternate location. Only low-intensity transportation infrastructure is allowed in the
10453 Natural environment.

10454 26. Utility facilities are subject to the standards in K.C.C. 21A.25.260.

10455 27. Only bed and breakfast guesthouses.

10456 28. Only in a marina.

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10457 29. Transportation facilities are subject to the standards in K.C.C. 21A.25.280.

10458 30. Only solid waste transfer stations and subject to K.C.C. 21A.25.260.

10459 ~~SECTION 189. Ordinance 16985, Section 32, as amended, and K.C.C.~~

10460 ~~21A.25.110 are hereby amended to read as follows:~~

10461 ~~An applicant for an aquaculture facility ((must)) shall use the sequential measures~~
10462 ~~in K.C.C. 21A.25.080. The following standards apply to aquaculture:~~

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10463 ~~A. Unless the applicant demonstrates that the substrate modification will result in~~
10464 ~~an increase in native habitat diversity, aquaculture that involves little or no substrate~~
10465 ~~modification shall be given preference over aquaculture that involves substantial~~
10466 ~~substrate modification and the degree of proposed substrate modification shall be limited~~
10467 ~~to the maximum extent practical.~~

10468 ~~B. The installation of submerged structures, intertidal structures and floating~~
10469 ~~structures shall be limited to the maximum extent practical.~~

10470 ~~C. Aquaculture proposals that involve substantial substrate modification or~~
10471 ~~sedimentation through dredging, trenching, digging, mechanical clam harvesting or other~~
10472 ~~similar mechanisms, shall not be ((permitted)) allowed in areas where the proposal would~~
10473 ~~adversely impact critical saltwater habitats.~~

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10474 ~~D. Aquaculture activities that after implementation of mitigation measures would~~
10475 ~~have a significant adverse impact on natural, dynamic shoreline processes or that would~~
10476 ~~result in a net loss of shoreline ecological functions shall be prohibited.~~

10477 ~~E. Aquaculture should not be located in areas that will result in significant~~
10478 ~~conflicts with navigation or other water-dependent uses.~~

10479 ~~F. Aquaculture facilities shall be designed, located and managed to prevent the~~

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10480 spread of diseases to native aquatic life or the spread of new nonnative species.
10481 G. Aquaculture practices shall be designed to minimize use of artificial chemical
10482 substances and shall use chemical compounds that are least persistent and have the least
10483 impact on plants and animals. Herbicides and pesticides shall be used only in
10484 conformance with state and federal standard and to the minimum extent needed for the
10485 health of the aquaculture activity.
10486 H. Noncommercial native salmon net pen facilities that involve minimal
10487 supplemental feeding and limited use of chemicals or antibiotics as provided in
10488 subsection G. of this section may be located in King County ~~marine~~* waters if they are
10489 consistent with subsections S. and Y. of this section and are:
10490 1. Native salmon net pens operated by tribes with treaty fishing rights;
10491 2. For the limited penned cultivation of wild salmon stocks during a limited
10492 portion of their lifecycle to enhance restoration of native stocks; or
10493 3. For rearing to adulthood in order to harvest eggs as part of a captive brood
10494 stock recovery program for endangered species.
10495 I. If uncertainty exists regarding potential impacts of a proposed aquaculture
10496 activity and for all experimental aquaculture activities, unless otherwise provided for, the
10497 department may require baseline and periodic operational monitoring by a county-
10498 approved consultant, at the applicant's expense, and shall continue until adequate
10499 information is available to determine the success of the project and the magnitude of any
10500 probable significant adverse environmental impacts. Permits for such activities shall
10501 include specific performance measures and provisions for adjustment or termination of
10502 the project at any time if monitoring indicates significant, adverse environmental impacts

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10503 that cannot be adequately mitigated.

10504 J. Aquaculture developments approved on an experimental basis shall not exceed
10505 five acres in area, except land-based projects and anchorage for floating systems, and
10506 three years in duration. The department may issue a new permit to continue an
10507 experimental project as many times as it determines is necessary and appropriate.

10508 K. The department may require aquaculture operations to carry liability insurance
10509 in an amount commensurate with the risk of injury or damage to any person or property
10510 as a result of the project. Insurance requirements shall not be required to duplicate
10511 requirements of other agencies.

10512 L. If aquaculture activities are authorized to use public facilities, such as boat
10513 launches or docks, King County may require the applicant to pay a portion of the cost of
10514 maintenance and any required improvements commensurate with the use of those
10515 facilities.

10516 M. New aquatic species that are not previously cultivated in Washington state
10517 shall not be introduced into King County saltwaters or freshwaters without prior written
10518 approval of the Director of the Washington state Department of Fish and Wildlife and the
10519 Director of the Washington Department of Health. This prohibition does not apply to:
10520 Pacific, Olympia, Kumamoto, Belon or Virginica oysters; Manila, Butter, or Littleneck
10521 clams; or Geoduck clams.

10522 N. Unless otherwise provided in the shoreline permit issued by the department,
10523 repeated introduction of an approved organism after harvest in the same location shall
10524 require approval by the county only at the time the initial aquaculture use permit is
10525 issued. Introduction, for purposes of this section, shall mean the placing of any aquatic

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10526 organism in any area within the waters of King County regardless of whether it is a native
10527 or resident organism within the county and regardless of whether it is being transferred
10528 from within or without the waters of King County.

10529 O. For aquaculture projects, over-water structures shall be allowed only if
10530 necessary for the immediate and regular operation of the facility. Over-water structures
10531 shall be limited to the((s)) storage of necessary tools and apparatus in containers of not
10532 more than three feet in height, as measured from the surface of the raft or dock.

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10533 P. Except for the sorting or culling of the cultured organism after harvest and the
10534 washing or removal of surface materials or organisms before or after harvest, no
10535 processing of any aquaculture product shall occur in or over the water unless specifically
10536 approved by permit. All other processing and processing facilities shall be located
10537 landward of the ordinary high water mark.

10538 Q. Aquaculture wastes shall be disposed of in a manner that will ensure strict
10539 compliance with all applicable governmental waste disposal standards, including, but not
10540 limited to, the Federal Clean Water Act, Section 401, and chapter 90.48 RCW, Water
10541 Pollution Control. No garbage, wastes or debris shall be allowed to accumulate at the site
10542 of any aquaculture operation.

10543 R. Unless approved in writing by the National Marine Fisheries Service or the
10544 U.S. Fish and Wildlife Service, predator control shall not involve the killing or
10545 harassment of birds or mammals. Approved controls include, but are not limited to,
10546 double netting for seals, overhead netting for birds and three-foot high fencing or netting
10547 for otters. The use of other nonlethal, nonabusive predator control measures shall be
10548 contingent upon receipt of written approval from the National Marine Fisheries Service

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10549 or the U.S. Fish and Wildlife Service, as required.
10550 S. Finfish net pens and rafts shall meet the following criteria in addition to the
10551 other applicable regulations of this section:
10552 1. Finfish net pens shall not be located in Quartermaster Harbor. For the
10553 purposes of this subsection, Quartermaster Harbor" means the area of Puget Sound north
10554 of a straight line drawn from the southwest tip of Vashon-Maury Island, which is Piner
10555 Point, to the southeast tip of Vashon-Maury Island, which is Neill Point;
10556 2. Finfish net pens shall meet, at a minimum, state approved administrative
10557 guidelines for the management of net pen cultures. In the event there is a conflict in
10558 requirements, the more restrictive requirement shall prevail;
10559 3. Finfish net pens shall not occupy more than two surface acres of water area,
10560 excluding booming and anchoring requirements. Anchors that minimize disturbance to
10561 substrate, such as helical anchors, shall be employed. Such operations shall not use
10562 chemicals or antibiotics;
10563 4. Aquaculture proposals that include new or added net pens or rafts shall not be
10564 located closer than one nautical mile to any other aquaculture facility that includes net
10565 pens or rafts. The department may authorize a lesser distance if the applicant
10566 demonstrates to the satisfaction of the department that the proposal will be consistent
10567 with the environmental and aesthetic policies and objectives of this chapter and the
10568 shoreline master program. The applicant shall demonstrate to the satisfaction of the
10569 department that the cumulative impacts of existing and proposed operations would not be
10570 contrary to the policies and regulations of the program;
10571 5. Net cleaning activities shall be conducted on a frequent enough basis so as

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10572 not to violate state water quality standards. When feasible, the cleaning of nets and other
10573 apparatus shall be accomplished by air drying, spray washing or hand washing; and

10574 6. In the event of a significant fish kill at the site of a net pen facility, the finfish
10575 aquaculture operator shall submit a timely report to public health – Seattle & King
10576 County, environmental health division, and the department stating the cause of death and
10577 shall detail remedial actions to be implemented to prevent reoccurrence.

10578 T. All floating and submerged aquaculture structures and facilities in navigable
10579 waters shall be marked in accordance with United States Coast Guard requirements.

10580 U. The rights of treaty tribes to aquatic resources within their usual and
10581 accustomed areas shall be addressed through direct coordination between the applicant
10582 and the affected tribes through the permit review process.

10583 V. Aquaculture structures and equipment shall be of sound construction and shall
10584 be so maintained. Abandoned or unsafe structures and equipment shall be removed or
10585 repaired promptly by the owner. Where any structure might constitute a potential hazard
10586 to the public in the future, the department shall require the posting of a bond
10587 commensurate with the cost of removal or repair. The department may abate an
10588 abandoned or unsafe structure in accordance with K.C.C. Title 23.

10589 W. Aquaculture shall not be approved where it will adversely impact eelgrass and
10590 macroalgae.

10591 X. Commercial salmon net pens and nonnative marine finfish aquaculture are
10592 prohibited.

10593 Y. Finfish net pens shall be consistent with the applicable aquaculture regulations
10594 in this section and shall meet the following criteria and requirements:

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- 10595 1. Each finfish net pen application shall provide a current, peer-reviewed
10596 science review of environmental issues related to finfish net pen aquaculture;
- 10597 2. The department shall only approve a finfish net pen application if the
10598 department determines the scientific review demonstrates:
- 10599 a. that the project construction and activities will achieve no net loss of
10600 ecological function in a manner that has no significant adverse short-term impact and no
10601 documented adverse long-term impact to applicable elements of the environment,
10602 including, but not limited to, habitat for native salmonids, water quality, eel grass beds,
10603 other aquaculture, other native species, the benthic community below the net pen or other
10604 environmental attributes; and
- 10605 b. that the finfish net pen does not involve significant risk of cumulative
10606 adverse effects, including, but not limited to, risk of interbreeding with wild salmon or
10607 reduction of genetic fitness of wild stocks, parasite or disease transmission or other
10608 adverse effects on native species or threatened or endangered species and their habitats;
- 10609 3. The department's review shall:
- 10610 a. include an assessment of the risk to endangered species, non-endangered
10611 species, and other biota that could be affected by the finfish net pen; and
- 10612 b. evaluate and model water quality impacts utilizing current information,
10613 technology, and assessment models. The project proponent shall be financially
10614 responsible for this water quality assessment;
- 10615 4. Finfish net pens shall be designed, constructed and maintained to prevent
10616 escapement of fish in all foreseeable circumstances, including, but not limited to, tide,
10617 wind and wave events of record, floating and submerged debris, and tidal action;

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10618 5. Finfish net pens shall not be located:
10619 a. within three hundred feet of an area containing eelgrass or a kelp bed;
10620 b. within one thousand five hundred feet of an ordinary high water mark; or
10621 c. in a designated Washington state Department of Natural Resources aquatic
10622 reserve;

10623 6. A finfish net pen may not be used to mitigate the impact of a development
10624 proposal; and

10625 7. For finfish net pens that are not noncommercial native salmon net pens, the
10626 conditional use permit for the net pen ~~((must)) shall be renewed every five years. An~~
10627 updated scientific review shall be conducted as part of the renewal and shall include a
10628 new risk assessment and evaluation of the impact of the operation of the finfish net pen
10629 during the previous five years.

10630 Z. Geoduck aquaculture shall be consistent with WAC 173-26-241(3)(b).

10631 SECTION 190. Ordinance 16985, Section 36, as amended, and K.C.C.
10632 21A.25.140 are hereby amended to read as follows:

10633 A. Except as otherwise provided in subsection B. of this section, public access
10634 shall be required for:

10635 1. Attached residential developments;

10636 2. New ~~((subdivisions))~~ land divisions of more than four lots;

10637 3. Developments for water enjoyment, water related and ~~((non-water))~~nonwater-
10638 dependent uses;

10639 4. Publicly owned land, including, but not limited to, land owned by public
10640 agencies and public utilities;

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- 10641 5. Marinas; and
- 10642 6. Publicly financed shoreline stabilization projects.
- 10643 B. Public access shall:
- 10644 1. Connect to other public and private public access and recreation facilities on
- 10645 adjacent parcels to the maximum extent practical;
- 10646 2. Be sited to ensure public safety is considered; and
- 10647 3. Be open to the general public;
- 10648 C. Public access is not required if the applicant demonstrates to the satisfaction of
- 10649 the department that public access would be incompatible with the proposed use because
- 10650 of safety or security issues, would result in adverse impacts to the shoreline environment
- 10651 that cannot be mitigated or there are constitutional or other legal limitations that preclude
- 10652 requiring public access;
- 10653 D. Public pedestrian and bicycle pathways and recreation areas constructed as
- 10654 part of a private development proposal should enhance access and enjoyment of the
- 10655 shoreline and provide features in scale with the development, such as:
- 10656 1. View points;
- 10657 2. Places to congregate in proportion to the scale of the development;
- 10658 3. Benches and picnic tables;
- 10659 4. Pathways; and
- 10660 5. Connections to other public and private public access and recreation
- 10661 facilities; and
- 10662 E. Private access from single detached residences to the shoreline shall:
- 10663 1. Not exceed three feet in width;

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- 10664 2. Avoid removal of significant trees and other woody vegetation to the
10665 maximum extent practical; and
10666 3. Avoid a location that is parallel to the shoreline to the maximum extent
10667 practical.

10668 SECTION 146191. Ordinance 16985, Section 39, as amended, and K.C.C.
10669 21A.25.160 are hereby amended to read as follows:

10670 A. The shoreline modification table in this section determines whether a specific
10671 shoreline modification is allowed within each of the shoreline environments. The
10672 shoreline environment is located on the vertical column and the specific use is located on
10673 the horizontal row of the table. The specific modifications are grouped by the shoreline
10674 modification categories in WAC 173-26-231. The table should be interpreted as follows:

10675 1. If the cell is blank in the box at the intersection of the column and the row,
10676 the modification is prohibited in that shoreline environment;

10677 2. If the letter "P" appears in the box at the intersection of the column and the
10678 row, the modification may be allowed within the shoreline environment;

10679 3. If the letter "C" appears in the box at the intersection of the column and the
10680 row, the modification may be allowed within the shoreline environment subject to the
10681 shoreline conditional use review procedures specified in K.C.C. 21A.44.100;

10682 4. If a number appears in the box at the intersection of the column and the row,
10683 the modification may be allowed subject to the appropriate review process indicated in
10684 this section and the specific development conditions indicated with the corresponding
10685 number immediately following the table, and only if the underlying zoning allows the

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10686 modification. If more than one number appears at the intersection of the column and
 10687 row, both numbers apply;

10688 5. If more than one letter-number combination appears in the box at the
 10689 intersection of the column and the row, the modification is allowed within that shoreline
 10690 environment subject to different sets of limitations or conditions depending on the review
 10691 process indicated by the letter, the specific development conditions indicated in the
 10692 development condition with the corresponding number immediately following the table;

10693 6. A shoreline modification may be allowed in the aquatic environment only if
 10694 that shoreline modification is allowed in the adjacent shoreland environment; and

10695 7. This section does not authorize a shoreline modification that is not allowed
 10696 by the underlying zoning, but may add additional restrictions or conditions or prohibit
 10697 specific modifications within the shoreline jurisdiction. All shoreline modifications in
 10698 the shoreline jurisdiction ~~((must)) shall~~ comply with all relevant county code provisions
 10699 and with the King County shoreline master program.

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10700 B. Shoreline modifications.

	High Intens ity	Residenti al	Rur al	Conserva ncy	Resour ce	Fores try	Natur al	Aquat ic
Shoreline stabilization								
Shoreline stabilization, not including flood	P1	P1	P1	C1	P1	C1		P1 C1

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protection facilities								
Flood protection facilities	P2	P2	P2	P2	P2		P2	P2
Piers and docks								
Docks, piers, moorage, buoys, floats, or launching facilities	P3	P3	P3	C3	C3	C3		P3 C3
Fill								
Filling	P4 -C4	P4 C4	P4 -C4	P4 -C4	P4 -C4	C4	C4	P4 C4
Breakwaters, jetties, groins, and weirs								
Breakwaters, jetties, groins, and weirs	P5 -C5	P5 -C5	P5 -C5	P5 -C5	P5 C5	P5 -C5	P5 -C5	P5 -C5
Dredging and dredge material disposal								
Excavation, dredging, dredge material disposal	P6 -C6	P6 -C6	P6 -C6	P6 -C6	P6 -C6	C6	C6	P6 -C6

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Shoreline habitat and natural systems enhancement projects								
Habitat and natural systems enhancement projects	P7	P7	P7	P7	P7	P7	P7	P7
Vegetation management								
Removal of existing intact native vegetation	P8	P8	P8	P9	P8	P8	P9	P9

10701 C. Development conditions.

10702 1. New and replacement shoreline stabilization, including bulkheads, ~~((must))~~
 10703 shall meet the standards in K.C.C. 21A.25.170;

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10704 2.a. Flood protection facilities ~~((must)) shall~~ be consistent with the standards in
 10705 K.C.C. chapter 21A.24, the King County Flood Hazard Management Plan adopted
 10706 January 16, 2007, and the Integrated Stream Protection Guidelines (Washington state
 10707 departments of Fish and Wildlife, Ecology, and Transportation, 2003). New structural
 10708 flood hazard protection measures are allowed in the shoreline jurisdiction only when the
 10709 applicant demonstrates by a scientific and engineering analysis that the structural

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10710 measures are necessary to protect existing development, that nonstructural measures are
10711 not feasible and that the impact on ecological functions and priority species and habitats
10712 can be successfully mitigated so as to assure no net loss of shoreline ecological functions.

10713 New flood protection facilities designed as shoreline stabilization ~~((must meet)) shall~~
10714 comply with the standards in K.C.C. 21A.25.170.

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10715 b. Relocation, replacement, or expansion of existing flood control facilities
10716 within the Natural environment are ~~((permitted)) allowed~~, subject to the requirements of
10717 the King county Flood Hazard Reduction Plan and consistent with the Washington State
10718 Aquatic Guidelines Program's Integrated Streambank Protection Guidelines and
10719 bioengineering techniques used to the maximum extent practical. New facilities would
10720 only be ~~((permitted)) allowed~~ consistent with an approved watershed resources inventory
10721 area (WRIA) salmon recovery plan under chapter 77.85 RCW.

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10722 3. Docks, piers, moorage, buoys, floats, or launching facilities ~~((must meet))~~
10723 shall comply with the standards in K.C.C. 21A.25.180;

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10724 4.a. Filling ~~((must meet)) shall comply with~~ the standards in K.C.C.
10725 21A.25.190.

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10726 b. A shoreline conditional use permit is required to:

10727 (1) Place fill waterward of the ordinary high water mark for any use except
10728 ecological restoration or for the maintenance and repair of flood protection facilities; and

10729 (2) Dispose of dredged material within shorelands or wetlands within a
10730 channel migration zone;

10731 c. Fill shall not be placed in critical saltwater habitats except when all of the
10732 following conditions are met:

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10733 (1) the public's need for the proposal is clearly demonstrated and the proposal
10734 is consistent with protection of the public trust, as embodied in RCW 90.58.020;

10735 (2) avoidance of impacts to critical saltwater habitats by an alternative
10736 alignment or location is not feasible or would result in unreasonable and disproportionate
10737 cost to accomplish the same general purpose;

10738 (3) the project including any required mitigation, will result in no net loss of
10739 ecological functions associated with critical saltwater habitat; and

10740 (4) the project is consistent with the state's interest in resource protection and
10741 species recovery~~((-))~~; and

10742 d. In a channel migration zone, any filling shall protect shoreline ecological
10743 functions, including channel migration.

10744 5.a. Breakwaters, jetties, groins, and weirs:

10745 (1) are only allowed where necessary to support water dependent uses, public
10746 access, approved shoreline stabilization, or other public uses, as determined by the
10747 director;

10748 (2) are not allowed in the Maury Island Aquatic Reserve except as part of a
10749 habitat restoration project or as an alternative to construction of a shoreline stabilization
10750 structure;

10751 (3) shall not intrude into or over critical saltwater habitats except when all of
10752 the following conditions are met:

10753 (a) the public's need for the structure is clearly demonstrated and the
10754 proposal is consistent with protection of the public trust, as embodied in RCW 90.58.020;

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10755 (b) avoidance of impacts to critical saltwater habitats by an alternative
10756 alignment or location is not feasible or would result in unreasonable and disproportionate
10757 cost to accomplish the same general purpose;

10758 (c) the project including any required mitigation, will result in no net loss of
10759 ecological functions associated with critical saltwater habitat; and

10760 (d) the project is consistent with the state's interest in resource protection
10761 and species recovery.

10762 b. Groins are only allowed as part of a restoration project sponsored or
10763 cosponsored by a public agency that has natural resource management as a primary
10764 function.

10765 c. A conditional shoreline use permit is required, except for structures installed
10766 to protect or restore shoreline ecological functions.

10767 6. Excavation, dredging, and filling ~~((must meet))~~ shall comply with the
10768 standards in K.C.C. 21A.25.190. A shoreline conditional use permit is required to
10769 dispose of dredged material within shorelands, ~~((or))~~ wetlands, or side channels within a
10770 channel migration zone.

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10771 7.a. If the department determines the primary purpose is restoration of the
10772 natural character and ecological functions of the shoreline, a shoreline habitat and natural
10773 systems enhancement project may include shoreline modification of vegetation, removal
10774 of nonnative or invasive plants, and shoreline stabilization, including the installation of
10775 large woody debris, dredging, and filling. Mitigation actions identified through
10776 biological assessments required by the National Marine Fisheries Services and applied to
10777 flood hazard mitigation projects may include shoreline modifications of vegetation,

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10778 removal of nonnative or invasive plants, and shoreline stabilization, including the
10779 installation of large woody debris, dredging, and filling.

10780 b. Within the ~~((H))~~urban ~~((G))~~growth ~~((A))~~area, the county may grant relief
10781 from shoreline master program development standards and use regulations resulting from
10782 shoreline restoration projects consistent with criteria and procedures in WAC 173-27-
10783 215.

10784 8. Within the critical area and critical area buffer, vegetation removal is subject
10785 to K.C.C. chapter 21A.24.

10786 9. Except for forest practices conducted under K.C.C. 21A.25.130, existing
10787 native vegetation located outside of the critical area and critical area buffer shall be
10788 retained to the maximum extent practical. Within the critical area and critical area buffer,
10789 vegetation removal is subject to K.C.C. chapter 21A.24.

10790 SECTION 447192. Ordinance 3688, Section 413, as amended, and K.C.C.
10791 21A.25.170 are hereby amended to read as follows:

10792 A. New structural ~~((S))~~shoreline stabilization, including additions that increase or
10793 expand existing structural shoreline stabilization, shall ~~((not be ((considered an outright~~
10794 ~~use and shall)) be permitted only))~~ allowed except when determined necessary by the
10795 department ~~((determines that shoreline protection is necessary))~~ for the protection of
10796 ~~((existing legally established primary))~~ structures and projects consistent with this
10797 section. ~~((and associated appurtenances at imminent risk of damage, new or existing non-~~
10798 ~~water dependent development, new or existing water dependent development, or projects~~
10799 ~~restoring ecological functions or remediating hazardous substance discharges.~~
10800 ~~((Vegetation, berms, bioengineering techniques and other nonstructural alternatives that~~

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10801 ~~preserve the natural character of the shore shall be preferred over riprap, concrete~~
10802 ~~revetments, bulkheads, breakwaters and other structural stabilization. Riprap using rock~~
10803 ~~or other natural materials shall be preferred over concrete revetments, bulkheads,~~
10804 ~~breakwaters and other structural stabilization.)) The at risk structure or use should be
10805 relocated, if feasible, in order to remove the need for shoreline stabilization. When
10806 relocation is infeasible, the least impactful shoreline stabilization measure, as
10807 documented by analysis in a geotechnical report, shall be used. Any replaced structural
10808 stabilization should be moved as far landward of the ordinary high water mark as
10809 possible. Lesser impacting measures should be used before more impacting measures.))~~

10810 B. New development shall be located and designed to avoid the need for future
10811 shoreline stabilization measures.

10812 1. Subdivisions and short subdivisions shall not create lots that require shoreline
10813 stabilization for reasonable development to occur.

10814 2. New development on steep slopes shall be set back a sufficient distance to
10815 ensure that shoreline stabilization is not needed for the life of the development.

10816 C. ~~((Structural))~~ New or enlarged s)) Shoreline stabilization for existing primary
10817 structures, including single detached residences, may be ((permitted subject to the
10818 standards in this chapter and as follows)) allowed when:

10819 1. ~~((The applicant shall provide ((s)) a))~~ A geotechnical analysis ((that))
10820 demonstrates that: the structure is in danger from shoreline

10821 a. the site's erosion ((from)) is caused by tidal action, currents, or waves, ((or
10822 currents is imminently threatening or that, unless the structural shoreline stabilization is

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10823 constructed, damage is expected to occur.)) and not upland drainage, erosion, or landslide
10824 hazard areas or unauthorized clearing or grading; and
10825 ~~_____ b. The rate of erosion is likely to cause the primary structures, new or existing~~
10826 water dependent development or restoration project to be at imminent risk of damage
10827 within three years.)) and not upland drainage, erosion, landslide hazard areas, or
10828 unauthorized clearing or grading;
10829 2. On-site drainage is directed away from the shoreline edge; ((The erosion is
10830 not caused by upland conditions;))
10831 3. ((The proposed structural shoreline protection will provide greater protection
10832 than feasible, nonstructural alternatives such as slope drainage systems, vegetative
10833 growth stabilization, gravel berms and beach nourishment;)) The shoreline stabilization
10834 will not result in a net loss of shoreline ecological functions; and
10835 4. ((The proposal is the minimum necessary to protect existing legally
10836 established primary structures, new or existing non-water dependent development, new
10837 or existing water dependent development or projects restoring ecological functions or
10838 remediating hazardous substance discharges; and
10839 5. Adequate mitigation measures will be provided to maintain existing shoreline
10840 processes and critical fish and wildlife habitat and ensure no net loss or function of
10841 intertidal or riparian habitat.)) If the requirements of subsection B.1. of this section are
10842 met, the applicant shall include a geotechnical analysis of the following shoreline
10843 stabilization measures and shall use the least ecologically impactful, technically feasible
10844 option. Measures are provided as follows in order from the most preferred to least
10845 preferred:

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10346 ~~_____ a. nonstructural actions;~~
10347 ~~_____ b. soft shoreline stabilization; and~~
10348 ~~_____ c. hard shoreline stabilization; and~~
10349 ~~_____ 3. If an existing stabilization structure is replaced, the original structure shall be~~
10350 ~~removed and the replacement structure shall be of the minimum size necessary to protect~~
10351 ~~upland development and uses. The at-risk structure or use cannot be relocated in order to~~
10352 ~~remove the need for shoreline stabilization.~~
10353 ~~_____ D. New shoreline stabilization for new nonwater-dependent uses, including~~
10354 ~~single detached residences, may be allowed when:~~
10355 ~~_____ 1. A geotechnical analysis documents a need to protect primary structures from~~
10356 ~~shoreline erosion caused by tidal action, currents, or waves, and not upland drainage,~~
10357 ~~erosion, or landslide hazard areas or unauthorized clearing or grading;~~
10358 ~~_____ 2. Nonstructural measures, such as placing the development further from the~~
10359 ~~shoreline, planting vegetation, or installing on-site drainage improvements, are not~~
10360 ~~feasible or not sufficient; and~~
10361 ~~_____ 3. The shoreline stabilization will not result in a net loss of shoreline ecological~~
10362 ~~functions.~~
10363 ~~_____ E. New shoreline stabilization for water-dependent uses, including single~~
10364 ~~detached residences, may be allowed when:~~
10365 ~~_____ 1. A geotechnical analysis documents a need to protect primary structures from~~
10366 ~~imminent risk of damage of shoreline erosion;~~
10367 ~~_____ 2. Nonstructural measures, such as planting vegetation, or installing on-site~~
10368 ~~drainage improvements, are not feasible or not sufficient; and~~

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10869 3. The shoreline stabilization will not result in a net loss of shoreline ecological
10870 functions.

10871 F. New shoreline stabilization for ecological function restoration projects or
10872 hazardous substance remediation projects may be allowed when:

10873 1. Nonstructural measures, such as placing the development further from the
10874 shoreline, planting vegetation, or installing on-site drainage improvements, are not
10875 feasible or not sufficient; and

10876 2. The shoreline stabilization will not result in a net loss of shoreline ecological
10877 functions.

10878 G. Existing structural shoreline stabilization may be replaced with a similar
10879 structure provided the following is met:

10880 1. The existing shoreline stabilization can no longer adequately serve its
10881 purpose;

10882 2. The ~~((C-S))~~ shoreline stabilization ~~(((to)) that replaces existing shoreline~~
10883 ~~stabilization))~~ shall be placed landward of the existing shoreline stabilization and moved
10884 as far landward of the ordinary high water mark as possible;~~((but may be placed~~
10885 ~~waterward directly abutting the old structure only in cases where removal of the old~~
10886 ~~structure would result in greater impact on ecological functions. In critical saltwater~~
10887 ~~habitats;)) and~~

10888 3. The existing shoreline stabilization shall ~~((not))~~ be removed; ~~((allowed to~~
10889 ~~remain in place ((if the existing shoreline stabilization is resulting in the loss of~~
10890 ~~ecological functions. Adequate mitigation measures that maintain existing shoreline~~

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10891 ~~processes and critical fish and wildlife habitat must be provided that ensures no net loss~~
10892 ~~or function of intertidal or riparian habitat))~~

10893 4. The replacement structure shall be the minimum size necessary to protect
10894 upland development and uses;

10895 5. The replacement structure shall not enlarge or increase the size of the existing
10896 shoreline stabilization; and

10897 6. The ~~impacts of the proposed replacement shoreline stabilization~~ shoreline
10898 stabilization shall ~~be mitigated to ensure~~ not result in a ~~no~~ net loss of ecological function.

10899 H. Shoreline stabilization shall:

10900 1. Minimize the adverse impact on the property of others to the maximum extent
10901 practical;

10902 2. Use the least impactful shoreline stabilization measure, such as softer or
10903 nonstructural measures, unless demonstrated to not be sufficient to protect primary
10904 structures. Measures are provided as follows in order from the most preferred to least
10905 preferred:

10906 a. nonstructural actions;

10907 b. soft shoreline stabilization; and

10908 c. hard shoreline stabilization;

10909 ~~((D. The))~~ 3. Have a maximum height of ~~((the proposed shoreline stabilization~~
10910 shall be)) no more than one foot above the elevation of ~~((extreme high water))~~ the highest
10911 observed tide on tidal waters, as determined by ~~((the National Ocean Survey published~~
10912 by)) the nearest National Oceanic and Atmospheric Administration long-term tidal gauge,
10913 or four feet in height on lakes~~((,));~~

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10914 4. Be the minimum width necessary to provide protection against erosion from
10915 waves, currents, and tidal action;

10916 ~~((E. Shoreline stabilization is))~~ 5. Be prohibited along feeder bluffs and critical
10917 saltwater habitat, unless a geotechnical report demonstrates an imminent danger to a
10918 legally established structure or public improvement. If allowed, shoreline stabilization
10919 along feeder bluffs and critical saltwater habitat ~~((must))~~ shall be designed to have the
10920 least impact on these resources and on sediment conveyance systems~~((,))~~;

10921 ~~((F. Shoreline stabilization shall minimize the adverse impact on the property of~~
10922 ~~others to the maximum extent practical.~~

10923 ~~G. A shoreline stabilization's width should be the minimum necessary to provide~~
10924 ~~protection against erosion from waves, currents, and tidal action. New and replacement~~

10925 ~~((S))~~ shoreline stabilization shall not ~~((,))~~ 6. Not be used to create new lands~~((,))~~;

10926 ~~((H. Shoreline stabilization shall not))~~ 7. Not interfere with surface or subsurface
10927 drainage into the water body~~((,))~~;

10928 ~~((I))~~ 8. Not use ~~C~~reosote timbers, treated wood, ~~((A))~~automobile bodies or
10929 other ~~((junk or waste))~~ materials that may release ~~((undesirable))~~ toxic substances

10930 ~~((material shall not be used for shoreline stabilization.))~~;

10931 ~~((J. Shoreline stabilization shall be))~~ 9. Be designed so as not to constitute a
10932 hazard to navigation and to not substantially interfere with visual access to the water~~((,))~~;

10933 ~~((K. Shoreline stabilization shall be designed so as not to))~~ 10. Not create a need
10934 for shoreline stabilization ~~((elsewhere.))~~ on adjacent or down-current properties; and

10935 ~~((L. Shoreline stabilization shall comply))~~ 11. Comply with the Marine Shoreline
10936 Design Guidelines in marine waters (Washington state Department of Fish and Wildlife

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10937 2014) or the Integrated Stream Protection Guidelines (Washington state departments of
10938 Fish and Wildlife, Ecology, and Transportation, 2003) (~~and shall be designed to allow~~
10939 for appropriate public access to the shoreline)) in fresh water.

10940 ~~((M.))~~ H. The department shall provide a notice to an applicant for new
10941 development or redevelopment located within the shoreline jurisdiction on ~~((Vashon and~~
10942 ~~Maury))~~ Vashon-Maury Island that the development may be impacted by sea level rise
10943 and recommend that the applicant voluntarily consider setting the development back
10944 further than required by this title to allow for future sea level rise.

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10945 SECTION 193. Ordinance 16985, Section 47, as amended, and K.C.C.

10946 21A.25.220 are hereby amended to read as follows:

10947 A. The shoreline dimensions table in subsections B. and C. of this section
10948 establishes the shoreline standards within each of the shoreline environments. The
10949 shoreline environment is located on the vertical column and the density and dimensions
10950 standard is located on the horizontal row of the table. The table should be interpreted as
10951 follows:

10952 1. If the cell is blank in the box at the intersection of the column and the row, the
10953 standards are the same as for the underlying zoning.

10954 2. If the cell has a number in the box at the intersection of the column and the
10955 row, that number is the density or dimension standard for that shoreline environment.

10956 3. If the cell has a parenthetical number in the box at the intersection of the
10957 column and the row, that parenthetical number identifies specific conditions

10958 ~~((immediately following the table))~~ in subsection C. of this section that ~~((are related))~~
10959 apply to the density and dimension standard for that environment.

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10960 B. The dimensions enumerated in this section apply within the shoreline
 10961 jurisdiction. If there is a conflict between the dimension standards in this section and
 10962 K.C.C. chapter 21A.12, the more restrictive shall apply.

10963 Shoreline dimensions.

	<u>HIGH</u>	<u>RESI</u>	<u>RUR</u>	<u>CONS</u>	<u>RES</u>	<u>FORE</u>	<u>NATU</u>	<u>AQU</u>
	<u>INTEN</u>	<u>DENT</u>	<u>AL</u>	<u>ERVA</u>	<u>OUR</u>	<u>STRY</u>	<u>RAL</u>	<u>ATIC</u>
	<u>SITY</u>	<u>IAL</u>		<u>NCY</u>	<u>CE</u>			
<u>Standards</u>	-	-	-	-	-	-	-	-
<u>Base height</u>	<u>35 feet</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>35 feet</u>	<u>30 feet</u>	<u>35</u>
	<u>-(1)</u>	<u>feet</u>	<u>feet</u>	<u>feet</u>	<u>feet</u>	<u>-(1)</u>	<u>-(1)</u>	<u>feet</u>
		<u>-(1)</u>	<u>-(1)</u>	<u>-(1)</u>	<u>-(1)</u>			<u>-(1)</u>
<u>Maximum density (dwelling units per acre)</u>	<u>6</u>	<u>6</u>	-	-	-	-	-	-
	<u>-(4)</u>	<u>-(4)</u>						
<u>Minimum lot area</u>	-	-	<u>5</u>	<u>5</u>	<u>10</u>	<u>80</u>	<u>80</u>	-
			<u>acres</u>	<u>acres</u>	<u>acres</u>	<u>acres</u>	<u>acres</u>	
			<u>-(2)</u>	<u>-(2)</u>				
<u>Minimum lot width</u>	-	<u>50</u>	<u>100</u>	<u>150</u>	<u>150</u>	<u>150</u>	<u>330</u>	-
		<u>feet</u>	<u>feet</u>	<u>feet</u>	<u>feet</u>	<u>feet</u>	<u>feet</u>	
<u>Impervious surface</u>	-	-	-	<u>10%</u>	-	-	-	-
				<u>-(3)</u>				

10964 C. Development conditions.

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10965 1. This height can be exceeded consistent with the base height for the zone only
10966 if the structure will not obstruct the view of a substantial number of residences on areas
10967 adjoining the shoreline or if overriding considerations of the public interest will be
10968 served, and only for:
10969 a. agricultural buildings;
10970 b. water dependent uses and water related uses; and
10971 c. regional light rail transit support structures, but no more than is reasonably
10972 necessary to address the engineering, operational, environmental issues at the location of
10973 the structure;
10974 2. The minimum lot areas may be reduced as follows:
10975 a. to no less than 10,000 square feet or the minimum lot areas for the zone,
10976 whichever is greater, through lot averaging; and
10977 b. when public access is provided and clustering is used, to no less than 8,000
10978 square feet((~~2~~)) or the minimum lot area for the zone, whichever is greater(~~(, through~~
10979 cluster development, as provided in K.C.C. chapter 21A.14)).
10980 3. For lots created before the December 10, 2010, if achieving the ten percent
10981 maximum impervious surface limit is not feasible, the amount of impervious surface shall
10982 be limited to the maximum extent practical but not to exceed the amount of impervious
10983 surface allowed under K.C.C. 21A.12.030 and 21A.12.040.
10984 4. Except for a mixed-use development, the density of the underlying zoning or
10985 6 dwelling units per acre, whichever is lower. A mixed-use development may have the
10986 density of the underlying zone.

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10987 SECTION 148194. Ordinance 13129, Section 2, as amended, and K.C.C.
10988 21A.27.010 are hereby amended to read as follows:

10989 A. When a new transmission support structure is proposed, a community meeting
10990 shall be convened by the applicant (~~(prior to)~~) before submittal of an application.

10991 ~~(A.)~~ B. At least two weeks in advance, notice of the meeting shall be provided
10992 as follows:

10993 1. Published in the local paper and mailed to the department, and
10994 2. Mailed notice shall be provided to all property owners within five hundred
10995 feet or at least twenty of the nearest property owners, whichever is greater, as required by
10996 K.C.C. 21A.26.170 of any potential sites, identified by the applicant for possible
10997 development, to be discussed at the community meeting. When the proposed
10998 transmission support structure exceeds a height of one hundred twenty feet, the mailed
10999 notice shall be provided to all property owners within one thousand feet. The mailed
11000 notice shall at a minimum contain a brief description and purpose of the project, the
11001 estimated height, approximate location noted on an assessor map with address and parcel
11002 number, a photo or sketch of the proposed facility, a statement that alternative sites
11003 proposed by (~~(citizens)~~) the public can be presented at the meeting that will be considered
11004 by the applicant, a contact name and telephone number to obtain additional information,
11005 and other information deemed necessary by King County. Because the purpose of the
11006 community meeting is to promote early discussion, applicants are encouraged to note any
11007 changes to the conceptual information presented in the mailed notice when they submit
11008 an application.

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11009 ~~((B-))~~ C. At the community meeting at which at least one employee of the
11010 department of local services, permitting division, assigned by the permitting division
11011 manager or designee, shall be in attendance, the applicant shall provide information
11012 relative to existing transmission support structures and other nonresidential structures,
11013 such as water towers and electrical transmission lines, within one-quarter mile of
11014 potential sites, and shall discuss reasons why those existing structures are unfeasible.
11015 Furthermore, any alternative sites within one-quarter mile, identified by community
11016 members and provided to the applicant in writing at least five days in advance of the
11017 meeting, shall be evaluated by the applicant to the extent possible given the timeframe,
11018 and discussed at the meeting. A listing of the sites, identified in writing and provided to
11019 the applicant at or before the community meetings, shall be submitted to the department
11020 with the proposed application. Applicants shall also provide a list of meeting attendees
11021 and those receiving mailed notice and a record of the published meeting notice at the time
11022 of application submittal.

11023 SECTION 449195. Ordinance 13129, Section 11, as amended, and K.C.C.

11024 21A.27.110 are hereby amended to read as follows:

11025 A. The mounting of antenna upon existing structures, such as light and power
11026 poles, located within publicly or privately maintained street, utility, and railroad ~~((rights-~~
11027 ~~of-way((s))~~ rights of way is permitted outright. If an existing structure within a street,
11028 utility, or railroad ~~((rights-of-ways))~~ rights of way cannot accommodate an antenna due
11029 to structural deficiency or does not have the height required to provide adequate signal
11030 coverage, the structure may be replaced with a new structure that will serve the original
11031 purpose and will not exceed the original height by forty feet. However, minor

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11032 communication facilities within street, utility, and railroad ~~((right-of-way))~~ right of way
11033 that propose the construction of a separate structure used solely for antenna shall be
11034 subject to the zoning provisions applicable to the property abutting the portion of ~~((right-~~
11035 ~~of-way))~~ right of way where the structure is proposed except that the setbacks specified in
11036 the zoning code shall not apply. Setbacks shall be those specified in the road design
11037 standards. In cases where the abutting property on either side of the right-of-way has
11038 different zoning, the more restrictive zoning provisions shall apply.

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11039 B. The placement of antenna on existing or replacement structures within street,
11040 utility, or railroad rights-of-way is the preferred alternative in residential neighborhoods
11041 and ~~in the ((Rural Area(s))~~ rural area, as defined by the King County Comprehensive
11042 Plan, and designated Natural-natural Resource-resource Lands lands and the feasibility of
11043 such placement shall be considered by the county whenever evaluating a proposal for a
11044 new transmission support structure, except for a new structure that is proposed to
11045 collocate antenna for two or more separate service providers.

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11046 SECTION 450196. Ordinance 10870, Section 512, as amended, and K.C.C.

11047 21A.28.020 are hereby amended to read as follows:

11048 A. All new development proposals including any use, activity, or structure
11049 allowed by K.C.C. chapter 21A.08 that requires King County approval shall be
11050 adequately served by the following facilities and services ~~((prior to))~~ before the time of
11051 before occupancy, recording, or other land use approval, as further specified in this
11052 chapter:

- 11053 1. ~~((s))~~ Sewage disposal;
- 11054 2. ~~((w))~~ Water supply;

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11055 3. ~~(s)~~Surface water management;

11056 4. ~~(#)~~Roads and access;

11057 5. ~~(#)~~Fire protection service; and

11058 6. ~~(s)~~Schools.

11059 B. All new development proposals for building permits, plats, short plats, ~~((urban~~
11060 ~~planned developments, fully contained communities))~~ and binding site plans, that will be
11061 served by a sewer or water district, shall include a certificate of water availability and a
11062 certificate of sewer availability to demonstrate compliance with this chapter and other
11063 provisions of the King County Code, the King County Comprehensive Plan, and the
11064 Growth Management Act.

11065 C. Regardless of the number of sequential permits required, ~~((the provisions of))~~
11066 this chapter shall be applied only once to any single development proposal. If changes
11067 and modifications result in impacts not considered when the proposal was first approved,
11068 the county shall consider the revised proposal as a new development proposal.

11069 SECTION 45+197. Ordinance 10870, Section 513, as amended, and K.C.C.

11070 21A.28.030 are hereby amended to read as follows:

11071 All new development shall be served by an adequate public or private sewage
11072 disposal system, including both collection and treatment facilities as follows:

11073 A. A public sewage disposal system is adequate for a development proposal

11074 ~~((provided that))~~ only if:

11075 1. For the issuance of a building permit, preliminary plat or short plat approval,
11076 or other land use approval, the applicant demonstrates that the site of the proposed
11077 development is or can be served by an existing disposal system consistent with K.C.C.

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11078 Title 13, and the disposal system has been approved by the department as being
11079 consistent with applicable state and local design and operating guidelines;

11080 2. For the issuance of a certificate of occupancy for a building or change of use
11081 permit, the approved public sewage disposal system as ~~((set forth))~~ required in subsection
11082 A.1. of this section is installed to serve each building or lot;

11083 3. For recording a final plat, final short plat, or binding site plan, the approved
11084 public sewage disposal system ~~((set forth))~~ required in subsection A.1. of this section
11085 shall be installed to serve each lot respectively ~~((;))~~ or a bond or similar security shall be
11086 deposited with King County for the future installation of an adequate sewage disposal
11087 system. The bond may be assigned to a utility to assure the construction of the facilities
11088 within two years of recording; and

11089 4. For a zone reclassification ~~((or urban planned development permit))~~, the
11090 timing of installation of required sewerage improvements shall be contained in the
11091 approving ordinance as specified in K.C.C. 20.22.250; and

11092 B. A private individual sewage system is adequate, if an on-site sewage disposal
11093 system for each individual building or lot is installed to meet the requirements and
11094 standards of ~~((the department of))~~ public health – Seattle & King County as to lot size,
11095 soils, and system design ~~((prior to))~~ before issuance of a certificate of occupancy for a
11096 building or change of use permit.

11097 NEW SECTION. SECTION 196198. There is hereby added to K.C.C. chapter
11098 21A.28 a new section to read as follows:

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11099 Developments using a community on-site sewage system or large on-site sewage
11100 system may be ~~permitted~~allowed only in the following circumstances in the ~~Rural-rural~~
11101 ~~Area-area~~ and ~~Natural-natural~~ Resource ~~L~~ands:

11102 A. Existing on-site systems are failing within an area and public health - Seattle
11103 & King County concurs that long-term individual on-site sewage system repairs are not
11104 feasible or water quality is threatened by the presence of or potential health hazards
11105 resulting from inadequate on-site wastewater disposal methods;

11106 B. An authorized public agency will manage the system;

11107 C. The system is designed only to serve existing structures and lots.
11108 Modifications to existing uses and lots shall not be allowed if the modification triggers an
11109 expansion of sewage capacity above the original approval of the system. ~~and cannot be~~
11110 used as a basis to exceed base density for the zone or applicable special district overlays
11111 or P-suffixes.

11112 D. The system shall not be used to exceed base density for the zone, special
11113 district overlays, or P-suffix conditions. Substandard vacant lots shall be combined to the
11114 extent feasible to meet rural density policies and regulations;

11115 ~~—D.—~~E. A system serving residentially developed lots cannot be used to:

- 11116 1. Expand existing ~~permitted~~ nonresidential uses in size or scale;
- 11117 2. Establish new ~~permitted~~ nonresidential uses; or
- 11118 3. Serve commercially zoned properties; and

11119 E. For a system serving commercially developed lots:

- 11120 1. The system is used only to serve commercially zoned properties;

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11121 2. Property-specific development conditions are imposed that establish a range
11122 of allowed uses that can be adequately served by the system at the time of its
11123 construction; and

11124 3. The allowed uses are not more expansive than those allowed in the
11125 underlying zone.

11126 SECTION 152199. Ordinance 10870, Section 514, as amended, and K.C.C.
11127 21A.28.040 are hereby amended to read as follows:

11128 All new development shall be served by an adequate public or private water
11129 supply system as follows:

11130 A. A public water system is adequate for a development proposal only if:

11131 1. For the issuance of a building permit, preliminary plat or short plat approval,
11132 or other land use approval, the applicant demonstrates that the site of the proposed
11133 development is or can be served by an ((the)) existing water supply system ((available to
11134 serve the site)) that:

11135 a. complies with the applicable planning, operating, and design requirements

11136 of:

11137 (1) chapters WAC 246-290 and 246-291;

11138 (2) K.C.C. chapters 14.42 and 14.44 and K.C.C. Title 17;

11139 (3) coordinated water system plans;

11140 (4) K.C.C. Titles 12 and 13 and other applicable rules of the King County

11141 board of health;

11142 (5) applicable rules of the Washington state Board of Health, Department of

11143 Health, Utilities and Transportation Commission, and Department of Ecology;

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11144 (6) applicable provisions of King County groundwater management plans and
11145 watershed plans;

11146 (7) applicable provisions of the King County Comprehensive Plan and
11147 development regulations; and

11148 (8) any limitation or condition imposed by the county-approved
11149 comprehensive plan of the water purveyor;

11150 b. ~~((F))~~the proposed improvements to an existing water system have been
11151 reviewed by the department and determined to comply with the design standards and
11152 conditions specified in subsection A.1.a. of this section; and

11153 c. ~~((A))~~ a proposed new water supply system has been reviewed by the
11154 department and determined to comply with the design standards and conditions specified
11155 in subsection A.1.a. of this section;

11156 2. Before issuance of a certificate of occupancy for a building or change of use
11157 permit, the approved public water system₂ and any system improvements required in
11158 subsection A.1. of this section are installed to serve each building or lot respectively;

11159 3. For recording a final plat, final short plat₂ or binding site plan, either the
11160 approved public water supply system or system improvements in required subsection
11161 A.1. of this section ~~((are)) shall be~~ installed to serve each lot or a bond or similar security
11162 shall be deposited with King County and may be assigned to a purveyor to assure the
11163 construction of required water facilities in Group A systems as defined by board of health
11164 regulations, within two years of recording; and

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11165 4. For a zone reclassification (~~(or urban planned development permit)~~), the
11166 timing of installation of required water system improvements (~~(is included)~~) shall be
11167 contained in the approving ordinance as specified in K.C.C. 20.22.250.

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11168 B. An on-site individual water system is adequate and the plat or short plat may
11169 receive preliminary and final approval, and a building or change of use permit may be
11170 issued as provided in K.C.C. 13.24.138 and 13.24.140.

11171 SECTION 153200. Ordinance 10870, Section 515, as amended, and K.C.C.
11172 21A.28.050 are hereby amended to read as follows:

11173 All new development shall be served by an adequate surface water management
11174 system as follows:

11175 A. The proposed system is adequate if the development proposal site is served by
11176 a surface water management system approved by the department as being consistent with
11177 the design, operating, and procedural requirements of the King County Surface Water
11178 Design Manual and K.C.C. Title 9;

11179 B. For a subdivision(~~(;)~~) or zone reclassification (~~(or urban planned~~
11180 ~~development)~~), the phased installation of required surface water management
11181 improvements shall be stated in the approving ordinance as specified in K.C.C.
11182 20.22.250. Such phasing may require that a bond or similar security be deposited with
11183 King County; and

11184 C. A request for an adjustment of the requirements of the Surface Water Design
11185 Manual and K.C.C. Title 9 shall be reviewed in accordance with K.C.C. 9.04.050 and
11186 does not require a variance from this title unless relief is requested from a (~~(building~~
11187 ~~height, setback, landscaping, or other)~~) development standard in K.C.C. Title 21A

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11188 ~~((chapters 21A.12, 21A.14, 21A.16, 21A.18, 21A.20, 21A.22, 21A.24, 21A.26, 21A.28,~~
11189 ~~and 21A.30)).~~

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11190 SECTION ~~454~~201. Ordinance 10870, Section 523, as amended, and K.C.C.

11191 21A.28.130 are hereby amended to read as follows:

11192 All new development shall be served by adequate fire protection as follows:

11193 A. The site of the development proposed is served by a water supply system that
11194 provides at least minimum fire flow and a road system or fire lane system that provides
11195 life safety and rescue access, and other fire protection requirements for buildings as
11196 required by K.C.C. Titles 16 and 17;

11197 B. For a zone reclassification ~~((or urban planned development))~~, the timing of
11198 installation of required fire protection improvements shall be stated in the approving
11199 ordinance as specified in K.C.C. 20.22.250, secured with a bond or similar security, and
11200 deposited with King County; and

11201 C. A variance request from the requirements established by K.C.C. Title 17, Fire
11202 Code, shall be reviewed in accordance with K.C.C. 17.08.090 or chapter 1 of the
11203 currently adopted edition of the International Fire Code and does not require a variance
11204 from this title unless relief is requested from a building height, setback, landscaping, or
11205 other development standard in K.C.C. chapters 21A.12 through 21A.30.

11206 SECTION ~~455~~202. Ordinance 10870, Section 524, as amended, and K.C.C.
11207 21A.28.140 are hereby amended to read as follows:

11208 A. The school concurrency standard set out in ~~((Section))~~ K.C.C. 21A.28.160
11209 shall apply to applications for preliminary plats ~~((or Urban Planned Development (UPD)~~
11210 ~~approval))~~, ~~((mobile))~~ manufactured home ~~((parks))~~ communities, ~~((requests for~~

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11211 ~~multifamily zoning,~~) and building permits for ~~((multifamily))~~ multiunit housing projects
11212 ~~((which))~~ that have not been previously evaluated for compliance with the concurrency
11213 standard.

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11214 B. The county's finding of concurrency shall be made at the time of preliminary
11215 plat ~~((or UPD))~~ or binding site plan approval~~((, at the time that a request to actualize~~
11216 ~~potential multifamily zoning is approved, at the time a mobile home park site plan is~~
11217 ~~approved,))~~ ~~((prior to))~~ before building permit issuance for ~~((multifamily))~~ multiunit
11218 housing projects ~~((which))~~ that have not been previously established for compliance with
11219 the concurrency standard. ~~((Once such a finding has been made, the development shall~~
11220 ~~be considered as vested for purposes of the concurrency determination.))~~

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11221 C. Excluded from the application of the concurrency standard are:

11222 1. ~~((b))~~ Building permits for individual single ((family dwellings)) detached
11223 residences;

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11224 2. ~~((any form of housing exclusively for seniors ((citizens)), including nursing~~
11225 ~~homes and retirement centers))~~ Senior assisted housing;

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11226 3. ~~((shelters for temporary placement, relocation facilities, and transitional~~
11227 ~~housing facilities((-)))~~ Uses identified in K.C.C. 21A.08.xxx (the new section created by
11228 section 148 of this ordinance);

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11229 4. Replacement, reconstruction, or remodeling of existing dwelling units;

11230 5. Short subdivisions; and

11231 6. ~~((Building permits for residential units in preliminary planned unit~~

11232 ~~developments which were under consideration by King County on January 22, 1991;~~

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11233 ~~7. Building permits for residential units in recorded planned unit developments~~
11234 ~~approved pursuant to K.C.C. Title 21 that have not yet expired per K.C.C. 21.56.060;~~

11235 ~~8. Building permits applied for by December 31, 1993, related to rezone~~
11236 ~~applications to actualize potential zoning which were under consideration by King~~
11237 ~~County on January 22, 1991;~~

11238 ~~9. Building permits applied for by December 31, 1993, related to residential~~
11239 ~~development proposals for site plan review to fulfill P-Suffix requirements of multifamily~~
11240 ~~zoning which were under consideration by King County on January 22, 1991; and~~

11241 ~~10.)) Any residential building permit for any development proposal for which a~~
11242 ~~concurrency determination has already been made ((pursuant to the terms of)) in~~
11243 ~~accordance with K.C.C. Title 21A.~~

11244 D. All of the development activities ~~((which))~~ that are excluded from the
11245 application of the concurrency standard are subject to school impact fees imposed
11246 ~~((pursuant to))~~ under K.C.C. Title 27.

11247 E. The assessment and payment of impact fees are governed by and shall be
11248 subject to the provisions in K.C.C. Title 27 addressing school impact fees.

11249 F. A ~~((certification))~~ finding of concurrency for a school district shall not
11250 preclude the county from collecting impact fees for the district. Impact fees may be
11251 assessed and collected as long as the fees are used to fund capital and system
11252 improvements needed to serve the new development, and as long as the use of such fees
11253 is consistent with ~~((the requirements of C))~~ chapter 82.02 RCW and this chapter.

11254 ~~((Pursuant to))~~ In accordance with ((C)) chapter 82.02 RCW, impact fees may also be
11255 used to recoup capital and system improvement costs previously incurred by a school

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11256 district to the extent that new growth and development will be served by the previously
11257 constructed improvements or incurred costs.

11258 SECTION ~~156203~~. K.C.C. 21A.28.160, as amended by this ordinance, is hereby
11259 recodified as a new section in K.C.C. chapter 21A.28 to follow K.C.C. 21A.28.140.

11260 SECTION ~~157204~~. Ordinance 10870, Section 526, as amended, and K.C.C.
11261 21A.28.160 are hereby amended to read as follows:

11262 A. Schools shall be considered to have been provided concurrently with the
11263 development (~~(which)~~) that will impact the schools if:

11264 1. The permanent and interim improvements necessary to serve the development
11265 are planned to be in place at the time the impacts of development are expected to occur;
11266 or

11267 2. The necessary financial commitments are in place to assure the completion of
11268 the needed improvements to meet the school district's standard of service within (~~(3)~~)
11269 three years of the time that the impacts of development are expected to occur. Necessary
11270 improvements are those facilities identified by the school district in its capital facilities
11271 plan as reviewed and adopted by King County.

11272 B. Any combination of the following shall constitute the "necessary financial
11273 commitments" for the purposes of subsection A(~~(c)~~) of this section:

11274 1. The school district either has received voter approval of (~~(and)~~) a bond or has
11275 bonding authority, or both;

11276 2. The school district has received approval for federal, state, or other (~~(funds)~~)
11277 monies;

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11278 3. The school district has received a secured commitment from a developer that
11279 the developer will construct the needed permanent school facility, and the school district
11280 has found such a facility to be acceptable and consistent with its capital facilities plan;
11281 ~~((and))~~or

11282 4. The school district has other assured funding, including, but not limited to
11283 school impact fees ~~((which))~~ that have been paid.

11284 C. Compliance with ~~((this))~~ the concurrency requirement of this section shall be
11285 sufficient to satisfy ~~((the provisions of))~~ RCW 58.17.060 and ~~((RCW))~~ 58.17.110.

11286 SECTION 158205. K.C.C. 21A.28.150, as amended by this ordinance, is hereby
11287 recodified as a new section in K.C.C. chapter 21A.28 to follow K.C.C. 21A.28.160, as
11288 recodified by this ordinance.

11289 SECTION 159206. Ordinance 10870, Section 525, as amended, and K.C.C.
11290 21A.28.150 are hereby amended to read as follows:

11291 A. In making a threshold determination ~~((pursuant to))~~ in accordance with SEPA,
11292 either the director ~~((and))~~or the hearing examiner, or both, in the course of reviewing
11293 proposals for residential development including applications for plats ~~((or UPD's))~~,
11294 ~~((mobile))~~ manufactured home ~~((parks))~~ communities, ~~((or multi-family zoning))~~ binding
11295 site plans, and ~~((multifamily))~~ multiunit building permits, shall consider the school
11296 district's capital facilities plan as adopted by the council.

11297 B. Documentation ~~((which))~~ that the school district is required to submit
11298 ~~((pursuant to section))~~ under K.C.C. 21A.28.152 or K.C.C. Title 20~~((:))~~ shall be
11299 incorporated into the record in every case without requiring the school district to offer
11300 such plans and data into the record. The school district is also authorized to present

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11301 testimony and documents demonstrating a lack of concurrency in the school district and
11302 the inability of the school district to accommodate the students to be generated by a
11303 specific development.

11304 C. Based upon a finding that the impacts generated by the plat, ~~((the UPD,))~~
11305 ~~((mobile)) manufactured home ((park)) communities, or the ((multi-family))~~
11306 ~~multiunitfamily~~ development were generally not anticipated at the time of the last council
11307 review and approval of a school district capital plan and were not included in the school
11308 district's long-range forecast, the director may require or recommend phasing or
11309 provision of the needed facilities and ~~((of))~~ sites as appropriate to address the deficiency
11310 or deny or condition approval, consistent with ~~((the provisions of))~~ this chapter, the State
11311 Subdivision Act, and ~~((the State Environmental Policy Act))~~ SEPA.

11312 D. Determinations of the examiner or director regarding concurrency can be
11313 appealed only ~~((pursuant to))~~ in accordance with the provisions for appeal of the
11314 development permit process for which the determination has been made. Where no other
11315 administrative appeal process is available, an appeal may be taken to the hearing
11316 examiner using the appeal procedures for variances. Any errors in the formula identified
11317 as a result of an appeal should be referred to the council for possible modifications.

11318 E. Where the council has not adopted an impact fee ordinance for a particular
11319 school district, ~~((the language of))~~ this section shall not affect the authority or duties of
11320 the examiner or the director ~~((pursuant to the State Environmental Policy Act))~~ under
11321 SEPA or the State Subdivision Act.

11322 SECTION 160207. Ordinance 11621, Section 89, and K.C.C. 21A.28.152 are
11323 hereby amended to read as follows:

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11324 A. On an annual basis, each school district shall electronically submit the
11325 following materials to the chair of the ~~((S))~~ school ~~((T))~~ technical ~~((R))~~ review
11326 ~~((C))~~ committee created ~~((pursuant to section))~~ in accordance with K.C.C. 21A.28.154:

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11327 1. The school district's capital facilities plan adopted by the school board
11328 ~~((which))~~ that is consistent with the Growth Management Act~~((:))~~;

11329 2. The school district's enrollment projections over the next six ~~((6))~~ six years,
11330 its current enrollment, and ~~((the district's enrollment projections and))~~ actual enrollment
11331 from the previous year~~((:))~~;

11332 3. The school district's standard of service~~((:))~~, which may include criteria such
11333 as class size, student-teacher ratios, sports field sizes, building requirements, or other
11334 criteria established by state statute or school district policy;

11335 4. An inventory and evaluation of school district facilities ~~((which))~~ that address
11336 the school district's standard of service~~((:))~~; and

11337 5. The school district's overall capacity over the next six ~~((6))~~ six years, which
11338 shall be a function of the school district's standard of service as measured by the number
11339 of students ~~((which))~~ that can be housed in school district facilities.

11340 B. To the extent that the school district's standard of service reveals a deficiency
11341 in its current facilities, the school district's capital facilities plan ~~((must))~~ shall
11342 demonstrate a plan for achieving the standard of service, and ~~((must))~~ shall identify the
11343 sources of funding for building or acquiring the necessary facilities to meet the standard
11344 of service.

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11345 C. Facilities to meet future demand shall be designed to meet the adopted
11346 standards of service. If sufficient funding is not projected to be available to fully fund a

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11347 school district capital facilities plan ~~((which))~~ that meets the standard of service, the
11348 school district's capital plan should document the reason for the funding gap.

11349 D. In accordance with RCW 82.02.070, ~~((f))~~ if an impact fee ordinance has been
11350 adopted on behalf of a school district, the King County finance and business operations
11351 division, or successor agency, shall send the chair of the committee a report showing the
11352 source and amount of all fees collected, interest earned on behalf of each school district,
11353 the amount of funds distributed to each school district, and the system improvements that
11354 were financed in whole or in part by impact fees and the amount of funds expended as
11355 reported by the school district. The chair of the committee shall provide a copy of each
11356 report to the respective school district.

11357 E. Each school district shall ~~((also submit an annual))~~ annually report on their use
11358 of funds to the ~~((School Technical Review))~~ chair of the ~~((C))~~ committee showing the
11359 capital improvements ~~((which))~~ that were financed in whole or in part by the impact fees.
11360 The chair of the committee shall use the information to confirm expenditures with the
11361 department of executive services, finance and business operations division, and to verify
11362 compliance with RCW 82.02.070.

11363 SECTION 461208. Ordinance 11621, Section 90, as amended, and K.C.C.
11364 21A.28.154 are hereby amended to read as follows:

11365 A. There is hereby created ~~((a))~~ the school technical review committee ~~((within~~
11366 ~~King County. The committee shall consist of three county staff persons,))~~ consisting of
11367 the following representatives:

11368 1. ~~((o))~~ One ~~((each))~~ from the department of local services~~((s))~~;

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11369 2. One from the regional planning unit of the office of performance, strategy,
11370 and budget; and

11371 3. One from the county council staff, as an ex officio member.

11372 B. The representative from the department of local services shall serve as the
11373 chair of the committee.

11374 C. The committee shall be charged with reviewing each school district's capital
11375 facilities plan((;)); enrollment projections((;)); standard of service((, the district's));
11376 overall capacity for the next six years to ensure consistency with the Growth
11377 Management Act, King County Comprehensive Plan, and adopted ((community)) subarea
11378 plans((;)); and ((the district's)) calculation and rationale for proposed impact fees.

11379 ~~((C. Notice of the time and place of the committee meeting where the district's~~
11380 ~~documents will be considered shall be provided to the district.))~~

11381 D. Committee meetings shall be open to the public. The chair of the committee
11382 shall post online public notice of the time and place of a committee meeting least two
11383 weeks in advance of the meeting. Materials submitted under K.C.C. 21A.28.152.A. shall
11384 be posted online at the same time as the meeting notice.

11385 E. At the meeting where the committee will review or act upon the school
11386 district's documents, ((the)) school district representatives ((shall have the right to)) may
11387 attend ((or to be represented, and shall be permitted to)) and present testimony to the
11388 committee. ((Meetings shall also be open to the public.

11389 ~~E.))~~ F. In its review, the committee shall consider the following factors:

11390 1. Whether the school district's forecasting system for enrollment projections
11391 has been demonstrated to be reliable and reasonable((-));

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- 11392 2. The historic levels of funding and voter support for bond issues in the school
11393 district;
- 11394 3. The inability of the school district to obtain the anticipated state funding or to
11395 receive voter approval for school district bond issues;
- 11396 4. An emergency or emergencies in the school district (~~(which)~~) that required
11397 the closing of a school facility or facilities resulting in a sudden and unanticipated decline
11398 in districtwide capacity; (~~and~~)
- 11399 5. The standards of service set by school districts in similar types of
11400 communities. While community differences will be (~~permitted~~) allowed, the standard
11401 established by the school district should be reasonably consistent with the standards set
11402 by other school districts in communities of similar socioeconomic profile; and
- 11403 6. The standards identified by the state concerning the ratios of certificated
11404 instructional staff to students.
- 11405 ~~(F.)~~ G. In the event that the school district's standard of service reveals a
11406 deficiency in its current facilities, the committee shall review the school district's capital
11407 facilities plan to determine whether the school district has identified all sources of
11408 funding necessary to achieve the standard of service.
- 11409 ~~(G.)~~ H. The school district in developing the financing plan component of the
11410 capital facilities plan shall plan on a six-year horizon and shall (~~demonstrate its best~~
11411 ~~efforts by taking~~) document that it took the following steps:
- 11412 1. Establish a six-year financing plan, and propose the necessary bond issues
11413 and levies required by and consistent with that plan and as approved by the school board
11414 and consistent with RCW 28A.53.020, 84.52.052 and 84.52.056, as amended; and

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11415 2. Apply to the state for funding, and comply with the state requirement for
11416 eligibility to the best of the school district's ability.

11417 ~~((H.))~~ I. The committee ~~((is authorized to))~~ may request ~~((the))~~ that a school
11418 district ~~((to))~~ review and ~~((to))~~ resubmit its capital facilities plan, ~~((or to))~~ establish a
11419 different standard of service, or ~~((to))~~ review its capacity for accommodating new
11420 students, or any combination thereof, under any of the following circumstances:

11421 1. The standard of service established by the school district is not reasonable in
11422 light of the factors ~~((set forth))~~ in subsection ~~((E.))~~ GF. of this section~~((.))~~;

11423 2. The committee finds that the school district's standard of service cannot
11424 reasonably be achieved in light of the secured financial commitments and the historic
11425 levels of support in the school district; or

11426 3. Any other basis that is consistent with this section.

11427 ~~((I.))~~ J. If a school district fails to submit its capital facilities plan for review by
11428 the committee, King County shall assume the school district has adequate capacity to
11429 accommodate growth for the following six years.

11430 ~~((J.))~~ K. The chair of the committee shall document the outcome of the
11431 committee meeting each school district's capital facility plan and associated proposed
11432 impact fees in a report. The report shall include analysis consistent with subsections E.
11433 through I. of this section. The chair of ~~((F))~~ the committee shall submit copies of its
11434 ~~((recommendation of concurrency for each school district))~~ report to the director, ((to
11435 ~~the))~~ hearing examiner, and ((to the)) school districts and shall post the report online.

11436 ~~((K.))~~ L. In accordance with K.C.C. 20.18.060 and 20.18.070 and based on
11437 committee input, ((F))the chair of the committee shall recommend to the executive, and

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11438 the executive shall transmit to the council, a proposed Comprehensive Plan amendment
11439 adopting the school district's capital facilities plan as part of the Comprehensive Plan, for
11440 any plan ~~((which))~~ that the committee concludes accurately reflects the school district's
11441 facilities status. The transmittal shall include the report required by subsection JK. of this
11442 section.

11443 ~~((L-))~~ M. In the event that after reviewing ~~((the))~~ a school district's capital
11444 facilities plan and other documents, the committee is unable to recommend ~~((certifying~~
11445 ~~concurrency in a))~~ adoption of the school district's capital facilities plan, the chair of the
11446 committee shall submit a statement to the council, ~~((the))~~ director, ~~((and the))~~ hearing
11447 examiner, and school district stating ~~((that))~~ the committee's ~~((is unable to recommend~~
11448 ~~certifying concurrency in a specific school district))~~ findings. The committee shall then
11449 recommend to the executive ~~((that)), and~~ the executive ~~((propose))~~ shall transmit to the
11450 council consistent with the school capital facility plan timelines established in K.C.C.
11451 20.18.060 and 20.18.070, either proposed amendments to the land use element of the
11452 King County Comprehensive Plan or proposed amendments to the development
11453 regulations implementing the plan, or both, to more closely conform county land use
11454 plans and school district capital facilities plans, including, but not limited to, requiring
11455 mandatory phasing of plats ~~((UPDs))~~ or ~~((multifamily))~~ multiunit development located
11456 within the school district's boundary. ~~((The necessary draft amendments shall~~
11457 ~~accompany such recommendations.))~~

11458 SECTION 462209. Ordinance 11621, Section 91, as amended, and K.C.C.
11459 21A.28.156 are hereby amended to read as follows:

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11460 A. On at least an annual basis in accordance with K.C.C. 20.18.060 and
11461 20.18.070, the King County council shall ~~((certify))~~ adopt the school district's capital
11462 facility plans. ~~((The review may occur in conjunction with any update of the Facilities~~
11463 ~~and Services chapter of the King County Comprehensive Plan proposed by the school~~
11464 ~~technical review committee.))~~

11465 B. The council shall review and consider any proposal or proposals submitted by
11466 the school technical review committee for amending the land use policies of the King
11467 County Comprehensive Plan, or the development regulations implementing the plan,
11468 including but not limited to requiring mandatory phasing of plats~~((,UPDs))~~ or
11469 ~~((multifamily))~~ multiunit development when the committee is unable to recommend ~~((a~~
11470 ~~certification of concurrency in))~~ adoption for a specific school district in accordance with
11471 K.C.C. 21A.28.154. Any proposed amendments to the ~~((e))~~Comprehensive ((p))Plan or
11472 development regulations shall be subject to the public hearing and other procedural
11473 requirements set out in K.C.C. Title 20 ~~((or 21A, as applicable)).~~

11474 C. The council may ~~((require the committee to submit proposed amendments or~~
11475 ~~may itself))~~ initiate amendments to the land use policies of the King County
11476 Comprehensive Plan, or amendments to the development regulations implementing the
11477 plan, to more closely conform county land use plans and school district capital facilities
11478 plans.

11479 SECTION 210. Ordinance 10870, Section 530, as amended, and K.C.C.
11480 21A.30.020 are hereby amended to read as follows:

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11481 The raising, keeping, breeding, or boarding of small animals are subject to K.C.C.
11482 chapter 11.04, King County ~~(B)~~board of ~~(H)~~health ~~(C)~~code chapter 8.03 and the
11483 following requirements:

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11484 A.1. Small animals that are kept as household pets in a dwelling unit in
11485 aquariums, terrariums, cages, or similar containers shall not be limited in number, except
11486 as otherwise provided in King County ~~(B)~~board of ~~(H)~~health ~~(C)~~code chapter 8.03
11487 or K.C.C. Title 11.

11488 2. Except as otherwise allowed for a facility licensed under King County
11489 ~~(B)~~board of ~~(H)~~health ~~(C)~~code chapter 8.03 or K.C.C. chapter 11.04, other small
11490 animals, excluding altered cats, kept as household pets in a dwelling unit shall be limited
11491 to five.

11492 3. Altered cats kept as household pets in a dwelling unit shall not be limited in
11493 numbers.

11494 B.1. Except as otherwise provided in subsection E. of this section, the number
11495 of small animals kept outside a dwelling unit shall be limited as follows:

11496 a. for poultry, chicken, and squab, ten animals per lot on sites less than thirty-
11497 five thousand square feet, with one additional animal allowed per additional half acre, up
11498 to a maximum of twenty animals. Roosters are not allowed in the urban area.

11499 b. for all other small animals:

11500 (1) on sites of less than twenty thousand square feet, three per dwelling unit;

11501 ~~(b-)~~(2) on sites of between twenty thousand and thirty-five thousand square

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11502 feet, five per dwelling unit; and

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11503 ~~_____ ((e-))3) on sites greater than thirty-five thousand square feet, one additional~~
11504 ~~small animal per dwelling unit for each one-half acre of site area over thirty-five~~
11505 ~~thousand square feet up to a maximum of twenty.~~

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11506 ~~_____ 2. Unaltered animals kept outdoors ((must)) shall be kept on a leash or in a~~
11507 ~~confined area, except as otherwise allowed under K.C.C. chapter 11.04 for a hobby~~
11508 ~~kennel, hobby cattery or under King County ((B))board of ((H))health ((C))code chapter~~
11509 ~~8.03 for a commercial kennel or commercial cattery.~~

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11510 ~~_____ C. Unless otherwise allowed for a facility licensed under King County ((B))board~~
11511 ~~of ((H))health ((C))code chapter 8.03 or K.C.C. chapter 11.04, the total number of~~
11512 ~~unaltered adult cats and dogs per dwelling unit shall not exceed three.~~

11513 ~~_____ D. Small animals considered to be household pets shall be treated as other small~~
11514 ~~animals under subsection E. of this section when they are kept for breeding, boarding or~~
11515 ~~training.~~

11516 ~~_____ E. Small animals kept outside the dwelling unit for breeding, boarding or training~~
11517 ~~as an accessory use of a resident the dwelling unit are allowed, subject to the following~~
11518 ~~limitations:~~

11519 ~~_____ 1. Birds shall be kept in an aviary or loft that meets the following standards:~~

11520 ~~_____ a. The aviary or loft shall provide one-half square foot for each parakeet,~~
11521 ~~canary or similarly sized birds, one square foot for each pigeon, small parrot or similarly~~
11522 ~~sized bird and two square feet for each large parrot, macaw, or similarly sized bird;~~

11523 ~~_____ b. Aviaries or lofts shall not exceed two thousand square feet, provided this~~
11524 ~~limit shall not apply in rural, forestry or agricultural zones; and~~

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11525 ~~c. The aviary is set back at least ten feet from any property line, and twenty~~
11526 ~~feet from any dwelling unit.~~

11527 ~~2. Small animals other than birds shall be kept according to the following~~
11528 ~~standards:~~

11529 ~~a. The minimum site area shall be one-half acre if more than three small~~
11530 ~~animals are being kept;~~

11531 ~~b. All animals shall be confined within a building, pen, aviary, or similar~~
11532 ~~structure;~~

11533 ~~c. Any covered structure used to house or contain such animals shall maintain~~
11534 ~~a distance of not less than ten feet to any property line, except structures used to house~~
11535 ~~mink and fox shall be a distance of not less than one hundred fifty feet.~~

11536 ~~d. Poultry, chicken, squab, and rabbits are limited to a maximum of one animal~~
11537 ~~per one square foot of structure used to house such animals, up to a maximum of two~~
11538 ~~thousand square feet. This maximum structure size limit shall not apply in ((rural area,~~
11539 ~~forestry, or agricultural)) RA, F, or A zones;~~

11540 ~~e. Hamsters, nutria, and chinchilla are limited to a maximum of one animal per~~
11541 ~~square foot of structure used to house such animals, up to a maximum of two thousand~~
11542 ~~square feet((~~±~~)). This maximum structure size limit shall not apply in ((rural, forestry or~~
11543 ~~agricultural)) the RA, F, and A zones.~~

11544 ~~f. Mink and fox are ((permitted)) allowed only on sites having a minimum area~~
11545 ~~of five acres.~~

11546 ~~g. Beekeeping is limited as follows:~~

11547 ~~(1) Beehives are limited to fifty on sites less than five acres;~~

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11548 (2) The number of beehives shall not be limited on sites of five acres or
11549 greater;

11550 (3) Colonies shall be maintained in movable-frame hives at all times;

11551 (4) Adequate space shall be provided in each hive to prevent overcrowding
11552 and swarming;

11553 (5) Colonies shall be requeened following any swarming or aggressive
11554 behavior;

11555 (6) All colonies shall be registered with the county extension agent before
11556 April 1 of each year, on a state registration form acceptable to the county; and

11557 (7) Abandoned colonies, diseased bees, or bees living in trees, buildings, or
11558 any other space except in movable-frame hives shall constitute a public nuisance, and
11559 shall be abated as set forth in K.C.C. chapter 21A.50;

11560 3. Hobby kennels and hobby catteries are subject to the following requirements:

11561 a. For hobby kennels located on ~~((resource rural area or residential))~~ A, F, M,
11562 RA, UR, or R zoned sites:

11563 (1) The minimum site area shall be five acres; and

11564 (2) Structures housing animals and outdoor animal runs shall be a minimum
11565 distance of one hundred feet from property lines abutting ~~((the resource, rural area or~~
11566 residential)) A, F, M, RA, UR, or R zones;

11567 b. For hobby kennels located on nonresidential zoned sites, run areas shall be
11568 completely surrounded by an eight foot solid wall or fence, and be subject to the
11569 requirements in K.C.C. 11.04.060; and

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11570 ~~c. Hobby catteries shall be on sites of thirty-five thousand square feet or more,~~
11571 ~~and buildings used to house cats shall be a minimum distance of fifty feet from property~~
11572 ~~lines abutting the ((rural area zone or residential)) RA, UR, or R zones.~~

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11573 ~~F. Commercial kennels and commercial catteries are subject to the following~~
11574 ~~requirements:~~

11575 ~~1. For commercial kennels located on ((the resource, rural area or residential))~~
11576 ~~A, F, M, RA, UR, or R zoned sites:~~

11577 ~~a. The minimum site area shall be five acres; and~~

11578 ~~b. Structures housing animals and outdoor animal runs shall be a minimum~~
11579 ~~distance of one hundred feet from property lines abutting the resource, rural area or~~
11580 ~~residential zones;~~

11581 ~~2. For commercial kennels located on nonresidential zoned sites, run areas shall~~
11582 ~~be completely surrounded by an eight foot solid wall or fence, and be subject to the~~
11583 ~~requirements in King County ((B))board of ((H))health ((C))code chapter 8.03; and~~

11584 ~~3. Commercial catteries shall be on sites of thirty-five thousand square feet or~~
11585 ~~more, and buildings used to house cats shall be a minimum distance of fifty feet from~~
11586 ~~property lines abutting ((the rural area zone or residential)) RA, UR, or R zones.~~

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11587 ~~SECTION 463211.~~ Ordinance 11168, Section 14, as amended, and K.C.C.

11588 21A.30.075 are hereby amended to read as follows:

11589 In order to ensure that livestock standards and management plans are customized
11590 as much as possible to the stream conditions in each of the various streams, the King

11591 County agriculture commission will, in cooperation with ~~((the Washington State~~
11592 ~~Department of Fisheries and))~~ the Muckleshoot Indian Tribe, the Snoqualmie Indian

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11593 Tribe, ~~((and))~~ other affected Indian tribes, ~~and the Washington State Department of~~
11594 ~~Fisheries,~~ establish a livestock interdisciplinary team consisting of three members, with
11595 expertise in fisheries, water quality, and animal husbandry, to make specific
11596 recommendations to the Conservation District and livestock owners adjacent to the
11597 streams with regard to buffer needs throughout the parts of each stream which have
11598 livestock operations adjoining such streams. The team shall take into account ~~((the~~
11599 ~~recommendations of the adopted Basin Plans and))~~ WRIA recommendations ~~((,))~~ and
11600 shall work with the department of natural resources and parks to develop the
11601 recommendations. The findings of the interdisciplinary team shall be reported to the
11602 King County agriculture commission, which shall assist in the dissemination of the
11603 recommendations to owners in the basin. The team shall work initially on those stream
11604 systems in which specific problems have been identified and are believed to be livestock
11605 related.

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11606 SECTION 164212. Ordinance 10870, Section 536, as amended, and K.C.C.
11607 21A.30.080 are hereby amended to read as follows:

11608 In the R, UR, NB, CB₂ and RB zones, residents of a dwelling unit may conduct
11609 one or more home occupations as accessory activities, ~~((only if))~~ as follows:

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11610 A. The total floor area of the dwelling unit devoted to all home occupations shall
11611 not exceed twenty percent of the floor area of the dwelling unit~~((-))~~;

11612 B. Areas within garages and storage buildings shall not be considered part of the
11613 dwelling unit and may be used for activities associated with the home occupation;

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11614 C. All the activities of the home occupation or occupations shall be conducted
11615 indoors, except for those related to growing or storing of plants used by the home
11616 occupation or occupations;

11617 D. A home occupation or occupations is not limited in the number of employees
11618 that remain off-site. No more than one nonresident employee shall be ~~((permitted))~~
11619 allowed to work on-site for the home occupation or occupations;

11620 E. The following uses, by the nature of their operation or investment, tend to
11621 increase beyond the limits ~~((permitted))~~ allowed for home occupations. Therefore, the
11622 following shall not be ~~((permitted))~~ allowed as home occupations:

- 11623 1. Automobile, truck, and heavy equipment repair;
- 11624 2. Auto body work or painting;
- 11625 3. Parking and storage of heavy equipment;
- 11626 4. Storage of building materials for use on other properties;
- 11627 5. Hotels, motels, or organizational lodging;
- 11628 6. Dry cleaning;
- 11629 7. Towing services;
- 11630 8. Trucking, storage, or self service, except for parking or storage of one
11631 commercial vehicle used in home occupation;
- 11632 9. Veterinary clinic;
- 11633 10. Recreational ~~((marijuana))~~ cannabis processor, recreational ~~((marijuana))~~
11634 cannabis producer, or recreational ~~((marijuana))~~ cannabis retailer; and
- 11635 11. Winery, brewery, distillery facility I, II, and III, and remote tasting room,
11636 except that home occupation adult beverage businesses operating under an active

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11637 Washington state Liquor and Cannabis Board production license issued for their current
11638 location before December 31, 2019, and where King County did not object to the location
11639 during the Washington state Liquor and Cannabis Board license application process, shall
11640 be considered legally nonconforming and allowed to remain in their current location
11641 subject to K.C.C. 21A.32.020 through 21A.32.075 if the use is in compliance with this
11642 section as of December 31, 2019. Such nonconforming businesses shall remain subject
11643 to all other requirements of this section and other applicable state and local regulations.

11644 The resident operator of a nonconforming winery, brewery, or distillery home occupation
11645 shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.74;

11646 F. In addition to required parking for the dwelling unit, on-site parking is
11647 provided as follows:

- 11648 1. One stall for each nonresident employed by the home occupations; and
11649 2. One stall for patrons when services are rendered on-site;

11650 G. Sales are limited to:

- 11651 1. Mail order sales;
11652 2. Telephone, Internet, or other electronic commerce sales with off-site delivery;

11653 and

- 11654 3. Items accessory to a service provided to patrons who receive services on the
11655 premises;

11656 H. On-site services to patrons are arranged by appointment;

11657 I. The home occupation or occupations use or store a vehicle for pickup of
11658 materials used by the home occupation or occupations or the distribution of products
11659 from the site, only if:

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- 11660 1. No more than one such a vehicle is allowed; and
- 11661 2. The vehicle is not stored within any required setback areas of the lot or on
- 11662 adjacent streets; and
- 11663 3. The vehicle does not exceed an equivalent licensed gross vehicle weight of
- 11664 one ton;
- 11665 J. The home occupation or occupations do not:
- 11666 1. Use electrical or mechanical equipment that results in a change to the
- 11667 occupancy type of the structure or structures used for the home occupation or
- 11668 occupations; or
- 11669 2. Cause visual or audible interference in radio or television receivers, or
- 11670 electronic equipment located off-premises or fluctuations in line voltage off-premises;
- 11671 K. There shall be no exterior evidence of a home occupation, other than growing
- 11672 or storing of plants under subsection C. of this section or an ~~an ((permitted))~~ allowed sign,
- 11673 that would cause the premises to differ from its residential character. Exterior evidence
- 11674 includes, but is not limited to, lighting~~((;))~~ and the generation or emission of noise,
- 11675 fumes, or vibrations as determined by using normal senses from any lot line or on
- 11676 average increase vehicular traffic by more than four additional vehicles at any given time;
- 11677 L. Customer visits and deliveries shall be limited to ~~((the hours of))~~ 8:00 a.m. to
- 11678 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends; and
- 11679 M. Uses not allowed as home occupations may be allowed as a home industry
- 11680 under K.C.C. 21A.30.090.
- 11681 SECTION 465213. Ordinance 15606, Section 20, as amended, and K.C.C.
- 11682 21A.30.085 are hereby amended to read as follows:

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11683 In the A, F₁ and RA zones, residents of a dwelling unit may conduct one or more
11684 home occupations as accessory activities, ~~((under the following ((provisions)) as follows:~~

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11685 A. The total floor area of the dwelling unit devoted to all home occupations shall
11686 not exceed twenty percent of the dwelling unit~~((:));~~

11687 B. Areas within garages and storage buildings shall not be considered part of the
11688 dwelling unit and may be used for activities associated with the home occupation;

11689 C. Total outdoor area of all home occupations shall be ~~((permitted))~~ as follows:

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11690 1. For any lot less than one acre: Four hundred forty square feet; and

11691 2. For lots one acre or greater: One percent of the area of the lot, up to a

11692 maximum of five thousand square feet~~((:));~~

11693 D. Outdoor storage areas and parking areas related to home occupations shall be:

11694 1. No less than twenty-five feet from any property line; and

11695 2. Screened along the portions of such areas that can be seen from an adjacent
11696 parcel or roadway by the:

11697 a. planting of Type II landscape buffering; or

11698 b. use of existing vegetation that meets or can be augmented with additional
11699 plantings to meet the intent of Type II landscaping;

11700 E. A home occupation or occupations is not limited in the number of employees

11701 that remain off-site. Regardless of the number of home occupations, the number of

11702 nonresident employees is limited to no more than three who work on-site at the same

11703 time ~~((and no more than three who report to the site but primarily provide services off-~~

11704 ~~site));~~

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- 11705 F. In addition to required parking for the dwelling unit, on-site parking is
11706 provided as follows:
- 11707 1. One stall for each nonresident employed on-site; and
 - 11708 2. One stall for patrons when services are rendered on-site;
- 11709 G. Sales are limited to:
- 11710 1. Mail order sales;
 - 11711 2. Telephone, Internet, or other electronic commerce sales with off-site delivery;
 - 11712 3. Items accessory to a service provided to patrons who receive services on the
11713 premises;
 - 11714 4. Items grown, produced, or fabricated on-site; and
 - 11715 5. On sites five acres or larger, items that support agriculture, equestrian, or
11716 forestry uses except for the following:
- 11717 a. motor vehicles and parts (~~(((North American Industrial Classification System~~
11718 ~~("NAICS" Code 441)))~~ SIC Industry Major Groups 551, 552, and 553);
 - 11719 b. electronics and appliances (~~(((NAICS Code 443)))~~ SIC Industry Groups and
11720 Industries 504, 506, 5731, 5734, and 5722, and 5946); and
 - 11721 c. building material and garden equipment((s)) and supplies (~~(((NAICS Code~~
11722 ~~444)))~~ SIC Major Group 52);
- 11723 H. The home occupation or occupations do not:
- 11724 1. Use electrical or mechanical equipment that results in a change to the
11725 occupancy type of the structure or structures used for the home occupation or
11726 occupations;

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11727 2. Cause visual or audible interference in radio or television receivers, or
11728 electronic equipment located off-premises or fluctuations in line voltage off-premises; or
11729 3. Increase average vehicular traffic by more than four additional vehicles at any
11730 given time;

11731 I. Customer visits and deliveries shall be limited to ~~((the hours of))~~ 8:00 a.m. to
11732 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;

11733 J. The following uses, by the nature of their operation or investment, tend to
11734 increase beyond the limits ~~((permitted))~~ allowed for home occupations. Therefore, the
11735 following shall not be ~~((permitted))~~ allowed as home occupations:

11736 1. Hotels, motels, or organizational lodging;
11737 2. Dry cleaning;
11738 3. Automotive towing services, automotive wrecking services, and tow-in
11739 parking lots;

11740 4. Recreational ~~((marijuana))~~ cannabis processor, recreational ~~((marijuana))~~
11741 cannabis producer, or recreational ~~((marijuana))~~ cannabis retailer; and

11742 5. Winery, brewery, distillery facility I, II, and III, and remote tasting rooms,
11743 except that home occupation adult beverage businesses operating under an active
11744 Washington state Liquor and Cannabis Board production license issued for their current
11745 location before December 31, 2019, and where King County did not object to the location
11746 during the Washington state Liquor and Cannabis Board license application process, shall
11747 be considered legally nonconforming and allowed to remain in their current location
11748 subject to K.C.C. 21A.32.020 through 21A.32.075 if the use is in compliance with this
11749 section as of December 31, 2019. Such nonconforming businesses shall remain subject

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11750 to all other requirements of this section and all applicable state and local regulations. The
11751 resident operator of a nonconforming home occupation winery, brewery~~;~~ or distillery
11752 shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.74;

11753 K. Uses not allowed as home occupation may be allowed as a home industry
11754 under K.C.C. chapter 21A.30; and

11755 L. The home occupation or occupations may use or store vehicles, as follows:

11756 1. The total number of vehicles for all home occupations shall be:

11757 a. for any lot five acres or less: two;

11758 b. for lots greater than five acres: three; and

11759 c. for lots greater than ten acres: four;

11760 2. The vehicles are not stored within any required setback areas of the lot or on
11761 adjacent streets; and

11762 3. The parking area for the vehicles shall not be considered part of the outdoor
11763 storage area provided for in subsection C. of this section.

11764 SECTION 466214. Ordinance 10870, Section 537, as amended, and K.C.C.

11765 21A.30.090 are hereby amended to read as follows:

11766 A resident may establish a home industry as an accessory activity, as follows:

11767 A. The site area is one acre or greater;

11768 B. The area of the dwelling unit used for the home industry does not exceed fifty
11769 percent of the floor area of the dwelling unit~~((+))~~;

11770 C. Areas within attached garages and storage buildings shall not be considered
11771 part of the dwelling unit for purposes of calculating allowable home industry area but
11772 may be used for storage of goods associated with the home industry;

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- 11773 D. No more than six nonresidents who work on-site at the time;
- 11774 E. In addition to required parking for the dwelling unit, on-site parking is
- 11775 provided as follows:
- 11776 1. One stall for each nonresident employee of the home industry; and
- 11777 2. One stall for customer parking;
- 11778 F. Additional customer parking shall be calculated for areas devoted to the home
- 11779 industry at the rate of one stall per:
- 11780 1. One thousand square feet of building floor area; and
- 11781 2. Two thousand square feet of outdoor work or storage area;
- 11782 G. Sales are limited to items produced on-site, except for items collected, traded,
- 11783 and occasionally sold by hobbyists, such as coins, stamps, and antiques;
- 11784 H. Ten feet of Type I landscaping are provided around portions of parking and
- 11785 outside storage areas that are otherwise visible from adjacent properties or public ~~((rights-~~
- 11786 of-way)) rights of way;
- 11787 I. The department ensures compatibility of the home industry by:
- 11788 1. Limiting the type and size of equipment used by the home industry to those
- 11789 that are compatible with the surrounding neighborhood;
- 11790 2. Providing for setbacks or screening as needed to protect adjacent residential
- 11791 properties;
- 11792 3. Specifying hours of operation;
- 11793 4. Determining acceptable levels of outdoor lighting; and
- 11794 5. Requiring sound level tests for activities determined to produce sound levels
- 11795 that may be in excess of those in K.C.C. chapter 12.88;

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11796 J. Recreational (~~((marijuana))~~) cannabis processors, recreational (~~((marijuana))~~)
11797 cannabis producers, and recreational (~~((marijuana))~~) cannabis retailers shall not be allowed
11798 as home industry; and

11799 K. Winery, brewery, distillery facility I, II, and III, and remote tasting room shall
11800 not be allowed as home industry, except that home industry adult beverage businesses
11801 that have, in accordance with K.C.C. 20.20.070, a vested conditional use permit
11802 application before December 31, 2019, shall be considered legally nonconforming and
11803 allowed to remain in their current location subject to K.C.C. 21A.32.020 through
11804 21A.32.075. Such nonconforming businesses remain subject to all other requirements of
11805 this section and all applicable state and local regulations. The resident operator of a
11806 nonconforming winery, brewery, or distillery home industry shall obtain an adult
11807 beverage business license in accordance with K.C.C. chapter 6.74.

11808 SECTION 467215. Ordinance 10870, Section 547, as amended, and K.C.C.
11809 21A.32.100 are hereby amended to read as follows:

11810 Except as provided by K.C.C. 21A.32.110, a temporary use permit shall be
11811 required for any of the following:

11812 A. A use not otherwise permitted in the zone that can be made compatible for a
11813 period of up to (~~(sixty))~~ twenty-four days a year, subject to K.C.C. 21A.32.120;

11814 B. The expansion of an established use that:

- 11815 1. Is otherwise allowed in the zone;
- 11816 2. Is not inconsistent with the original land use approval;
- 11817 3. Exceeds the scope of the original land use approval; and

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11818 4. Can be made compatible with the zone for a period of up to ~~((sixty))~~ twenty-
11819 four days a year, subject to K.C.C. 21A.32.120; or

11820 C. Events at a winery, brewery, distillery facility or remote tasting room that
11821 include one or more of the following activities:

- 11822 1. Exceeds the permitted building occupancy;
- 11823 2. Utilizes portable toilets;
- 11824 3. Utilizes parking that exceeds the maximum number of spaces allowed by this
11825 title on-site or utilizes off-site parking;
- 11826 4. Utilizes temporary stages;
- 11827 5. Utilizes temporary tents or canopies that require a permit;
- 11828 6. Requires traffic control for public ~~((rights-of-way))~~ rights of way; or
- 11829 7. Extends beyond allowed hours of operation.

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11830 SECTION 468216. Ordinance 10870, Section 548, as amended, and K.C.C.
11831 21A.32.110 are hereby amended to read as follows:

11832 A. The following uses shall be exempt from requirements for a temporary use
11833 permit when located in the RB, CB, NB, O₂ or I zones for the time period specified
11834 below:

- 11835 1. Uses not to exceed a total of thirty days each calendar year:
- 11836 a. Christmas tree lots; and
- 11837 b. Produce stands.
- 11838 2. Uses not to exceed a total of fourteen days each calendar year:
- 11839 a. Amusement rides, carnivals, or circuses;
- 11840 b. Community festivals; and

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- 11841 c. Parking lot sales.
- 11842 B. Any use not exceeding a cumulative total of two days each calendar year and
11843 five hundred attendees and employees per day shall be exempt from requirements for a
11844 temporary use permit.
- 11845 C. Any community event held in a park and not exceeding a period of seven days
11846 shall be exempt from requirements for a temporary use permit.
- 11847 D. Christmas tree sales not exceeding a total of thirty days each calendar year
11848 when located on Rural Area (RA) zoned property with legally established non-residential
11849 uses shall be exempt from requirements for a temporary use permit.
- 11850 E.1. Events at a winery, brewery, distillery facility II or III shall not require a
11851 temporary use permit if:
- 11852 a. The business is operating under an active Washington state Liquor and
11853 Cannabis Board production license issued for their current location before December 31,
11854 2019, and where King County did not object to the location during the Washington state
11855 Liquor and Cannabis Board license application process;
- 11856 b. The parcel is at least eight acres in size;
- 11857 c. The structures used for the event maintain a setback of at least one hundred
11858 fifty feet from interior property lines;
- 11859 d. The parcel is located in the RA zone;
- 11860 e. The parcel has access directly from and to a principal arterial or state
11861 highway;
- 11862 f. The event does not use amplified sound outdoors before 12:00 p.m. or after
11863 8:00 p.m.

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11864 2. Events that meet the provisions in this subsection E. shall not be subject to
11865 ~~((the provisions of))~~ K.C.C. 21A.32.120, as long as the events occur no more frequently
11866 than an annual average of eight days per month.

11867 SECTION 469217. Ordinance 10870, Section 549, as amended, and K.C.C.
11868 21A.32.120 are hereby amended to read as follows:

11869 Except as otherwise provided in this chapter or in K.C.C. chapter 21A.45,
11870 temporary use permits shall be limited in duration and frequency as follows:

11871 A. The temporary use permit shall be effective for one year from the date of
11872 issuance and may be renewed annually as provided in subsection D. of this section;

11873 B.1. The temporary use shall not:

11874 a. ~~((e))~~ Exceed a total of ~~((sixty))~~ twenty-four days in any ~~((three hundred-~~
11875 ~~sixty-five-day))~~ three hundred sixty-five-day period((-), four days in any month, and
11876 three days in any week. If the total duration of the temporary use is no more than ten
11877 days in a three hundred sixty-five-day period, those ten days may be consecutive in any
11878 month or any week or both. This subsection B.1.a. applies only to the days that the event
11879 or events actually take place((-); and

11880 b. Occur in more than six consecutive or non-consecutive months out of the
11881 year.

11882 2. For a winery, brewery, distillery facility II and III in the A zone, the
11883 temporary use shall not exceed a total of two events per month and all event parking must
11884 be accommodated on-site or managed through a parking management plan approved by
11885 the director. This subsection B.2. applies only to the days that the event or events
11886 actually take place.

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11887 3. For a winery, brewery, distillery facility II and III in the RA zone, the
11888 temporary use shall not exceed a total of twenty-four days in any three-hundred-sixty-
11889 five-day period and all event parking must be accommodated on-site or managed through
11890 a parking management plan approved by the director. This subsection B.3. applies only
11891 to the days that the event or events actually take place.

11892 4. For a winery, brewery, distillery facility II in the A or RA zones, in addition
11893 to all other relevant facts, the department shall consider building occupancy and parking
11894 limitations during permit review, and shall condition the number of guests allowed for a
11895 temporary use based on those limitations. The department shall not authorize attendance
11896 of more than one hundred fifty guests.

11897 5. For a winery, brewery, distillery facility III in the A or RA zones, in addition
11898 to all other relevant facts, the department shall consider building occupancy and parking
11899 limitations during permit review, and shall condition the number of guests allowed for a
11900 temporary use based on those limitations. The department shall not authorize attendance
11901 of more than two hundred fifty guests.

11902 6. Events for any winery, brewery, distillery facility I in the RA zone, any
11903 nonconforming winery, brewery, distillery facility home occupation, or any
11904 nonconforming winery, brewery, distillery facility home industry shall be limited to two
11905 per year, and limited to a maximum of fifty guests. If the event complies with this
11906 subsection B.6., a temporary use permit is not required for a special event for a winery,
11907 brewery, distillery facility I in the RA zone, a nonconforming home occupation winery,
11908 brewery, distillery facility or a nonconforming home industry winery, brewery, distillery
11909 facility.

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11910 7. For a winery, brewery, distillery facility II and III in the RA zone, events
11911 exempted under K.C.C 21A.32.110.E. from the requirement to obtain a temporary use
11912 permit shall not be subject to ~~((the provisions of))~~ this section;

11913 C. The temporary use permit shall specify a date upon which the use shall be
11914 allowed, terminated, and removed; and

11915 D. A temporary use permit may be renewed annually for up to a total of ~~((five))~~
11916 four consecutive years as follows:

11917 1. The applicant shall make a written request and pay the applicable permit
11918 extension fees for renewal of the temporary use permit at least seventy days before the
11919 end of the permit period;

11920 2. The department must determine that the temporary use is being conducted in
11921 compliance with the conditions of the temporary use permit;

11922 3. The department must determine that site conditions have not changed since
11923 the original temporary permit was issued; ~~((and))~~

11924 4. The temporary use must demonstrate compliance with current development
11925 regulations; and

11926 5. At least forty-five days before the end of the permit period, the department
11927 shall notify property owners within five hundred feet of the property boundaries that a
11928 temporary use permit extension has been requested and contact information to request
11929 additional information or to provide comments on the proposed extension.

11930 NEW SECTION. SECTION 170218. There is hereby added to K.C.C. chapter
11931 21A.32 a new section to read as follows:

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11932 A. The size of a temporary use shall be scaled based upon building occupancies,
11933 site area, access, and environmental considerations and be limited to no more than two
11934 hundred fifty guests.

11935 B. Areas used for temporary uses shall comply with building setback
11936 requirements for the zone in which they are located.

11937 C. Temporary use shall adequately provide the following, as approved by the
11938 county and commensurate with the size and scale of the temporary use, including for
11939 customers, guests, and workers associated with the temporary use:

- 11940 1. Temporary sanitary facilities;
- 11941 2. Potable water;
- 11942 3. Safe vehicle parking, access, and traffic control, as specified by the sheriff's
11943 office or department of local services, roads division, or both;
- 11944 4. Accessibility for persons with disabilities; and
- 11945 5. Noise compliance consistent with K.C.C. chapter 12.86.

11946 SECTION 47-219. Ordinance 10870, Section 555, as amended, and K.C.C.

11947 21A.32.180 are hereby amended to read as follows:

11948 One temporary real estate office may be located on any new residential
11949 development, provided that activities are limited to the initial sale or rental of property or
11950 units within the development. The office use shall be discontinued within one year of

11951 recording of a ~~((short subdivision)) final short plat~~ or issuance of a final certificate of

11952 occupancy for a ~~((#)) duplex, triplex, fourplexhouseplex, apartment, or townhouse~~

11953 development, and within two years of the recording of a ~~((formal subdivision)) final plat.~~

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11954 SECTION ~~172220~~. Ordinance 10870, Section 559, and K.C.C. 21A.32.220 are
11955 hereby amended to read as follows:

11956 In order to ~~((insure))~~ ensure that significant features of the property are protected
11957 ~~((pursuant to))~~ under K.C.C. chapter 20.62, the following standards shall apply to
11958 conversion of historic buildings:

11959 A. Gross floor area of building additions or new buildings required for the
11960 conversion shall not exceed ~~((20))~~ twenty percent of the gross floor area of the historic
11961 building, unless otherwise allowed by ~~((the zone))~~ K.C.C. chapter 21A.12;

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11962 B. Conversions to duplexes, triplexes, fourplexeshouseplex, apartments, or
11963 townhouses shall not exceed one dwelling unit for each ~~((3,600))~~ three thousand six
11964 hundred square feet of lot area, unless allowed by the zone; and

11965 C. Any construction required for the conversion shall require certification of
11966 appropriateness from the King County Landmark Commission.

11967 SECTION ~~173221~~. Ordinance 17710, Section 14, as amended, and K.C.C.
11968 21A.32.250 are hereby amended to read as follows:

11969 For those recreational ~~((marijuana))~~ cannabis production and processing facilities
11970 requiring a conditional use permit under this title, as part of the permit review process,
11971 the department may require the applicant to submit an odor management plan for any
11972 areas of indoor processing or ventilation of any structure used to produce or process
11973 ~~((marijuana))~~ cannabis. The purpose of such a plan is to minimize odors and fumes from
11974 chemicals or products used in or resulting from either production or processing, or both,
11975 of ~~((marijuana))~~ cannabis.

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11976 SECTION ~~174222~~. Ordinance 13274, Section 1, as amended, and K.C.C.

11977 21A.37.010 are hereby amended to read as follows:

11978 A. The purpose of the transfer of development rights ("~~TDR~~") program is to
11979 transfer residential density from eligible sending sites to eligible receiving sites through a
11980 voluntary process that permanently preserves urban, rural, and resource lands that
11981 provide a public benefit. The TDR provisions are intended to supplement land use
11982 regulations, resource protection efforts, and open space acquisition programs and to
11983 encourage increased residential development density or increased commercial square
11984 footage, especially inside cities, where it can best be accommodated with the least
11985 impacts on the natural environment and public services by:

11986 1. Providing an effective and predictable incentive process for property owners
11987 of rural, resource ~~((and))~~ urban separator, and other eligible urban land to preserve lands
11988 with a public benefit as described in K.C.C. 21A.37.020; and

11989 2. Providing an efficient and streamlined administrative review system to ensure
11990 that transfers of development rights to receiving sites are evaluated in a timely way and
11991 balanced with other county goals and policies, and are adjusted to the specific conditions
11992 of each receiving site.

11993 B. The TDR provisions in this chapter shall only apply to TDR receiving site
11994 development proposals:

11995 1. Submitted on or after September 17, 2001, and applications for approval of
11996 TDR sending sites submitted on or after September 17, 2001; and

11997 2. For properties within the Skyway-West Hill or North Highline ~~((community
11998 service area))~~ subarea geographies, only as provided in K.C.C. chapter 21A.48.

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11999 C. For the purposes of this chapter, the term "conservation easement" ~~includes~~
12000 ~~may include other similar encumbrances, where appropriate.~~

12001 ~~SECTION 223. Ordinance 13274, Section 3, as amended, and K.C.C.~~

12002 ~~21A.37.020 are hereby amended to read as follows:~~

12003 ~~A. For the purpose of this chapter, sending site means the entire tax lot or lots~~
12004 ~~qualified under this subsection. Sending sites shall:~~

12005 ~~1. Contain a public benefit such that preservation of that benefit by transferring~~
12006 ~~residential development rights to another site is in the public interest;~~

12007 ~~2. Meet at least one of the following criteria:~~

12008 ~~a. designation in the King County Comprehensive Plan or a functional plan as an~~
12009 ~~agricultural production district or zoned A;~~

12010 ~~b. designation in the King County Comprehensive Plan or a functional plan as~~
12011 ~~forest production district or zoned F;~~

12012 ~~c. designation in the King County Comprehensive Plan as ~~((R))~~rural ~~((A))~~area,~~
12013 ~~zoned RA-2.5, RA-5 or RA-10, and meeting the definition in RCW 84.34.020 of open~~
12014 ~~space or farm and agricultural land;~~

12015 ~~d. designation in the King County Comprehensive Plan or a functional plan as a~~
12016 ~~proposed ~~((R))~~rural ~~((A))~~area or ~~((N))~~natural ~~((R))~~resource ~~((L))~~land regional trail or~~

12017 ~~~~((R))~~rural ~~((A))~~area or ~~((N))~~natural ~~((R))~~resource ~~((L))~~land open space site, through~~
12018 ~~either:~~

12019 ~~(1) designation of a specific site; or~~

12020 ~~(2) identification of proposed ~~((R))~~rural ~~((A))~~area or ~~((N))~~natural ~~((R))~~resource~~
12021 ~~~~((L))~~land regional trail or ~~((Rural Area or Natural Resource Land))~~ open space sites~~

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12022 which meet adopted standards and criteria, and for ~~((R))~~rural ~~((A))~~area or ~~((N))~~natural
12023 ~~((R))~~resource ~~((L))~~land open space sites, meet the definition of open space land, as
12024 defined in RCW 84.34.020;
12025 _____ e. identification as habitat for federally listed endangered or threatened species in
12026 a written determination by the King County department of natural resources and parks,
12027 Washington state Department of Fish and Wildlife, United States Fish and Wildlife
12028 Services or a federally recognized tribe that the sending site is appropriate for
12029 preservation or acquisition;
12030 _____ f. designation in the King County Comprehensive Plan as urban separator ~~((and))~~
12031 or zoned R-1; or
12032 _____ g.(1) designation in the King County Comprehensive Plan as urban residential
12033 medium or urban residential high;
12034 _____ (2) zoned R-4, R-6, R-8, R-12, R-18, R-24, or R-48; and
12035 _____ (3) approved for conservation futures tax funding by the King County council;
12036 _____ 3. Consist of one or more contiguous lots that have a combined area that meets or
12037 exceeds the minimum lot area for construction requirements in K.C.C. 21A.12.100 for
12038 the zone in which the sending site is located. For purposes of this subsection, lots divided
12039 by a street are considered contiguous if the lots would share a common lot line if the
12040 street was removed. This provision may be waived by the interagency committee if the
12041 total acreage of a rural or resource sending site application exceeds one hundred acres;
12042 and
12043 _____ 4. Not be in public ownership, except:
12044 _____ a. as provided in K.C.C. 21A.37.110.C.;

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12045 b. for lands zoned RA that are managed by the Washington state Department
12046 of Natural Resources as state grant or state forest lands; ~~((or))~~

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12047 c. for lands that are managed by King County for purposes of residential or
12048 commercial development; or

12049 d. for lands participating in the county's forest carbon program established by
12050 K.C.C. 18.35.

12051 B. For the purposes of the TDR program, acquisition means obtaining fee simple
12052 rights in real property or a property right in a form that preserves in perpetuity the public
12053 benefit supporting the designation or qualification of the property as a sending site. A
12054 sending site shall be maintained in a condition that is consistent with the criteria in this
12055 section under which the sending was qualified.

12056 C. If a sending site has any outstanding code violations, the person responsible
12057 for code compliance should resolve these violations, including any required abatement,
12058 restoration, or payment of civil penalties, before a TDR sending site may be qualified by
12059 the interagency review committee created under K.C.C. 21A.37.070. However, the
12060 interagency may qualify and certify a TDR sending site with outstanding code violations
12061 if the person responsible for code compliance has made a good faith effort to resolve the
12062 violations and the proposal is in the public interest.

12063 D. For lots on which the entire lot or a portion of the lot has been cleared or
12064 graded in accordance with a Class II, III or IV special forest practice as defined in chapter
12065 76.09 RCW within the six years before application as a TDR sending site, the applicant
12066 ~~((must))~~ shall provide an affidavit of compliance with the reforestation requirements of
12067 the Forest Practices Act, and any additional reforestation conditions of their forest

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12068 practice permit. Lots on which the entire lot or a portion of the lot has been cleared or
12069 graded without any required forest practices or county authorization, shall be not
12070 qualified or certified as a TDR sending site for six years unless the six-year moratorium
12071 on development applications has been lifted or waived or the landowner has a
12072 reforestation plan approved by the Washington state Department of Natural Resources
12073 and King County.

12074 SECTION 175224. Ordinance 13274, Section 5, as amended, and K.C.C.

12075 21A.37.030 are hereby amended to read as follows:

12076 A. Receiving sites shall be:

12077 1. King County unincorporated urban sites, except as limited in subsection D. of
12078 this section, zoned R-4 through R-48, NB, CB, RB₂ or O~~(, or any combination thereof)~~.

12079 The sites may also be within potential annexation areas established under the

12080 ~~((e))Countywide ((p))Planning ((p))Policies; ((e))~~

12081 2. Sites in rural towns, when in accordance with the inclusionary housing
12082 standards program for TDR use in K.C.C. chapter 21A.48, or the TDR maximum density
12083 standards for TDR use in K.C.C. 21A.0812.030, or the duplex allowances in K.C.C.
12084 21A.08.030, and except as limited in subsection E. of this section;

12085 3. Cities where new growth is or will be encouraged under the Growth
12086 Management Act and the countywide planning policies and where facilities and services
12087 exist or where public investments in facilities and services will be made, or

12088 ~~-(3))4.~~ RA-2.5 zoned parcels, except as limited in subsection E. of this section,
12089 that meet the criteria listed in this subsection A.3. may receive development rights
12090 transferred from rural forest focus areas, and accordingly may be subdivided and

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12091 developed at a maximum density of one dwelling per two and one-half acres. Increased
12092 density allowed through the designation of rural receiving areas shall:

12093 a. ~~((must))~~ be eligible to be served by domestic Group A public water service;

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12094 b. ~~((must))~~ be located within one-quarter mile of an existing predominant

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12095 pattern of rural lots smaller than five acres in size;

12096 c. ~~((must))~~ not adversely impact regionally or locally significant resource areas

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12097 or critical areas;

12098 d. ~~((must))~~ not require public services and facilities to be extended to create or

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12099 encourage a new pattern of smaller lots;

12100 e. ~~((must))~~ not be located within rural forest focus areas; and

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12101 f. ~~((must))~~ not be located on Vashon~~((Island or))~~ Maury Island.

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12102 B. Except as provided in this chapter, development of an unincorporated King

12103 County receiving site shall remain subject to all zoning code provisions for the base zone,

12104 except TDR receiving site developments shall comply with dimensional standards of the

12105 zone with a base density most closely comparable to the total approved density of the

12106 TDR receiving site development.

12107 C. Except as otherwise provided in this title, ~~((A))~~an unincorporated King County

12108 receiving site may accept development rights from one or more sending sites, as follows:

12109 1. ~~((For short subdivisions, u))~~Up to the maximum density ~~((permitted))~~ allowed

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12110 under K.C.C. 21A.12.030 and 21A.12.040; and

12111 2. For ~~((formal))~~ subdivisions, only ~~((as authorized in a subarea study that~~

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12112 ~~includes a comprehensive analysis of the impacts of receiving development rights))~~ if the

12113 hearing examiner finds that the additional density from use of TDRs at the proposed

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12114 subdivision does not create unmitigated impacts beyond those created by development at
12115 base density.

12116 D. Property located within the outer boundaries of the Noise Remedy Areas as
12117 identified by the Seattle-Tacoma International Airport may not accept development
12118 rights.

12119 E. Property located within the shoreline jurisdiction or located on Vashon-Maury
12120 Island ~~((or Maury Island may)) shall not accept development rights.~~

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12121 SECTION 176225. Ordinance 13274, Section 6, as amended, and K.C.C.
12122 21A.37.040 are hereby amended to read as follows:

12123 A. The number of residential development rights that an unincorporated sending
12124 site is eligible to send to a receiving site shall be determined by applying the TDR
12125 sending site base density established in subsection D. of this section to the area of the
12126 sending site, after deducting the area associated with any existing development allowed
12127 to remain under the terms of the conservation easement conserving the site, any retained
12128 development rights, and any portion of the sending site already in a conservation
12129 easement ~~((or other similar encumbrance))~~. For each existing dwelling unit or retained
12130 development right, the sending site area shall be reduced by an area equivalent to the base
12131 density for that zone under K.C.C. 21A.12.030.

12132 B. Any fractions of development rights that result from the calculations in
12133 subsection A. of this section shall ~~((not be included in the final determination of total~~
12134 ~~development rights available for transfer)) be rounded up to the next largest whole
12135 number if the calculation results in a fraction of 0.5 or greater, or shall be rounded down
12136 to the next smallest whole number if the calculation results in a fraction less than 0.5.~~

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12137 C. For purposes of calculating the amount of development rights a sending site
12138 can transfer, the amount of land contained within a sending site shall be determined as
12139 follows:

12140 1. If the sending site is an entire tax lot, the square footage or acreage shall be
12141 determined by:

12142 a. ~~((by))~~ the King County department of assessments records; ~~((or))~~

12143 b. ~~((by))~~ geographic information system mapping confirmed by King County;

12144 or

12145 c. a survey funded by the applicant that has been prepared and stamped by a
12146 surveyor licensed in the state of Washington; and

12147 2. If the sending site consists of a lot that is divided by a zoning boundary, the
12148 square footage or acreage shall be calculated separately for each zoning classification.

12149 The square footage or acreage within each zoning classification shall be determined by
12150 the King County record of the action that established the zoning and property lines, such
12151 as an approved lot line adjustment. When such records are not available or are not

12152 adequate to determine the square footage or acreage within each zoning classification,

12153 TDR program staff shall calculate, and the department of local services, permitting

12154 division, shall ~~((calculate))~~ confirm, the square footage or acreage through the geographic
12155 information system ~~((GIS))~~ mapping system.

12156 D. For the purposes of the ~~((transfer of development rights-))~~TDR~~((+))~~ program
12157 only, the following TDR sending site base densities apply:

12158 1. Sending sites designated in the King County Comprehensive Plan as urban
12159 separator ~~((and))~~ or zoned R-1 shall have a base density of four dwelling units per acre;

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12160 2. Sending sites zoned RA-2.5 shall have a base density of one unit for each two
12161 and one-half acres. Sending sites zoned RA-2.5 that are vacant and are smaller than 1.25
12162 acres shall be allocated one additional TDR for each vacant lot that is smaller than 1.25
12163 acres;

12164 3. Sending sites zoned RA-5 or RA-10 shall have a base density of one dwelling
12165 unit per five acres. Vacant sending sites that are zone RA-5 and are smaller than two and
12166 one-half acres or that are zoned RA-10 and are smaller than five acres shall be allocated
12167 one additional TDR for each vacant lot that is smaller than two and one-half acres or five
12168 acres, respectively;

12169 4. Sending sites zoned RA and that have a designation under the King County
12170 Shoreline Master Program of conservancy or natural environment shall be allocated one
12171 additional TDR per legal lot;

12172 5. Sending sites zoned A-10 and A-35 shall have a base density of one dwelling
12173 unit per five acres for transfer purposes only;

12174 6. Sending sites zoned F within the forest production district shall have a base
12175 density of one dwelling unit per eighty-acres or one dwelling unit per each lot that is
12176 between fifteen and eighty acres in size. A TDR sending site zoned F that is awarded
12177 certified TDRs under K.C.C. 21A.37.070 may be qualified for one additional TDR for
12178 each legal lot that is eligible to create a verified carbon credits under K.C.C. chapter
12179 18.35. Certification of any additional TDRs qualified under this subsection D.6. of this
12180 section is contingent upon applicant enrolling in a verified carbon program under K.C.C.
12181 chapter 18.35, which ~~must~~ shall occur within five years of initial sending site
12182 certification, subject to interagency committee review and approval; ((or))

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12183 7. Vacant marine shoreline sending sites without any ~~armorings or bulkheadshard~~
12184 shoreline stabilization shall be allocated one additional TDR per legal lot; and

12185 8. Sending sites in the urban unincorporated area that meet the criteria in K.C.C.
12186 21A.37.020.A.2.g. shall be allocated TDRs that are equivalent to the zoning base density
12187 established in K.C.C. 21A.12.030 for every one acre of gross land area.

12188 E. A sending site zoned RA, A₂ or F may send one development right for every
12189 legal lot larger than five thousand square feet that was created on or before September 17,
12190 2001, with no retained development rights, if that number is greater than the number of
12191 development rights determined under subsection A. of this section. A sending site zoned
12192 R-1 may send one development right for every legal lot larger than two thousand five
12193 hundred square feet that was created on or before September 17, 2001, with no retained
12194 development rights, if that number is greater than the number of development rights
12195 determined under subsection A. of this section.

12196 F. The number of development rights that a ~~((King County unincorporated))~~ rural
12197 area or natural resources land sending site is eligible to send to a ~~((King County))~~
12198 incorporated urban area receiving site shall be determined through the application of a
12199 conversion ratio established by King County and the ~~((incorporated municipal~~
12200 ~~jurisdiction))~~ city or town. The conversion ratio will be applied to the number of
12201 available sending site development rights determined under subsection A. or E. of this
12202 section.

12203 G. Development rights from one sending site may be allocated to more than one
12204 receiving site and one receiving site may accept development rights from more than one
12205 sending site.

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12206 H. The determination of the number of residential development rights a sending
12207 site has available for transfer to a receiving site shall be valid for transfer purposes only,
12208 shall be documented in a TDR qualification report prepared by the department of natural
12209 resources and parks and sent to the applicant. The qualification report ~~((and))~~ shall be
12210 considered a final determination, not to be revised due to changes to the sending ~~site's~~
12211 ~~site's~~ zoning, and shall be valid unless conditions on the sending site property that would
12212 affect the number of development rights the sending site has available for transfer have
12213 changed.

12214 I. Each residential ~~((transferable development right))~~ TDR that originates from a
12215 sending site zoned RA, A₂ or F shall be designated "Rural" and is equivalent to two
12216 additional units above base density in eligible receiving sites located in unincorporated
12217 urban King County. Each residential ~~((transferable development right))~~ TDR that
12218 originates from a sending site zoned R-1 ~~or designated as~~ urban separator shall be
12219 designated "Urban" and is equivalent to one additional unit above base density. Each
12220 residential ~~((transferable development right))~~ TDR that originates from a sending site in
12221 urban unincorporated area lands meeting the criteria in K.C.C. 21A.37.020.A.2.g. shall be
12222 designated "Urban" and is equivalent to one additional unit above the base density.

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12223 SECTION 477226. Ordinance 14190, Section 7, as amended, and K.C.C.
12224 21A.37.050 are hereby amended to read as follows:

12225 A. Following the transfer of residential development rights, a sending site may
12226 subsequently accommodate remaining residential dwelling units, if any, on the buildable
12227 portion of the parcel or parcels or be subdivided, consistent with the zoned base density
12228 ~~((provisions of the density and dimensions tables))~~ in K.C.C. 21A.12.030 and

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12229 21A.12.040, the allowable dwelling unit calculations in K.C.C. 21A.12.070, and other
12230 King County development regulations. Any remaining residential dwelling units and
12231 associated accessory units shall be located in a single and contiguous reserved residential
12232 area that shall be adjacent to any existing development or roadways on the property. The
12233 reserved residential area shall ~~((be equal to))~~ not exceed the acreage associated with the
12234 minimum lot size of the zone for each remaining residential dwelling unit. For sending
12235 sites zoned RA, the subdivision potential remaining after a density transfer may only be
12236 actualized through a cluster~~ing~~~~((ed subdivision, short subdivision, or binding site plan))~~
12237 that creates a permanent preservation tract as large or larger than the portion of the
12238 subdivision set aside as lots. Within rural forest focus areas, resource use tracts shall be
12239 at least fifteen acres of contiguous forest land.

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12240 B. Only those nonresidential uses directly related to, and supportive of the
12241 criteria under which the site qualified are allowed on a sending site.

12242 C. The applicable limitations in this section shall be included in the sending site
12243 conservation easement.

12244 SECTION 178227. Ordinance 14190, Section 8, as amended, and K.C.C.
12245 21A.37.060 are hereby amended to read as follows:

12246 A. ~~((Prior to))~~ Before issuing a certificate for ~~((transferable development rights~~
12247 ~~((to))~~ TDRs for a sending site, the department of natural resources and parks, or its
12248 successor, shall record deed restrictions in the form of a conservation easement
12249 documenting the development rights that have been removed from the property ~~((and~~
12250 ~~shall place a notice on the title of the sending site))~~. The department of local services,

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12251 permitting division, or its successor, shall establish and maintain an internal tracking
12252 system that identifies all certified ~~((transfer of developments rights))~~ TDR sending sites.

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12253 B. A conservation easement granted to the county or other appropriate land
12254 management agency and that meets the requirements of K.C.C. 21A.37.050 shall be
12255 required for land contained in the sending site. The conservation easement shall be
12256 documented by a map. The conservation easement shall be placed on the entire lot or
12257 lots. The conservation easement shall identify limitations in perpetuity on future
12258 residential and nonresidential development consistent with this chapter, as follows:

12259 1. A conservation easement~~((, which))~~ that contains the easement map~~((s))~~ shall
12260 be recorded on the entire sending site to indicate development limitations on the sending
12261 site;

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12262 2. For a sending site zoned A-10 or A-35, the conservation easement shall be
12263 consistent in form and substance with the purchase agreements used in the agricultural
12264 land development rights purchase program. The conservation easement shall preclude
12265 subdivision of the subject property but may permit not more than one dwelling per
12266 sending site, and shall permit agricultural uses as provided in the A-10 or A-35 zone;

12267 3. For a rural sending site, the conservation easement shall allow for restoration,
12268 maintenance, or enhancement of native vegetation. A present conditions report shall be
12269 required to document the location of existing structures and existing native vegetation
12270 and the baseline conservation values of protected property at the time the conservation
12271 easement is put in place. If residential development will be allowed on the site under the
12272 conservation easement, the present conditions report shall be used to guide the location of
12273 residential development;

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12274 4. For a sending site qualifying as habitat for federal listed endangered or
12275 threatened species, the conservation easement shall protect habitat and allow for
12276 restoration, maintenance, or enhancement of native vegetation. A present conditions
12277 report shall be required to document the location of existing structures. If existing or
12278 future residential development will be allowed on the site under the conservation
12279 easement, the present conditions report shall be used by the owner to guide the location
12280 of residential development; and

12281 5.a. For a sending site zoned F, the conservation easement shall encumber the
12282 entire sending site. ~~((Lots between fifteen acres and eighty acres in size are not eligible
12283 to participate in the TDR program if they include any existing dwelling units intended to
12284 be retained, or if a new dwelling unit is proposed.))~~ For eligible lots between fifteen
12285 acres and eighty acres in size, the sending site ~~((must)) shall include the entire lot. For
12286 lots greater than eighty acres in size, the sending site shall be a minimum of eighty acres.~~

12287 b. The conservation easement shall permit forestry uses subject to a forest
12288 stewardship plan prepared by the applicant and approved by the county for ongoing forest
12289 management practices. The ~~((F))forest ((S))stewardship ((P))plan shall serve as a present
12290 conditions report documenting the baseline conditions of the property and shall include a
12291 description of the site's forest resources and the long term forest management objectives
12292 of the property owner((, and shall not impose standards that exceed Title 222 WAC)).~~

12293 c. Lots between fifteen acres and eighty acres in size are not eligible to
12294 participate in the TDR program if they include any existing dwelling units intended to be
12295 retained, or if a new dwelling unit is proposed.

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12296 SECTION ~~179228~~. Ordinance 13274, Section 7, as amended, and K.C.C.

12297 21A.37.070 are hereby amended to read as follows:

12298 A. ~~((An interagency review committee, chaired by the department of local~~
12299 ~~services permitting division manager and the director of the department of natural~~
12300 ~~resources and parks, or designees, shall be responsible for qualification of sending sites.~~
12301 ~~Determinations on sending site certifications made by the committee are appealable to the~~
12302 ~~examiner under K.C.C. 20.22.040. The department of natural resources and parks shall~~
12303 ~~be responsible for preparing a TDR qualification report, which shall be signed by the~~
12304 ~~director of the department of natural resources and parks or designee, documenting the~~
12305 ~~review and decision of the committee. The qualification report shall:~~

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12306 ~~1. Specify all deficiencies of an application, if the decision of the committee is~~
12307 ~~to disqualify the application;~~

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12308 ~~2. For all qualifying applications, provide a determination as to whether ((or~~
12309 ~~not)) additional residential dwelling units and associated accessory units may be~~
12310 ~~accommodated in accordance with K.C.C. 21A.37.050.A.; and~~

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12311 ~~3. Be issued a TDR certification letter within sixty days of the date of submittal~~
12312 ~~of a completed sending site certification application.~~

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12313 ~~B)).~~ Responsibility for preparing a completed application rests exclusively with
12314 the applicant. Application for sending site certification shall include:

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- 12315 1. A legal description of the site;
- 12316 2. A title report;
- 12317 3. A brief description of the site resources and public benefit to be preserved;

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- 12318 4. A site plan showing the existing and proposed dwelling units, nonresidential
12319 structures, driveways, submerged lands, and any area already subject to a conservation
12320 easement ~~((or other similar encumbrance))~~;
- 12321 5. Assessors map or maps of the lot or lots;
- 12322 6. A statement of intent indicating whether the property ownership, after TDR
12323 certification, will be retained in private ownership or dedicated to King County or another
12324 public or private nonprofit agency;
- 12325 7. Any or all of the following written in conformance with criteria established
12326 through a public rule consistent with K.C.C. chapter 2.98, if the site is qualifying as
12327 habitat for a threatened or endangered species:
- 12328 a. a wildlife habitat conservation plan;
- 12329 b. a wildlife habitat restoration plan; or
- 12330 c. a wildlife present conditions report;
- 12331 8. If the site qualifies as an urban unincorporated area sending site meeting the
12332 criteria in K.C.C. 21A.37.020.A.2.g.;
- 12333 9. A forest stewardship plan, written in conformance with criteria established
12334 through a public rule consistent with K.C.C. chapter 2.98, if required under K.C.C.
12335 21A.37.060.B.3. and 6.;
- 12336 10. An affidavit of compliance with the reforestation requirements of the Forest
12337 Practices Act and any additional reforestation conditions of the forest practices permit for
12338 the site, if required under K.C.C. 21A.37.020.D.;
- 12339 11. A completed density calculation worksheet for estimating the number of
12340 available development rights; and

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12341 12. The application fee consistent with K.C.C. 27.10.170.

12342 NEW SECTION. SECTION 229. There is hereby added to K.C.C. chapter

12343 21A.37 a new section to read as follows:

12344 A. An interagency review committee, chaired by the department of local services

12345 permitting division manager and the director of the department of natural resources and

12346 parks, or designees, shall be responsible for qualification of sending sites.

12347 Determinations on sending site certifications made by the committee are appealable to the

12348 examiner under K.C.C. 20.22.040. The department of natural resources and parks shall

12349 be responsible for preparing a TDR qualification report, which shall be signed by the

12350 director of the department of natural resources and parks or designee, documenting the

12351 review and decision of the committee. The qualification report shall:

12352 1. Specify all deficiencies of an application, if the decision of the committee is

12353 to disqualify the application;

12354 2. For all qualifying applications, provide a determination as to whether

12355 additional residential dwelling units and associated accessory units may be

12356 accommodated in accordance with K.C.C. 21A.37.050.A.; and

12357 3. Be issued a TDR certification letter within sixty days of the date of submittal

12358 of a completed sending site certification application.

12359 SECTION ~~480~~230. Ordinance 13274, Section 8, as amended, and K.C.C.

12360 21A.37.080 are hereby amended to read as follows:

12361 A. ((TDR development rights w))Where both the proposed sending and receiving

12362 sites would be within unincorporated King County, development rights shall be

12363 transferred using the following process:

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12364 1. Following interagency review committee review and approval of the sending
12365 site application as described in K.C.C. 21A.37.070, the interagency review committee
12366 shall issue a TDR qualification report ~~((;))~~ agreeing to issue a TDR certificate in exchange
12367 for the proposed sending site conservation easement. After signing and notarizing the
12368 conservation easement and receiving the TDR certificate from the county, the sending
12369 site owner may market the TDRs ~~((sending site development rights))~~ to potential
12370 purchasers. The TDR certificate shall be in the name of the property owner and separate
12371 from the land title. If a TDR sending site that has been reviewed and approved by the
12372 interagency review committee changes ownership, the TDR qualification report may be
12373 transferred to the new owner if requested in writing to the department of natural resources
12374 and parks by the person or persons that owned the property when the TDR qualification
12375 report was issued, if documents evidencing the transfer of ownership are also provided to
12376 the department of natural resources and parks;

12377 2. In applying for receiving site approval, the applicant shall provide the
12378 department of local services, permitting division, with one of the following:
12379 a. a TDR qualification report issued in the name of the applicant ~~((;))~~;
12380 b. a TDR qualification report issued in the name of another person or persons
12381 and a copy of a signed option to purchase those TDRs ~~((sending site development
12382 rights))~~;
12383 c. a TDR certificate issued in the name of the applicant ~~((;))~~; or
12384 d. a TDR certificate issued in the name of another person or persons and a
12385 copy of a signed option to purchase those TDRs ~~((sending site development rights))~~;

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12386 3. Following building permit approval, but before building permit issuance by
12387 the department of local services, permitting division, or following preliminary plat
12388 approval or preliminary short plat approval, but before final plat or short plat recording of
12389 a receiving site development proposal ~~((which))~~ that includes the use of TDRs
12390 ~~((development rights))~~, the receiving site applicant shall deliver the TDR certificate
12391 issued in the applicant's name for the number of TDRs ~~((development rights))~~ being used
12392 and the TDR extinguishment document to the county;

12393 4. When the receiving site development proposal requires a public hearing
12394 under this title or K.C.C. Title 19A ~~((or its successor))~~, that public hearing shall also
12395 serve as ~~((the))~~ a hearing on the TDR proposal. The reviewing authority shall make a
12396 consolidated decision on the proposed development and use of TDRs ~~((development~~
12397 ~~rights))~~ and consider any appeals of the TDR proposal under the same appeal procedures
12398 ~~((set forth))~~ for the development proposal; ~~((and))~~

12399 5. When the development proposal does not require a public hearing under this
12400 title or K.C.C. Title 19A, the TDR proposal shall be considered along with the
12401 development proposal, and any appeals of the TDR proposal shall be considered under
12402 the same appeal procedures ~~((set forth))~~ for the development proposal~~((-));~~ and

12403 6. Development rights from a sending site shall be considered transferred to a
12404 receiving site when a final decision is made on the TDR receiving area development
12405 proposal, the sending site is permanently protected by a completed and recorded ~~((land~~
12406 ~~dedication or))~~ conservation easement, notification has been provided to the King County
12407 assessor's office and a TDR extinguishment document has been provided to the
12408 department of natural resources and parks, or its successor.

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12409 B. ~~((TDR development rights w))~~Where the proposed receiving site would be
12410 within ~~((an incorporated King County municipal jurisdiction))~~ a city or town, the
12411 development proposal shall be reviewed and transferred using that jurisdiction's
12412 development application review process.

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12413 SECTION 181231. Ordinance 13733, Section 8, as amended, and K.C.C.
12414 21A.37.100 are hereby amended to read as follows:

12415 The purpose of the TDR bank is to assist in the implementation of the ~~((transfer of~~
12416 ~~development rights ()))~~TDR~~(())~~ program by bridging the time gap between willing sellers
12417 and buyers of development rights by purchasing and selling development rights,
12418 purchasing conservation easements, and facilitating interlocal TDR agreements with
12419 cities in King County through the provision of amenity funds. The TDR bank may
12420 acquire development rights and conservation easements only from sending sites ~~((located~~
12421 ~~in the rural area or in an agricultural or forest land use designation in the King County~~
12422 ~~Comprehensive Plan, or in the urban unincorporated area only from sites meeting the~~
12423 ~~criteria in K.C.C. 21A.37.020.A.2.g))~~ allowed in K.C.C. 21A.37.020. Except for
12424 development rights purchased for use in affordable housing developments in accordance
12425 with K.C.C. 21A.37.130, ((~~∅~~))development rights purchased from the TDR bank may
12426 only be used for receiving sites in cities, in Snoqualmie Pass Rural Town as provided in
12427 this title, or in the urban unincorporated area as designated in the King County
12428 Comprehensive Plan.

12429 SECTION 182232. Ordinance 13733, Section 10, as amended, and K.C.C.
12430 21A.37.110 are hereby amended to read as follows:

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12431 A. The TDR bank may purchase development rights from qualified sending sites
12432 at prices not to exceed fair market value and ~~((to))~~ sell development rights at prices not
12433 less than fair market value, except as allowed in K.C.C. 21A.37.130. The TDR bank may
12434 accept donations of development rights from qualified TDR sending sites.

12435 B. The TDR bank may purchase a conservation easement only if the property
12436 subject to the conservation easement is qualified as a sending site as evidenced by a TDR
12437 qualification report, the conservation easement restricts development of the sending site
12438 in the manner required by K.C.C. 21A.37.060, and the development rights generated by
12439 encumbering the sending site with the conservation easement are issued to the TDR bank
12440 at no additional cost.

12441 C. Any development rights, generated by encumbering property with a
12442 conservation easement, may be issued to the TDR bank if:

12443 1.a. The conservation easement is acquired through a county park, open space,
12444 trail, agricultural, forestry, or other natural resource acquisition program for a property
12445 that is qualified as a TDR sending site as evidenced by a TDR qualification report; or

12446 b. the property is acquired by the county with the intent of conveying the
12447 property encumbered by a reserved conservation easement. The number of development
12448 rights generated by this reserved conservation easement shall be determined by the TDR
12449 qualification report; and

12450 2. Under either subsection C.1.a. or b. of this section, there will be no additional
12451 cost to the county for acquiring the development rights.

12452 D. The TDR bank may use funds to facilitate development rights transfers.
12453 These expenditures may include, but are not limited to, establishing and maintaining

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12454 ~~((internet web pages))~~ websites, marketing TDR receiving sites, procuring title reports
12455 and appraisals, and reimbursing the costs incurred by the department of natural resources
12456 and parks, water and land resources division, or its successor, for administering the TDR
12457 bank fund and executing development rights purchases and sales.

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12458 E. The TDR bank fund may be used to cover the cost of providing staff support
12459 for identifying and qualifying sending and receiving sites, and the costs of providing staff
12460 support for the TDR interagency review committee.

12461 F. Upon approval of the TDR executive board, proceeds from the sale of TDR
12462 bank development rights shall be available for acquisition of additional development
12463 rights and as amenity funds to facilitate interlocal TDR agreements with cities in King
12464 County and for projects in receiving areas located in urban unincorporated King County.
12465 Amenity funds provided to a city from the sale of TDR bank development rights to that
12466 city are limited to one-third of the proceeds from the sale.

12467 SECTION ~~183233~~, Ordinance 13733, Section 11, as amended, and K.C.C.
12468 21A.37.120 are hereby amended to read as follows:

12469 A. The department of natural resources and parks, water and land resources
12470 division, or its successor, shall administer the TDR bank fund and execute purchases of
12471 development rights and conservation easements and sales of development rights in a
12472 timely manner consistent with policy set by the TDR executive board. These
12473 responsibilities include, but are not limited to:

- 12474 1. Managing the TDR bank fund;
- 12475 2. Authorizing and monitoring expenditures;

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- 12476 3. Keeping records of the dates, amounts, and locations of development rights
12477 purchases and sales, and conservation easement purchases;
- 12478 4. Executing development rights purchases, sales, and conservation easements;
12479 and
- 12480 5. Providing periodic summary reports of TDR bank activity for TDR executive
12481 board consideration.

12482 B. The department of natural resources and parks, water and land resources
12483 division, or its successor, in executing purchase and sale agreements for acquisition of
12484 development rights and conservation easements shall ensure sufficient values are being
12485 obtained and that all transactions~~((,))~~ or conservation easements ~~((or fee simple
12486 acquisitions))~~ are consistent with public land acquisition guidelines.

12487 SECTION 184234, Ordinance 13733, Section 12, as amended, and K.C.C.
12488 21A.37.130 are hereby amended to read as follows:

12489 A.1. The sale of ~~((development rights))~~ TDRs by the TDR bank shall be at a price
12490 that equals or exceeds the fair market value of the ~~((development rights))~~ TDRs, except
12491 as provided in subsection A.2. of this section. The fair market value of the ~~((development
12492 rights))~~ TDRs shall be established by the department of natural resources and parks and
12493 shall be based on the amount the county paid for the development rights and the
12494 prevailing market conditions.

12495 2.a. The department of natural resources and parks shall undertake a "TDR for
12496 affordable housing" pilot program, in which ~~((transferable development rights))~~ TDRs
12497 ~~necessary to construct up to one hundred total units~~ TDRs sold to build up to one
12498 hundred total units of affordable housing in accordance with K.C.C. 21A.48.020 and

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12499 K.C.C 21A.08.030 shall be ~~((sold))~~ priced at the administrative cost incurred by the
12500 county or fifteen percent of the fair market value of the development rights, whichever is
12501 less.

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12502 b. In order to qualify for this program, all units built using the development
12503 rights ~~((must))~~ shall be either:

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12504 (1) rental housing permanently priced to serve households with a total
12505 household income at or below sixty percent of ~~((AMI))~~ area median income. A covenant
12506 on the property that specifies the income level being served, rent levels, and requirements
12507 for reporting to King County shall be recorded at final approval; or

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12508 (2) housing reserved for income- and asset-qualified home buyers with total
12509 household income at or below sixty percent of ~~((AMI))~~ area median income. The units
12510 shall be limited to owner-occupied housing with prices restricted based on typical
12511 underwriting ratios and other lending standards, and with no restriction placed on resale.
12512 Final approval conditions shall specify requirements for reporting to King County on
12513 both buyer eligibility and housing prices.

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12514 c.~~((1))~~ In areas where the inclusionary housing regulations adopted in K.C.C.
12515 chapter 21A.48 apply, development rights to build units through this pilot program shall
12516 only be sold for units in accordance with K.C.C. 21A.48.020 or K.C.C. 21A.48.030.

12517 ~~((2))~~ For all other areas in unincorporated King County, in the R-4 through R-
12518 48 zones, development rights to build units through this pilot program shall only be sold
12519 for units between one hundred fifty percent and two hundred percent of the receiving
12520 site's base density ~~((as set forth))~~ in K.C.C. 21A.12.030.

12521 ~~d.))~~(1) The department of natural resources and parks shall track the sale of

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12522 development rights and completion of units constructed through this program. When the
12523 one hundred unit threshold is reached, the department shall, within six months of that
12524 date, transmit a report to the council that includes, but is not limited to:

12525 (a) the location of the receiving sites where development rights under this
12526 pilot program were used;

12527 (b) lessons learned from the pilot program, including feedback from
12528 developers who purchased development rights through the program; and

12529 (c) a recommendation on whether to make the pilot program permanent,
12530 repeal the program, or modify the program.

12531 (2) the report shall be accompanied by a proposed ordinance effectuating the
12532 recommendation in subsection ~~((A.2.d.(1)(e)))~~ A.2.c.(1)(c) of this section.

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12533 (3) the report and proposed ordinance shall be electronically filed ~~((in the
12534 form of a paper original and an electronic copy))~~ with the clerk of the council, who shall
12535 ~~((retain the original and))~~ provide an electronic copy to all councilmembers, the council
12536 chief of staff, and the lead staff to the ~~((mobility))~~ transportation, economy, and
12537 environment committee, or its successor.

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12538 B. When selling development rights, the TDR bank may select prospective
12539 purchasers based on the price offered for the development rights, the number of
12540 development rights offered to be purchased, and the potential for the sale to achieve the
12541 purposes of the TDR program.

12542 C. The TDR bank may sell development rights only in whole or half increments
12543 ~~((to ((unincorporated and incorporated)) receiving sites through an interlocal agreement
12544 or, after the county enacts legislation that complies with chapter 365-198 WAC, to~~

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12545 incorporated receiving sites in a city that has enacted legislation that complies with
12546 chapter 365-198 WAC. ~~((The TDR bank may sell development rights only in whole
12547 increments to unincorporated King County receiving sites)).~~

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12548
12549 D. All offers to purchase ~~((development rights))~~ TDRs from the TDR bank shall
12550 be in writing, shall include a certification that the ~~((development rights))~~ TDRs, if used,
12551 shall be used only inside an identified city or within the urban unincorporated area,
12552 ~~((include a minimum ten percent down payment with purchase option,))~~ shall include the
12553 number of ~~((development rights))~~ TDRs to be purchased, location of the receiving site,
12554 proposed purchase price, and the required date or dates for completion of the sale, not
12555 later than three years after the date of receipt by King County of the purchase offer.

12556 E. Payment for purchase of ~~((development rights))~~ TDRs from the TDR bank
12557 shall be in full at the time the ~~((development rights))~~ TDRs are transferred unless
12558 otherwise authorized by the department of natural resources and parks.

12559 SECTION 485235. Ordinance 13733, Section 13, as amended, and K.C.C.
12560 21A.37.140 are hereby amended to read as follows:

12561 A. For development rights sold by the TDR bank to be used in incorporated
12562 receiving site areas, the county and the affected city or cities ~~((must)) shall~~ either have
12563 executed an interlocal agreement and the city or cities ~~((must)) shall~~ have enacted
12564 appropriate legislation to implement the program for the receiving area or the county and
12565 the affected city or cities ~~((must)) shall~~ each have enacted legislation that complies with
12566 chapter 365-198 WAC.

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12567 B.1. At a minimum, each interlocal agreement shall:

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12568 a. ~~((shall))~~ describe the legislation that the receiving jurisdiction adopted or
12569 will adopt to allow the use of ~~((development rights))~~ TDR;
12570 b. ~~((shall))~~ identify the receiving area;
12571 c. ~~((shall))~~ require the execution of a TDR extinguishment document in
12572 conformance with K.C.C. 21A.37.080; and
12573 d. ~~((shall))~~ address the conversion ratio to be used in the receiving site area.
12574 2. If the city is to receive any amenity funds, the interlocal agreement shall ~~((set~~
12575 ~~forth))~~ establish the amount of funding and the amenities to be provided in accordance
12576 with K.C.C. 21A.37.150.I. Such an interlocal agreement may also indicate that a priority
12577 should be given by the county to acquiring ~~((development rights))~~ TDRs from sending
12578 sites in specified geographic areas. If a city has a particular interest in the preservation of
12579 land in a rural or resource area or in the specific conditions on which it will be preserved,
12580 then the interlocal agreement may provide for periodic inspection or special terms in the
12581 conservation easement to be recorded against the sending site as a preacquisition
12582 condition to purchases of ~~((development rights))~~ TDRs within specified areas by the TDR
12583 bank.
12584 C. A TDR conversion ratio for development rights purchased from a sending site
12585 and transferred to an incorporated receiving site area may express the amount of
12586 additional ~~((development rights))~~ TDRs in terms of any combination of units, floor area,
12587 height, or other applicable development standards that may be modified by the city to
12588 provide incentives for the purchase of ~~((development rights))~~ TDRs.
12589 NEW SECTION. SECTION 186236. There is hereby added to K.C.C. chapter
12590 21A.37 a new section to read as follows:

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12591 A. The TDR bank may establish in-lieu fee TDRs by collecting a fee-in-lieu of
12592 selling TDRs from the TDR bank when TDR inventory is unavailable.

12593 1. TDR executive board shall determine when in-lieu fee TDRs may be made
12594 available by considering the following:

12595 a. inventory of TDR bank and privately-owned TDRs;

12596 b. type of TDR needed by receiving site;

12597 c. price of available privately-owned TDRs; and

12598 d. opportunities to obtain new TDRs from eligible sending sites.

12599 2. In-lieu fee TDRs may be designated as rural or urban.

12600 3. The TDR bank shall sell in-lieu fee TDRs in accordance with K.C.C.

12601 21A.37.130 and 21A.37.140.

12602 4. In-lieu fee TDRs shall not be used for rural receiving sites.

12603 B. The TDR bank shall establish and maintain an internal tracking system that
12604 identifies all funds collected through the sale of in-lieu fee TDRs, the quantity of in-lieu
12605 fee TDRs purchased through the TDR bank, and all TDRs purchased using funds
12606 collected from the sale of in-lieu fee TDRs.

12607 C. The TDR bank shall use funds collected from the sale of in-lieu fee TDRs to
12608 purchase TDRs from qualified sending sites in a type and amount that is appropriate for
12609 the development use and in accordance with K.C.C. 21A.37.110. Funds collected from
12610 the sale of in-lieu fee TDRs that were designated as rural shall be used to purchase TDRs
12611 from rural or resource lands.

12612 NEW SECTION. SECTION ~~187237~~. There is hereby added to K.C.C. chapter
12613 21A.37 a new section to read as follows:

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12614 By May 1, 2026, and every two years thereafter, the executive shall electronically
12615 file a TDR program report with the clerk of the council, who shall retain the original and
12616 provide an electronic copy to all councilmembers, the council chief of staff, and the lead
12617 staff for the transportation, economy, and environment committee, or its successor. The
12618 TDR program report should address the following:

- 12619 A. Information on sending site enrollments;
- 12620 B. Information on uses of TDRs at receiving sites;
- 12621 C. An accounting of revenues received and expenditures made through the TDR
12622 bank; and
- 12623 D. The status of amenity funding for receiving areas.

12624 SECTION 188238, Ordinance 10870, Section 579, as amended, and K.C.C.
12625 21A.38.030 are hereby amended to read as follows:

12626 A. Property-specific development standards, denoted by the zoning map symbol -
12627 P after the zone's map symbol or a notation in the geographic information system data
12628 layers, shall be established on individual properties through either reclassifications or
12629 area zoning. All property-specific development standards are contained in Appendix
12630 ~~((of)) A to Ordinance 12824 ((as currently in effect or hereinafter amended)), as~~
12631 amended, and shall be maintained by the department of local services, permitting
12632 division, in the Property Specific Development Conditions notebook. Upon the effective
12633 date of reclassification of a property to a zone with a "-P" suffix, the property-specific
12634 development standards adopted thereby shall apply to any development proposal on the
12635 subject property subject to county review, including, but not limited to, a building permit,
12636 grading permit, subdivision, short subdivision, subsequent reclassification to a potential

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12637 zone, ~~((urban planned development,))~~ conditional use permit, variance, and special use
12638 permit.

12639 B. Property-specific development standards shall address problems unique to
12640 individual properties or a limited number of neighboring properties that are not addressed
12641 or anticipated by general minimum requirements of this title or other regulations.

12642 C. Property-specific development standards shall cite the provisions of this title,
12643 if any, that are to be augmented, limited, or increased, shall be supported by
12644 documentation that addresses the need for such a condition or conditions, and shall
12645 include street addresses, tax lot numbers, or other clear means of identifying the
12646 properties subject to the additional standards. Property-specific development standards
12647 are limited to:

- 12648 1. Limiting the range of ~~((permitted))~~ allowed land uses;
- 12649 2. Requiring special development standards for property with physical
12650 constraints ~~((e.g.)), such as~~ environmental hazards ~~((;))~~ ~~and-or~~ view corridors ~~((;))~~;
- 12651 3. Requiring specific site design features ~~((e.g.)), such as~~ building orientation,
12652 lot layout, clustering, trails, or access location ~~((;))~~;
- 12653 4. Specifying the phasing of the development of a site;
- 12654 5. Requiring public facility site dedications or improvements ~~((e.g.)), such as~~
12655 roads, utilities, parks, open space, trails, or school sites ~~((;))~~; or
- 12656 6. Designating sending and receiving sites for transferring density credits as
12657 provided in K.C.C. chapter ~~((21A.36))~~ 21A.37.

12658 D. Property-specific development standards shall not be used to expand
12659 ~~((permitted))~~ allowed uses or reduce minimum requirements of this title.

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12660 SECTION ~~489239~~. Ordinance 10870, Section 578, as amended, and K.C.C.

12661 21A.38.050 are hereby amended to read as follows:

12662 A. The purpose of the pedestrian-oriented commercial development special
12663 district overlay is to provide for high-density, pedestrian-oriented retail and employment
12664 uses. The pedestrian-oriented commercial districts shall only be established in areas
12665 designated as a center on the adopted Urban Centers map of the King County
12666 Comprehensive Plan and zoned CB, RB₁ or O.

12667 B. ~~((Permitted))~~ Allowed uses shall be those uses ~~((permitted))~~ allowed in the
12668 underlying zone, excluding the following:

- 12669 1. Motor vehicle, boat₁ and ~~((mobile))~~ manufactured home dealer;
- 12670 2. Gasoline service station;
- 12671 3. Uses with drive-through facilities, except SIC Industry ~~((Number))~~ 5812
12672 (Eating places) in buildings existing before July 2017;
- 12673 4. SIC Industry Group 598 (Fuel dealers);
- 12674 5. Uses with outside storage, ~~((e.g.))~~ such as lumber yards, miscellaneous
12675 equipment rental₁ or machinery sales;
- 12676 6. Bulk retail;
- 12677 7. ~~((Recreation/))~~ Recreational and cultural uses ~~((as set forth))~~ in K.C.C.
12678 21A.08.040, except parks, sports clubs, theaters, libraries₂ and museums;
- 12679 8. SIC Major Group 75 (Automotive repair, services₁ and parking) except 7521
12680 (automobile parking; but excluding tow-in parking lots);
- 12681 9. SIC Major Group 76 (Miscellaneous repair services), except 7631 (Watch,
12682 clock and jewelry repair);

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- 12683 10. SIC Major Group 78 (Motion pictures);
- 12684 11. SIC Major Group 80 (Health services), except offices and outpatient clinics
- 12685 (801-804);
- 12686 12. SIC Industry Group 421 (Trucking and courier service);
- 12687 13. Public agency archive;
- 12688 14. Self-service storage;
- 12689 15. Manufacturing land uses (~~(as set forth)~~) in K.C.C. 21A.08.080, except SIC
- 12690 Industry (~~(Code)~~) 2759 (Commercial printing);
- 12691 16. Resource land uses (~~(as set forth)~~) in K.C.C. 21A.08.090;
- 12692 17. SIC Industry (~~(Code)~~) 7261 (Funeral home/crematory);
- 12693 18. Cemetery, columbarium, or mausoleum;
- 12694 19. Interim recycling facility;
- 12695 20. Utility facility, except underground water, gas, or wastewater pipelines; and
- 12696 21. Vector waste receiving facility.
- 12697 C. The following development standards shall apply to development located in
- 12698 pedestrian-oriented commercial overlay districts:
- 12699 1. For properties that have frontage on a public street, the following conditions
- 12700 shall apply:
- 12701 a. main building entrances shall be oriented to the public street;
- 12702 b. at the ground floor (at grade), buildings shall be located no more than five
- 12703 feet from the sidewalk or sidewalk improvement, but shall not encroach on the public
- 12704 right-of-way. For buildings existing before August 20, 2020, with setbacks greater than
- 12705 five feet and that have substantial improvements made to them after August 20, 2020, a

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12706 minimum five-foot-wide pedestrian walkway shall be constructed that connects the main
12707 building entrance to the public sidewalk or sidewalk improvement;

12708 c. building facades shall comprise at least seventy-five percent of the total
12709 street frontage for a property and if applicable, at least seventy-five percent of the total
12710 pedestrian route frontage for a property;

12711 d. minimum setbacks of the underlying zoning are waived;

12712 e. building facades that front onto a street shall incorporate windows into at
12713 least thirty percent of the building facade surface area and overhead protection above all
12714 building entrances and along at least fifty percent of length of the building facade, which
12715 may extend over the sidewalk if it does not impede use of the sidewalk by the public;

12716 f. ground floor building facades shall include ornamentation such as decorative
12717 architectural treatments or finishes, pedestrian scale lighting, and window and door trim;
12718 and

12719 g. buildings facades shall not be comprised of uninterrupted glass curtain walls or
12720 mirrored glass;

12721 2. vehicle access shall be limited to the rear access alley or rear access street
12722 where such an alley or street exists;

12723 3. Floor-to-lot area ratio shall not exceed 5:1 for nonresidential structures, not
12724 including parking structures;

12725 4. The landscaping requirements of K.C.C. chapter 21A.16 shall apply to all
12726 new development and buildings existing before August 20, 2020, that have substantial
12727 improvements made to them after August 20, 2020; and

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12728 5. Off-street parking requirements K.C.C. 21A.18.110 and K.C.C. 21A.48.050
12729 shall apply, except that the relief from K.C.C. 21A.18.110.A.4. that may be granted by
12730 the director shall only allow use of on-street parallel parking in front of or adjacent to the
12731 subject parcel for the parking spaces that cannot be accommodated to the rear or sides of
12732 buildings.

12733 SECTION 240. Ordinance 11567, Section 1, as amended, and K.C.C.
12734 21A.38.100 are hereby amended to read as follows:

12735 A. The purpose of the North Highline commercial and industrial special district
12736 overlay is to accommodate and support existing commercial and industrial areas by
12737 permitting a range of appropriate uses consistent with nearby residential areas.

12738 B. The special district overlay shall be designated only through the area zoning
12739 process and applied to areas substantially developed with a mix of commercial and light
12740 industrial uses and zoned CB, RB, O₂ or I.

12741 C. The standards of this title and other county codes shall be applicable to
12742 development within the special district overlay except as follows:

12743 1. Legally established commercial or industrial uses that exist within an area as
12744 of November 28, 1994, but that are not otherwise ~~((permitted))~~ allowed by the zoning,
12745 shall be considered permitted uses upon only the lots that they occupied as of that date.

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12746 2. Permitted uses shall include those of the base zone and I zone, except that the
12747 following are not allowed:

12748 a. any use ~~((permitted))~~ allowed in the I zone requiring a conditional use
12749 permit;

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12750 b. auction houses;

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- 12751 c. livestock sales;
- 12752 d. motor vehicle and boat dealers;
- 12753 e. SIC Major Group 24 (lumber and wood products, except furniture) except
- 12754 2431 (millwork) and 2434 (wood kitchen cabinets);
- 12755 f. SIC Major Group 32 (stone, clay, glass and concrete products);
- 12756 g. SIC Industry 7534 (tire retreading);
- 12757 h. SIC Major Group 02 (raising livestock and small animals);
- 12758 i. SIC Industry 2951 (asphalt paving mixtures and blocks);
- 12759 j. resource accessory uses;
- 12760 k. outdoor storage of equipment or materials occupying more than twenty-five
- 12761 percent of the site associated with SIC Industry 7312 (outdoor advertising services); and
- 12762 l. interim recycling facilities on lots that directly abut properties outside of the
- 12763 special district overlay.
- 12764 3. Use limitations of the base zone shall not apply to commercial/industrial
- 12765 accessory uses.
- 12766 4. For nonresidential development, off-street parking shall be no less than
- 12767 twenty-five percent and no more than seventy-five percent of the minimum required in
- 12768 K.C.C. chapter 21A.18.
- 12769 ~~((D. For properties that have frontage on a pedestrian street or streets or route or~~
- 12770 ~~routes as designated in an applicable plan or area zoning process, except for gasoline~~
- 12771 ~~service stations (SIC 5541) and grocery stores (SIC 5411) that also sell gasoline, the~~
- 12772 ~~following conditions shall apply:~~
- 12773 ~~1. Main building entrances shall be oriented to the pedestrian street;~~

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12774 2. ~~At the ground floor (at grade), buildings shall be located no more than five~~
12775 ~~feet from the sidewalk or sidewalk improvement, but in no instance shall encroach on the~~
12776 ~~public right of way;~~

12777 3. ~~Building facades shall comprise at least seventy five percent of the total~~
12778 ~~pedestrian street frontage for a property, and if applicable, at least seventy five percent of~~
12779 ~~the total pedestrian route frontage for a property;~~

12780 4. ~~Minimum side setbacks of the underlying zoning are waived;~~

12781 5. ~~Building facades of ground floor retail, general business service and~~
12782 ~~professional office land uses, that front onto a pedestrian street or route shall include~~
12783 ~~windows and overhead protection;~~

12784 6. ~~Building facades, along a pedestrian street or route, that are without~~
12785 ~~ornamentation or are comprised of uninterrupted glass curtain walls or mirrored glass are~~
12786 ~~not permitted; and~~

12787 7. ~~Vehicle access shall be limited to the rear access alley or rear access street~~
12788 ~~where such an alley or street exists.))~~

12789 SECTION 190241. Ordinance 12809, Section 5, as amended, and K.C.C.
12790 21A.38.120 are hereby amended to read as follows:

12791 A. The purpose of the wetland management area special overlay district is to
12792 provide a means to designate certain unique and outstanding wetlands when necessary to
12793 protect their functions and values from the impacts created from geographic and
12794 hydrologic isolation and impervious surface.

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12795 B. the following development standards shall be applied in addition to all
12796 applicable requirements of K.C.C. chapter 21A.24 to development proposals located
12797 within a wetland management area district overlay:

12798 1. All subdivisions and short subdivisions on residentially zoned ~~((properties~~
12799 ~~that are identified in an adopted basin plan for impervious surface limitations,))~~ lands
12800 located within the wetland management area shall have a maximum impervious surface
12801 area of eight percent of the gross acreage of the plat. ~~((For areas that are not covered by~~
12802 ~~an adopted basin plan, this limit shall apply to all residentially zoned lands located within~~
12803 ~~the wetland management area.))~~ Distribution of the allowable impervious area among the
12804 platted lots shall be recorded on the face of the plat. Impervious surface of existing roads
12805 ~~((need)) shall not be counted towards the allowable impervious area. This condition may~~
12806 be modified by the director for the minimum necessary to accommodate unusual site
12807 access conditions; and

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12808 2. All ~~((subdivisions and short subdivisions on properties identified in an~~
12809 ~~adopted basin plan for clustering and setback requirements))~~ lands containing or adjacent
12810 to a wetland, a stream tributary corridor, or a swale connecting wetlands development
12811 shall be ~~((required to cluster))~~ sited away from wetlands or the axis of corridors along
12812 stream tributaries and identified swales connecting wetlands in order to minimize land
12813 disturbance and maximize distance from ~~((these sensitive features))~~ critical areas. At
12814 least sixty-five percent of affected portions of RA-zoned properties and at least fifty
12815 percent of all other affected portions of the property shall be left in native vegetation,
12816 preferably forest, and placed in a permanent open space tract. ~~((In the absence of a basin~~

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12817 plan, these requirements shall apply to all lands containing or adjacent to a wetland, a
12818 stream tributary corridor or a swale connecting wetlands; and

12819 3. ~~Clearing and grading activity from October 1 through March 31 shall meet~~
12820 ~~the provisions of K.C.C. 16.82.150D wherever not already applicable.~~)

12821 SECTION 191.242. Ordinance 12823, Section 10, and K.C.C. 21A.38.150 are
12822 hereby amended to read as follows:

12823 A. The purpose of the ~~((ground water))~~ groundwater protection special district
12824 overlay is to limit land uses that have the potential to severely contaminate groundwater
12825 supplies and to provide increased areas of permeable surface to allow for infiltration of
12826 surface water into ground resources.

12827 B. For all commercial and industrial development proposals, at least ~~((40))~~ forty
12828 percent of the site shall remain in natural vegetation or planted with landscaping, which
12829 area shall be used to maintain predevelopment infiltration rates for the entire site. For
12830 purposes of this special district overlay, the following shall be considered commercial
12831 and industrial land uses:

12832 1. ~~((amusement/entertainment))~~ Recreational and cultural land uses as defined
12833 by K.C.C. 21A.08.040₂ except trails, golf facilities, and arboretums;

12834 2. ~~((g))~~ General services land uses as defined by K.C.C. 21A.08.050₂ except
12835 health ~~((and educational))~~ services land uses, education services land uses, daycare ~~((+))~~
12836 I, ~~((churches, synagogues, and temples))~~ and religious facilities;

12837 3. ~~((g))~~ Government/business services land uses as defined by K.C.C.
12838 21A.08.060₂ except government services land -uses;

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12839 4. ~~((#))~~Retail~~((/wholesale))~~ land uses as defined by K.C.C. 21A.08.070, except
12840 forest product sales and agricultural product sales;

12841 5. ~~((m))~~Manufacturing land uses as defined by K.C.C. 21A.08.080; and~~((s))~~

12842 6. ~~((mineral extraction and processing))~~ Resource land uses as defined by
12843 K.C.C. 21A.08.090, except agriculture land uses, forestry and uses, fish and wildlife
12844 management land uses, and accessory uses.

12845 C. ~~((Permitted))~~ Allowed uses within the area of the ground water protection

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12846 special district overlay shall be those ~~((permitted))~~ allowed in the underlying zone,

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12847 excluding the following ~~((as defined by Standard Industrial Classification number and~~
12848 ~~type))~~:

12849 1. ~~((SIC 4581, airports, flying fields, and airport terminal services;~~

12850 2. ~~SIC 4953, refuse systems, (including landfills and garbage transfer stations~~
12851 ~~operated by a public agency);~~

12852 3. ~~SIC 4952, sewerage systems (including wastewater treatment facilities); and~~

12853 4. ~~SIC 7996, amusement parks; SIC 7948, racing, including track operation; or~~
12854 ~~other commercial establishments or enterprises involving large assemblages of people or~~
12855 ~~automobiles except where excluded by section B above;~~

12856 5. ~~SIC 0752, animal boarding and kennel services;~~

12857 6. ~~SIC 1721, building painting services;~~

12858 7. ~~SIC 3260, pottery and related products manufacturing;~~

12859 8. ~~SIC 3599, machine shop services;~~

12860 9. ~~SIC 3732,))~~ Aircraft, ship, and boat building and repairing;

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12861 ~~((10. SIC 3993, electric and neon sign manufacturing;~~

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- 12862 ~~11. SIC 4226, automobile storage services;~~
- 12863 ~~12. SIC 7334, blueprinting and photocopying services;~~
- 12864 ~~13.)) 2. Warehousing and wholesale trade;~~
- 12865 ~~3. SIC Industry 7534, tire retreading ((and repair services));~~
- 12866 ~~((14. SIC 7542, car washes;~~
- 12867 ~~15. SIC 8731, commercial, physical and biological research laboratory services;~~
- 12868 ~~16. SIC 02, interim agricultural crop production and livestock quarters or~~
- 12869 ~~grazing on properties 5 acres or larger in size;~~
- 12870 ~~17. SIC 0752, public agency animal control facility;~~
- 12871 ~~18. SIC 2230, 2260, textile dyeing;~~
- 12872 ~~19. SIC 2269, 2299, textile and textile goods finishing;~~
- 12873 ~~20. SIC 2700, printing and publishing industries;~~
- 12874 ~~21. SIC 2834, pharmaceuticals manufacturing;~~
- 12875 ~~22. SIC 2844, cosmetics, perfumes and toiletries manufacturing;~~
- 12876 ~~23. SIC 2893, printing ink manufacturing;~~
- 12877 ~~24. SIC 3000, rubber products fabrication;~~
- 12878 ~~25. SIC 3111, leather tanning and finishing;~~
- 12879 ~~26. SIC 3400, metal products manufacturing and fabrication;~~
- 12880 ~~27. SIC 3471, metal electroplating;~~
- 12881 ~~28. SIC 3691, 3692, battery rebuilding and manufacturing;~~
- 12882 ~~29. SIC 3711, automobile manufacturing; and~~
- 12883 ~~30. SIC 4600, petroleum pipeline operations)) 4. SIC Group 754, automotive~~
- 12884 ~~service; and~~

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12885 5. SIC Major Group 36, electronic and other electric equipment.
12886 SECTION 243. Ordinance 17485, Section 43, as amended, and K.C.C.
12887 21A.38.260 are hereby amended to read as follows:
12888 A. The purpose of the Fall City business district special district overlay is to
12889 allow commercial development in Fall City ((to occur with on-site septic systems until
12890 such time as an alternative wastewater system is available)) that is consistent with the
12891 design and operation of the Fall City business district's large on-site sewage system and
12892 that is compatible with rural character. The special district overlay shall only be
12893 established in areas of Fall City Rural Town zoned CB ((and shall be evaluated to
12894 determine if it is applicable to other rural commercial centers)).
12895 B. The standards of this title and other county codes shall be applicable to
12896 development within the ((Fall City business district)) special district overlay except as
12897 follows:
12898 1. The ((permitted)) allowed uses in K.C.C. ((C))chapter 21A.08 ((do not apply
12899 and)) are replaced with the following((s)) uses. Where one or more development
12900 conditions is identified in a land use table in K.C.C. chapter 21A.08 for a specific use in
12901 the CB zone, they shall also apply to the following uses.
12902 a. Residential land uses ((as set forth in K.C.C. 21A.08.030)):
12903 i. As a permitted use:
12904 (A) ((Multifamily residential units shall only be allowed)) Mixed-use
12905 development provided residential units are limited only to ((en)) the upper floors of a
12906 building((s));

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12907 ~~_____ (B) Senior assisted housing, up to eleven units, and limited only to the upper~~
12908 ~~floors of a building; and~~

12909 ~~_____ ~~((B)) (C)- Home occupations under K.C.C. chapter 21A.30; and~~~~

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12910 ~~_____ ~~((ii. As a conditional use:~~~~

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12911 ~~_____ ~~(A) Bed and Breakfast Guesthouse (five rooms maximum); and~~~~

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12912 ~~_____ ~~(B) Hotel/Motel((-));~~~~

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12913 ~~_____ b. Recreational(~~/~~) and cultural land uses ~~((as set forth in K.C.C.~~~~
12914 ~~21A.08.040)):~~

12915 ~~_____ i. As a permitted use:~~

12916 ~~_____ (A) Library;~~

12917 ~~_____ (B) Museum;~~

12918 ~~_____ (C) Arboretum; ~~((and))~~~~

12919 ~~_____ (D) Park;~~

12920 ~~_____ (E) Trails; and~~

12921 ~~_____ ~~(F) Theater; and~~~~

12922 ~~_____ ii. As a conditional use:~~

12923 ~~_____ (A) Sports Club(~~/Fitness Center~~); subject to 21A.08.040.B.17.;~~

12924 ~~_____ (B) Amusement(~~/~~) and Recreation Services(~~/Arcades (Indoor)~~), indoor~~
12925 ~~only and subject to K.C.C. 21A.08.040.B.14.; and~~

12926 ~~_____ (C) Bowling Center;~~

12927 ~~_____ c. General services land uses ~~((as set forth in K.C.C. 21A.08.050)):~~~~

12928 ~~_____ i. As a permitted use:~~

12929 ~~_____ (A) General Personal Services, except escort services;~~

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- 12930 ~~_____ (B) Funeral Home/Crematory;~~
- 12931 ~~_____ (C) ~~((Appliance/Equipment))~~ Miscellaneous Repair;~~
- 12932 ~~_____ (D) ~~((Medical or Dental))~~ Office/Outpatient Clinic;~~
- 12933 ~~_____ ~~(E) Medical or Dental Lab;~~~~
- 12934 ~~_____ ~~(F) Day Care))~~ Daycare I;~~
- 12935 ~~_____ ~~((G) Day Care))~~ (E) Daycare II;~~
- 12936 ~~_____ ~~((H))~~ (F) Veterinary Clinic, subject to K.C.C. 21A.08.050.B.10.;~~
- 12937 ~~_____ ~~((I) Social Services, subject to K.C.C. 21A.08.050.B.2.;~~~~
- 12938 ~~_____ ~~(J))~~ (G) Animal Specialty Services;~~
- 12939 ~~_____ ~~((K))~~ (H) Artist Studios; and~~
- 12940 ~~_____ ~~((L) Nursing and Personal Care Facilities));~~~~
- 12941 _____ (I) Specialized Instruction School; and
- 12942 _____ (J) Religious Facilities; and
- 12943 _____ ii. As a conditional use:
- 12944 _____ (A) Bed and Breakfast Guesthouse (five rooms maximum);
- 12945 _____ (B) Hotel/Motel;
- 12946 _____ (C) Automotive Repair; and
- 12947 _____ ~~~~((A) Theater (Movie or Live Performance));~~~~
- 12948 _____ ~~~~(B) Religious Use))~~ (CD) Religious FacilitiesAutomotive Service;~~
- 12949 _____ d. Health care services and residential care services land uses:
- 12950 _____ i. As a permitted use:
- 12951 _____ (A) Doctor's Office/Outpatient Clinic;
- 12952 _____ (B) Nursing and Personal Care Facilities;

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- 12953 (C) Medical/Dental Lab;
- 12954 (D) Miscellaneous Health;
- 12955 (E) Social Services; and
- 12956 (F) Residential Care Services;
- 12957 ~~((d-)) e. Government/Business services land uses ((as set forth in K.C.C.~~
- 12958 ~~21A.08.060)):~~
- 12959 i. As a permitted use:
- 12960 (A) General Business Service;
- 12961 ~~(B) Professional Office((: Bank, Credit Union,)) Insurance Office((:)) only;~~
- 12962 ~~(C) Private stormwater management facilities, subject to K.C.C.~~
- 12963 ~~21A.08.060.B.8.:~~
- 12964 (D) Passenger Transportation Service;
- 12965 (E) Communication Offices; and
- 12966 (F) Off-street Required Parking Lot;
- 12967 ii. As a conditional use:
- 12968 (A) Public Agency or Utility Office;
- 12969 (B) Police ~~((Substation))~~ Facility;
- 12970 (C) Fire ~~((Station))~~ Facility;
- 12971 (D) Utility Facility; and
- 12972 ~~(E) ~~((Self-Service Storage))~~ Farm Product Warehousing, Refrigeration, and~~
- 12973 ~~Storage;~~
- 12974 ~~((e-)) f. Retail(~~(commercial)~~) land uses ((as set forth in K.C.C. 21A.08.070)):~~
- 12975 i. As a permitted use on the ground floor:

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- 12976 _____ (A) Food Stores;
- 12977 _____ (B) Drug Stores(~~(Pharmacy)~~);
- 12978 _____ (C) (~~(Retail Store: includes f)~~)Florist shops(~~(r)~~);
- 12979 _____ (D) (~~(b)~~)Book, Stationary, Video and Art Supply (~~(s)~~)Stores(~~(r)~~);
- 12980 _____ (E) (~~(a)~~)Apparel and (~~(accessories)~~) Accessory (~~(s)~~)Stores(~~(r)~~);
- 12981 _____ (F) (~~(f)~~)Furniture(~~(r)~~) and (~~(h)~~)Home (~~(f)~~)Furnishings stores(~~(r)~~);
- 12982 _____ (G) Used goods: (~~(a)~~)Antiques/~~(reeyled goods store)~~ Secondhand
- 12983 ~~Shops~~(~~(r)~~);
- 12984 _____ (H) (~~(s)~~)Sporting goods and Related (~~(s)~~)Stores, ~~subject to~~
- 12985 ~~21A.08.070.B.29~~(~~(r)~~); (~~(video store, art supply store,)~~)
- 12986 _____ (I) (~~(h)~~)Hobby (~~(store)~~), Toy, Game Shops(~~(r)~~);
- 12987 _____ (J) (~~(j)~~)Jewelry (~~(s)~~)Stores(~~(r)~~); (~~(toy store, game store, photo store,~~
- 12988 ~~electronic/appliance store,)~~)
- 12989 _____ (K) Photographic and Electronic Shops;
- 12990 _____ (L) (~~(f)~~)Fabric (~~(s)~~)Shops(~~(r)~~);
- 12991 _____ (M) (~~(p)~~)Pet (~~(s)~~)Shops(~~(r)~~ and other retail stores (excluding adult only
- 12992 ~~retail))~~);
- 12993 _____ (~~(D)~~) (N) Eating and Drinking Places(~~(r)~~ including coffee shops and
- 12994 ~~bakeries))~~); and
- 12995 _____ (~~(E)~~) (O) Remote tasting rooms, ~~subject to K.C.C. 21A.08.070.B.7~~(~~(r)~~);
- 12996 and
- 12997 _____ (P) Auto Supply Store; and
- 12998 _____ ii. As a conditional use:

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12999 ~~_____ (A) Liquor Store or any ((R))retail ((S))store ((Selling)) otherwise allowed~~
13000 ~~as a permitted use in this section and that sells ((A))alcohol;~~
13001 ~~_____ (B) ((Hardware/Building Supply)) Building Materials and Hardware Stores;~~
13002 ~~_____ (C) Retail Nursery((+)) Garden Center and Farm Supply Stores; and~~
13003 ~~_____ (D) Department and Variety Stores; and~~
13004 ~~_____ ((E) ((Auto Dealers (indoor sales rooms only) Cannabis Retailer;~~
13005 ~~_____ f. Manufacturing land uses as set forth in K.C.C. 21A.08.080 are not allowed.))~~
13006 ~~_____ g.)) Resource land uses ((as set forth in K.C.C. 21A.08.090));~~
13007 ~~_____ i. As an ((permitted)) accessory use;~~
13008 ~~_____ (A) ((Solar photovoltaic/solar thermal energy systems;~~
13009 ~~_____ (B) Private storm water management facilities;~~
13010 ~~_____ (C)) Growing and Harvesting Crops (((within rear/internal side yards or~~
13011 ~~roof gardens, and with organic methods only)));~~
13012 ~~_____ (D) Raising Livestock and Small Animals (per the requirements of Section~~
13013 ~~21A.30 of the Zoning Code)~~
13014 ~~_____ ii. As a conditional use: Wind Turbines))~~
13015 ~~_____ h.)) Regional land uses ((as set forth in K.C.C. 21A.08.100 with)); as a~~
13016 ~~((special)) permitted use ((permit)): ((Communication)) Transit Comfort Facility, subject~~
13017 ~~to 21A.08.100.B.26.~~
13018 ~~_____ 2. In new buildings, recreational and cultural land uses, general services land~~
13019 ~~uses, health care and residential care services land uses, government/business land uses,~~
13020 ~~retail land uses, resource land uses, and regional land uses shall only be allowed on the~~
13021 ~~ground floor.~~

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13022 3. The densities and dimensions ~~((set forth))~~ in K.C.C. chapter 21A.12 apply,

13023 except as follows:

13024 a. Residential density is limited to ~~((six))~~ four dwelling units per acre ~~((-))~~,

13025 except that the density may be increased to six dwelling units per acre if ~~((For any~~

13026 building with more than ten dwelling units.)), at least ten percent of the dwelling units

13027 ~~((shall be classified as))~~ are affordable to households at or below eighty percent area

13028 median income for ownership or sixty percent area median income for rental ~~((under~~

13029 21A.34.040F.1));

13030 b. Buildings are limited to two floors, plus an optional basement;

13031 c. The elevation of the ground floor may be elevated a maximum of six feet

13032 above the average grade of the site along the front facade of the building;

13033 d. If the ground floor is designed to accommodate non~~((-))~~residential uses, the

13034 elevation of the ground floor should be placed near the elevation of the sidewalk to

13035 minimize the need for stairs and ~~((ADA))~~ ramps;

13036 e. If the ground floor is designed to accommodate non~~((-))~~residential space, the

13037 height of the ceiling, as measured from finished floor, shall be no more than eighteen

13038 feet; and

13039 f. Building height shall not exceed forty feet, as measured from the average

13040 grade of the site along the front facade of the building.

13041 C.1. The business district's large on-site sewage system shall ~~only serve the~~

13042 existing structures, lots, and range of allowed uses in the district as of the effective date

13043 of this ordinance comply with the requirements in K.C.C. 21A.28.xxx (the new section

13044 created in Section 198 of this ordinance); and

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13045 2. Residential development in the business district using the large on-site
13046 sewage system is limited to the densities in subsection B.3. of this section.

13047 SECTION 244. Ordinance 19146, Section 83, and K.C.C. 21A.38.265 are hereby
13048 amended to read as follows:

13049 A. The purpose of the Martin Luther King Jr. Way South mixed-use special district
13050 overlay is to facilitate linkages to the existing Martin Luther King Jr Way South
13051 Neighborhood Business Center, incentivize commercial opportunities close to existing
13052 high-density housing, incentivize commercial development by allowing more uses than
13053 traditionally found in mixed-use developments and provide flexibility in current square
13054 footage limitations.

13055 B. The following development standards shall be applied to all development
13056 proposals within the Martin Luther King Jr. Way South mixed-use special district overlay:

13057 1. New buildings shall be limited to mixed-use as defined in K.C.C. 21A.06.753;
13058 and

13059 2. A professional office as defined in K.C.C. 21A.06.910 is an allowed use as part
13060 of a mixed-use building in subsection B.1. of this section(~~and~~

13061 ~~3. Any nonresidential component of the building that is personal services allowed~~
13062 ~~in the zone under K.C.C. 21A.08.050 or retail use allowed in the zone under K.C.C.~~
13063 ~~21A.08.070 shall comply with K.C.C. 21A.12.230, except that K.C.C. 21A.12.230.A., B.,~~
13064 ~~and C. do not apply to the development).~~

13065 SECTION 245. Ordinance 19555, Section 20, and K.C.C. 21A.38.280 are
13066 hereby amended to read as follows:

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13067 A. The purpose of the North Highline pedestrian-oriented special district overlay
13068 is to require pedestrian-oriented development that facilitates walkability and connectivity
13069 between commercial areas and community amenities in North Highline's downtown core.

13070 B. ~~((In addition to the development standards in this title, the following~~
13071 ~~development standards shall also apply to new and substantially improved development~~
13072 ~~within the special district overlay. Where a conflict exists, the following standards shall~~
13073 ~~apply:~~

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13074 ~~1. Main building entrances shall be oriented to a public street;~~
13075 ~~2. At the ground floor, also known as "at grade," buildings shall be located no~~
13076 ~~more than five feet from the sidewalk or sidewalk improvement, but shall not encroach~~
13077 ~~on the public right of way;~~

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13078 ~~3. Building facades shall comprise at least seventy-five percent of the total street~~
13079 ~~frontage for a property;~~

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13080 ~~4. Building facades shall include windows and overhead protection;~~

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13081 ~~5. Building facades that are without ornamentation or are comprised of~~
13082 ~~uninterrupted glass curtain walls or mirrored glass are not permitted; and~~

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13083 ~~6. Vehicle access shall be limited to the rear access alley where such an alley~~
13084 ~~exists.~~

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13085 ~~C.))~~ For nonresidential development, off-street parking shall be no less than
13086 twenty-five percent and no more than seventy-five percent of the minimum required in
13087 K.C.C. chapter 21A.18.

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13088 ~~((D. Marijuana))~~ C. Cannabis processors and producers are ~~((not allowed uses))~~
13089 prohibited.

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13090 NEW SECTION. SECTION 246. There is hereby added to K.C.C. chapter
13091 21A.38 a new section to read as follows:
13092 A. The purpose of the Vashon Rural Town Community Business special district
13093 overlay is to allow compatible land uses in the Vashon Rural Town.
13094 B. The standards of this title and other county codes shall be applicable to
13095 development within the Vashon Rural Town Community Business special district overlay
13096 except as follows:
13097 1. The allowed uses in K.C.C. chapter 21A.08 are replaced with the following
13098 uses. Where one or more development conditions is identified in a land use table in
13099 K.C.C. chapter 21A.08 for a specific use and applicable zoning district, they shall also
13100 apply to the following uses.
13101 a. Residential land uses:
13102 i. Townhouses;
13103 ii. Apartments;
13104 iii. Senior Assisted Housing; and
13105 iv. Home Occupations under K.C.C. chapter 21A.30;
13106 b. Recreational and cultural land uses:
13107 i. Park;
13108 ii. Theater;
13109 iii. Bowling center;
13110 iv. Sports Club;
13111 v. Library;
13112 vi. Museum;

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- 13113 vii. Arboretum; and
- 13114 viii. Conference Center;
- 13115 c. General services land uses:
- 13116 i. General Personal Services;
- 13117 ii. Funeral Home/Crematory;
- 13118 iii. Daycare I;
- 13119 iv. Daycare II;
- 13120 v. Veterinary Clinic, subject to K.C.C. 21A.08.050.B.10.;
- 13121 vi. Automotive Repair;
- 13122 vii. Miscellaneous Repair;
- 13123 viii. Religious Facility;
- 13124 ix. Commercial Kennel;
- 13125 x. Interim Recycling Facility;
- 13126 xi. Hotel/Motel;
- 13127 xii. Bed and Breakfast Guesthouse;
- 13128 xiii. Secondary or High School; and
- 13129 xiv. Specialized Instruction School;
- 13130 d. Health care services and residential care services land uses:
- 13131 i. Doctor's Office/Outpatient Clinic;
- 13132 ii. Medical or Dental Lab;
- 13133 iii. Social Services;
- 13134 iv. Nursing and Personal Care Facilities;
- 13135 v. Hospital; and

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- 13136 vi. Community Residential Facility I and II;
- 13137 e. Government/Business services land uses:
- 13138 i. Public Agency or Utility Office;
- 13139 ii. Police Facility;
- 13140 iii. Utility Facility;
- 13141 iv. Private Stormwater Management Facility;
- 13142 v. Individual Transportation and Taxi;
- 13143 vi. Trucking and Courier Service;
- 13144 vii. Self-service Storage;
- 13145 viii. Passenger Transportation Service;
- 13146 ix. Telegraph and other Communications (excluding towers);
- 13147 x. General Business Service;
- 13148 xi. Professional Office;
- 13149 xii. Miscellaneous Equipment Rental;
- 13150 xiii. Automotive Parking; and
- 13151 xiv. Commercial/Industrial Accessory Uses (Administrative Offices,
- 13152 employee exercise & food service facilities, storage of agricultural raw materials or
- 13153 products manufactured on-site, owner/caretaker residence, grounds maintenance);
- 13154 f. Retail land uses:
- 13155 i. Building Materials and Hardware Store and Garden Materials;
- 13156 ii. Retail Nursery, Garden Center, and Farm Supply Stores;
- 13157 iii. Department and Variety Store;
- 13158 iv. Food Stores;

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- 13159 v. Farmers Market;
- 13160 vi. Auto Supply Stores;
- 13161 vii. Apparel and Accessory Stores;
- 13162 viii. Furniture and Home Furnishings Stores;
- 13163 ix. Eating and Drinking Places;
- 13164 x. Remote Tasting Rooms;
- 13165 xi. Drug Stores;
- 13166 xii. Liquor Stores;
- 13167 xiii. Used Goods: Antiques/Secondhand Shops;
- 13168 xiv. Sporting Goods and Related Stores;
- 13169 xv. Book, Stationery, Video, and Art Supply Stores;
- 13170 xvi. Jewelry Stores;
- 13171 xvii. Hobby, Toy Game Shops;
- 13172 xviii. Photographic and Electronic Shops;
- 13173 xix. Photographic and Electronic Shops;
- 13174 xx. Fabric Shops;
- 13175 xxi. Florist Shops;
- 13176 xxii. Personal Medical Supply Stores;
- 13177 xxiii. Pet Shops; and
- 13178 xxiv. Cannabis Retailer, subject to K.C.C. 21A.08.070 and applicable state
- 13179 law;
- 13180 g. Manufacturing land uses;

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13181 i. Cannabis Processor I, subject to K.C.C. 21A.08.080 and applicable state
13182 law;
13183 ii. Printing and Publishing; and
13184 iii. Wineries, Breweries and Distilleries, subject to K.C.C. 21A.08.080; and
13185 h. Regional land uses:
13186 i. Wastewater Treatment Facility; and
13187 ii. Commuter Parking Lot.
13188 2. The densities and dimensions in K.C.C. chapter 21A.12 apply, except the
13189 maximum height limit is three stories, not to exceed forty feet. Floors above two stories
13190 shall be set back an additional ten feet from the street property line.
13191 ~~b. If affordable housing units are provided under K.C.C. Chapter 21A.48 in a~~
13192 ~~mixed-use development, the maximum density shall be thirty-six dwelling units per acre.~~
13193 NEW SECTION. SECTION 247. There is hereby added to K.C.C. chapter
13194 21A.38 a new section to read as follows:
13195 A. The purpose of the Vashon-Maury Island Industrial special district overlay is
13196 to allow compatible land uses on industrially zoned properties on Vashon-Maury Island.
13197 B. The standards of this title and other county codes shall be applicable to
13198 development within the Vashon-Maury Island Industrial special district overlay except as
13199 follows:
13200 1. The allowed uses in K.C.C. chapter 21A.08 are replaced with the following
13201 uses. Where one or more development conditions is identified in a land use table in
13202 K.C.C. chapter 21A.08 for a specific use and applicable zoning district, they shall also
13203 apply to the following uses.

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- 13204 b. Recreational and cultural land uses:
- 13205 i. Park;
- 13206 ii. Trails;
- 13207 iii. Campgrounds;
- 13208 iv. Theater;
- 13209 v. Bowling Center;
- 13210 vi. Amusement and Recreation Services; and
- 13211 vii. Museum;
- 13212 c. General services land uses:
- 13213 i. General Personal Services;
- 13214 ii. Drycleaning Plants;
- 13215 iii. Industrial Launderers;
- 13216 iv. Daycare I;
- 13217 v. Daycare II;
- 13218 vi. Veterinary Clinic, subject to K.C.C. 21A.08.050.B.10.;
- 13219 vii. Automotive Repair;
- 13220 viii. Automotive Service;
- 13221 ix. Miscellaneous Repair;
- 13222 x. Animal Specialty Services;
- 13223 xi. Artist Studios;
- 13224 xii. Interim Recycling Facility;
- 13225 xiii. Dog Training Facilities;
- 13226 xiv. Vocational School;

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- 13227 ~~_____ xiv. Specialized Instruction School; and~~
- 13228 ~~_____ xv. School District Support Facility;~~
- 13229 ~~_____ d. Health care services and residential care services land uses:~~
- 13230 ~~_____ i. Doctor's Office/Outpatient Clinic; and~~
- 13231 ~~_____ ii. Medical or Dental Lab;~~
- 13232 ~~_____ e. Government/Business services land uses:~~
- 13233 ~~_____ i. Public Agency or Utility Office;~~
- 13234 ~~_____ ii. Public Agency or Utility Yard;~~
- 13235 ~~_____ iii. Public Agency Archives;~~
- 13236 ~~_____ iv. Police Facility;~~
- 13237 ~~_____ v. Fire Facility;~~
- 13238 ~~_____ vi. Utility Facility;~~
- 13239 ~~_____ vii. Commuter Parking Lot;~~
- 13240 ~~_____ viii. Private Stormwater Management Facility;~~
- 13241 ~~_____ ix. Vector Waste Receiving Facility;~~
- 13242 ~~_____ x. Construction and Trade;~~
- 13243 ~~_____ xi. Individual Transportation and Taxi;~~
- 13244 ~~_____ xii. Trucking and Courier Service;~~
- 13245 ~~_____ xiii. Warehousing and Wholesale Trade;~~
- 13246 ~~_____ xiv. Self-service Storage;~~
- 13247 ~~_____ xv. Farm Product Warehousing, Refrigeration, and Storage;~~
- 13248 ~~_____ xvi. Log Storage;~~
- 13249 ~~_____ xvii. Transportation Service;~~

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- 13250 xviii. Freight and Cargo Service;
- 13251 xix. Communication Offices;
- 13252 xx. Telegraph and other Communications;
- 13253 xxi. General Business Service;
- 13254 xxii. Professional Office;
- 13255 xxiii. Outdoor Advertising Service;
- 13256 xxiv. Miscellaneous Equipment Rental;
- 13257 xxv. Automotive Rental and Leasing;
- 13258 xxvi. Automotive Parking;
- 13259 xxvii. Off-Street Required Parking Lot;
- 13260 xxviii. Research, Development, and Testing;
- 13261 xxix. Heavy Equipment and Truck Repair;
- 13262 xxx. Commercial/Industrial Accessory Uses (Administrative Offices,
- 13263 employee exercise & food service facilities, storage of agricultural raw materials or
- 13264 products manufactured on-site, owner/caretaker residence, grounds maintenance); and
- 13265 xxxi. Helistop, as a conditional use;
- 13266 f. Retail land uses:
- 13267 i. Food Stores;
- 13268 ii. Agricultural Product Sales;
- 13269 iii. Farmers Market;
- 13270 iv. Motor Vehicles and Boat Dealers;
- 13271 v. Auto Supply Stores;
- 13272 vi. Gasoline Service Stations;

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- 13273 vii. Eating and Drinking Places;
- 13274 viii. Sporting Goods and Related Stores;
- 13275 ix. Fuel Dealers;
- 13276 x. Auction Houses; and
- 13277 xi. Livestock Sales;
- 13278 g. Manufacturing land uses:
- 13279 i. Food and Kindred Products;
- 13280 ii. Winery/Brewery/Distillery Facility II;
- 13281 iii. Winery/Brewery/Distillery Facility III;
- 13282 iv. Materials Processing Facility;
- 13283 v. Textile Mill Products;
- 13284 vi. Apparel and other Textile Products;
- 13285 vii. Wood Products, except furniture;
- 13286 viii. Furniture and Fixtures;
- 13287 ix. Paper and Allied Products, limited to ten thousand square feet;
- 13288 x. Printing and Publishing;
- 13289 xi. Cannabis Processor II;
- 13290 xii. Leather and Leather Goods, limited to ten thousand square feet;;
- 13291 xiii. Stone, Clay, Glass, and Concrete Products, limited to ten thousand
- 13292 square feet;
- 13293 xiv. Fabricated Metal Products;
- 13294 xv. Industrial and Commercial Machinery;
- 13295 xvi. Computer and Office Equipment;

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- 13296 xvii. Electronic and other Electric Equipment;
- 13297 xviii. Measuring and Controlling Instruments;
- 13298 xix. Miscellaneous Light Manufacturing;
- 13299 xx. Aircraft, Ship, and Boat Building, limited to small boats under 30 feet
- 13300 length; and
- 13301 xxi. Movie Production/Distribution;
- 13302 h. Resource land uses:
 - 13303 i. Growing and Harvesting Crops;
 - 13304 ii. Raising Livestock and Small Animals, excluding feed lots and auctions;
 - 13305 iii. Cannabis producer;
 - 13306 iv. Growing and Harvesting Forest Production;
 - 13307 v. Forest Research;
 - 13308 vi. Hatchery/Fish Preserve;
 - 13309 vii. Aquaculture; and
 - 13310 viii. Resource Accessory Uses;
 - 13311 i. Regional land uses:
 - 13312 i. Public Agency Animal Control Facility;
 - 13313 ii. Public Agency Training Facility;
 - 13314 iii. Renewable Energy Generation Facility;
 - 13315 iv. Communication Facility;
 - 13316 v. Municipal Water Production;
 - 13317 vi. Airport/Heliport, limited to heliports only;
 - 13318 vii. Rural Public Infrastructure Maintenance Facility;

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- 13319 viii. Transit Bus Base;
13320 ix. Transit Comfort Facility;
13321 x. School Bus Base; and
13322 xi. Fairground.
13323 NEW SECTION. SECTION 248. There is hereby added to K.C.C. chapter
13324 21A.38. a new section to read as follows:
13325 A. The purpose of the Green Energy special district overlay is to advance the
13326 county's climate action goals by reducing barriers to generating renewable energy in King
13327 County, on properties whose location within one thousand feet of utility corridors and
13328 existing and historical waste management and mineral extraction sites makes them
13329 uniquely situated for maximizing green and renewable energy production while reducing
13330 transportation costs.
13331 B. The standards of this title and other county codes shall be applicable to
13332 development within the special district overlay, except that the permit requirements and
13333 conditions for the uses listed below shall replace those found for these uses in K.C.C.
13334 chapter 21A.08:
13335 1. The following uses are allowed as permitted uses:
13336 a. non-hydroelectric generation facility, anaerobic digester, and production of
13337 biogas from waste management processes on-site, regardless of whether electricity is
13338 generated on-site from the gas; and
13339 b. local distribution gas storage tank, only to support the biogas use in
13340 subsection B.1.a. of this section.
13341 2. The following uses are allowed as conditional uses:

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- 13342 _____ a. production of renewable hydrogen through electrolyzing water; and
13343 _____ b. only when the use supports the regional solid waste or recycling system, or
13344 the county's diversion efforts:
13345 _____ (1) energy resource recovery facility;
13346 _____ (2) transfer station;
13347 _____ (3) landfill; and
13348 _____ (4) interim recycling facility.
13349 _____ C. Uses and development within the mineral extraction portion of the overlay
13350 shall comply with state and county reclamation requirements.
13351 _____ NEW SECTION. SECTION 249. There is hereby added to K.C.C. chapter
13352 21A.38 a new section to read as follows:
13353 _____ A. The purpose of the Fall City Rural Town Residential special district overlay is
13354 to maintain the historic character and predominant development pattern in the residential
13355 zone in Fall City Rural Town.
13356 _____ B. The standards of this title and other county codes shall be applicable to
13357 development within the special district overlay except as follows:
13358 _____ 1. The maximum density is four dwelling units per acre, except manufactured
13359 home communities are allowed a maximum density of twelve dwelling units per acre;
13360 _____ 2. The minimum density shall not apply;
13361 _____ 3. The minimum lot area is twelve thousand five hundred square feet;
13362 _____ 4. The minimum lot width is sixty feet;
13363 _____ 5. The minimum street setback is fifteen feet;

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13364 6. The minimum interior setback is ten feet, except for vehicle access points in
13365 K.C.C. 21A.12.030.B.16;
13366 7. The maximum impervious surface is forty percent. An additional five percent
13367 may be granted for driveway access to a detached garage set back further from the street
13368 than the footprint of the residence;
13369 8. The base height is twenty-five feet; and
13370 9. The maximum height is thirty-five feet for:
13371 a. buildings with pitched roofs with a minimum slope of six over twelve; or
13372 b. duplexes and houseplexes within two-hundred and fifty feet of the Fall City
13373 business district special district overlay in K.C.C. 21A.38.260.
13374 C. Development using a community on-site sewage system or large on-site
13375 sewage system shall comply with the requirements in K.C.C. 21A.28.xxx (the new
13376 section created in Section 198 of this ordinance).

13377 SECTION 192250. Ordinance 11621, Section 112, as amended, and K.C.C.
13378 21A.43.030 are hereby amended to read as follows:

13379 A. The fee for each district shall be calculated based on the formula set out in
13380 Attachment A to Ordinance 11621.

13381 B. Separate fees shall be calculated for single ~~((family)) detached~~ and ~~((multi-~~
13382 ~~family)) multiunitfamily~~ residential units and separate student generation rates ~~((must))~~
13383 shall be determined by the district for each type of residential unit. For purposes of this
13384 chapter, "single ~~((family)) detached~~ units" shall mean single detached ~~((dwelling units))~~
13385 residences, and ~~((multi-family))~~ "multiunitfamily units" shall mean duplexes, triplexes,
13386 fourplexeshouseplexes, cottage housing, townhouses, and apartments.

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13387 C. The fee shall be calculated on a district-by-district basis using the appropriate
13388 factors and data to be supplied by the district, as indicated in Attachment A to Ordinance
13389 11621. The fee calculations shall be made on a district-wide basis to assure maximum
13390 utilization of all school facilities in the district used currently or within the last two years
13391 for instructional purposes.

13392 D. The formula in Attachment A to Ordinance 11621 also provides a credit for
13393 the anticipated tax contributions that would be made by the development based on
13394 historical levels of voter support for bond issues in the school district.

13395 E. The formula in Attachment A to Ordinance 11621 also provides for a credit
13396 for school facilities or sites actually provided by a developer (~~which~~) that the school
13397 district finds to be acceptable.

13398 SECTION 193251. Ordinance 11621, Section 114, as amended, and K.C.C.
13399 21A.43.050 are hereby amended to read as follows:

13400 A. In school districts where impact fees have been adopted by county ordinance
13401 and except as provided in K.C.C. 21A.43.080, the county shall collect impact fees, based
13402 on the schedules (~~set forth~~) in each ordinance establishing the fee to be collected for the
13403 district, from any applicant seeking development approval from the county where such
13404 development activity requires final plat(~~PUD or UPD~~) approval or the issuance of a
13405 residential building permit or a (~~mobile~~) manufactured home permit and the fee for the
13406 lot or unit has not been previously paid. (~~No a~~) Approval shall not be granted and (~~no~~)
13407 a permit shall not be issued until the required school impact fees (~~set forth~~) in the
13408 district's impact fee schedule contained in K.C.C. Title 27 have been paid.

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13409 B. For a plat(~~(, PUD or UPD)~~) applied for on or after the effective date of the
13410 ordinance adopting the fee for the district in question receiving final approval, fifty
13411 percent of the impact fees due on the plat(~~(, PUD or UPD)~~) shall be assessed and
13412 collected from the applicant at the time of final approval, using the impact fee schedules
13413 in effect when the plat(~~(, PUD or UPD)~~) was approved. The balance of the assessed fee
13414 shall be allocated to the dwelling units in the project, and shall be collected when the
13415 building permits are issued. Residential developments proposed for short plats shall be
13416 governed by subsection D₂ of this section.

13417 C. If₂ on the effective date of an ordinance adopting an impact fee for a district, a
13418 plat(~~(, PUD or UPD)~~) has already received preliminary approval, such plat(~~(, PUD or~~
13419 ~~UPD)~~) shall not be required to pay fifty percent of the impact fees at the time of final
13420 approval, but the impact fees shall be assessed and collected from the lot owner at the
13421 time the building permits are issued, using the impact fee schedules in effect at the time
13422 of building permit application. If₂ on the effective date of a district's ordinance, an
13423 applicant has applied for preliminary plat(~~(, PUD or UPD)~~) approval, but has not yet
13424 received such an approval, the applicant shall follow the procedures (~~(set forth)~~) in
13425 subsection B₂ of this section.

13426 D. For existing lots or lots not covered by subsection B₂ of this section,
13427 application for ~~((single family))~~ single detached and ~~((multifamily))~~ multiunit residential
13428 building permits, ~~((mobile))~~ manufactured home permits, and site plan approval for
13429 ~~((mobile))~~ manufactured home ~~((parks))~~ communities, the total amount of the impact fees
13430 shall be assessed and collected from the applicant when the building permit is issued,
13431 using the impact fee schedules in effect at the time of permit application.

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13432 E. Any application for preliminary plat(~~(, PUD or UPD)~~) approval or
13433 ~~((multifamily zoning ((which))~~ rezone that has been approved subject to conditions
13434 requiring the payment of impact fees established ~~((pursuant to))~~ in accordance with this
13435 chapter, shall be required to pay the fee in accordance with the condition of approval.

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13436 F. In lieu of impact fee payment ~~((pursuant to))~~ under subsections A. through E.
13437 of this section, each applicant for a ~~((single family))~~ single detached residential
13438 construction permit may request deferral of impact fee collection for up to the first twenty
13439 ~~((single family))~~ single detached residential construction building permits per year.

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13440 Applicants shall be identified by their contractor registration numbers. Deferred payment
13441 of impact fees shall occur either at the time of final permit inspection by the department
13442 of local services, permitting division, or eighteen months after the building permit is
13443 issued, whichever is earlier.

13444 SECTION 194252. Ordinance 11621, Section 116, as amended, and K.C.C.
13445 21A.43.070 are hereby amended to read as follows:

13446 A. The following are excluded from the application of the impact fees:

13447 1. ~~((Any form of housing exclusively for ((the)) senior ((citizen)), including~~
13448 ~~nursing homes and retirement centers, so long as these uses are maintained))~~ Senior
13449 assisted housing;

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13450 2. Reconstruction, remodeling, or replacement of existing dwelling units
13451 ~~((which))~~ that does not result in additional new dwelling units. In the case of replacement
13452 of a dwelling, a complete application for a building permit ~~((must))~~ shall be submitted
13453 within three years after it has been removed or destroyed;

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13454 3. ~~((Shelters for temporary placement, relocation facilities, transitional housing~~
13455 ~~facilities,)) Uses identified in K.C.C. 21A.08.xxx (the new section created by section 148
13456 of this ordinance) and ~~((C))~~community ~~((R))~~residential ~~((F))~~facilities as defined in K.C.C.
13457 21A.06.220;~~

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13458 4. Any development activity that is exempt from the payment of an impact fee
13459 ~~((pursuant to))~~ under RCW 82.02.100, due to mitigation of the same system improvement
13460 under ~~((the State Environmental Policy Act))~~ SEPA;

13461 5. Any development activity for which school impacts have been mitigated
13462 ~~((pursuant to))~~ in accordance with a condition of plat~~((, PUD or UPD))~~ approval to pay
13463 fees, dedicate land, or construct or improve school facilities, unless the condition of the
13464 plat~~((, PUD or UPD))~~ approval provides otherwise; ~~((provided that))~~ but only if the
13465 condition of the plat~~((, PUD or UPD))~~ approval predates the effective date of a school
13466 district's fee implementing ordinance;

13467 6. Any development activity for which school impacts have been mitigated
13468 ~~((pursuant to))~~ in accordance with a voluntary agreement entered into with a school
13469 district to pay fees, dedicate land, or construct or improve school facilities, unless the
13470 terms of the voluntary agreement provide otherwise; provided that the agreement
13471 predates the effective date of a school district's fee implementing ordinance;

13472 7. Housing units ~~((which))~~ that fully qualify as housing for persons ~~((age 55))~~
13473 aged fifty-five and over- meeting the requirements of the Federal Housing Amendments
13474 Act of 1988, 42 U.S.C. 3607(b)(2)(c) and (b)(3), as subsequently amended, and ~~((which))~~
13475 that have recorded covenants or other legal arrangements precluding school-aged children
13476 as residents in those units;

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13477 8. ~~((Mobile)) Manufactured~~ homes permitted as temporary dwellings ~~((pursuant~~
13478 ~~to))~~ in accordance with K.C.C. 21A.32.170; and

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13479 9. Accessory dwelling units as defined in K.C.C. 21A.06.350 and K.C.C.
13480 21A.08.030_B.7.a.

13481 B. Arrangement may be made for later payment with the approval of the school
13482 district only if the district determines that ~~((#))~~ the school district will be unable to use or
13483 will not need the payment until a later time, provided that sufficient security, as defined
13484 by the district, is provided to assure payment. Security shall be made to and held by the
13485 school district, which will be responsible for tracking and documenting the security
13486 interest.

13487 C. The fee amount established in the schedule shall be reduced by the amount of
13488 any payment previously made for the lot or development activity in question, either as a
13489 condition of approval or ~~((pursuant to))~~ in accordance with a voluntary agreement with a
13490 school district entered into after the effective date of a school district's fee implementing
13491 ordinance.

13492 D. After the effective date of a school district's fee implementing ordinance,
13493 whenever a development is granted approval subject to a condition that the developer
13494 actually provide school sites, school facilities, or improvements to school facilities
13495 acceptable to the district, or whenever the developer has agreed, ~~((pursuant to))~~ in
13496 accordance with the terms of a voluntary agreement with the school district, to provide
13497 land, provide school facilities, or make improvements to existing facilities, the developer
13498 shall be entitled to a credit for the value of the land or actual cost of construction against
13499 the fee that would be chargeable under the formula provided by this chapter. The land

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13500 value or cost of construction shall be estimated and documented at the time of approval
13501 ~~((, but must be documented))~~. If construction costs are estimated, the documentation
13502 shall be confirmed after the construction is completed to assure that an accurate credit
13503 amount is provided. If the land value or construction costs are less than the calculated fee
13504 amount, the difference remaining shall be chargeable as a school impact fee.

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13505 E. Impact fees may be adjusted by the county, at the county's discretion, if one of
13506 the following circumstances exist, ~~((provided that))~~ but only if the discount ~~((set forth))~~ in
13507 the fee formula fails to adjust for the error in the calculation or fails to ameliorate for the
13508 unfairness of the fee:

13509 1. The developer demonstrates that an impact fee assessment was incorrectly
13510 calculated; or

13511 2. Unusual circumstances identified by the developer demonstrate that if the
13512 standard impact fee amount was applied to the development, it would be unfair or unjust.

13513 F. A developer may provide studies and data to demonstrate that any particular
13514 factor used by the district may not be appropriately applied to the development proposal,
13515 but the district's data shall be presumed valid unless clearly demonstrated to be otherwise
13516 by the proponent.

13517 G. Any appeal of the decision of the director or the hearing examiner with regard
13518 to imposition of an impact ~~((for))~~ fee or other fee amounts shall follow the appeal process
13519 for the underlying permit and not be subject to a separate appeal process. Where no other
13520 administrative appeal process is available, an appeal may be taken to the hearing
13521 examiner using the appeal procedures for variances. Any errors in the formula identified
13522 as a result of an appeal should be referred to the council for possible modification.

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13523 H. Impact fees may be paid under protest in order to obtain a building permit or
13524 other approval of development activity, when an appeal is filed.

13525 SECTION 253. Ordinance 11621, Section 117, and K.C.C. 21A.43.080 are
13526 hereby amended to read as follows:

13527 A. Low~~((or moderate))~~-income housing projects, including permanent
13528 supportive housing projects, ~~((being developed by public housing agencies or private~~
13529 ~~nonprofit housing developers))~~ shall be exempt from the payment of school impact fees.

13530 The amount of the school impact fees not collected from low~~((or moderate))~~-income
13531 household development shall be paid from public funds other than impact fee accounts.

13532 The impact fees for these units shall be considered paid for by the district through its
13533 other funding sources, without the district actually transferring funds from its other
13534 funding sources into the impact fee account. The ~~((planning and community~~

13535 ~~development))~~ housing, homelessness, and community development division shall review
13536 proposed developments of low~~((or moderate))~~-income housing ~~((by such public or~~
13537 ~~nonprofit developers))~~ pursuant to criteria and procedures adopted by administrative rule,
13538 and shall advise the department of local services, permitting division, as to whether the
13539 project qualifies for the exemption.

13540 B. ~~((Private d))~~Developers who dedicate residential units for occupancy by low
13541 ~~((or moderate))~~ income-households may apply to the housing, homelessness, and
13542 community development division for reductions in school impact fees ~~((pursuant to the~~
13543 ~~criteria established for public housing agencies and private non-profit housing developers~~
13544 ~~pursuant to))~~ in accordance with subsection A. of this section~~((, and subject to the~~
13545 ~~provisions of subsection A. of this section))~~. The housing, homelessness, and community

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13546 ~~development division shall review proposed developments of low((,or moderate))-income~~
13547 ~~housing by such private developers pursuant to criteria and procedures adopted by~~
13548 ~~administrative rule, and shall advise the department of local services, permitting division,~~
13549 ~~as to whether the project qualifies for the exemption. If the housing, homelessness, and~~
13550 ~~community development division recommends the exemption, the department of local~~
13551 ~~services, permitting division, shall reduce the calculated school impact fee for the~~
13552 ~~development by an amount that is proportionate to the number of units in the~~
13553 ~~development that satisfy the adopted criteria.~~

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13554 ~~C. ((Individual)) Developments for low((,or moderate))-income homeownership~~
13555 ~~((purchasers)) units (as defined pursuant to the King County Comprehensive Housing~~
13556 ~~Affordability Strategy (CHAS)) who are purchasing homes at prices within their~~
13557 ~~eligibility limits based on standard lending criteria and meet other means tests established~~
13558 ~~by rule by the housing, homelessness, and community development division are~~
13559 ~~exempted from payment of the impact fee, provided that at such time as the property in~~
13560 ~~question is transferred to another owner who does not qualify for the exemption, at which~~
13561 ~~time the fee shall be due and payable.~~

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13562 ~~D. The housing, homelessness, and community development division is hereby~~
13563 ~~instructed and authorized to adopt, pursuant to K.C.C. chapter 2.98, administrative rules~~
13564 ~~to implement this section. Such rules shall provide for the administration of this program~~
13565 ~~and shall:~~

13566 ~~1. Encourage the construction of housing for low((,or moderate))-income~~
13567 ~~households ((by public housing agencies or private non-profit housing developers~~
13568 ~~participating in publicly sponsored or subsidized housing programs));~~

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13569 ~~2. Encourage the construction ((in private developments)) of housing units for~~
13570 ~~low((or moderate))-income households that are in addition to units required by another~~
13571 ~~housing program or development condition;~~

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13572 ~~3. Ensure that housing that qualifies as low((or moderate)) cost meets~~
13573 ~~appropriate standards regarding household income, rent levels or sale prices, location,~~
13574 ~~number of units and development size; and~~

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13575 ~~4. Ensure that developers who obtain an exemption from or reduction of school~~
13576 ~~impact fees will in fact -build the -proposed low ((or moderate)) cost housing and make it~~
13577 ~~available to low((or moderate))-income households ((for a minimum of fifteen years)).~~

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13578 ~~5. Ensure that individual low((or moderate))-income purchasers meet~~
13579 ~~appropriate eligibility standards based on income and other financial means tests.~~

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13580 ~~E. As a condition of receiving an exemption under subsection B. or C. of this~~
13581 ~~section, the ((owner must)) developer shall execute and record a ((county drafted lien,))~~
13582 ~~covenant((, and/or other contractual provision)) against the property ((for a period of ten~~
13583 ~~years for individual owners, and fifteen years for private developers,)) guaranteeing that~~

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13584 ~~the proposed development will continue to be used for low((or moderate))-income~~
13585 ~~housing. In the event that ((the pattern of development or)) the use of the development is~~
13586 ~~no longer for low((or moderate))-income housing, then the owner shall pay the impact~~

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13587 ~~fee amount from which the owner or any prior owner was exempt. The ((lien,))~~
13588 ~~covenant((, or other contractual provision)) shall run with the land and apply to~~

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13589 ~~subsequent owners.~~
13590 ~~F. All school impact fee exemptions, reductions, or waivers shall be approved by~~
13591 ~~the school district that would collect the school impact fee, except for fee exemptions~~

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13592 allowed under K.C.C. 21A.43.070 and K.C.C. 21A.43.080, fee reductions based on
13593 modifications to permits after issuance, or fee waivers for construction not begun.

13594 ~~SECTION 195. Ordinance 10870, Section 623, and K.C.C. 21A.44.020 are~~
13595 ~~hereby amended to read as follows:~~

13596 ~~— A temporary use permit shall be granted by the county, only if the applicant~~
13597 ~~demonstrates that:~~

13598 ~~— A. The proposed temporary use will not be materially detrimental to the public~~
13599 ~~welfare;~~

13600 ~~— B. The proposed temporary use is compatible with existing land uses in the~~
13601 ~~immediate vicinity in terms of noise and hours of operation;~~

13602 ~~— C. The proposed temporary use, if located in a resource zone((,));~~

13603 ~~— 1. ((w))Will not be materially detrimental to the use of the land for resource~~
13604 ~~purposes;~~

13605 ~~— 2. Is consistent with applicable Comprehensive Plan policies addressing rural~~
13606 ~~character, natural resource lands, and compatibility; and~~

13607 ~~— 3. ((w))Will provide adequate off site parking if necessary to protect against soil~~
13608 ~~compaction;~~

13609 ~~— D. The proposed temporary use, if located in the rural area, is consistent with~~
13610 ~~applicable Comprehensive Plan policies addressing rural character and compatibility;~~

13611 ~~— E. A proposed temporary use for commercial purposes on a property that has~~
13612 ~~open space taxation or Farm and Agricultural Current Use taxation status is consistent~~
13613 ~~with those program requirements;~~

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13614 ~~— E. Adequate public off street parking and traffic control for the exclusive use of~~
13615 ~~the proposed temporary use can be provided in a safe manner; and~~
13616 ~~— ((E.)) G. The proposed temporary use is not otherwise permitted in the zone in~~
13617 ~~which it is proposed.~~

13618 SECTION 210254. Ordinance 19555, Section 22, and K.C.C. 21A.48.010 are
13619 hereby amended to read as follows:

13620 A. The purpose of the inclusionary housing regulations is to provide for the creation
13621 of new affordable dwelling units, particularly in areas where there is a high risk for
13622 displacement.

13623 B. The regulations and incentives in this chapter shall apply only to the ~~((Skyway-~~
13624 ~~West Hill and North Highline community service area subarea geographies, as follows))~~
13625 following geographies:

13626 1. The standards in K.C.C. 21A.48.020 shall apply to areas with an unincorporated
13627 activity center land use designation;

13628 2. The voluntary incentives in K.C.C. 21A.48.030 shall apply to:

13629 a. areas in the Skyway-West Hill and North Highline community service area
13630 subarea geographies that do not have an unincorporated activity center land use designation;
13631 and

13632 b. except as provided for in subsection B.1. and B.2. of this section, sites that are
13633 served by public sewers and that are in the following zones in the urban area or rural towns:

13634 (1) the R-4 through R-48 zones; and

13635 (2) the NB, CB, RB, and O zones when part of a mixed-use development; and

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13636 3. The standards in K.C.C. 21A.48.040, K.C.C. 21A.48.050, K.C.C. 21A.48.060,
 13637 K.C.C. 21A.48.070, K.C.C. 21A.48.080, and K.C.C. 21A.48.090 shall apply to any
 13638 inclusionary housing project.

13639 C. Development or substantial improvement of one dwelling unit, an accessory
 13640 dwelling unit, mobile home parks, cottage housing, or senior ((~~citizen~~)) assisted housing
 13641 shall not be subject to this chapter. Accessory dwelling units shall not be used to meet the
 13642 requirements of this section.

13643 NEW SECTION. SECTION 255. There is hereby added to K.C.C. chapter
 13644 21A.48 a new section to read as follows:

13645 A. This section shall apply to the unincorporated activity center land use
 13646 designation.

13647 B. New or substantially improved residential or mixed-use developments shall
 13648 provide affordable dwelling units, and may exceed the base density, in accordance with
 13649 the standards listed below.

<u>Mandatory 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>

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<u>xxxxx at xx%</u> <u>AMI</u>	<u>xx%</u>	<u>xx%</u>	<u>xx%</u>
<u>xxxxx at xx%</u> <u>AMI</u>	<u>xx%</u>	<u>xx%</u>	<u>xx%</u>
<u>xxxxx at xx%</u> <u>AMI</u>	<u>xx%</u>	<u>xx%</u>	<u>xx%</u>
<u>xxxxx at xx%</u> <u>AMI</u>	<u>xx%</u>	<u>xx%</u>	<u>xx%</u>
<u>xxxxx at xx%</u> <u>AMI</u>	<u>xx%</u>	<u>xx%</u>	<u>xx%</u>
<u>xxxxx at xx%</u> <u>AMI</u>	<u>xx%</u>	<u>xx%</u>	<u>xx%</u>
<u>xxxxx at xx%</u> <u>AMI</u>	<u>xx%</u>	<u>xx%</u>	<u>xx%</u>
<u>xxxxx at xx%</u> <u>AMI</u>	<u>xx%</u>	<u>xx%</u>	<u>xx%</u>
<u>xxxxx at xx%</u> <u>AMI</u>	<u>xx%</u>	<u>xx%</u>	<u>xx%</u>
<u>xxxxx at xx%</u> <u>AMI</u>	<u>xx%</u>	<u>xx%</u>	<u>xx%</u>

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13651

SECTION 24+256. Ordinance 19555, Section 24, and K.C.C. 21A.48.030 are

13652

hereby amended to read as follows:

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13653 A. This section shall apply;

13654 1. ~~((w))~~ Within the Skyway-West Hill and North Highline ~~((community service~~
 13655 ~~area))~~ subarea geographies except for areas with an unincorporated activity center land
 13656 use designation; and

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13657 2. Except as provided for in subsection A.1. of this section and K.C.C.
 13658 21A.48.010, on sites that are served by public sewers and that are in the following zones
 13659 in the urban area or rural towns:

- 13660 a. the R-4 through R-48 zones; and
- 13661 b. the NB, CB, RB, and O zones when part of a mixed-use development.

13662 B.1. New or substantially improved development may only exceed the base density
 13663 allowed in the zoning classification in accordance with the standards listed ~~((below))~~ in the
 13664 table in subsection B.2 of this section. Additional density is authorized with the use of
 13665 transfers of development rights in accordance with K.C.C. chapter 21A.37, as shown in the
 13666 table in this subsection. Additional units derived from TDRs shall conform with the
 13667 percentages at the affordability levels listed in the table in this section. The price of the
 13668 TDR shall be determined in accordance with K.C.C. 21A.37.130.

13669 2. Affordability requirements.

<u>Affordability Requirements</u>		<u>Maximum Density</u>	
<u>Occupancy Type</u> <u>and AMI</u>	<u>Minimum</u>	<u>Maximum Density</u> <u>(as percentage of</u> <u>base density)</u>	<u>Additional</u>
	<u>Percentage of</u> <u>Total Units</u> <u>Required to be</u> <u>Affordable</u>		<u>Maximum Density</u> <u>Allowed with</u> <u>purchase of TDRs</u>

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xxxxx at xx% AMI	xx%	xx%	xx%
xxxxx at xx% AMI	xx%	xx%	xx%
xxxxx at xx% AMI	xx%	xx%	xx%
xxxxx at xx% AMI	xx%	xx%	xx%
xxxxx at xx% AMI	xx%	xx%	xx%
xxxxx at xx% AMI	xx%	xx%	xx%
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xxxxx at xx% AMI	xx%	xx%	xx%
xxxxx at xx% AMI	xx%	xx%	xx%
xxxxx at xx% AMI	xx%	xx%	xx%

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(Affordability Requirements		TDR Allowance	
Occupancy Type and AMI	Minimum Percentage of Total Units Required to be Affordable	Maximum Density (as percentage of base density)	Additional Maximum Density Allowed with purchase of TDRs
Developments with 9 or fewer units	0%	100%	Up to 150% base density
Rental at 60% AMI	100%	200%	None
	20%	150%	Additional 50%, up to 200%

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			of base density
	10%	125%	Additional 50%, up to 175% of base density
Rental at 50% AMI	100%	200%	None
	15%	150%	Additional 50%, up to 200% of base density
	7%	125%	Additional 50%, up to 175% of base density
Owner Occupied at 80% AMI	100%	200%	None
	30%	150%	Additional 50%, up to 200% of base density
	15%	125%	Additional 50%, up to 175% of base density
Any combination of 80% AMI (Owner) and 60% AMI (Rental)	100%	200%	None
	25%	150%	Additional 50%, up to 200% of base density
	12%	125%	Additional 50%, up to 175% of base density))

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13671 ~~C. In Vashon Rural Town:~~

13672 ~~1. Only developments that provide one hundred percent affordable housing are~~

13673 ~~eligible; and~~

13674 ~~2. Use of the TDR allowance is prohibited.~~

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13675 SECTION 212257. Ordinance 19555, Section 25, and K.C.C. 21A.48.040 are
13676 hereby amended to read as follows:

13677 A. The number of required affordable dwelling units shall be calculated by
13678 multiplying the total number of dwelling units to be constructed by the applicable
13679 percentages of affordable dwelling units as established in K.C.C. 21A.48.020 or K.C.C.
13680 21A.48.030, and for purposes of providing an affordable dwelling unit, fractions shall be
13681 rounded in accordance with K.C.C. 21A.12.070, except as follows:

13682 1. For fractions below 0.50, the applicant shall pay a fee based on the fraction
13683 multiplied by the value of a single affordable dwelling unit. The fee and affordable
13684 dwelling unit value shall be calculated using the same method as required for payment in
13685 lieu of providing affordable dwelling units in K.C.C. 21A.48.080. The revenues
13686 generated from the fee shall be dedicated to affordable housing projects in the same
13687 ~~((community service area))~~ subarea geography where the development is occurring; and

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13688 2. Affordable dwelling units in the development shall be calculated as follows:
13689 a. Studio dwelling units shall be counted as one-half of one affordable
13690 dwelling unit;
13691 b. One-bedroom and two-bedroom dwelling units shall be counted as one
13692 affordable dwelling unit;
13693 c. Three-bedroom dwelling units shall be counted as one and one-half
13694 affordable dwelling units; and
13695 d. Dwelling units with four or more bedrooms shall be counted as two
13696 affordable dwelling units.

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13697 B. ~~Base density is as established in K.C.C. chapter 21A.12 or in in property-~~
13698 ~~specific development conditions or special district overlays, where applicable. In cases~~
13699 ~~of conflict, the base density in the property-specific development condition or special~~
13700 ~~district overlay shall apply.~~
13701 ~~C.~~ The total number of market-rate dwelling units and affordable dwelling units
13702 shall not exceed the total allowed density as established in this chapter and K.C.C.
13703 chapter 21A.12 or as established in property-specific development conditions or special
13704 district overlays, where applicable. In cases of conflict, the maximum density in the
13705 property-specific development condition or special district overlay shall apply.

13706 SECTION 213258. Ordinance 19555, Section 26, and K.C.C. 21A.48.050 are
13707 hereby amended to read as follows:

13708 For developments subject to this chapter:

13709 A. The affordable dwelling units shall:

- 13710 1. Have a similar or larger unit size and bedroom composition as the market-rate
13711 dwelling units in the development;
- 13712 2. Be integrated throughout the development;
- 13713 3. Be constructed with materials and finishes of comparable quality to the
13714 market-rate dwelling units in the development;
- 13715 4. Meet accessibility standards at the same ratio as required by the development;
- 13716 and
- 13717 5. Have access equal to that of the market-rate dwelling units to on-site
13718 amenities including, but not limited to, parks, outdoor play areas, pools, exercise facilities
13719 and equipment, gathering spaces, bicycle repair facilities, shared work spaces, and similar

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13720 on-site amenities.

13721 B. All the dimensional standards of K.C.C. chapter 21A.12 and any applicable
13722 property-specific development standards and special district overlays apply, except as
13723 specifically prescribed by this chapter. The following modifications shall only be utilized
13724 for developments that provide housing in conformance with K.C.C. 21A.48.020 or
13725 K.C.C. 21A.48.030:

13726 1. The maximum height limits are as follows:

13727 a. In the R-18, R-24₂ and R-48 zones, eighty feet;

13728 b. In the NB zone, sixty-five feet;

13729 c. In the CB zone, eighty feet;

13730 d. In the RB and O zones, eighty-five feet; ~~((and))~~

13731 e. For properties subject to P-Suffix ~~((NH-PXX (the p-suffix established in
13732 Map Amendment 17 of Attachment D to Ordinance 19555))) NH-P04~~: the height limits
13733 set in the P-Suffix;

13734 f. In the CB zone in Snoqualmie Pass Rural Town, sixty-five feet; and

13735 g. In Vashon Rural Town, ~~thirty five~~forty feet;

13736 2. In the R-18, R-24₂ and R-48 zones, any portion of a building that exceeds the
13737 base height for the zone ~~((set forth))~~ in K.C.C. chapter 21A.12 shall be set back an
13738 additional ten feet from the street property line and interior property line;

13739 3. In the NB, CB, RB₂ and O zones, any portion of a building that exceeds the
13740 maximum height allowed for the zone by K.C.C. 21A.12.040.B.6. shall be set back an
13741 additional ten feet from the street property line and interior property line;

13742 4. The percentages of residential uses in mixed-use developments in K.C.C.

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13743 21A.14.110 do not apply. The percentages are as follows:

13744 a. a maximum of seventy-five percent of the total built floor area when located
13745 in NB zones; and

13746 b. a maximum of eighty-five percent of the total built floor area when located
13747 in CB, RB₂ and O zones;

13748 5. The building floor area ratios in K.C.C. 21A.14.130 do not apply.

13749 Developments subject to this chapter shall not have a floor area ratio maximum; and

13750 6. The parking and circulation standards of K.C.C. chapter 21A.18 apply,
13751 except:

13752 a. The minimum required parking spaces for ~~((apartments and townhouses))~~
13753 the residential portion of inclusionary housing developments shall be one space per
13754 dwelling unit;

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13755 b. The minimum required parking spaces for nonresidential uses of the project
13756 shall be the minimum required in K.C.C. 21A.18.020, or the minimum required in any
13757 applicable property-specific development standard or special district overlay, whichever
13758 is less; and

13759 c. The director may authorize a reduction of up to fifty percent of the minimum
13760 required number of spaces for inclusionary housing projects without a required a parking
13761 study. The director shall consider proximity to transit, bedroom composition, availability
13762 of on-street parking, and proposed nonresidential uses when determining the size of the
13763 reduction.

13764 SECTION 214259. Ordinance 19555, Section 27, and K.C.C. 21A.48.060 are
13765 hereby amended to read as follows:

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13766 A. As a condition of development permit issuance, the department shall approve
13767 the calculation of the number of required affordable dwelling units and allowed market-
13768 rate dwelling units.

13769 B. Before issuance of the certificate of occupancy, the applicant shall record a
13770 covenant or deed restriction on the property, in a form and substance acceptable to the
13771 prosecuting attorney's office and department of community of human services, reflecting
13772 the following:

13773 1. A statement that the length of the term of the affordability shall be for the life
13774 of the development project for renter-occupied dwelling units or fifty years from the date
13775 of initial occupancy for owner-occupied dwelling units;

13776 2. The total number of units;

13777 3. The number of market-rate dwelling units;

13778 4. The number and affordability of owner-occupied and rental affordable
13779 dwelling units based on the standards of this chapter;

13780 5. A statement that for any owner-occupied dwelling units, the covenants or
13781 declarations have been reviewed by the director and the terms ensure that the purposes of
13782 this chapter are accomplished;

13783 6. Reporting requirements as required by the department of community and
13784 human services, including subsequent community preference and affirmative marketing
13785 reports after the certificate of occupancy is issued, where applicable under K.C.C.

13786 21A.48.070; and

13787 7. Signatures of the property owner and the director.

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13788 SECTION 215260. Ordinance 19555, Section 28, and K.C.C. 21A.48.070 are
13789 hereby amended to read as follows:

13790 For developments in the Skyway-West Hill and North Highline ~~community~~
13791 ~~service area-subarea geographies~~ subject to this chapter:

13792 A. As part of a complete permit application, the applicant shall submit a
13793 community preference and affirmative marketing plan. The plan shall include:

13794 1. A tenant selection process for the affordable dwelling units that provides a
13795 preference for housing applicants with a current or past connection to the respective
13796 subarea geography where the project is located. The plan should provide no more than
13797 and aim to provide forty percent of the affordable dwelling units to tenants that meet the
13798 requirements for community preference;

13799 2. An advertising and outreach plan designed to provide information to and
13800 attract potential housing applicants who would otherwise be less likely to apply, without
13801 regard to protected class status as established by federal, state, and local laws. An
13802 affirmative advertising and outreach plan should generally help potential housing
13803 applicants know about vacancies, feel welcome to apply, and have the opportunity to rent
13804 units; and

13805 3. A process for housing applicants to file an appeal regarding the tenant
13806 selection process and verification of eligibility for preference.

13807 B. Before issuance of the building permit or subdivision approval, the community
13808 preference and affirmative marketing plan shall be reviewed and approved by the
13809 department of community and human services.

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13810 C.1. At least sixty days before issuance of certificate of occupancy, the applicant
13811 shall submit a community preference and affirmative marketing initial report. The initial
13812 report shall include:

13813 a. information describing the activities conducted to implement the community
13814 preference and affirmative marketing plan; and

13815 b. information regarding the number of housing applicants:

13816 (1) that requested a preference;

13817 (2) deemed eligible under the preference criteria;

13818 (3) eligible for the preference that were selected for housing; and

13819 (4) that appealed the preference selection process and the outcome of each
13820 appeal.

13821 2. Before issuance of the certificate of occupancy, the community preference
13822 and affirmative marketing initial report shall be subject to review and approval by the
13823 department of community and human services.

13824 D. The department of community and human services shall provide guidance and
13825 technical assistance to the applicant to ensure the community preference and affirmative
13826 marketing plan and community preference and affirmative marketing report complies
13827 with federal, state, and local laws and regulations.

13828 SECTION 216261. Ordinance 19555, Section 29, and K.C.C. 21A.48.080 are
13829 hereby amended to read as follows:

13830 A. The director may, at their discretion, approve a request for alternative
13831 compliance for the inclusionary housing requirements. Requests for such modifications

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13832 shall clearly ~~((set forth))~~ state the facts upon which the request for relief is sought.

13833 Alternative compliance may include:

13834 1. Providing affordable housing units off-site at another location within the

13835 same ~~((community service area))~~ subarea geography where the project is proposed;

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13836 2. For developments subject to K.C.C. 21A.48.020, ((P))payment to the county

13837 in lieu of constructing affordable housing units to be used to create affordable housing

13838 units within the same ~~((community services area))~~ subarea geography; or

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13839 3. Such other means proposed by the applicant and approved at the discretion of

13840 the director, consistent with the following criteria for alternative compliance.

13841 B. Alternative compliance requests may only be approved when all of the

13842 following requirements are met:

13843 1. The applicant demonstrates that the proposed alternative compliance method

13844 provides the same number and quality affordable housing units as those provided on-site;

13845 2. The affordable housing units provided through the alternative compliance

13846 method will provide the same mix of rental or owner-occupied units as would have

13847 otherwise been provided on-site; and

13848 3. In no case shall the director approve an alternative compliance request that

13849 results in zero affordable housing units being constructed on-site.

13850 C. If an alternative compliance request is approved that includes off-site

13851 affordable housing units, any building permits required for off-site affordable housing

13852 units shall be submitted before issuance of building permits or final subdivision approval

13853 for the subject property. Certificates of occupancy for off-site affordable housing units

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13854 shall be issued before issuance of the final certificate of occupancy for the subject
13855 property.

13856 D. If an alternative compliance request is approved that includes payment in lieu
13857 of constructing affordable housing units, the formula for payments shall be established by
13858 department of community and human services through a public rule under K.C.C. chapter
13859 2.98. The formula should be based on the cost to the county to construct and maintain an
13860 affordable dwelling unit. The payment obligation shall be paid before issuance of any
13861 building permits or final subdivision approval for the project.

13862 E. As part of the application review process for an inclusionary housing proposal,
13863 the director may authorize modifications to the dimensional standards in K.C.C. Title
13864 21A. Approval of modifications may only be granted if the applicant demonstrates that
13865 the subject property cannot otherwise reasonably achieve the minimum density.

13866 F.1. As part of the application review process for an inclusionary housing
13867 proposal, the director may modify or waive the requirements for affordable dwelling
13868 units under this chapter if the applicant demonstrates that the cost of complying with this
13869 chapter would deprive the property owner of all economically beneficial use of the
13870 property or would create severe economic impact that unduly burdens the property
13871 owner.

13872 2. Requests for such modifications shall clearly (~~set forth~~) state the facts upon
13873 which the request for relief is sought.

13874 3. Review of a modification or waiver of the requirements of this subsection F.
13875 may include the director considering the following factors, at a minimum:

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- 13876 a. The severity of the economic impact caused by the application of the
13877 requirements of this chapter;
- 13878 b. A modification under subsection E. of this section is not sufficient to
13879 alleviate the severity of economic impact caused by the application of the requirements of
13880 this chapter;
- 13881 c. The extent to which alternative uses of the property or configurations of the
13882 proposed development would alleviate the need for the requested waiver or modification;
- 13883 d. The extent to which any economic impact was due to decisions by the
13884 applicant or property owner; and
- 13885 e. Other factors relevant to whether the burden should be borne by the property
13886 owner.
- 13887 4. The waiver or modification may be approved only to the extent necessary to
13888 grant relief from the deprivation of all economically beneficial use of the property or
13889 severe economic impact.
- 13890 5. The following factors, on their own, shall not be a sufficient basis for the
13891 director to grant a waiver or modification for the requirements of this chapter:
- 13892 a. decrease in property value;
- 13893 b. inability for a property owner to fully utilize the increase in residential
13894 development capacity through implementation of this chapter; or
- 13895 c. the fact that any such increase in residential development capacity,
13896 combined with the requirements of this chapter, did not leave the property owner in a
13897 better financial position than would have been the case with no increase in residential
13898 development capacity and no application of the requirements of this chapter.

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13899 SECTION ~~22+262~~. Ordinance 16650, Section 1, as amended, and K.C.C.

13900 21A.55.101 are hereby amended to read as follows:

13901 A.1. The purpose of the sustainable communities and housing demonstration
13902 projects is to provide affordable housing and workforce housing integrated into
13903 developments containing market rate housing and maximize sustainable development,
13904 which includes: bike, pedestrian, and transit connections~~((;))~~; a mix of housing types~~((;))~~;
13905 and the use of recyclable materials. The demonstration projects will provide information
13906 on the application of these techniques to urban infill redevelopment and ~~((urban single~~
13907 ~~family))~~ single detached residential development, some of which may ~~((include mixed~~
13908 ~~use))~~ be mixed-use. The demonstration projects will also assist the county in refining
13909 regulations relating to zoning, subdivision, roads, and stormwater as they relate to
13910 sustainable development.

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13911 2. The demonstration projects will also enable the county to evaluate whether
13912 consolidated administrative approval of zoning and subdivision-related modifications or
13913 waivers and any subsequent hearings, if required, effectively speeds the development
13914 review process while maintaining land use coordination and environmental protection
13915 and whether that leads to administrative costs savings for project applicants and King
13916 County.

13917 B. The expected benefits from the demonstration projects include: the use of
13918 innovative design and development techniques to promote sustainable communities~~((;))~~;
13919 reduced impervious surface areas for site infrastructure; a greater use of recycled-content
13920 building materials and more efficient use of energy and natural resources; and the
13921 opportunity to identify and evaluate potential substantive changes to land use

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13922 development regulations that support the development of sustainable and affordable
13923 housing.

13924 C. A request by the applicant to modify or waive development standards for the
13925 development proposals shall be evaluated by the department of local services, permitting
13926 division, based on the criteria in subsection J. of this section. A request shall first be
13927 either approved or denied administratively and may be further reviewed as described in
13928 subsection H.3. of this section. Approval or denial of the proposed modification or
13929 waiver shall not be construed as applying to any other development application either
13930 within the demonstration project area or elsewhere in the county.

13931 D. A modification or waiver approved by the department of local services,
13932 permitting division, in accordance with this section shall be in addition to those
13933 modifications or waivers that are currently allowed by this title. The proposed
13934 modifications or waivers to development regulations that may be considered regarding
13935 sustainable communities and housing demonstration projects shall include only the
13936 following chapters and related public rules:

13937 1. Drainage review requirements: K.C.C. chapter 9.04 and the Surface Water
13938 Design Manual;

13939 2. King County road standards: K.C.C. chapter 14.42 and the county road
13940 standards(~~(-2007 update)~~);

13941 3. Density and dimensions: K.C.C. chapter 21A.12;

13942 4. Design requirements: K.C.C. chapter 21A.14;

13943 5. Landscaping and water use: K.C.C. chapter 21A.16;

13944 6. Parking and circulation: K.C.C. chapter 21A.18;

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- 13945 7. Signs: K.C.C. chapter 21A.20;
- 13946 8. Critical areas: K.C.C. chapter 21A.24, if the modification results in a net
- 13947 improvement to the functions of the critical area; and
- 13948 9. Landscape installation timing: K.C.C. chapters 27A.30 and 27A.40.
- 13949 E. A demonstration project authorized by this section may contain residential and
- 13950 limited nonresidential uses subject to the following:
- 13951 1. The demonstration project may include any residential uses as allowed as a
- 13952 permitted use in the R-12 through R-48 zones, subject to any development conditions in
- 13953 K.C.C. 21A.08.030, without the need to request a modification or waiver as described in
- 13954 subsection H. of this section. The applicant may request a modification or waiver of any
- 13955 of the development conditions for residential uses contained in K.C.C. 21A.08.030,
- 13956 subject to the review process described in subsection H. of this section and the criteria in
- 13957 subsection J. of this section;
- 13958 2. The demonstration project may include, as part of a residential project, any
- 13959 nonresidential use allowed as a permitted use in the NB zone under K.C.C. 21A.08.030,
- 13960 21A.08.040, K.C.C. 21A.08.xxx (the new section created by section 148 of this
- 13961 ordinance), 21A.08.050, 21A.08.060, and 21A.08.070, subject to any development
- 13962 conditions contained in those sections without the need to request a modification or
- 13963 waiver as described in subsection H. of this section, except the following uses are not
- 13964 allowed:
- 13965 a. automotive parking;
- 13966 b. automotive repair(~~and~~);
- 13967 c. automotive service(~~(, K.C.C. 21A.08.050)~~);

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13968 ~~((e-))~~ d. commuter parking lot, ~~((K.C.C. 21A.08.060-))~~ unless as part of a
13969 transit-oriented development. For the purposes of this subsection ~~((E.2.e-))~~ E.2.d.,
13970 "transit-oriented development" means a development that is designated as a transit-
13971 oriented development in an agreement with the county and that includes the construction
13972 of new housing units at or within one quarter mile of a county transit center or park and
13973 ride lot;

13974 ~~((d-))~~ e. gasoline service stations~~((as defined in K.C.C. 21A.08.070))~~;

13975 ~~((e-))~~ f. off-street required parking lot;

13976 g. commercial and industrial accessory uses;

13977 ~~((f-))~~ h. private stormwater management facility;

13978 ~~((g-))~~ i. self-service storage; and

13979 ~~((h-))~~ j. vector waste receiving facility.

13980 3. The nonresidential uses shall be no greater than three thousand square feet
13981 per use, with a total maximum of all nonresidential uses not to exceed ten percent of the
13982 area of the demonstration project site or twenty thousand square feet, whichever is
13983 smaller. The applicant may request a modification or waiver of the development
13984 conditions for nonresidential uses in K.C.C. 21A.08.030, 21A.08.040, K.C.C.
13985 21A.08.xxx (the new section created by section 148 of this ordinance), 21A.08.050,
13986 21A.08.060, and 21A.08.070, subject to the review process described in subsection H. of
13987 this section and the criteria in subsection J. of this section.

13988 F. A demonstration project authorized by this section allows a residential basics
13989 program for townhouse and apartment building types, consistent with the department of
13990 local services public rules chapter 16-04: residential basics program.

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13991 G. All related review processes such as subdivision, building permit, inspection,
13992 and similar processes for a demonstration project shall be expedited if:

13993 1. Fifty percent or more of all residential units proposed for the demonstration
13994 project are affordable to households at eighty percent of area median income, as defined
13995 by Department of Housing and Urban Development income guidelines for King County
13996 and below; or

13997 2. Seventy percent or more of all residential units for the demonstration project
13998 are affordable to households at eighty to one hundred fifteen percent of area median
13999 income, as defined by Department of Housing and Urban Development income
14000 guidelines for King County.

14001 H.1. Requests for a modification or waiver made in accordance with this section
14002 may only be submitted in writing in relation to the following types of applications:

- 14003 a. a site development permit;
- 14004 b. a binding site plan;
- 14005 c. a building permit;
- 14006 d. a short subdivision; or
- 14007 e. a subdivision.

14008 2. Requests shall be submitted to the department in writing before or in
14009 conjunction with an application for one or more of the permits listed in subsection H.1. of
14010 this section, together with any supporting documentation. The supporting documentation
14011 ~~((must)) shall illustrate how the proposed modification meets the criteria in subsection J.~~
14012 of this section.

14013 3. Except for an applicant's request for a modification or waiver submitted in

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14014 conjunction with an application for a subdivision, the notice of application, review and
14015 approval of a proposed modification or waiver shall be treated as a Type 2 land use
14016 decision in accordance with K.C.C. 20.20.020. The request for a modification or waiver
14017 submitted in conjunction with an application for a subdivision shall be treated as a Type 3
14018 land use decision in accordance with K.C.C. 20.20.020.

14019 4. A preapplication meeting with the applicant and the department of local
14020 services, permitting division, to determine the need for and the likely scope of a proposed
14021 modification or waiver is required before submittal of such a request. If a modification or
14022 waiver requires approval of the department of natural resources and parks or the
14023 department of local services, road services division, that department or division shall be
14024 invited to participate in the preapplication meeting.

14025 5. If the applicant requests an adjustment from the county drainage standards,
14026 the director shall refer the request to the department of natural resources and parks for
14027 decision under K.C.C. chapter 9.04, with the right to appeal within the department of
14028 natural resources and parks as provided in K.C.C. 9.04.050.C.6. The department of
14029 natural resources and parks shall consider the purposes of this demonstration ordinance as
14030 a factor relative to the public interest requirement for drainage adjustments described in
14031 K.C.C.9.04.050.C.

14032 6. If the applicant requests a variance from the county road standards, the
14033 director shall refer the request to the county road engineer for decision under K.C.C.
14034 14.42.060, with the right to appeal within the department of local services, road services
14035 division, as provided in K.C.C. 14.42.060 and the associated public rule. The department
14036 of local services, road services division, shall consider the purposes of this demonstration

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14037 ordinance as a factor relative to the public interest requirement for road variances
14038 described in K.C.C. 14.42.060.

14039 7. Administrative appeals of modifications or waivers approved by the director
14040 shall be combined with any appeal of the underlying permit decision, if the underlying
14041 permit is subject to appeal.

14042 I. An approved development proposal for any of the applications listed in
14043 subsection H.1. of this section, including site plan elements or conditions of approval
14044 may be amended or modified at the request of the applicant or the applicant's successor in
14045 interest designated by the applicant in writing. The director may administratively
14046 approve minor modifications to an approved development proposal. Modifications that
14047 result in major changes as determined by the department or as defined by the approval
14048 conditions shall be treated as a new application for purposes of vesting and shall be
14049 reviewed as applicable to the underlying application pursuant to K.C.C. 20.20.020. Any
14050 increase in the total number of dwelling units above the maximum number set forth in the
14051 development proposal permit or approval shall be deemed a major modification. The
14052 county, through the applicable development proposal permit or approval conditions, may
14053 specify additional criteria for determining whether proposed modifications are major or
14054 minor. The modifications allowed under this section supersede other modification or
14055 revision provisions of K.C.C. Title 16 and Title 19A and this title.

14056 J.1. To be eligible to use the provisions of this section, a demonstration project

14057 ~~((must)) shall~~ be located on a demonstration project site identified in Attachment A or

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14058 Attachment B to ((Ordinance 16650((Section 2))) Attachment I to this ordinance, and

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14059 the applicant has accepted the site as a King County sustainable communities and

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14060 housing demonstration project.

14061 2. Proposals to modify or waive development regulations for a development
14062 application ~~((must)) shall~~ be consistent with general health, safety, and public welfare
14063 standards, and ~~((must))~~ not violate state or federal law.

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14064 3.a. Applications ~~((must)) shall~~ demonstrate how the proposed project, when
14065 considered as a whole with the proposed modifications or waivers to the code, will meet
14066 all of the criteria in this subsection J., as compared to development without the
14067 modification or waiver, and:

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14068 (1) achieves higher quality urban development;

14069 (2) provides quality infill development;

14070 (3) optimizes site utilization; and

14071 (4) enhances pedestrian experiences and sense of place and community.

14072 b. Any individual request for a modification or waiver ~~((must)) shall~~ meet two
14073 or more of the following criteria:

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14074 (1) contributes to the creation of a sustainable community, which includes
14075 features such as a connected street network, a mix of housing types, pedestrian or bike
14076 routes throughout the development, direct bus connections, no front garages, and front
14077 porches.

14078 (2) uses the natural site characteristics to protect the natural systems;

14079 (3)(a) contributes to achievement of a three-star rating for the project site

14080 under the Built Green Communities program administered by the Master Builders

14081 Association of King and Snohomish Counties;

14082 (b) contributes to achievement of a four-star or higher rating for the single

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14083 ~~((family units)) detached residences~~ under the Built Green program administered by the
14084 Master Builders Association of King and Snohomish Counties or achieve a gold
14085 certification under the U.S. Green Building Council, LEED program, or equivalent
14086 program; or

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14087 (c) contributes to achievement of a four-star or higher rating for ~~((the~~
14088 ~~multifamily units)) multiunit developments~~ under the Built Green program administered
14089 by the Master Builders Association of King and Snohomish Counties or achieve a gold
14090 certification under the U.S. Green Building Council, LEED program, or other equivalent
14091 program; and

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14092 (4) provides attractive, well-designed development that will assist in
14093 improving safety and preventing crime in the development and surrounding area,
14094 including: adequate outdoor lighting along walkways~~((/))~~ and trails~~((/))~~; walkways~~((/))~~
14095 and trails ~~((5'))~~ five feet or wider; and low vegetation along walkways~~((/))~~ and trails.

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14096 4. The criteria in this subsection supersede other variance, modification, or
14097 waiver criteria and provisions of K.C.C. Title 21A.

14098 K. Regulatory modification and waiver applications, or both, authorized by this
14099 section shall be filed with the department of local services, permitting division, within
14100 three years of the approval of the development proposal, which includes issuance of a
14101 building permit or site development permit, recording of a plat, short plat, or binding site
14102 plan, or by such a later date as may be specified in the conditions of any development
14103 approval for any type of modification or waiver for which the opportunity for future
14104 application is expressly granted in those conditions. Modifications or waivers contained
14105 within an approved development proposal are valid as long as the underlying permit or

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14106 development application approval is valid. If modifications or waivers are approved as
14107 separate applications, they ~~((must)) shall~~ be incorporated into a valid permit or
14108 development application within three years of approval of the development proposal.

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14109 The director may extend the date for filing the demonstration project permit and
14110 development applications for a maximum of twelve months. Any deadline in this
14111 subsection shall be adjusted to include the time for appeal of all or any portion of the
14112 project approval.

14113 SECTION 263. Ordinance 19119, Section 2, and K.C.C. 21A.55.125 are hereby
14114 amended to read as follows:

14115 A.1. The purpose of the alternative housing demonstration project is to:

14116 a. encourage private market development of housing options that are
14117 affordable to different segments of the county's population by testing removal of certain
14118 regulatory barriers to developing such housing;

14119 b. compare ((at least two)) alternative housing options and their accessibility
14120 for populations who are otherwise unable to find suitable housing, such as lower-income
14121 one-person households, low-income seniors, people with disabilities, veterans, and
14122 persons experiencing homeless; and

14123 c. evaluate the public benefit of providing housing options with smaller living
14124 spaces and shared facilities(=and

14125 implement Phase I of King County Comprehensive Plan Workplan Action 6,
14126 as adopted in Ordinance 18427, and as amended by Ordinances 18427 and 18810)).

14127 2. The expected benefits from the alternative housing demonstration project
14128 include:

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14129 ~~_____ a. the use of innovative design and development techniques to promote~~
14130 ~~alternative housing options;~~
14131 ~~_____ b. the development of new affordable housing built to modern building~~
14132 ~~standards; and~~
14133 ~~_____ c. the opportunity to identify and evaluate potential substantive changes to land~~
14134 ~~use and development regulations that support the development of affordable housing~~
14135 ~~while maintaining community character.~~
14136 ~~_____ B. ((For purposes of this section:~~
14137 ~~_____ 1. "Congregate residence" means one or more buildings that contain either~~
14138 ~~sleeping units or dwelling units, or both, and where residents share either sanitation~~
14139 ~~facilities or kitchen facilities, or both.~~
14140 ~~_____ 2. "Sleeping unit" means a room or space in which people sleep, and can also~~
14141 ~~include permanent provisions for living, eating, and either sanitation or kitchen facilities~~
14142 ~~but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping~~
14143 ~~units.~~
14144 ~~_____ (E)) The alternative housing demonstration project shall be implemented in~~
14145 ~~((North Highline as described in Attachment A to Ordinance 19119, ((and)) in the~~
14146 ~~Vashon Rural Town as described in Attachment B to Ordinance 19119)), and in the~~
14147 ~~Snoqualmie Pass Rural Town as described in Map Amendment 31 in Attachment I to this~~
14148 ~~ordinance.~~
14149 ~~_____ ((D-))C. Applications shall demonstrate how the proposed project, when~~
14150 ~~considered as a whole with the proposed modifications or waivers to the code, will meet~~
14151 ~~the criteria in this section and, as compared to development without the modification or~~

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14152 waiver, the degree to which the project will:
14153 _____ a. increase the range of affordable housing options, including providing
14154 housing types that meet the needs of the local community;
14155 _____ b. provide housing options for low- to moderate-income households;
14156 _____ c. provide for the development of lower rent housing options through
14157 construction of buildings with shared facilities;
14158 _____ d. seek to prevent displacement of the local community's residents;
14159 _____ e. for projects with public funding, meet or exceed the sustainable
14160 development standards adopted by Washington state Department of Commerce under
14161 RCW 39.35D.080;
14162 _____ f. for projects without public funding, meet or exceed Master Builders
14163 Association of King and Snohomish Counties 4-star Built Green standard; and
14164 _____ g. provide attractive and well-designed development.
14165 ~~((E.))~~D. The following apply to a demonstration project development proposal
14166 under this section and supersede development regulations under this title that are in
14167 conflict~~((;))~~;
14168 ~~((1.))~~ A demonstration project development proposal for a congregate residence
14169 in ~~((North Highline identified in Attachment A to Ordinance 19119))~~ Snoqualmie Pass
14170 Rural Town as identified in Attachment C to this ordinance, is a permitted use under
14171 K.C.C. 21A.08.030 and the maximum residential density provisions and the base height
14172 provisions of K.C.C. 21A.12.030 and of K.C.C. 21A.12.040 do not apply if:
14173 _____ ~~((a.))~~1. ~~((t))~~The proposal is for no more than a combined total of ~~((sixty))~~ forty
14174 dwelling units and sleeping units;

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14175 ~~((b.)) 2. ((c))~~ Each sleeping unit or dwelling unit contains no more than two
14176 ~~hundred twenty square feet of floor area; ((and))~~

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14177 ~~((c.)) 3. ((t))~~ The proposed development does not exceed sixty-five feet in
14178 ~~height; and;~~

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14179 ~~d. The proposed development does not use the provisions of K.C.C. chapter~~
14180 ~~21A.48.~~

14181
14182 ~~((2. A demonstration project development proposal for a congregate residence,~~
14183 ~~in Vashon Rural Town as identified in Attachment B to Ordinance 19119 is a permitted~~
14184 ~~use under K.C.C. 21A.08.030 and the maximum residential density provisions of K.C.C.~~
14185 ~~21A.12.030 do not apply if:~~

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14186 ~~a. the development proposal is for no more than five buildings with each~~
14187 ~~building containing no more than a combined total of eight dwelling units and sleeping~~
14188 ~~units; and~~

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14189 ~~b. except for accessibility units designed to house persons with physical~~
14190 ~~disabilities, sleeping units and dwelling units shall not contain more than three hundred~~
14191 ~~fifty square feet of floor area. Sleeping units and dwelling units designed as accessible~~
14192 ~~for persons with physical disabilities shall contain no more than three hundred eight five~~
14193 ~~feet of net floor area; and~~

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14194 ~~d. The proposed development does not use the provisions of K.C.C. chapter~~
14195 ~~21A.48.))~~

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14196 ~~3. A demonstration project development proposal for a congregate residence in~~
14197 ~~the Snoqualmie Pass Rural Town as identified in Map Amendment 31 in Attachment I to~~

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14198 this ordinance, is a permitted use under K.C.C. 21A.08.030 and the maximum residential
14199 density provisions and the base height provisions of K.C.C. 21A.12.030 and of K.C.C.
14200 21A.12.040 do not apply if:

14201 _____ a. the proposal is for no more than a combined total of forty dwelling units
14202 and sleeping units;

14203 _____ b. each sleeping unit or dwelling unit contains no more than two hundred
14204 twenty square feet of floor area;

14205 _____ c. the proposed development does not exceed sixty-five feet in height; and

14206 _____ d. The proposed development does not use the provisions of K.C.C. chapter
14207 21A.48.

14208 ~~((F-))~~ E. A congregate residence under this section shall meet the following
14209 standards:

14210 _____ 1. A congregate residence shall include at least one common kitchen facility. In
14211 a congregate residence with more than two floors, at least one common kitchen facility is
14212 required on each floor with sleeping units. In a congregate residence consisting of more
14213 than one building, at least one common kitchen facility is required in each building.

14214 _____ 2. A sleeping unit that does not include sanitation facilities in the sleeping unit
14215 shall have access to shared sanitation facilities on the same floor as the sleeping unit.

14216 _____ 3. Communal areas, such as common kitchen facilities, lounges, recreation
14217 rooms, dining rooms, living rooms, laundry rooms, foyers, and lobbies, shall be open to
14218 all residents of the congregate residence and shall meet the following standards:

14219 _____ a. The total floor area of communal areas shall be at least twelve percent of the
14220 total floor area of all sleeping and dwelling units; and

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14221 ~~_____ b. Service areas, including, but not limited to, hallways and corridors, supply~~
14222 ~~or janitorial storage areas, operations and maintenance areas, staff areas, and offices, may~~
14223 ~~not be counted toward the communal area total floor area requirement.~~

14224 ~~_____ ((G-))F.1. An application for a development permit or building permit under this~~
14225 ~~section shall include a proposed agreement with the department of local services,~~
14226 ~~permitting division, that addresses at least the following to be undertaken by the~~
14227 ~~applicant:~~

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14228 ~~_____ a. measures to ensure that rents remain affordable, such as rent and income~~
14229 ~~restrictions or the inherent affordability of smaller units;~~

14230 ~~_____ b. ~~measures to reduce displacement of the local community's residents, such~~~~
14231 ~~as affirmative marketing or maintaining wait lists;~~

14232 ~~_____ c. measures to ensure that residents have available transportation choices to~~
14233 ~~enable them reasonable access to retail and services, such as the Metro transit department~~
14234 ~~Access paratransit services, community service vans, bike storage rooms or carshare~~
14235 ~~services;~~

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14236 ~~_____ d. for projects in the Vashon Rural Town, services that will be available to~~
14237 ~~residents of the project, such as case management for vulnerable populations or social~~
14238 ~~connectivity programming;~~

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14239 ~~_____ e. measures to incorporate housing needs of the local community into the~~
14240 ~~proposed development;~~

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14241 ~~_____ f.)) measures to involve the local community in the proposed development;~~

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14242 ~~and~~

14243 ~~_____ ((g.))e. what information the applicant will collect and when and how it will~~

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14244 be reported to the department of local services, permitting division, and the department of
14245 community and human services to assist in evaluation of the demonstration project.

14246 2. The department shall not approve a development permit or building permit
14247 application under this section until the proposed agreement under this subsection has
14248 been approved by the department of local services, permitting division.

14249 ~~((H))~~ G.1. A modification or waiver approved by the department of local
14250 services, permitting division, in accordance with this section shall be in addition to those
14251 modifications or waivers that are currently allowed by this title, K.C.C. Title 9, K.C.C.
14252 Title 14, and K.C.C. Title 16.

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14253 2. An applicant under this section, in conjunction with an application for a site
14254 development permit or a building permit, may request in writing a modification or waiver
14255 of the development regulations under the following chapters and titles. Proposals to
14256 modify or waive development regulations for a development application ~~((must))~~ shall be
14257 consistent with general health, safety, and public welfare standards and ~~((must))~~ shall not
14258 violate state or federal law:

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14259 a. drainage review requirements: K.C.C. chapter 9.04 and the Surface Water
14260 Design Manual;

14261 b. King County road standards: K.C.C. chapter 14.42 and the county road
14262 standards, 2016 update;

14263 c. King County building code: K.C.C. Title 16;

14264 d. permitted uses: K.C.C. chapter 21A.08;

14265 e. density and dimensions: K.C.C. chapter 21A.12;

14266 f. design requirements: K.C.C. chapter 21A.14;

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14267 g. landscaping and water use: K.C.C. chapter 21A.16;
14268 h. parking and circulation: K.C.C. chapter 21A.18; and
14269 i. school impact fees: K.C.C. chapter 21A.43.
14270 3. Requests for a waiver or modification made in accordance with this section
14271 shall be submitted to the department of local services, permitting division, in writing
14272 before or in conjunction with a development permit or building permit application
14273 together with any supporting documentation. The supporting documentation ((must))
14274 shall illustrate how the proposed modification meets the criteria in this section.
14275 4. The notice of application, review, and approval of a proposed modification or
14276 waiver under this section shall be treated as a Type 2 land use decision in accordance
14277 with K.C.C. 20.20.020. Approval or denial of the proposed modification or waiver shall
14278 not be construed as applying to any other development application either within a
14279 demonstration project area or elsewhere in the county.
14280 5. A preapplication conference with the applicant and the department of local
14281 services, permitting division, to determine the need for and the likely scope of a proposed
14282 modification or waiver is required before submittal of such a request. If a modification or
14283 waiver requires approval of the department of natural resources and parks or the
14284 department of local services, roads services division, that department or division shall be
14285 invited to participate in the preapplication conference.
14286 6. If the applicant requests an adjustment from the county drainage standards,
14287 the director shall refer the request to the department of natural resources and parks for
14288 decision under K.C.C. chapter 9.04, with the right to appeal within the department of
14289 natural resources and parks as provided in K.C.C. 9.04.050.C.6. The department of

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14290 natural resources and parks shall consider the purposes of this demonstration project -as a
14291 factor relative to the public interest requirement for drainage adjustments described in
14292 K.C.C. 9.04.050.C.

14293 7. If the applicant requests a variance from the county road standards, the
14294 director shall refer the request to the county road engineer for decision under K.C.C.
14295 14.42.060, with the right to appeal to the department of local services, road services
14296 division, as provided in K.C.C. 14.42.060 and the associated public rules. The
14297 department of local services, road services division, shall consider the purposes of this
14298 demonstration project as a factor relative to the public interest requirement for road
14299 variances described in K.C.C. 14.42.060.

14300 8. Administrative appeals of modifications or waivers approved by the director
14301 shall be combined with any appeal of the underlying permit decision.

14302 ~~((F-)) H. An approved development permit or a building permit under this section,~~
14303 including site plan elements or conditions of approval, may be amended or modified at
14304 the request of the applicant or the applicant's successor in interest designated by the
14305 applicant in writing. The director may administratively approve minor modifications to
14306 an approved permit. Modifications that result in major changes as determined by the
14307 department of local services, permitting division, or as defined by the approval
14308 conditions, shall be treated as a new application for purposes of vesting and shall be
14309 reviewed as applicable to the underlying application in accordance with K.C.C.
14310 20.20.020. Any increase in the total number of sleeping units and dwelling units above
14311 the maximum number set forth in the development permit or building permit approval
14312 shall be deemed a major modification. The county, through the applicable development

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14313 permit or building permit approval conditions, may specify additional criteria for
14314 determining whether proposed modifications are major or minor. The modifications
14315 allowed under this section supersede other modification or revision provisions of K.C.C.
14316 Title 16 and this title.

14317 ~~_____ ((J)) I. Demonstration project applications shall be accepted by the department of~~
14318 ~~local services, permitting division, for ((four)) ten years from ((July 19, 2020)) the~~
14319 ~~effective date of this ordinance. Complete applications submitted before the end of the~~
14320 ~~((four)) ten years, shall be reviewed and decided on by the department of local services,~~
14321 ~~permitting division.~~

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14322 ~~_____ ((K)) J.1. The executive shall electronically file the following reports ((in the~~
14323 ~~form of a paper original and an electronic copy)) with the clerk of the council, who shall~~
14324 ~~retain the original and provide an electronic copy to all councilmembers, the council chief~~
14325 ~~of staff, and the lead staff to the local services((L)) and land use committee or its~~
14326 ~~successor ((and the lead staff to the community health and housing services committee or~~
14327 ~~its successor)):~~

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14328 ~~_____ a. A preliminary report within two years of the final certificate of occupancy~~
14329 ~~for the first project completed under the demonstration project, as adopted in either~~
14330 ~~ordinance 19119 or this ordinance, that describes and evaluates the pertinent preliminary~~
14331 ~~results; and~~

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14332 ~~_____ b. A final report within two years of the final certificate of occupancy for the~~
14333 ~~second project completed under the demonstration project, as adopted in either ordinance~~
14334 ~~19119 or this ordinance, that describes and evaluates the pertinent results and~~
14335 ~~recommends changes, if appropriate based on evaluation, that should be made to the~~

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14336 county processes and development regulations.
14337 2. If only insufficient or inconclusive data are available when the report required
14338 under subsection ((K))J.I. of this section is due, the executive ((must)) shall
14339 electronically file ((in the form of a paper original and an electronic copy)) with the clerk
14340 of the council, who shall retain the original and provide an electronic copy to all
14341 councilmembers, the council chief of staff, and the lead staff to the local services and
14342 land use committee or its successor ((and the lead staff to the community health and
14343 housing services committee or its successor)) a report on the demonstration projects that
14344 indicates the date a subsequent report or reports will be transmitted to fully evaluate
14345 outcomes of the demonstration project sites and recommend changes, if appropriate,
14346 based on the evaluation, that should be made to the county processes and development
14347 regulations.

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14348 SECTION 264. Ordinance 19687, Section 13, and K.C.C. 21A.60.050 are hereby
14349 amended to read as follows:

14350 A. Parking shall be accessed from alleys, where an alley exists. If there is no alley,
14351 parking entries shall prioritize pedestrians by limiting the maximum width to twenty feet
14352 for two-way driveways.

14353 B. Developments with over two hundred linear feet on a single street frontage or
14354 two hundred linear feet of total street frontage on properties that abut two parallel streets
14355 shall provide a midblock connection. The route may be through the building interior if the
14356 building is open to the public during business hours.

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14357 ~~_____ C. Developments on corner lots shall either orient a building façade toward the~~
14358 ~~street corner within fifteen feet of the property line or provide pedestrian-oriented space at~~
14359 ~~the corner leading directly to a building entrance or entrances.~~

14360 ~~_____ D. Minimum interior setbacks of the underlying zone are waived.~~

14361 ~~_____ E. Service areas including loading docks, refuse containers, compactors, and~~
14362 ~~mechanical equipment shall be located and screened to avoid negative visual, auditory,~~
14363 ~~olfactory, or physical impacts on the property and adjacent street frontages. Service areas~~
14364 ~~shall be located within buildings or screened with acceptable materials including brick,~~
14365 ~~concrete block, stone, or wood. Chain-link fencing is not permitted as a screening material.~~

14366 ~~_____ SECTION 197. Sections 198 through 200 of this ordinance should constitute a~~
14367 ~~new chapter in K.C.C. Title 21A.~~

14368 ~~_____ NEW SECTION. SECTION 198. There is hereby added to the chapter~~
14369 ~~established in section 197 of this ordinance a new section to read as follows:~~

14370 ~~_____ The purpose of this chapter is to provide standards for emergency housing options~~
14371 ~~and to address the potential impacts to neighborhoods.~~

14372 ~~_____ NEW SECTION. SECTION 199. There is hereby added to the chapter~~
14373 ~~established in section 197 of this ordinance a new section to read as follows:~~

14374 ~~_____ A. In addition to contents otherwise required for applications in the code,~~
14375 ~~including but not limited to K.C.C. 20.20.040, the application for emergency housing~~
14376 ~~shall include:~~

14377 ~~_____ 1. A description of the staffing and operational characteristics, including~~
14378 ~~confirmation of sanitation and basic safety measures required for the facility;~~

14379 ~~_____ 2. Occupancy policies, including a description of the population to be served~~

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14380 ~~and a code of conduct that includes, at a minimum, a prohibition of threatening or unsafe~~
14381 ~~behavior;~~
14382 ~~———— 3. A plan for managing the exterior appearance of the site, including keeping the~~
14383 ~~site litter free;~~
14384 ~~———— 4. A phone number, email, and point of contact at the site of the facility for the~~
14385 ~~community to report concerns. A plan for addressing reported concerns and making this~~
14386 ~~information publicly available;~~
14387 ~~———— 5. A plan for outreach with surrounding property owners and residents~~
14388 ~~addressing items such as noise, smoking areas, parking, security procedures, and litter;~~
14389 ~~and~~
14390 ~~———— 6. A site plan and narrative documenting compliance with all applicable codes,~~
14391 ~~including:~~
14392 ~~———— a. a sketch of the building or buildings to be occupied;~~
14393 ~~———— b. a floor plan that describes the capacities of the buildings for the uses~~
14394 ~~intended, room dimensions, and a designation of the rooms to be used for nonambulatory~~
14395 ~~residents, if any; and~~
14396 ~~———— c. a sketch of the grounds showing buildings, driveways, fences, storage areas,~~
14397 ~~pools, gardens, and recreation areas, including all spaces used by the residents.~~
14398 ~~———— B. When in conflict with other sections of this title, the criteria in this chapter~~
14399 ~~supersede.~~
14400 ~~———— NEW SECTION. SECTION 200. There is hereby added to the chapter~~
14401 ~~established in section 197 of this ordinance a new section to read as follows:~~
14402 ~~———— Safe parking is subject to the following criteria:~~

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14403 ~~———— A. When safe parking is located on a site with an established primary use, the~~
14404 ~~director may reduce the minimum number of on-site parking spaces required in K.C.C.~~
14405 ~~chapter 21A.18 for the primary use in order to use those spaces for safe parking, based on~~
14406 ~~a parking study prepared by a professional engineer with expertise in traffic and parking~~
14407 ~~analyses, or an equally qualified individual as authorized by the director;~~

14408 ~~B. A safe parking site that allows vehicles that do not have restroom facilities~~
14409 ~~must provide restroom and potable water access within the buildings on the property or~~
14410 ~~portable facilities and handwashing stations; and~~

14411 ~~———— C. If recreational vehicles are hosted at the safe parking site, provision must be~~
14412 ~~made for potable water and for proper disposal of grey water and black water waste from~~
14413 ~~the vehicles.~~

14414 SECTION 201265. Ordinance 3269, Section 2, and K.C.C. 24.08.010 are hereby
14415 amended to read as follows:

14416 ~~((For the purpose of this title, the following terms have the meanings ascribed to~~
14417 ~~them in this chapter.)) The definitions in K.C.C. chapter 21A.06 and the definitions in
14418 this chapter apply to this title. ~~Where definitions in this chapter differ from the~~
14419 ~~definitions in K.C.C. chapter 21A.06, the definitions in this chapter shall control.~~~~

14420 NEW SECTION. SECTION 202266. There is hereby added to K.C.C. chapter
14421 24.08 a new section to read as follows:

14422 Rotating shelter: an emergency shelter where the hosting organizations host
14423 shelter operations ~~for a brief time on a temporary basis~~, rotating the shelter operations
14424 between its participating host locations.

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14425 SECTION 203267. Sections ~~204-268~~ through ~~209-273~~ of this ordinance should
14426 constitute a new chapter in K.C.C. Title 24.

14427 NEW SECTION. SECTION 204268. ~~There is hereby added to the chapter~~
14428 ~~established in section 203 of this ordinance a new section to read as follows:~~

14429 The purpose of this chapter is to provide standards for ~~emergency housing~~
14430 ~~options~~ certain residential care uses and to address the potential impacts to neighborhoods.

14431 NEW SECTION. SECTION 205269. ~~There is hereby added to the chapter~~
14432 ~~established in section 203 of this ordinance a new section to read as follows:~~

14433 Recuperative housing is subject to the following criteria:

14434 A. Prospective residents shall be referred to the facility by off-site providers of
14435 housing and services for people experiencing homelessness;

14436 B. Recuperative housing facilities shall be staffed and in operation twenty-four
14437 hours per day;

14438 C. Specific rooms or units shall be assigned to specific residents for the duration
14439 of their stay;

14440 D. On-site services such as laundry, hygiene, meals, case management, and social
14441 programs are limited to residents;

14442 E. All vehicles on-site shall be licensed and in operational condition; and

14443 F. A lease agreement for residents is allowed but not required.

14444 NEW SECTION. SECTION 206270. ~~There is hereby added to the chapter~~
14445 ~~established in section 203 of this ordinance a new section to read as follows:~~

14446 A. Emergency shelters that operate twenty-four hours per day, seven days per
14447 week, are subject to the following criteria:

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- 14448 1. Facilities shall be staffed twenty-four hours per day; and
14449 2. Beds or rooms shall be assigned to specific residents for the duration of their
14450 stay;

14451 B. ~~Permanent~~ emergency shelters that operate only overnight and rotating
14452 shelters shall provide on-site supervision while in operation; and

14453 C. A lease agreement for residents is allowed but not required.

14454 NEW SECTION. SECTION 207271. ~~There is hereby added to the chapter~~
14455 ~~established in section 203 of this ordinance a new section to read as follows:~~

14456 Emergency supportive housing ~~and interim housing are~~ subject to the following
14457 criteria:

14458 A. Facilities shall be staffed and in operation twenty-four hours per day;

14459 B. Specific rooms or units shall be assigned to specific residents for the duration
14460 of their stay;

14461 C. On-site services such as laundry, hygiene, meals, case management, and social
14462 programs shall be limited to residents;

14463 D. All vehicles on-site shall be licensed and in operational condition; and

14464 E. A lease agreement for residents is allowed but not required.

14465 NEW SECTION. SECTION 208272. ~~There is hereby added to the chapter~~
14466 ~~established in section 203 of this ordinance a new section to read as follows:~~

14467 Microshelter villages are subject to the following criteria:

14468 A. On-site services such as laundry, hygiene, meals, case management, and social
14469 programs shall be limited to residents;

14470 B. Supervision shall be provided by on-site staff at all times, unless it can be

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14471 demonstrated that this level of supervision is not warranted for the population being
14472 housed;

14473 C. The organization managing and operating the facility shall provide sanitation
14474 and basic safety measures;

14475 D. All vehicles on-site shall be licensed and in operational condition; and

14476 E. A lease agreement for residents is allowed but not required.

14477 NEW SECTION. SECTION 209273. ~~There is hereby added to the chapter~~

14478 ~~established in section 203 of this ordinance a new section to read as follows:~~

14479 Safe parking sites are allowed subject to the following criteria:

14480 A. A six-foot clearance shall be provided around each recreational vehicle;

14481 B. All vehicles on-site shall be:

14482 1. Licensed and in operable condition; and

14483 2. Parked with~~in~~ the designated parking area;

14484 C. All personal property shall be stored inside the vehicles;

14485 D. All propane tanks shall be securely fastened to a recreational vehicle's propane
14486 tank mounting bracket;

14487 E. The following are prohibited:

14488 1. Tents, tarps, and other temporary structures, such as lean-tos;

14489 2. Vehicles that leak the following:

14490 a. domestic sewage or other waste fluids or solids; or

14491 b. gasoline, transmission or radiator fluid, engine oil, or other similar fluids,

14492 excluding potable water;

14493 3. Fires; and

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14494 4. Audio, video, generator, or other amplified sound that is audible outside the
14495 vehicles; and

14496 F. The organization managing or operating the safe parking site shall comply and
14497 enforce compliance of applicable state statutes and regulations and local ordinances
14498 concerning, but not limited to, drinking water connections, solid waste disposal, human
14499 waste, outdoor fire burning, and electrical systems.

14500 SECTION 217274. Ordinance 13332, Section 34, as amended, and K.C.C.
14501 27.10.190 are hereby amended to read as follows:

14502 Preliminary subdivision, short subdivision, (~~urban planned development~~)₂ or
14503 binding site plan applications shall be charged fees for planning, fire flow and access, site
14504 engineering, critical area, survey₂ and state Environmental Policy Act review as follows:

14505	A.	Short plat - urban 2 to 4 lots, simple	\$22,944.00
14506	B.	Short plat - urban 2 to 4 lots, complex	\$26,925.00
14507	C.	Short plat - urban 5 to 9 lots	\$34,036.00
14508	D.	Short plat - rural	\$26,925.00
14509	E.	Subdivision(urban planned development) or binding site plan -	
14510		base fee	\$42,174.00
14511	F.	Subdivision - additional fee per lot	\$142.00
14512	G.	<u>Lot split</u>	<u>\$500</u>
14513	<u>H.</u>	Minor plan revisions before or after preliminary approval	
14514	1.	Short plat	\$2,417.00
14515	2.	Subdivision(urban planned development) or binding site plan	\$6,186.00
14516	(H)	Extension of plat approval	\$284.00

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14517 SECTION ~~218275~~. Ordinance 13332, Section 35, as amended, and K.C.C.

14518 27.10.200 are hereby amended to read as follows:

14519 Final subdivision, short subdivision, (~~urban planned development~~) binding site

14520 plan, subdivisional legal description, or title review, approval, and resubmittal shall be

14521 charged fees as follows:

14522 A. Final plan review and approval

14523 1. Short plat - urban 2 to 4 lots, simple \$7,223.00

14524 2. Short plat - urban 2 to 4 lots, complex \$10,068.00

14525 3. Short plat - urban 5 to 9 lots \$15,471.00

14526 4. Short plat - rural \$10,068.00

14527 5. Subdivision(~~(=)~~) or binding site plan(~~(= or urban planned~~
14528 ~~development)~~) \$15,471.00

14529 B. Final plan resubmittal

14530 1. Short plat - urban 2 to 4 lots, simple \$996.00

14531 2. Short plat - urban 2 to 4 lots, complex \$1,421.00

14532 3. Short plat - urban 5 to 9 lots \$2,845.00

14533 4. Short plat - rural \$1,421.00

14534 5. Subdivision(~~(=)~~) or binding site plan(~~(= or urban planned development)~~) \$2,845.00

14535 C. Alteration after recordation

14536 1. Short plat - urban 2 to 4 lots, simple \$4,835.00

14537 2. Short plat - urban 2 to 4 lots, complex \$6,825.00

14538 3. Short plat - urban 5 to 9 lots \$10,380.00

14539 4. Short plat - rural \$6,825.00

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14540	5.	Subdivision ((s)) or binding site plan ((or urban planned	
14541		development))	\$12,372.00
14542	D.	Subdivisional legal description review	
14543	1.	1-50 lots - base fee	\$700.00
14544	2.	1-50 lots - per lot	\$168.00
14545	3.	51-100 lots - base fee	\$9,100.00
14546	4.	51-100 lots - per lot	\$68.00
14547	5.	More than 100 lots - base fee	\$12,500.00
14548	6.	More than 100 lots - per lot	\$16.00
14549	7.	Name change	\$517.00

14550 SECTION 276. No later than June 30, 2025, the executive shall transmit the
14551 thirty-year forest plan, clean water healthy habitat strategic plan, and wildfire risk
14552 reduction strategy to the council, along with motions accepting each document. The
14553 documents and motions required by this section shall be filed with the clerk of the
14554 council, who shall retain an electronic copy and provide an electronic copy to all
14555 councilmembers, the council chief of staff, and the lead staff to the transportation,
14556 economy, and environment committee, or its successor.

14557 SECTION 22277. The following are hereby repealed:
14558 A. Ordinance 14050, Section 17, and K.C.C. 14.70.300;
14559 B. Ordinance 9614, Section 103, as amended, and K.C.C. 16.82.150;
14560 C. Ordinance 16267, Section 6, and K.C.C. 16.82.151;
14561 D. Ordinance 15053, Section 15, as amended, and K.C.C. 16.82.152;
14562 E. Ordinance 15053, Section 16, and K.C.C. 16.82.154;

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- 14563 F. Ordinance 18810, Section 6, and K.C.C. 20.08.175;
- 14564 G. Ordinance 1096, Sections 1 and 2, as amended, and K.C.C. 20.12.090;
- 14565 H. Ordinance 8279, Section 1, as amended, and K.C.C. 20.12.150;
- 14566 ~~I. Ordinance 18623, Section 8, and K.C.C. 20.12.329;~~
- 14567 ~~I~~J. Ordinance 11620, Section 18, and K.C.C. 20.12.433;
- 14568 ~~J~~K. Ordinance 11620, Section 19, and K.C.C. 20.12.435;
- 14569 ~~K~~L. Ordinance 8380, Section 1, and K.C.C. 20.14.010;
- 14570 ~~L~~M. Ordinance 8380, Appendix A;
- 14571 ~~M~~N. Ordinance 8380, Appendix B;
- 14572 ~~N~~O. Ordinance 10238, Section 1, as amended, and K.C.C. 20.14.020;
- 14573 ~~O~~P. Ordinance 10293, Attachment A, as amended;
- 14574 ~~P~~Q. Ordinance 10293, Sections 1, 2, 6, 7, and 9, as amended, and K.C.C.
- 14575 20.14.025;
- 14576 ~~Q~~R. Ordinance 10293, Attachment A, as amended;
- 14577 ~~R~~S. Ordinance 10513, Section 1, as amended, and K.C.C. 20.14.030;
- 14578 ~~S~~T. Ordinance 10513, Attachment A, as amended;
- 14579 ~~T~~U. Ordinance 11087, Section 1, as amended, and K.C.C. 20.14.040;
- 14580 ~~U~~V. Ordinance 11087, Attachment A, as amended;
- 14581 ~~V~~W. Ordinance 11111, Section 1, as amended, and K.C.C. 20.14.050;
- 14582 ~~W~~X. Ordinance 11111, Attachment A, as amended;
- 14583 ~~X~~Y. Ordinance 11886, Sections 1 and 4, as amended, and K.C.C. 20.14.060;
- 14584 ~~Y~~Z. Ordinance 11886, Attachment A, as amended;
- 14585 ~~Z~~AA. Ordinance 12809, Section 1, as amended, and K.C.C. 20.14.070;

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- 14586 ~~AABB~~. Ordinance 12809, Attachment A, as amended;
- 14587 ~~BBCC~~. Ordinance 14091, Section 1, and K.C.C. 20.14.080;
- 14588 ~~CCDD~~. Ordinance 14091, Attachment A;
- 14589 ~~EE~~. Ordinance 13147, Section 28, as amended, and K.C.C. 20.18.120;
- 14590 ~~FF~~. Ordinance 8998, Section 6, and K.C.C. 20.44.145;
- 14591 ~~GG~~. Ordinance 17191, Section 20, and K.C.C. 21A.06.318;
- 14592 ~~HH~~. Ordinance 10870, Section 106 and K.C.C. 21A.06.330;
- 14593 ~~II~~. Ordinance 12171, Section 3, and K.C.C. 21A.06.533;
- 14594 ~~EJJ~~. Ordinance 10870, Section 196, and K.C.C. 21A.06.780;
- 14595 ~~KK~~. Ordinance 10870, Section 239, and K.C.C. 21A.06.995;
- 14596 ~~LL~~. Ordinance 10870, Section 255, and K.C.C. 21A.06.1075;
- 14597 ~~MM~~. Ordinance 10870, Section 301, and K.C.C. 21A.06.1305;
- 14598 ~~FN~~. Ordinance 10870, Section 308, and K.C.C. 21A.06.1340;
- 14599 ~~OO~~. Ordinance 10870, Section 360, and K.C.C. 21A.12.230;
- 14600 ~~PP~~. Ordinance 16267, Section 30, and K.C.C. 21A.12.250;
- 14601 ~~QQ~~. Ordinance 10870, Section 368, and K.C.C. 21A.14.080;
- 14602 ~~RR~~. Ordinance 10870, Section 369, and K.C.C. 21A.14.090;
- 14603 ~~SS~~. Ordinance 10870, Section 379, and K.C.C. 21A.14.190;
- 14604 ~~TT~~. Ordinance 10870, Section 410, as amended, and K.C.C. 21A.18.060;
- 14605 ~~GUU~~. Ordinance 10870, Section 550, and K.C.C. 21A.32.130;
- 14606 ~~HHVV~~. Ordinance 10870, Section 140, and K.C.C. 21A.32.140;
- 14607 ~~HWW~~. Ordinance 10870, Section 560, and K.C.C. 21A.34.010;
- 14608 ~~JXX~~. Ordinance 10870, Section 561, and K.C.C. 21A.34.020;

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- 14609 ~~KKYY~~. Ordinance 10870, Section 562, as amended, and K.C.C. 21A.34.030;
- 14610 ~~LLZZ~~. Ordinance 10870, Section 563, as amended, and K.C.C. 21A.34.040;
- 14611 ~~MMAAA~~. Ordinance 10870, Section 564, as amended, and K.C.C. 21A.34.050;
- 14612 ~~NNBBB~~. Ordinance 10870, Section 565, as amended, and K.C.C. 21A.34.060;
- 14613 ~~OOCCC~~. Ordinance 10870, Section 566, and K.C.C. 21A.34.070;
- 14614 ~~PPDDD~~. Ordinance 10870, Section 567, and K.C.C. 21A.34.080;
- 14615 ~~QOEEE~~. Ordinance 16267, Section 68, as amended, and K.C.C. 21A.37.055;
- 14616 ~~RRFFF~~. Ordinance 10870, Section 581, as amended, and K.C.C. 21A.38.080;
- 14617 GGG. Ordinance 12823, Section 13, and K.C.C. 21A.38.180;
- 14618 ~~SSHHH~~. Ordinance 18623, Section 9, and K.C.C. 21A.38.270;
- 14619 ~~TTIII~~. Ordinance 10870, Section 582, and K.C.C. 21A.39.010;
- 14620 ~~UUJJJ~~. Ordinance 10870, Section 583, as amended, and K.C.C. 21A.39.020;
- 14621 ~~VVKKK~~. Ordinance 10870, Section 584, as amended, and K.C.C. 21A.39.030;
- 14622 ~~WWLLL~~. Ordinance 10870, Section 585, and K.C.C. 21A.39.040;
- 14623 ~~XXMMM~~. Ordinance 10870, Section 586, as amended, and K.C.C. 21A.39.050;
- 14624 ~~YYNNN~~. Ordinance 10870, Section 587, and K.C.C. 21A.39.060;
- 14625 ~~ZZOOO~~. Ordinance 10870, Section 588, and K.C.C. 21A.39.070;
- 14626 ~~AAAPP~~. Ordinance 10870, Section 589, and K.C.C. 21A.39.080;
- 14627 ~~BBBQQ~~. Ordinance 10870, Section 590, and K.C.C. 21A.39.090;
- 14628 ~~CCERR~~. Ordinance 10870, Section 591, and K.C.C. 21A.39.100;
- 14629 ~~DDSSS~~. Ordinance 10870, Section 592, and K.C.C. 21A.39.110;
- 14630 ~~EEETT~~. Ordinance 10870, Section 593, and K.C.C. 21A.39.120;
- 14631 ~~FFFUU~~. Ordinance 10870, Section 594, and K.C.C. 21A.39.130;

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14632 ~~GGGVVV~~. Ordinance 12171, Section 8, and K.C.C. 21A.39.200;
14633 ~~HHHWWW~~. Ordinance 10870, Section 628, and K.C.C. 21A.44.070;
14634 ~~HXXX~~. Ordinance 12171, Section 9, and K.C.C. 21A.44.080;
14635 ~~YYY. Ordinance 19555, Section 23, K.C.C. 21A.48.020;~~
14636 ~~ZZZ. Ordinance 13275, Section 1, as amended, and K.C.C. 21A.55.050;~~
14637 ~~JJAAAA~~. Ordinance 14662, Section 1, as amended, and K.C.C. 21A.55.060;
14638 ~~KKKBBBB~~. Ordinance 17877, Section 1;
14639 ~~LLLCCCC~~. Ordinance 17877, Section 2;
14640 ~~MMMDDDD~~. Ordinance 17877, Section 3;
14641 ~~NNNEEEE~~. Ordinance 17878, Section 1;
14642 ~~OOFFFF~~. Ordinance 17878, Section 2;
14643 ~~PPPGGGG~~. Ordinance 17878, Section 3;
14644 ~~HHHH. Ordinance 17950, Section 5;~~
14645 ~~III. Ordinance 15170, Section 16, as amended;~~
14646 ~~JJJ. Ordinance 15170, Section 17, as amended;~~
14647 ~~KKKK. Ordinance 15170, Section 18, and K.C.C. 21A.32.145;~~
14648 ~~LLLL. Attachment A to Ordinance 13875, as amended; and~~
14649 ~~QQMMMM~~. Ordinance 16650, Attachment B.
14650 ~~SECTION 223278~~. The executive shall submit sections ~~47, 186, 187, 188, 189,~~
14651 ~~190, 191, 192, and 193~~~~30, 31, 136, 137, 138, 141, 143, 144, 145, 146, and 147~~ of this
14652 ordinance and amendments to King County Comprehensive Plan chapter six in
14653 Attachment A to this ordinance to the state Department of Ecology for its approval, as
14654 provided in RCW 90.58.090.

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14655 SECTION 224279. Sections 47, 186, 187, 188, 189, 190, 191, 192, and 19330,
14656 31, 136, 137, 138, 141, 143, 144, 145, 146, and 147 of this ordinance and amendments to
14657 King County Comprehensive Plan chapter six in Attachment A to this ordinance take
14658 effect within the shoreline jurisdiction fourteen days after the state Department of
14659 Ecology provides written notice of final action stating that the proposal is approved, in
14660 accordance with RCW 90.58.090. The executive shall provide the written notice of final
14661 action to the clerk of the council.

14662 SECTION 280. The "Designated Mineral Resource Sites" table shown in Chapter
14663 3 of the King County Comprehensive Plan shall not take effect until the latter of the
14664 following:

14665 A. Sixty days after the date of publication of notice of adoption for this
14666 ordinance; or

14667 B. If a petition for review to the growth management hearings board is timely
14668 filed, upon issuance of the board's final order.

14669 SECTION 225281. The executive is authorized to submit an application to the
14670 Growth Management Planning Council to designate the Skyway and White Center
14671 Unincorporated Activity Centers as countywide centers, as provided in Appendix 6 to the
14672 2021 King County Countywide Planning Policies.

14673 SECTION 226282. Severability. If any provision of this ordinance or its
14674 application to any person or circumstance is held invalid, the remainder of the ordinance
14675 or the application of the provision to other persons or circumstances is not affected."
14676

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14677 Strike Attachment A, 2024 King County Comprehensive Plan, and insert Attachment A,
14678 2024 King County Comprehensive Plan, dated June 2024. The clerk of the council is
14679 instructed to engross changes from any adopted amendments and correct any scrivener's
14680 errors. Upon final adoption, council staff is instructed to reflect the enactment number
14681 throughout Attachment A, incorporate adopted changes into the King County
14682 Comprehensive Plan, modify all Comprehensive Plan and technical maps in Attachment
14683 A to reflect the changes in any adopted amendments, update the tables of contents as
14684 necessary, update footnote numbers as necessary, remove the line numbers, remove
14685 background shading, make the formatting consistent throughout, and provide an
14686 electronic copy of each to the executive.

14687

14688 Strike Attachment B, Appendix A Capital Facilities and Utilities, and insert Attachment
14689 B, Appendix A Capital Facilities and Utilities, dated June 2024. The clerk of the council
14690 is instructed to engross changes from any adopted amendments and correct any
14691 scrivener's errors. The clerk of the council is instructed to remove line numbers and
14692 update headers to reflect the enactment number in the attachment on the final version of
14693 this legislation adopted by the council before presentation to the executive.

14694

14695 Strike Attachment C, Appendix B Housing Needs Assessment, and insert Attachment C,
14696 Appendix B Housing Needs Assessment, dated June 2024. The clerk of the council is
14697 instructed to engross changes from any adopted amendments and correct any scrivener's
14698 errors. The clerk of the council is instructed to remove line numbers and update headers

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14699 to reflect the enactment number in the attachment on the final version of this legislation
14700 adopted by the council before presentation to the executive.
14701
14702 Strike Attachment D, Appendix C Transportation, and insert Attachment D, Appendix C
14703 Transportation, dated June 2024. The clerk of the council is instructed to engross
14704 changes from any adopted amendments and correct any scrivener's errors. The clerk of
14705 the council is instructed to remove line numbers and update headers to reflect the
14706 enactment number in the attachment on the final version of this legislation adopted by the
14707 council before presentation to the executive.
14708
14709 Strike Attachment E, Appendix C1 Transportation Needs Report, and insert Attachment
14710 E, Appendix C1 Transportation Needs Report, dated June 2024. The clerk of the council
14711 is instructed to engross changes from any adopted amendments and correct any
14712 scrivener's errors. The clerk of the council is instructed to remove line numbers and
14713 update headers to reflect the enactment number in the attachment on the final version of
14714 this legislation adopted by the council before presentation to the executive.
14715
14716 Strike Attachment F, Appendix C2 Regional Trail Needs Report, and insert Attachment
14717 F, Appendix C2 Regional Trail Needs Report, dated June 2024. The clerk of the council
14718 is instructed to engross changes from any adopted amendments and correct any
14719 scrivener's errors. The clerk of the council is instructed to remove line numbers and
14720 update headers to reflect the enactment number in the attachment on the final version of
14721 this legislation adopted by the council before presentation to the executive.

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14722

14723 Strike Attachment G, Appendix D1 Growth Targets and the Urban Growth Area, and
14724 insert Attachment G, Appendix D1 Growth Targets and the Urban Growth Area, dated
14725 June 2024. The clerk of the council is instructed to engross changes from any adopted
14726 amendments and correct any scrivener's errors. The clerk of the council is instructed to
14727 remove line numbers and update headers to reflect the enactment number in the
14728 attachment on the final version of this legislation adopted by the council before
14729 presentation to the executive.

14730

14731 Strike Attachment H, Amendments to Vashon-Maury Island Community Service Area
14732 Subarea Plan, As Amended, and insert Attachment H, Vashon-Maury Island Community
14733 Service Area Subarea Plan, As Amended, dated June 2024. The clerk of the council is
14734 instructed to engross changes from any adopted amendments and correct any scrivener's
14735 errors. Upon final adoption, council staff is instructed to reflect the enactment number
14736 throughout Attachment H, incorporate adopted changes into the Vashon-Maury Island
14737 CSA Subarea Plan, update the tables of contents as necessary, update footnote numbers
14738 as necessary, and provide an electronic copy of each to the executive.

14739

14740 Strike Attachment I, Land Use and Zoning Map Amendments, and insert Attachment I,
14741 Land Use and Zoning Map Amendments, dated June 2024. The clerk of the council is
14742 instructed to engross changes from any adopted amendments and correct any scrivener's
14743 errors. Upon final adoption, council staff is instructed to reflect the enactment number
14744 throughout Attachment I, and coordinate with executive staff to assign new P-suffix or

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14745 Special District Overlay numbers, modify all Comprehensive Plan and technical maps,
14746 including those that show the urban growth boundary, and provide an electronic copy of
14747 each to the executive.

14748

14749 Insert Attachment J, Snoqualmie Valley-Northeast King County Subarea Plan, dated June
14750 2024. The clerk of the council is instructed to engross changes from any adopted
14751 amendments and correct any scrivener's errors. Upon final adoption, council staff is
14752 instructed to reflect the enactment number throughout Attachment A, incorporate adopted
14753 changes into the King County Comprehensive Plan, modify all Comprehensive Plan and
14754 technical maps in Attachment J to reflect the changes in any adopted amendments, update
14755 the tables of contents as necessary, update footnote numbers as necessary, remove the
14756 line numbers, and provide an electronic copy of each to the executive.

14757

14758 **EFFECT prepared by E. Auzins, J. Ngo, J. Tracy:**

14759 Striking Amendment S1 would make the following changes:

14760 Proposed Ordinance 2023-0440:

- 14761 1. Updates various terminology for consistency, makes technical and clarifying edits,
14762 engrosses changes made by other ordinances, and addresses code reviser notes in
14763 Titles 20 and 21A.
- 14764 2. Adds a Finding regarding a Map Amendment near the City of Kent.
- 14765 3. Adds Findings regarding a Map Amendment and Special District Overlay (SDO)
14766 regarding green energy.
- 14767 4. In the responsibilities for the Department of Local Services (DLS):
 - 14768 a. Requires subarea plans and Community Service Area (CSA) work programs to be
14769 completed with the "County and community work together" level of community
14770 engagement.

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- 14771 b. Requires community needs lists to be transmitted to the Council with the subarea
14772 plan during mid-biennium budget reviews, or with the biennial budget.
- 14773 c. Requires CSA work programs to restart in 2025.
- 14774 d. Requires DLS to include monitoring and reporting of performance metrics for
14775 subarea plans, community needs lists, and CSA work programs. Transmittal of
14776 reports to council is required every two years. In the other years, the reporting is
14777 required to be posted to the website.
- 14778 e. Updates language around transportation network company licensing and active
14779 transportation.
- 14780 5. Makes updates to the Code regarding cultural programs, to require the County to
14781 consider equity and racial, social, and environmental justice in the promotion and
14782 protection of cultural resources.
- 14783 6. Establishes a Rural Area Advisory Commission, with a purpose section, membership
14784 requirements, rules of operation, and staffing.
- 14785 7. Updates the boundary of the sewer local service area to reflect a change in a Map
14786 Amendment.
- 14787 8. Modifies the duties of the Utilities Technical Review Committee to remove language
14788 regarding coordinated water system plans.
- 14789 9. Adds a new section to K.C.C. Chapter 13.28 to state that the Comprehensive Plan
14790 governs over an adopted coordinated water system plan.
- 14791 10. Removes regulatory language from the transmitted definitions of "active
14792 transportation" and "transportation facilities" in Title 14.
- 14793 11. Maintains existing language regarding criteria for road vacations, so that a road
14794 vacation application could be denied if it has a "future transportation use," and adds
14795 language "including use as a public trail."
- 14796 12. Adds that the Department of Local Services consult with the Department of Natural
14797 Resources and Parks in implementing the active transportation program.
- 14798 13. In the grading permit exemption table:
- 14799 a. Adds a date for cumulative fill for excavation less than 5 feet or fill less than 3
14800 feet. Sets the date as January 1, 2005.

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- 14801 b. Adds a date for cumulative clearing of invasive species. Sets the date as January
14802 1, 2005.
- 14803 14. In the requirements for the Strategic Climate Action Plan (SCAP):
- 14804 a. Requires the SCAP to be transmitted to the Council by ordinance starting in 2030.
- 14805 b. Changes language on the definition of green jobs to match the definition used in
14806 the KCCP.
- 14807 c. Removes language regarding an initial green jobs strategy that was completed.
- 14808 d. Removed unnecessary explanatory language.
- 14809 e. Modifies the reporting to require it with the SCAP transmittal and at the midpoint
14810 between updates, to reflect current practice.
- 14811 f. Requires the creation of a labor advisory council *and* input from labor and
14812 workforce development organizations.
- 14813 g. Requires collaboration with Indian tribes, and the King County-Cities Climate
14814 Collaboration, with each SCAP update.
- 14815 15. For Metro's transit carbon offset and environmental attributes program, requires that
14816 revenue collected be used solely for providing "mobility services" rather than
14817 "additional transit service hours."
- 14818 16. Removes allowance for longer preliminary plat expirations. Adds a one-time, one-
14819 year extension for preliminary plat expirations.
- 14820 17. For boundary line adjustments, allows the creation of no more than two additional
14821 building sites in the urban area. Maintains one in the rural area or natural resource
14822 lands.
- 14823 18. In the definition of "subarea plan," removes examples.
- 14824 19. In the list of Shoreline Master Program elements, adds additional subsections of
14825 K.C.C. 21A.24.070 (critical area alteration exceptions), and removes K.C.C.
14826 20.18.040 (site-specific land use and zoning map amendments).
- 14827 20. Modifies the language for emergency comprehensive plan amendments language to
14828 say that public notice and testimony be "commensurate with the nature of the
14829 emergency" and to require such an amendment to be adopted as an emergency
14830 ordinance as defined by the King County Charter.

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- 14831 21. Separates site-specific land use map amendments and shoreline master program map
14832 amendments into separate sections of code. Allows shoreline master program map
14833 amendments with annual and midpoint updates, in addition to 10-year updates.
- 14834 22. For land use and zoning map amendments, requires additional mailings if there is not
14835 a local area newspaper. Combines this provision with other public hearing
14836 requirements.
- 14837 23. For docket proposals, requires those that are received between the scoping and
14838 transmittal of midpoint and 10-year updates to have supplemental material be
14839 provided with transmittal. For docket proposals received between transmittal and
14840 adoption of midpoint and 10-year updates that are not addressed in the update,
14841 requires that the Executive include those in the next docket report.
- 14842 24. Requires a public summary of the Executive's transmitted Comprehensive Plan that is
14843 translated into the top six languages other than English.
- 14844 25. The code sections regarding the Four-to-One Program are modified as part of the
14845 package with the CPP and KCCP changes to remove duplication between the three
14846 documents, put the broadest policies in the CPPs, more detail in KCCP policies, and
14847 regulations in the K.C.C. Substantive changes include:
- 14848 a. Requires the tri-party agreement to be transmitted and approved concurrent with
14849 the Four-to-One proposal.
- 14850 b. Removes an option for use of transfer of development rights for off-site
14851 conservation, instead allows an off-site conservation easement.
- 14852 c. Modifies the landscaping requirement to require, for the on-site natural area, a 50
14853 foot landscaped buffer to create a screen between the natural area and the new
14854 urban area. And allows for additional and different vegetation if it better protects
14855 the natural area or restores habitat.
- 14856 d. Limits active recreation to the total area of natural area dedicated, including off-
14857 site.
- 14858 e. Adds a placeholder for the affordable housing section.
- 14859 26. Modifies community meeting section to reflect current practice, that community
14860 meetings are required in sections of Title 21A besides the permitted use table.

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- 14861 27. Modifies the purpose of the RA zone so that so that if a proposed rezone (to RA-5)
14862 fails to meet any one criterion, it would be denied. Adds, for RA-10, language
14863 regarding "moderate or significant" critical areas being on-site.
- 14864 28. In the purpose of the CB, NB, and O zones, removing language limiting mixed-use to
14865 urban areas and Rural Towns, and in the NB zone, that residential uses are limited to
14866 in urban areas on properties with the land use designation of commercial outside of
14867 center.
- 14868 29. Adds a new definition for "adult family home" that matches the RCW.
- 14869 30. Adds a definition for "natural area."
- 14870 31. Middle housing:
- 14871 a. Modifies/adds definitions for "apartment," "community residential facility,"
14872 "cottage housing," "congregate residence," "duplex," "dwelling unit,"
14873 "household," "houseplex," "manufactured home," "manufacture home
14874 community," "mixed-use," "mobile home," "sleeping unit," and "townhouse."
- 14875 b. Removes definition for "triplex" and "fourplex."
- 14876 c. Removes regulations from the definition of "family."
- 14877 d. Removes a requirement for a CUP to locate more than one dwelling unit on an
14878 individual lot.
- 14879 e. Removes requirement for duplexes, houseplexes, apartments, and permanent
14880 supportive housing to comply with net buildable area requirements.
- 14881 f. Allows manufactured home communities as a Permitted use in the R-4 through R-
14882 8 zones. Changes the residential density from 6 to 12 units per acre in these
14883 zones. Removes provision for a bonus related to "displaced" units.
- 14884 g. Allows cottage housing a Permitted use, with development conditions, in the R-12
14885 through R-48 zones. Removes community meeting requirement. The same
14886 conditions would apply as apply for R-4 through R-8 zones.
- 14887 h. Allows congregate housing (replaces "dormitory" use, for which the definition is
14888 also repealed) in the R-1 as a CUP with development conditions, in the R-12
14889 through R-48 zones as a Permitted use, and in the NB, CB, RB, and O zones as a
14890 Permitted use with development conditions requiring mixed use. Adds design

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- 14891 standards for congregate housing requiring shared kitchen and sanitation facilities
14892 and communal areas.
- 14893 32. Emergency housing:
- 14894 a. Modifies/adds definitions for "crisis care center," "emergency shelter,"
14895 "emergency supportive housing," "microshelter," "microshelter village,"
14896 "permanent supportive housing," "recuperative housing," "safe parking," "social
14897 services," and "unsheltered."
- 14898 b. Removes definitions and allowances for "emergency housing" and "interim
14899 housing."
- 14900 c. Creates a new land use table for health care services and residential care services.
14901 Clarifies that these uses are considered residential development for the purposes
14902 of the landscaping requirements.
- 14903 d. Allows "doctor's office/outpatient" as a Permitted use in the R-12 to R-48 zones.
14904 Allows doctor's office/outpatient use as a Permitted use with a reuse of a public
14905 building in the RA and UR zones.
- 14906 e. Allows a "hospital" as a Permitted use in the R-12 to R-48 zone with development
14907 conditions limited to SIC Industries 8063-Psychiatric Hospitals and 8069-
14908 Specialty Hospitals, Except Psychiatric.
- 14909 f. Allows "social services" in the R-12 through R-48 as a Permitted use.
- 14910 g. Allows "crisis care center:"
- 14911 1) in the RA zone as a Permitted use when reusing a public school building or
14912 surplus nonresidential building, or as a CUP on a site at least 4.5 acres and
14913 within 1 mile of an interstate.
- 14914 2) in the R-1 through R-8 zones, as a Permitted use when reusing a public school
14915 building or surplus nonresidential building, or as a CUP.
- 14916 3) As a Permitted Use in the R-12 through R-48 zones, NB, CB, RB, O zones.
- 14917 4) As a Permitted use in the I zone, limited to the Preston Industrial center.
- 14918 h. Allows "nursing and personal care services:"
- 14919 1) In the R-4 through R-8 zones, as a Permitted use when reusing a public school
14920 building or surplus nonresidential building, or as a CUP.
- 14921 2) As a Permitted use in the R-12 through R-48, NB, and O zones.

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- 14922 i. "Adult family home" is added as an allowed use where residential uses are
14923 permitted and with the same permissions.
- 14924 j. Allows "permanent supportive housing" in the NB zone, and in Rural Towns.
14925 Removes landscaping and design requirements exemptions.
- 14926 k. Allows "recuperative housing" in the NB zone, and in Rural Towns. Removes
14927 landscaping and design requirements exemption.
- 14928 l. Allows "emergency supportive housing" in the NB zone, and in Rural Towns.
14929 Allows this use in the R-4 through R-8 zones with a CUP and with development
14930 conditions. Removes landscaping and design requirements exemption.
- 14931 m. Allows "microshelter villages" in the NB zone, and in Rural Towns.
- 14932 n. Allows "safe parking" in the NB zone, and in Rural Towns.
- 14933 o. Allows "other residential care" as a CUP in the R-4 through R-8 zones, and as a
14934 Permitted use in the R-12 through R-48, NB, CB, RB, and O zones.
- 14935 33. Other housing changes:
- 14936 a. Modifies the definition and regulations for clustered development, to only allow
14937 clustered development for protection of critical areas, or to preserve forestry or
14938 agricultural land. Removes requirement to cluster land in the UR zone.
- 14939 b. Allows mixed-use development in Rural Neighborhood Commercial Centers.
- 14940 c. Maintains language restricting the height for detached accessory dwelling units to
14941 not exceed the base height.
- 14942 d. Removes a requirement that attached accessory dwelling units have a "continuous
14943 roofline that appears to be one single building."
- 14944 e. Changes allowance for the number of accessory dwelling units in the urban area
14945 from two per primary dwelling unit to two per lot.
- 14946 f. Removes a requirement that future accessory dwelling units are prohibited if a lot
14947 with an accessory dwelling unit is subdivided unless the lot is double the
14948 minimum lot size.
- 14949 g. Maintains existing language for accessory living quarters that they are limited to
14950 one per lot.
- 14951 34. Modifies the definition of "grading" in Title 21A to match the definition in Title 16.
- 14952 35. Moves temporary lodging uses to the General Services land use table.

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- 14953 36. Allows "sports clubs" in the UR and R-1 through R-48 zones, with development
14954 conditions limiting the size, noise, parking, and hours of operation.
- 14955 37. Allows "general personal services" in the R-4 through R-48 zones with development
14956 conditions limiting the size, noise, parking and hours of operation.
- 14957 38. Removes development conditions for "daycare I and II" in the A, RA, UR, R-1, R-4
14958 through R-48 zones. Requires a conditional use permit for daycares caring for more
14959 than 36 individuals in the RA, UR, and R-1 through R-48 zones.
- 14960 39. Allows "department and variety stores," "food stores," "eating and drinking places,"
14961 "drug stores," "book, stationery, video, and art supply stores," "florist shops," as a
14962 Permitted Use in the R-4 through R-8 zones with development conditions limiting
14963 size, drive-throughs, noise, parking and hours of operation. Allows these uses with a
14964 CUP to raise the size from 1,000 square feet to 2,500 square feet. Allows these uses
14965 in the R-12 through R-48 zones as a Permitted Use, similar conditions, and a
14966 maximum size of 5,000 square feet. Removes other requirements in K.C.C. 21A.12
14967 that conflict with these standards.
- 14968 40. Limits retail uses in the NB zone in the Rural Neighborhood Commercial Centers to
14969 15,000 square feet and adds this limitation to "retail nursery, garden center, and farm
14970 supply stores," "book, stationery, video, and art supply stores," "hobby, toy, game
14971 shops," "photographic and electronic shops," and "florist shops."
- 14972 41. Adds a new definition for "anaerobic digester." Allows this use (replacing
14973 agricultural anaerobic digester, definition of this is also deleted):
- 14974 a. In the A and RA zones as a Permitted use with development conditions limiting
14975 the type of waste and as an accessory use to a dairy or livestock use. Allowed
14976 with a CUP if these limitations cannot be met.
- 14977 b. In the F, M, NB, CB, RB, O, and I zones with a CUP.
- 14978 c. In the R-1 through R-48 zones and UR zone with a CUP and with development
14979 conditions limiting the use for waste generated on-site.
- 14980 42. Modifies the development conditions for urban agriculture, applying to the R-1
14981 through R-48, NB, CB, RB, and O zones, to:
- 14982 a. Align size limitations between primary and accessory use.
- 14983 b. Change retail sales from beginning at 7am to beginning at 8am.

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- 14984 c. Remove farm plan requirement.
- 14985 d. Remove requirement in R-1 zone that the lot be 75 percent cleared; instead
- 14986 prohibits agricultural activities on R-1 properties 20 acres or greater that are
- 14987 designated as urban separators.
- 14988 e. Allow the residential-specific limitations to be exceeded with a CUP, except on
- 14989 urban separators.
- 14990 f. Prohibit animal mortality management, on-site animal waste storage, disposal,
- 14991 and processing.
- 14992 43. Modifies the requirements for "hydroelectric generation facility" and "non-
- 14993 hydroelectric generation facility to complete an equity impact review for new,
- 14994 modified, or expanded uses.
- 14995 44. Adds conditions for "fossil fuel facilities" for consistency with Policy F-536.
- 14996 45. Requires an equity impact review for new, modified, or expanded gas or hazardous
- 14997 liquid transmission pipelines.
- 14998 46. In the dimensional tables (not captured elsewhere):
- 14999 a. Clarifies that maximum density that is 200% over the base is only allowed
- 15000 through inclusionary housing or using the TDR affordable housing pilot.
- 15001 b. The height limit in Vashon Rural Town zoning is changed to a maximum of 3
- 15002 stories, not to exceed 40 feet (was 35 feet without a maximum number of stories).
- 15003 c. Repeals a requirement for additional setbacks when 3 or more dwelling units are
- 15004 provided in the R-12 through R-48 zones.
- 15005 d. Removes 36 dwelling unit per acre base density for the RB zone. Forty-eight
- 15006 units per acre is proposed/allowed now.
- 15007 e. Allows up to 4 dwelling units per acre in Rural Neighborhood Commercial
- 15008 Centers, in the NB, CB, and O zones.
- 15009 47. Removes requirement that freestanding air conditions and heat pumps be set back 5'
- 15010 from lot lines, or have a recorded agreement with the neighboring property.
- 15011 48. Modifies the trigger for design requirements and recreational space from 4 to 9
- 15012 dwelling units or sleeping units, and consolidates some sections in this chapter.
- 15013 49. Clarifies that for subdivisions in the RA zone, a condition be recorded prohibiting
- 15014 covenants that would restrict "farming or forestry" to align with KCCP language.

Redline provided for illustrative purposes only

- 15015 50. Changes parking ratios:
- 15016 a. Dwelling units within ½ mile of a high-capacity or frequent transit stop: 1.2 per
- 15017 dwelling unit.
- 15018 b. Adult family home: 2 per home.
- 15019 c. Clarifies that recuperative housing and emergency supportive housing is per
- 15020 sleeping unit, not per bedroom.
- 15021 51. Separates the requirement for a critical area report in the shoreline area, into a new
- 15022 section in K.C.C. chapter 21A.25, from the mitigation sequencing section.
- 15023 52. Adds phasing requirements for mineral extraction, to limit the size of each phase, and
- 15024 not allow more than 2 phases to be operating at any one time and reclamation must
- 15025 occur before third phase can begin.
- 15026 53. Clarifies that the fossil fuel facilities are regulated under the mineral extraction code.
- 15027 54. Modifies the definition and regulations for shoreline stabilization to better align with
- 15028 state law.
- 15029 55. Moves the new section on large on-site septic systems from K.C.C. 21A.44 (decision
- 15030 criteria) to K.C.C.21A.28 (adequacy of facilities and services).
- 15031 56. Modifies the sections regarding school capital facilities planning to:
- 15032 a. Modify the Council staff person on the School Technical Review Committee to be
- 15033 ex officio.
- 15034 b. Makes changes to align school impact fee exemptions with state law
- 15035 requirements.
- 15036 57. Modifies the allowance for animals to allow 10 poultry, chicken, and squab on lots
- 15037 less than 35,000 square feet, and a maximum of 20 animals on larger sites. Prohibits
- 15038 roosters in the urban area.
- 15039 58. Under the TDR program, allows publicly owned land participating in the forest
- 15040 carbon program to be a sending site.
- 15041 59. Incorporates changes from Proposed Ordinance 2023-0439, the Snoqualmie
- 15042 Valley/Northeast King County Subarea Plan.
- 15043 60. In the Fall City business district SDO, adds additional allowed uses, to create more
- 15044 consistency with the CB zoning countywide. Prohibits nonresidential uses from

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- 15045 being on the upper floors. Limits residential density to 4 dwelling units per acre, and
15046 up to 6 dwelling units per acre if affordable housing is provided.
- 15047 61. Creates a new Vashon Rural Town Commercial Business SDO, converting it from P-
15048 suffix condition VS-P29. Adds additional allowed uses, to create more consistency
15049 with the CB zoning countywide. Only allows residential uses on upper floors.
- 15050 62. Creates a new Vashon-Maury Industrial SDO, converting it from P-suffix condition
15051 VS-P30. Adds additional allowed uses, to create more consistency with the I zoning
15052 countywide.
- 15053 63. Creates a new green energy SDO that would change permit requirements for certain
15054 uses on five parcels on/in close proximity to utility corridors and waste management
15055 and mineral extraction sites. This would allow (in addition to what is allowed by the
15056 underlying zoning):
- 15057 a. As Permitted uses: non-hydroelectric generation facility, anaerobic digester, and
15058 production of biogas from waste management processes; local distribution gas
15059 storage tanks to support biogas uses.
- 15060 b. As a CUP: renewable hydrogen generation; and to support the regional solid
15061 waste system: energy resource recovery facility, transfer station, landfill, and
15062 interim recycling facility.
- 15063 64. Converts the Executive's transmitted Fall City Rural Town Residential P-suffix into
15064 an SDO. Adds a base height of 25 feet and a maximum height of 35 feet.
- 15065 65. Repeals existing mandatory inclusionary housing requirements, and inserts a
15066 placeholder to determine affordability requirements, including occupancy type, AMI,
15067 minimum percent of affordable units, and maximum density. Removes the specific
15068 affordability requirements for the voluntary inclusionary housing requirements.
- 15069 66. In the green building code, specifies that if a project doesn't use LEED, Evergreen
15070 Sustainable Development Standard, or the Sustainable Infrastructure Scorecard, then
15071 it is required to achieve the "highest rating" in an alternative rating system, in line
15072 with KCCP requirements.
- 15073 67. Modifies the alternative housing demonstration project to extend it for an additional
15074 10 years in North Highline and Vashon Rural Town.

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15075 68. Requires the Executive's 30-year forest plan, Clean Water Health Habitat Strategic
15076 Plan, Wildfire Risk Reduction Strategy to be transmitted to the Council by June 2025,
15077 for approval by motion.

15078 69. Adds additional sections to be repealed:

15079 a. K.C.C. 20.44.145: an old SEPA rule.

15080 b. Definition of "relocation facility," "shelter for temporary placement," "transitional
15081 housing facility

15082 c. 21A.12.230: Specific requirements for personal services, retail uses in the R-4 to
15083 R-48 zones

15084 d. 21A.12.250: Specific requirements for general personal services and doctor's
15085 office/outpatient use.

15086 e. 21A.32.145: expiration of homeless encampment code.

15087 70. Establishes an effective date for the change to the Designated Mineral Resources
15088 Sites table in Chapter 3 of the Comprehensive Plan.

15089

15090 Attachment A, 2024 King County Comprehensive Plan, dated June 2024

15091

15092 *Global*

15093 71. Formatting changes to give the Plan a more modern look. Moves of policies are
15094 shaded in yellow, and then edits are shown in legislative markup.

15095 72. Removes repetitive, unnecessary, and outdated information and language in lead-in
15096 text and policies.

15097 73. Names Indian tribes first, where multiple partners are listed.

15098

15099 *Chapter 1*

15100 74. Reorganizes the chapter to improve flow.

15101 75. Revises lead-in text to pull in more information from the Housing Needs Assessment
15102 Appendix.

15103 76. Replaces hierarchy of planning diagram to remove reference to Annual Plans.

15104 77. Moves policies related to the Four-to-One Program to Chapter 1, from Chapter 2.

15105

Redline provided for illustrative purposes only

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 provisions	Broadens the policy to apply 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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- 15106
 15107 *Chapter 2*
 15108 86. Reorganizes the chapter to improve flow.
 15109 87. Clarifies the use of "centers" to differentiate between the county's land use
 15110 designations the centers use in the Regional Growth Strategy.
 15111 88. Adds lead-in text describing heat islands.
 15112 89. Adds lead-in text describing food innovation districts.
 15113

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 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.

Redline provided for illustrative purposes only

Ch 2	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
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.
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	Removes regulatory language.

Redline provided for illustrative purposes only

Ch 2	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
			residential zones	
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.

15114

15115 *Chapter 3*

15116 110. Reorganizes the chapter to improve flow.

15117 111. Further clarifies the difference between the rural area geography and the Rural Area zone.

15118 112. Incorporates changes from Proposed Ordinance 2023-0439, the Snoqualmie Valley/Northeast King County Subarea Plan.

15121 113. Maintains existing language describing different rural areas.

15122 114. Removes references to agency-level plans that are not adopted County policy.

15123 115. Adds lead-in text regarding Policy R-325 to reflect that the policy may be out of date, but is maintained for clarity.

15125 116. Clarifies lead-in text on existing industrial areas in the Rural Area.

15126 117. Adds lead-in text describing the unique features of each Rural Town.

15127 118. Incorporates changes from Executive's critical area policy transmittal in lead-in text.

15129 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.

15130

15131

Ch 3	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
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

Redline provided for illustrative purposes only

Ch 3	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
				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 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

Redline provided for illustrative purposes only

Ch 3	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
				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 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.

Redline provided for illustrative purposes only

Ch 3	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
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.
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	Adds a new subsection h., calling for research on fire

Redline provided for illustrative purposes only

Ch 3	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
			risk	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	<p>Splits into three policies. Policy R-750 requires long-term viability of commercial agriculture. (Language taken from Executive's proposed language.)</p> <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

Redline provided for illustrative purposes only

Ch 3	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
				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

- 166. Reorganizes the chapter to improve flow.
- 167. Revises lead-in text to pull in more information from the Housing Needs Assessment Appendix.
- 168. Replaces some population-specific description with "those with special housing needs."
- 169. Names specific AMI levels rather than use of "extremely low, very low, etc."
- 170. Adds language for consistency with terms used in the Veterans, Seniors, and Human Services Levy and Implementation Plan.

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

Redline provided for illustrative purposes only

Ch 4	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
				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.
178.	H-152	H-109	County funding priorities for affordable housing	Adds a priority for permanent supportive housing. Adds a priority for reducing time and cost of achieving the County's goals, such as through leveraging additional public and private loans.
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	Adds language that affordable housing prioritization target at or below 80 percent AMI. Removes regulatory

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Ch 4	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
				language. Adds crisis care centers and community development as priorities for surplus County-owned land.
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 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.

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Ch 4	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
				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 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

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Ch 4	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
				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.
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	New Policy supporting

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Ch 4	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
			coordination	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 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."

15143

15144 *Chapter 5*

15145 230. Reorganizing the chapter to improve flow.

15146 231. Removes references to agency-level plans that are not adopted County policy.

Redline provided for illustrative purposes only

15147

Ch 5	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
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. 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.

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Ch 5	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
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, E-303	Quality environment	Splits this Policy into two 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	Updates based on

Redline provided for illustrative purposes only

Ch 5	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
			balanced with endangered species protection	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 inform other planning	Includes components of former Policy E-499n (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.

Redline provided for illustrative purposes only

Ch 5	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
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 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

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Ch 5	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
				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, E-448, E-449	Groundwater protection	Splits one policy into four policies.
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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15148
 15149 Chapter 6
 15150 296. Changes to better reflect state law requirements.
 15151

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 Program	Policy is deleted.
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

Redline provided for illustrative purposes only

Ch 6	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
				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 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	Removed "substantial

Redline provided for illustrative purposes only

Ch 6	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
			conservation	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.
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.

Redline provided for illustrative purposes only

Ch 6	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
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-dependent uses	Reformatting this policy to align with state law. Edited to more closely align to state 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	Combined into S-825 and

Redline provided for illustrative purposes only

Ch 6	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
			construction need	deleted.

15152

15153 *Chapter 7*

15154 341. Updates to open space system terminology in lead-in text and policies.

15155 342. Updates to the relationship between King County and 4Culture.

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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 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.

Redline provided for illustrative purposes only

Ch 7	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
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.
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

- 362. Reorganizing the chapter to improve flow.
- 363. Updates data on vanpool use and the County's road system.
- 364. Aligns list of priority populations references throughout the chapter, except where referring to existing documents or where context requires otherwise.
- 365. Adds lead-in text describing stormwater parks.

Ch 8	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
366.	T-102, T-402	T-103	Multimodal transportation system	Adds language from former T-402 and deletes former T-

Redline provided for illustrative purposes only

Ch 8	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
				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.
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

Redline provided for illustrative purposes only

Ch 8	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
				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 programs	Changes "shall" to "should" to align with policy direction for the transportation system as a whole

15165

15166 *Chapter 9*

15167 384. Reorganizing the chapter to improve flow.

15168 385. Clarifies that "regional" services includes "countywide" services.

15169

Ch 9	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
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."

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Ch 9	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
				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 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	Changes "should" to "shall." Adds "community" to a group that should not be disproportionately impacted. 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. Splits the last two sentences into two new policies.
399.	F-230	F-430, F-431	Siting analysis for essential public facilities.	In subsection c., requires analysis of "historical and current" impacts, in addition to "potential." Moves subsections h. and i. to a new policy. Adds a new subsection

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Ch 9	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
				requiring a cumulative impact analysis located near the proposed facility.
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 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."

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Ch 9	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
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 for energy producing facilities	Adds in "new, modified, or 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

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Ch 9	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
				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 distribution pipeline rights-of-way	Changes "shall" to "should" to 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."

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Ch 9	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
				<p>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.</p>

15170
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Chapter 10

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

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Ch 10	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
				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 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

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Ch 10	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
				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

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458. Reorganizes the chapter to improve flow.

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459. Incorporates changes from Proposed Ordinance 2023-0439, the Snoqualmie

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Valley/Northeast King County Subarea Plan.

15180

460. Removes "Community Service Area" from the title of chapter for clarity.

15181

461. Updates the Schedule to show planning periods for midpoint and 10-year updates,

15182

and the possibility that the 2031 KCCP will include changes related to a new GMA

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requirement for an "implementation progress report."

15184

462. Deletes references to past requirements regarding subarea plans, adopted with the

15185

2016 Comprehensive Plan scope of work.

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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

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464. Changes the deadlines for the Work Plan actions to "TBD."

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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

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Ch 12	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
				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.
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

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Ch 12	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
				process.
474.	Action 5	Action 4	Old Growth Corridors	<p>Adds language to review carbon sequestration value and revenue impacts.</p> <p>Adds language referencing the Mature Forests motion.</p> <p>Adds language that the action should promote a mix of species and age classes that was previously in policy.</p>
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 Strategies	New action calling for an 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	<p>New action calling for a variety of ways to remove barriers to affordable housing.</p> <p>Incorporates Executive's transmitted action related to multifamily tax exemption.</p>

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Ch 12	Transmitted Policy Number	Striker Policy Number	Topic	Description of Change
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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 15192 *Glossary*
 15193 483. Modified existing definitions, added new definitions consistent with other direction,
 15194 and deleted outdated definitions no longer used in the plan.
 15195
 15196 Attachment B, Appendix A Capital Facilities and Utilities, dated June 2024
 15197 484. Updates to known capital facilities providers since transmittal.
 15198 485. Technical corrections and reformatting.
 15199
 15200 Attachment C, Appendix B Housing Needs Assessment, dated June 2024
 15201 486. Clarifying changes, technical corrections and reformatting.
 15202 487. Added new maps regarding development capacity within ½ mile of transit,
 15203 displacement risk, concentration of Black/African American population.
 15204 488. Added language regarding ways the County is addressing gaps identified in the
 15205 SEPA process and permitting timelines.
 15206
 15207 Appendix C Attachment D, Transportation, dated June 2024
 15208 489. Updates to services since transmittal.
 15209 490. Removing repetitive, unnecessary, and outdated information.
 15210 491. Clarifying changes, technical corrections and reformatting.
 15211
 15212 Attachment E, Appendix C1 Transportation Needs Report, dated June 2024
 15213 492. Updates to projects since transmittal.
 15214 493. Clarifying changes, technical corrections and reformatting.
 15215
 15216 Attachment F, Appendix C2 Regional Trail Needs Report, dated June 2024
 15217 494. Clarifying changes and reformatting
 15218
 15219 Attachment G, Appendix D1 Growth Targets and the Urban Growth Area, dated June
 15220 2024
 15221 495. Added language regarding coordination with schools to plan for growth.
 15222 496. Removing unnecessary information.
 15223 497. Reformatting.

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- 15224
15225 Attachment H, Vashon-Maury Island Community Service Area Subarea Plan, As
15226 Amended, dated June 2024
15227 498. Added a new policy stating support for increased availability for behavioral and
15228 mental health services in the Vashon Rural Town.
15229 499. Added a new policy stating support for emergency medical transportation for
15230 Vashon-Maury Island.
15231 500. Reformatting.
15232
15233 Attachment I, Land Use and Zoning Map Amendments, dated June 2024
15234 501. Clarifying changes, technical corrections and reformatting.
15235 502. Map Amendment 4:
15236 a. Removes changes related to Alternative Housing Demonstration Project.
15237 b. Modifies NH-P04 to remove design standards already covered in Title 21A and
15238 revises the tenant space requirements to focus on initial development.
15239 503. Map Amendment 6: Shows removal of third area that the Sustainable Communities
15240 and Housing Projects Demonstration Project originally applied to.
15241 504. Map Amendment 9:
15242 a. For a parcel (located on Southwest 174th Street in the vicinity of Vashon
15243 Highway Southwest) proposed to be modified from CB to R-8 in the transmittal,
15244 changes it to R-12.
15245 b. Converts VS-P29 and VS-P30 to Special District Overlays (future changes
15246 described in Proposed Ordinance section).
15247 c. Removes potential zoning.
15248 d. Removes VS-P31, which required affordable housing on a single parcel.
15249 e. In VS-P28, modifies maximum height 3 stories or 40 feet (rather than 35 feet
15250 with no mention of number of stories).
15251 505. Map Amendment 18: Removes changes related to Alternative Housing
15252 Demonstration Project.
15253 506. New Map Amendment 21: Removes FW-P12, which required an Urban Planned
15254 Development to develop the site.
15255 507. New Map Amendment 22: Adds WH-P10 to one parcel and modifies the language
15256 so that the parcels are not subject to minimum density.
15257 508. Moves the map amendments from Proposed Ordinance 2023-0439 (Snoqualmie
15258 Valley/NE King County Subarea Plan) into this Proposed Ordinance. Further
15259 changes described here.
15260 509. Map Amendment 24 (was SVNE Map Amendment 2): Changes the proposed Fall
15261 City Residential Standards P-suffix to a Special District Overlay. Further changes
15262 are described under the Proposed Ordinance.
15263 510. Map Amendment 26 (was SVNE Map Amendment 4): modifies SV-P19 for clarity
15264 and to remove language preventing ownership of property this P-suffix doesn't
15265 apply to.
15266 511. New Map Amendment 37: Adds a Green Energy Special District Overlay, to four
15267 M-zoned parcels and one parcel that has both M and RA-5 zoning. Further detail is
15268 described under the Proposed Ordinance.
15269

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- 15270 Attachment J, Snoqualmie Valley-Northeast King County Subarea Plan, dated June 2024
 15271 512. Incorporates changes from Proposed Ordinance 2023-0439, the Snoqualmie
 15272 Valley/Northeast King County Subarea Plan. Attachment D to that Proposed
 15273 Ordinance is incorporated into this Attachment.
 15274 513. Removes repetitive, unnecessary, and outdated information and language in lead-
 15275 in text and policies.
 15276 514. Adds lead-in text on government landowners.
 15277 515. Makes corrections to data.
 15278 516. Adds lead-in text on community priorities communicated about veterans, people
 15279 living with disabilities.
 15280 517. Adds detail to lead-in text describing transit service.
 15281 518. Adds lead-in text describing SR 202 as an important road for walking and biking,
 15282 Snoqualmie Pass safety, SR 202 safety, and need for amenities along US Highway
 15283 2.
 15284 519. Adds lead-in text describing solid waste collection.
 15285 520. Modifies performance measures specific to Snoqualmie Valley/NE King County.
 15286

SVNE	Transmittal Policy Number	Striker Policy Number	Topic	Description of Change
521.	SVNE-2	SVNE-2	Fall City Business District	Adds policy intent.
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-	Wild and	Adds a new policy regarding

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SVNE	Transmittal Policy Number	Striker Policy Number	Topic	Description of Change
		23	Scenic River program	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.
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	Specifies that agritourism should be "environmentally sustainable."

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SVNE	Transmittal Policy Number	Striker Policy Number	Topic	Description of Change
			vitality	
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.

15287