



## Legislation Text

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**File #:** 2023-0440, **Version:** 3

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Clerk 12/16/2024

AN ORDINANCE related to comprehensive planning; amending Ordinance 11955, Section 5, as amended, and K.C.C. 2.16.055, Ordinance 8300, Section 3, as amended, and K.C.C. 2.48.030, Ordinance 18326, Section 3, and K.C.C. 6.70.010, Ordinance 18326, Section 4, and K.C.C. 6.70.020, Ordinance 18326, Section 5, and K.C.C. 6.70.030, Ordinance 18326, Section 6, as amended, and K.C.C. 6.70.040, Ordinance 18326, Section 8, as amended, and K.C.C. 6.70.060, Ordinance 18326, Section 9, and K.C.C. 6.70.070, Ordinance 9163, Section 2, as amended, and K.C.C. 9.04.020, Ordinance 9163, Section 5, as amended, and K.C.C. 9.04.060, Ordinance 13625, Section 22, as amended, and K.C.C. 13.24.035, Ordinance 1709, Section 7, as amended, and K.C.C. 13.24.090, Ordinance 11616, Section 10, as amended, and K.C.C. 13.24.132, Ordinance 18420, Section 37, and K.C.C. 14.01.360, Ordinance 18420, Section 61, as amended, and K.C.C. 14.40.0104, Ordinance 8421, Section 3, as amended, and K.C.C. 14.56.020, Ordinance 8421, Section 4, as amended, and K.C.C. 14.56.030, Ordinance 1488, Section 5, as amended, and K.C.C. 16.82.020, Ordinance 15053, Section 3, as amended, and K.C.C. 16.82.051, Ordinance 1488, Section 7, as amended, and K.C.C. 16.82.060, Ordinance 12560, Section 148, as amended, and K.C.C. 17.04.200, Ordinance 12560, Section 149, as amended, and K.C.C. 17.04.280, Ordinance 16147, Section 2, as amended, and K.C.C.

18.17.010, Ordinance 19402, Section 8, and K.C.C. 18.17.050, Ordinance 17270, Section 2, as amended, and K.C.C. 18.25.010, Ordinance 17971, Section 4, as amended, and K.C.C. 28.30.030, Ordinance 13694, Section 5, and K.C.C. 19A.04.030, Ordinance 17841, Section 1, and K.C.C. 19A.04.205, Ordinance 13694, as amended, and K.C.C. 19A.04.310, Ordinance 13694, Section 42, as amended, and K.C.C. 19A.08.070, Ordinance 13694, Section 56, as amended, and K.C.C. 19A.12.020, Ordinance 13694, Section 57, as amended, and K.C.C. 19A.12.030, Ordinance 13694, Section 80, as amended, and K.C.C. 19A.28.020, Ordinance 18810, Section 3, and K.C.C. 20.08.037, Ordinance 263, Art. 3 (part), and K.C.C. 20.08.060, Ordinance 263, Article 2, Section 1, as amended, and K.C.C. 20.12.010, Ordinance 3692, Section 2, as amended, and K.C.C. 20.12.200, Ordinance 13147, Section 19, as amended, and K.C.C. 20.18.030, Ordinance 13147, Section 20, as amended, and K.C.C. 20.18.040, Ordinance 3688, Section 813, as amended, and K.C.C. 20.18.056, Ordinance 13147, Section 22, as amended, and K.C.C. 20.18.060, Ordinance 13147, Section 23, as amended, and K.C.C. 20.18.070, Ordinance 13147, Section 24, as amended, and K.C.C. 20.18.080, Ordinance 13147, Section 25, as amended, and K.C.C. 20.18.090, Ordinance 13147, Section 27, and K.C.C. 20.18.110, Ordinance 13147, Section 30, as amended, and K.C.C. 20.18.140, Ordinance 13147, Section 31, and K.C.C. 20.18.150, Ordinance 13147, Section 32, and K.C.C. 20.18.160, Ordinance 14047, Section 9, and K.C.C. 20.18.170, Ordinance 14047, Section 10, and K.C.C. 20.18.180, Ordinance 12196, Section 9, as amended, and K.C.C. 20.20.020, Ordinance 16950, Section 10, as amended, and K.C.C. 20.20.035, Ordinance 12196, Section 16, as amended, and K.C.C. 20.20.090, Ordinance

12196, Section 17, as amended, and K.C.C. 20.20.100, Ordinance 12196, Section 19, as amended, and K.C.C. 20.20.120, Ordinance 4461, Section 10, as amended, and K.C.C. 20.22.150, Ordinance 9544, Section 16, as amended, and K.C.C. 20.22.180, Ordinance 10511, Section 7, as amended, and K.C.C. 20.36.100, Ordinance 15137, Section 10, as amended, and K.C.C. 20.36.190, Ordinance 6949, Section 7, as amended, and K.C.C. 20.44.050, Ordinance 6949, Section 10, as amended, and K.C.C. 20.44.080, Ordinance 4828, Section 2, as amended, and K.C.C. 20.62.020, Ordinance 4828, Section 4, as amended, and K.C.C. 20.62.040, Ordinance 11620, Section 12, as amended, and K.C.C. 20.62.150, Ordinance 10870, Section 17, as amended, and K.C.C. 21A.02.070, Ordinance 10870, Section 27, as amended, and K.C.C. 21A.04.060, Ordinance 10870, Section 28, as amended, and K.C.C. 21A.04.070, Ordinance 10870, Section 29, as amended, and K.C.C. 21A.04.080, Ordinance 10870, Section 30, as amended, and K.C.C. 21A.04.090, Ordinance 10870, Section 31, as amended, and K.C.C. 21A.04.100, Ordinance 10870, Section 32, as amended, and K.C.C. 21A.04.110, Ordinance 10870, Section 33, and K.C.C. 21A.04.120, Ordinance 10870, Section 44, as amended, and K.C.C. 21A.06.020, Ordinance 10870, Section 48, as amended, and K.C.C. 21A.06.040, Ordinance 10870, Section 54, as amended, and K.C.C. 21A.06.070, Ordinance 10870, Section 5, and K.C.C. 21A.06.355, Ordinance 17710, Section 2, and K.C.C. 21A.06.7341, Ordinance 17710, Section 3, and K.C.C. 21A.06.7342, Ordinance 17710, Section 4, as amended, and K.C.C. 21A.06.7344, Ordinance 17710, Section 5, as amended, and K.C.C. 21A.06.7346, Ordinance 17710, Section 6, as amended, and K.C.C. 21A.06.7348, Ordinance 10870, Section 84, and K.C.C. 21A.06.220, Ordinance 12243, Section 4, and

K.C.C. 21A.06.247, Ordinance 15032, Section 4, and K.C.C. 21A.06.358, Ordinance 15606, Section 5, and K.C.C. 21A.06.196, Ordinance 10870, Section 92, as amended, and K.C.C. 21A.06.260, Ordinance 10870, Section 98, and K.C.C. 21A.06.290, Ordinance 10870, Section 101, as amended, and K.C.C. 21A.06.305, Ordinance 15051, Section 31, and K.C.C. 21A.06.333, Ordinance 10870, Section 109, and K.C.C. 21A.06.345, Ordinance 10870, Section 125, as amended, and K.C.C. 21A.06.425, Ordinance 10870, Section 144, as amended, and K.C.C. 21A.06.520, Ordinance 10870, Section 148, and K.C.C. 21A.06.540, Ordinance 10870, Section 153, and K.C.C. 21A.06.565, Ordinance 10870, Section 172, and K.C.C. 21A.06.660, Ordinance 15051, Section 74, and K.C.C. 21A.06.732, Ordinance 10870, Section 191, and K.C.C. 21A.06.755, Ordinance 10870, Section 195, and K.C.C. 21A.06.775, Ordinance 10870, Section 77, and K.C.C. 21A.06.185, Ordinance 15051, Section 87, and K.C.C. 21A.06.957, Ordinance 14045, Section 7, and K.C.C. 21A.06.1013, Ordinance 10870, Section 252, as amended, and K.C.C. 21A.06.1060, Ordinance 10870, Section 634 (part), as amended, and K.C.C. 21A.06.1062, Ordinance 3688, Section 251, as amended, and K.C.C. 21A.06.1082C, Ordinance 11922, Section 2, and K.C.C. 21A.06.1170, Ordinance 10870, Section 292, as amended, and K.C.C. 21A.06.1260, Ordinance 13733, Section 5, as amended, and K.C.C. 21A.06.1273B, Ordinance 10870, Section 114, and K.C.C. 21A.06.370, Ordinance 10870, Section 297, as amended, and K.C.C. 21A.06.1285, Ordinance 10870, Section 315, as amended, and K.C.C. 21A.06.1375, Ordinance 10870, Section 330, as amended, and K.C.C. 21A.08.030, Ordinance 10870, Section 331, as amended, and K.C.C. 21A.08.040, Ordinance 10870, Section 332, as amended,

and K.C.C. 21A.08.050, Ordinance 10870, Section 333, as amended, and K.C.C. 21A.08.060, Ordinance 10870, Section 334, as amended, and K.C.C. 21A.08.070, Ordinance 10870, Section 335, as amended, and K.C.C. 21A.08.080, Ordinance 10870, Section 336, as amended, and K.C.C. 21A.08.090, Ordinance 10870, Section 337, as amended, and K.C.C. 21A.08.100, Ordinance 19687, Section 14, and K.C.C. 21A.60.060, Ordinance 19687, Section 9, and K.C.C. 21A.60.010, Ordinance 19687, Section 12, and K.C.C. 21A.60.040, 21A.60.050, Ordinance 19687, Section 16, and K.C.C. 21A.60.080, Ordinance 19687, Section 17, and K.C.C. 21A.60.090, Ordinance 19687, Section 11, and K.C.C. 21A.60.030, Ordinance 19687, Section 18, and K.C.C. 21A.60.100, Ordinance 19687, Section 19, and K.C.C. 21A.60.110, Ordinance 17485, Section 43, as amended, and K.C.C. 21A.38.260, Ordinance 10870, Section 340, as amended, and K.C.C. 21A.12.030, Ordinance 10870, Section 341, as amended, and K.C.C. 21A.12.040, Ordinance 10870, Section 343, as amended, and K.C.C. 21A.12.060, Ordinance 10870, Section 344, as amended, and K.C.C. 21A.12.070, Ordinance 10870, Section 354, as amended, and K.C.C. 21A.12.170, Ordinance 10870, Section 355, as amended, and K.C.C. 21A.12.180, Ordinance 10870, Section 357, as amended, and K.C.C. 21A.12.200, Ordinance 10870, Section 3559, as amended, and K.C.C. 21A.12.220, Ordinance 10870, Section 360, as amended, and K.C.C. 21A.12.230, Ordinance 16267, Section 29, and K.C.C. 21A.12.240, Ordinance 16267, Section 30, as amended, and K.C.C. 21A.12.250, Ordinance 15032, Section 18, as amended, and K.C.C. 21A.14.025, Ordinance 10870, Section 364, as amended, and K.C.C. 21A.14.040, Ordinance 10870, Section 365, as amended, and K.C.C. 21A.14.050, Ordinance 10870, Section 367, as amended, and K.C.C. 21A.14.070,

Ordinance 10870, Section 376, as amended, and K.C.C. 21A.14.160, Ordinance 10870, Section 377, as amended, and K.C.C. 21A.14.170, Ordinance 10870, Section 378, as amended, and K.C.C. 21A.14.180, Ordinance 14045, Section 35, and K.C.C. 21A.14.195, Ordinance 10870, Section 381, and K.C.C. 21A.14.210, Ordinance 14045, Section 30, and K.C.C. 21A.14.225, Ordinance 13694, Section 88, and K.C.C. 21A.14.310, Ordinance 14045, Section 43 and K.C.C. 21A.14.330, Ordinance 10870, Section 387, as amended, and K.C.C. 21A.16.020, Ordinance 10870, Section 388, as amended, and K.C.C. 21A.16.030, Ordinance 10870, Section 390, as amended, and K.C.C. 21A.16.050, Ordinance 10870, Section 391, as amended, and K.C.C. 21A.16.060, Ordinance 11210, Section 9, as amended, and K.C.C. 21A.16.085, Ordinance 10870, Section 395, as amended, and K.C.C. 21A.16.100, Ordinance 10870, Section 406, as amended, and K.C.C. 21A.18.020 Ordinance 10870, Section 407, as amended, and K.C.C. 21A.18.030, Ordinance 10870, Section 410, as amended, and K.C.C. 21A.18.050, Ordinance 10870, Section 413, as amended, and K.C.C. 21A.18.090, Ordinance 10870, Section 414, as amended, and K.C.C. 21A.18.100, Ordinance 10870, Section 415, as amended, and K.C.C. 21A.18.110, Ordinance 10870, Section 416, and K.C.C. 21A.18.120, Ordinance 10870, Section 421, as amended, and K.C.C. 21A.20.030, Ordinance 13022, Section 26, as amended, and K.C.C. 21A.20.190, Ordinance 10870, Section 444, as amended, and K.C.C. 21A.22.060, Ordinance 11621, Section 53, as amended, and K.C.C. 21A.24.386, Ordinance 15051, Section 231, as amended, and K.C.C. 21A.24.520, Ordinance 3688, Section 303 and K.C.C. 21A.25.050, Ordinance 16958, Section 31, as amended, and K.C.C. 21A.25.100, Ordinance 16985, Section 32, as amended, and K.C.C. 21A.25.110, Ordinance

16985, Section 36, as amended, and K.C.C. 21A.25.140, Ordinance 16985, Section 39, as amended, and K.C.C. 21A.25.160, Ordinance 3688, Section 413, as amended, and K.C.C. 21A.25.170, Ordinance 3688, Section 409, as amended, and K.C.C. 21A.25.180, Ordinance 16985, Section 47, as amended, and K.C.C. 21A.25.220, Ordinance 13129, Section 2, as amended, and K.C.C. 21A.27.010, Ordinance 13129, Section 11, as amended, and K.C.C. 21A.27.110, Ordinance 10870, Section 512, as amended, and K.C.C. 21A.28.020, Ordinance 10870, Section 513, as amended, and K.C.C. 21A.28.030, Ordinance 10870, Section 514, as amended, and K.C.C. 21A.28.040, Ordinance 10870, Section 515, as amended, and K.C.C. 21A.28.050, Ordinance 10870, Section 523, as amended, and K.C.C. 21A.28.130, Ordinance 10870, Section 524, as amended, and K.C.C. 21A.28.140, Ordinance 10870, Section 526, as amended, and K.C.C. 21A.28.160, Ordinance 10870, Section 525, as amended, and K.C.C. 21A.28.150, Ordinance 11621, Section 89, and K.C.C. 21A.28.152, Ordinance 11621, Section 90, as amended, and K.C.C. 21A.28.154, Ordinance 11621, Section 91, as amended, and K.C.C. 21A.28.156, Ordinance 10870, Section 530, as amended, and K.C.C. 21A.30.020, Ordinance 11168, Section 14, as amended, and K.C.C. 21A.30.075, Ordinance 10870, Section 536, as amended, and K.C.C. 21A.30.080, Ordinance 15606, Section 20, as amended, and K.C.C. 21A.30.085, Ordinance 10870, Section 537, as amended, and K.C.C. 21A.30.090, Ordinance 13130, Section 5, as amended, and K.C.C. 21A.32.065, Ordinance 10870, Section 555, as amended, and K.C.C. 21A.32.180, Ordinance 10870, Section 559, and K.C.C. 21A.32.220, Ordinance 17710, Section 14, as amended, and K.C.C. 21A.32.250, Ordinance 13274, Section 1, as amended, and K.C.C. 21A.37.010, Ordinance 13274, Section 3, as

amended, and K.C.C. 21A.37.020, Ordinance 13274, Section 5, as amended, and K.C.C. 21A.37.030, Ordinance 13274, Section 6, as amended, and K.C.C. 21A.37.040, Ordinance 14190, Section 7, as amended, and K.C.C. 21A.37.050, Ordinance 14190, Section 8, as amended, and K.C.C. 21A.37.060, Ordinance 13274, Section 7, as amended, and K.C.C. 21A.37.070, Ordinance 13274, Section 8, as amended, and K.C.C. 21A.37.080, Ordinance 13274, Section 9, as amended, and K.C.C. 21A.37.090, Ordinance 13733, Section 8, as amended, and K.C.C. 21A.37.100, Ordinance 13733, Section 10, as amended, and K.C.C. 21A.37.110, Ordinance 13733, Section 11, as amended, and K.C.C. 21A.37.120, Ordinance 13733, Section 12, as amended, and K.C.C. 21A.37.130, Ordinance 13733, Section 13, as amended, and K.C.C. 21A.37.140, Ordinance 13733, Section 14, as amended, and K.C.C. 21A.37.150, Ordinance 13733, Section 15, as amended, and K.C.C. 21A.37.160, Ordinance 10870, Section 579, as amended, and K.C.C. 21A.38.030, Ordinance 10870, Section 579, as amended, and K.C.C. 21A.38.060, Ordinance 12809, Section 5, as amended, and K.C.C. 21A.38.120, Ordinance 12823, Section 8, as amended, and K.C.C. 21A.38.130, Ordinance 12823, Section 10, and K.C.C. 21A.38.150, Ordinance 12823, Section 11, and K.C.C. 21A.38.160, Ordinance 12823, Section 12, and K.C.C. 21A.38.170, Ordinance 12823, Section 15, as amended, and K.C.C. 21A.38.200, Ordinance 12823, Section 16, as amended, and K.C.C. 21A.38.210, Ordinance 19146, Section 85, as amended, and K.C.C. 21A.38.255, Ordinance 19146, Section 2083, and K.C.C. 21A.38.265, Ordinance 13130, Section 6, and K.C.C. 21A.42.075, Ordinance 13130, Section 7, and K.C.C. 21A.42.150, Ordinance 11621, Section 112, as amended, and K.C.C. 21A.43.030, Ordinance 11621, Section 114, as amended,



and K.C.C. 21A.43.050, Ordinance 11621, Section 116, as amended, and K.C.C. 21A.43.070, Ordinance 11621, Section 117, and K.C.C. 21A.43.080, Ordinance 11621, Section 118, and K.C.C. 21A.43.090, Ordinance 15170, Section 6, and K.C.C. 21A.45.010, Ordinance 15170, Section 7, and K.C.C. 21A.45.020, Ordinance 15170, Section 8, and K.C.C. 21A.45.030, Ordinance 15170, Section 9, and K.C.C. 21A.45.040, Ordinance 15170, Section 10, as amended, and K.C.C. 21A.45.050, Ordinance 15170, Section 13, as amended, and K.C.C. 21A.45.080, Ordinance 17950, Section 4, and K.C.C. 21A.45.095, Ordinance 15170, Section 15, and K.C.C. 21A.45.100, Ordinance 19555, Section 22, and K.C.C. 21A.48.010, Ordinance 19555, Section 23, and K.C.C. 21A.48.020, Ordinance 19555, Section 24, and K.C.C. 21A.48.030, Ordinance 19555, Section 25, and K.C.C. 21A.48.040, Ordinance 19555, Section 26, and K.C.C. 21A.48.050, Ordinance 19555, Section 27, and K.C.C. 21A.48.060, Ordinance 19555, Section 28, and K.C.C. 21A.48.070, Ordinance 19555, Section 29, and K.C.C. 21A.48.080, Ordinance 19555, Section 30, and K.C.C. 21A.48.090, Ordinance 12627, Section 3, as amended, and K.C.C. 21A.55.030, Ordinance 16650, Section 1, as amended, and K.C.C. 21A.55.101, Ordinance 19119, Section 2, and K.C.C. 21A.55.125, Ordinance 3269, Section 2, and K.C.C. 24.08.010, Ordinance 13332, Section 34, as amended, and K.C.C. 27.10.190, and Ordinance 13332, Section 35, as amended, and K.C.C. 27.10.200, adding a new section to K.C.C. chapter 13.28, adding a new section to K.C.C. chapter 14.01, adding a new section to K.C.C. chapter 19.04, adding a new section to K.C.C. chapter 20.12, adding new sections to K.C.C. chapter 20.18, adding new sections to K.C.C. chapter 21A.06, adding new sections to K.C.C. chapter 21A.08, adding a new section to 21A.12,

adding a new section to K.C.C. chapter 21A.14, adding a new section to K.C.C. chapter 21A.25, adding new sections to K.C.C. chapter 21A.28, adding new sections to K.C.C. chapter 21A.37, adding a new section to K.C.C. chapter 21A.38, adding a new section to K.C.C. chapter 21A.45, adding a new section to K.C.C. 21A.55, adding a new section to K.C.C. chapter 24.08, adding new chapters to K.C.C. Title 21A, adding a new chapter to K.C.C. Title 18, adding a new chapter to K.C.C. Title 24, recodifying K.C.C. 28.30.010, K.C.C. 8.30.020, K.C.C. 28.30.030, K.C.C. 21A.06.355, K.C.C. 21A.06.7341, K.C.C. 21A.06.7342, K.C.C. 21A.06.7344, K.C.C. 21A.06.7346, K.C.C. 21A.06.7348, K.C.C. 21A.06.358, K.C.C. 21A.06.185, K.C.C. 21A.06.370, K.C.C. 21A.60.060, K.C.C. 21A.60.010, K.C.C. 21A.60.040, K.C.C. 21A.60.050, K.C.C. 21A.60.070, K.C.C. 21A.60.080, K.C.C. 21A.60.090, K.C.C. 21A.60.030, K.C.C. 21A.60.100, K.C.C. 21A.60.110, K.C.C. 21A.38.260, K.C.C. 21A.14.280, K.C.C. 21A.28.160, and K.C.C. 21A.28.150, repealing Ordinance 14050, Section 17, and K.C.C. 14.70.300, Ordinance 9614, Section 103, as amended, and K.C.C. 16.82.150, Ordinance 16267, Section 6, and K.C.C. 16.82.151, Ordinance 15053, Section 15, as amended, and K.C.C. 16.82.152, Ordinance 15053, Section 16, and K.C.C. 16.82.154, Ordinance 18810, Section 6, and K.C.C. 20.08.175, Ordinance 1096, Sections 1 and 2, as amended, and K.C.C. 20.12.090, Ordinance 8279, Section 1, as amended, and K.C.C. 20.12.150, Ordinance 18623, Section 8, and K.C.C. 20.12.329, Ordinance 11620, Section 18, and K.C.C. 20.12.433, Ordinance 11620, Section 19, and K.C.C. 20.12.435, Ordinance 8380, Section 1, and K.C.C. 20.14.010, Ordinance 8380, Appendix A, Ordinance 8380, Appendix B, Ordinance 10238, Section 1, as

amended, and K.C.C. 20.14.020, Ordinance 10293, Attachment A, as amended, Ordinance 10293, Sections 1, 2, 6, 7, and 9, as amended, and K.C.C. 20.14.025, Ordinance 10293, Attachment A, as amended, Ordinance 10513, Section 1, as amended, and K.C.C. 20.14.030, Ordinance 10513, Attachment A, as amended, Ordinance 11087, Section 1, as amended, and K.C.C. 20.14.040, Ordinance 11087, Attachment A, as amended, Ordinance 11111, Section 1, as amended, and K.C.C. 20.14.050, Ordinance 11111, Attachment A, as amended, Ordinance 11886, Sections 1 and 4, as amended, and K.C.C. 20.14.060, Ordinance 11886, Attachment A, as amended, Ordinance 12809, Section 1, as amended, and K.C.C. 20.14.070, Ordinance 12809, Attachment A, as amended, Ordinance 14091, Section 1, and K.C.C. 20.14.080, Ordinance 14091, Attachment A, Ordinance 13147, Section 28, as amended, and K.C.C. 20.18.120, Ordinance 8998, Section 6, and K.C.C. 20.44.145, Ordinance 11210, Section 22, and K.C.C. 21A.06.027, Ordinance 10870, Section 99, as amended, and K.C.C. 21A.06.295, Ordinance 17191, Section 20, and K.C.C. 21A.06.318, Ordinance 10870, Section 106 and K.C.C. 21A.06.330, Ordinance 17191, Section 22, as amended, and K.C.C. 21A.06.450, Ordinance 12171, Section 3, and K.C.C. 21A.06.533, Ordinance 10870, Section 192, and K.C.C. 21A.06.760, Ordinance 10870, Section 196, and K.C.C. 21A.06.780, Ordinance 14045, Section 6, and K.C.C. 21A.06.819, Ordinance 10870, Section 208, and K.C.C. 21A.06.840, Ordinance 10870, Section 210, and K.C.C. 21A.06.850, Ordinance 10870, Section 219, and K.C.C. 21A.06.895, Ordinance 11210, Section 31, and K.C.C. 21A.06.897, Ordinance 11210, Section 33, and K.C.C. 21A.06.972, Ordinance 10870, Section 239, and K.C.C.

21A.06.995, Ordinance 10870, Section 255, and K.C.C. 21A.06.1075, Ordinance 10870, Section 301, and K.C.C. 21A.06.1305, Ordinance 10870, Section 308, and K.C.C. 21A.06.1340, Ordinance 10870, Section 339, and K.C.C. 21A.12.020, Ordinance 10870, Section 340, as amended, and K.C.C. 21A.12.030, Ordinance 10870, Section 341, as amended, and K.C.C. 21A.12.040, Ordinance 17539, Section 35, and K.C.C. 21A.12.042, Ordinance 10870, Section 345, as amended, and K.C.C. 21A.12.080, Ordinance 11555, Section 4, as amended, and K.C.C. 21A.12.085, Ordinance 10870, Section 368, as amended, and K.C.C. 21A.14.080, Ordinance 10870, Section 369, as amended, and K.C.C. 21A.14.090, Ordinance 10870, Section 372, and K.C.C. 21A.14.120, Ordinance 10870, Section 373, as amended, and K.C.C. 21A.14.130, Ordinance 10870, Section 379, as amended, and K.C.C. 21A.14.190, Ordinance 10870, Section 410, as amended, and K.C.C. 21A.18.060, Ordinance 10870, Section 417, and K.C.C. 21A.18.130, Ordinance 10870, Section 418, and K.C.C. 21A.18.140, Ordinance 15170, Section 18, and K.C.C. 21A.32.145, Ordinance 10870, Section 560, and K.C.C. 21A.34.010, Ordinance 10870, Section 561, as amended, and K.C.C. 21A.34.020, Ordinance 10870, Section 562, as amended, and K.C.C. 21A.34.030, Ordinance 10870, Section 563, as amended, and K.C.C. 21A.34.040, Ordinance 10870, Section 564, as amended, and K.C.C. 21A.34.050, Ordinance 10870, Section 565, as amended, and K.C.C. 21A.34.060, Ordinance 10870, Section 566, and K.C.C. 21A.34.070, Ordinance 10870, Section 567, and K.C.C. 21A.34.080, Ordinance 16267, Section 68, as amended, and K.C.C. 21A.37.055, Ordinance 10870, Section 578, as amended, and K.C.C. 21A.38.050, Ordinance 10870, Section 581, as amended, and K.C.C. 21A.38.080, Ordinance 11567, Section 1, as amended, and K.C.C.

21A.38.100, Ordinance 12823, Section 13, and K.C.C. 21A.38.180, Ordinance 18623, Section 9, and K.C.C. 21A.38.270, Ordinance 19555, Section 19, and K.C.C. 21A.38.275, Ordinance 19555, Section 20, and K.C.C. 21A.38.280, Ordinance 10870, Section 582, and K.C.C. 21A.39.010, Ordinance 10870, Section 583, as amended, and K.C.C. 21A.39.020, Ordinance 10870, Section 584, as amended, and K.C.C. 21A.39.030, Ordinance 10870, Section 585, and K.C.C. 21A.39.040, Ordinance 10870, Section 586, as amended, and K.C.C. 21A.39.050, Ordinance 10870, Section 587, and K.C.C. 21A.39.060, Ordinance 10870, Section 588, and K.C.C. 21A.39.070, Ordinance 10870, Section 589, and K.C.C. 21A.39.080, Ordinance 10870, Section 590, and K.C.C. 21A.39.090, Ordinance 10870, Section 591, and K.C.C. 21A.39.100, Ordinance 10870, Section 592, and K.C.C. 21A.39.110, Ordinance 10870, Section 593, and K.C.C. 21A.39.120, Ordinance 10870, Section 594, and K.C.C. 21A.39.130, Ordinance 12171, Section 8, and K.C.C. 21A.39.200, Ordinance 13130, Section 10, as amended, and K.C.C. 21A.42.180, Ordinance 10870, Section 628, and K.C.C. 21A.44.070, Ordinance 12171, Section 9, and K.C.C. 21A.44.080, Ordinance 13275, Section 1, as amended, and K.C.C. 21A.55.050, Ordinance 14662, Section 1, as amended, and K.C.C. 21A.55.060, Ordinance 19687, Section 10, and K.C.C. 21A.60.020, Ordinance 17877, Section 1, Ordinance 17877, Section 2, Ordinance 17877, Section 3, Ordinance 17878, Section 1, Ordinance 17878, Section 2, and Ordinance 17878, Section 3, Ordinance 17950, Section 5, Ordinance 15170, Section 16, as amended, Ordinance 15170, Section 17, as amended, Ordinance 15170, Section 18, and K.C.C. 21A.32.145, Attachment A to Ordinance 13875, as amended, and Ordinance 16650, Attachment B, and establishing an effective date.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

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

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

C. The GMA requires King County to take action not later than December 31, 2024, to review and, if needed, revise its comprehensive plan and development regulations to ensure the plan and regulations comply with the requirements of the GMA. This ordinance adopts the 2024 King County Comprehensive Plan ("2024 update"), which is compliant with the GMA and completes the requirements for the update in RCW 36.70A.130. Additional work on critical areas regulations is ongoing, as allowed under the reasonable progress exception in RCW 36.70A.130(7)(b) and as described in subsection D. of this section.

D. The GMA requires counties to include best available science ("BAS") in developing policies and development regulations to protect the functions and values of critical areas; give special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries; ensure no net loss of ecological functions and values; and consider critical areas regulations as part of the comprehensive plan review and evaluation required by RCW 36.70A.130. The county began the BAS and critical area regulatory review in 2022 in accordance with GMA requirements and state guidance and developed draft updates in consultation with Indian tribes, state and federal agencies, and community partners. Public notice of the potential areas of change was provided in May 2022, June 2022, January 2023, and June 2023. The county's current BAS review builds on the county's 2004 BAS review and was informed by GMA requirements and state guidance documents, updated BAS for critical areas developed by state natural resources agencies, supplemental scientific literature, county experience in implementing critical areas regulations since 2004,

consideration of the county's unique land use context, and the need to meet sometimes competing GMA goals. A BAS and critical areas regulatory review progress report that summarized the current BAS requirements, BAS review approach, and identified regulatory changes under consideration was published in December 2023. An initial BAS report and proposed policy and code updates were published and transmitted to the Council in March 2024. The final environmental impact statement for the 2024 update, which included evaluation of potential changes to critical areas regulations, was published in November 2024. BAS review was included in the identification and development of relevant critical areas and environmental policies for the 2024 update. The October 2024 Best Available Science Review and Updates to Critical Areas Protections report summarizes GMA requirements for review and inclusion of BAS in updates to comprehensive plan policies and codes, describes tribal consultation and community engagement, details the approach and scope for BAS review, reviews Comprehensive Plan considerations, and identifies regulatory updates and nonregulatory actions to strengthen protection and ensure no net loss of critical areas functions and values. Additional review and refinement of proposed critical areas regulations is ongoing. The county intends to complete the BAS review and updates to critical areas regulations in 2025 with additional opportunities for public input. Under the reasonable progress exception in RCW 36.70A.130(7)(b), the county has until December 2025 to complete this portion of the statutory update.

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

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

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

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

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

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

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

L. The 2016 King County Comprehensive Plan launched a subarea planning program. Subarea plans are being created for the six rural community service areas ("CSAs") and for the five large urban unincorporated potential annexation areas. The subarea planning program recognizes the county's role as a local service provider in the unincorporated area, including for localized long-range planning. Many areas of



unincorporated King County have not had subarea planning since the 1990s or earlier. The subarea planning program provides improved coordination, accountability, and service delivery in the area of long-range planning for unincorporated areas of King County.

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

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

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

P. Ordinance 18623 adopted the Vashon Rural Town Affordable Housing Special District Overlay ("the Vashon affordable housing overlay") and directed the executive to complete a series of written evaluations assessing the efficacy of the scope and standards of the Vashon affordable housing overlay. As required by Ordinance 18623, preliminary evaluations were issued in 2018, 2019, and 2020. A draft of the fourth and final

required evaluation of the Vashon affordable housing overlay was required to be completed within ninety days of the occurrence of one the following, whichever comes first: issuance of the first permit necessary for construction that would result in a cumulative total of one hundred twenty affordable housing units within the overlay; or four years after the effective date of Ordinance 18623, which would have been December 26, 2021. No permits have been issued up to now utilizing the Vashon affordable housing overlay. Due to the COVID-19 pandemic, the timeline for completing the draft final evaluation was delayed beyond four years and ninety days of the effective date of Ordinance 18623, which would have been March 24, 2022. In 2022, the scope of work for the 2024 update directed inclusion of a report on the fourth and final evaluation and any recommended implementing zoning and King County Code changes as part of the 2024 update. As required by Ordinance 18623 and the scope of work, the report and implementing zoning and King County Code changes were included in the transmittal of the 2024 update.

Q. The GMA calls for "containing or otherwise controlling rural development," among other goals for the rural area. The Regional Growth Strategy anticipates rural growth to be no more than one percent of all growth within King County. Policies in chapter 3 of the Comprehensive Plan carryover those goals and apply them to the rural unincorporated area. The GMA, VISION, and the Comprehensive Plan also have goals for rural economic opportunity and lifestyle choices at low densities and intensities, and at rural levels of service. The 2024 Comprehensive Plan adopts several provisions that reduce or minimize growth in the rural area while also allowing for important cultural, economic, and rural lifestyle opportunities, including, but not limited to:

1. Not expanding the Urban Growth Area boundary, or converting any RA zoned land to a higher density zone;
2. Continuing a prohibition on new rural towns and rural neighborhood commercial centers and maintaining policies that require limiting growth in the rural area and natural resource lands;
3. Clarifying policies that:
  - a. require agencies providing services in the rural area and natural resource lands to establish

standards that do not require substantial investment in public infrastructure in these areas; and

- b. scale site improvements for commercial and industrial developments to protect rural character;
- 4. Calling for rural affordable housing strategies to allow for workforce housing, aging in place, and provision of housing needed in the rural area, at an appropriate size and scale that protects rural character;
- 5. Reducing the size of accessory dwelling units in the RA zone by removing an allowance to use a TDR as a way to increase the allowable size, and reducing the numbers of accessory dwelling units by adding a requirement that a detached accessory dwelling unit be considered a primary unit when a lot is subdivided;
- 6. Lowering the residential density allowed in the rural NB zones by half, from a maximum of eight units per acre to a maximum of four units per acre, and establishing new size limits for nonresidential uses allowed in these areas;
- 7. Limiting new opportunities for workforce housing in the Snoqualmie Pass Rural Town to a demonstration project, inclusionary housing, or to developments purchasing TDRs;
- 8. Limiting the base density in the Vashon Rural Town to twelve units per acre for the CB zone;
- 9. Removing barriers to developing in the urban area, including reducing regulatory barriers to building housing, providing further incentives to build child daycare facilities, and removing outdated development conditions that reduced feasibility of building in the urban area; and
- 10. Placing further limits on the use of the Four-to-One Program and strengthening the protections on the rural area portions of Four-to-One proposals.

R. The 2024 Comprehensive Plan includes changes to address housing and service needs of all residents of King County. Where those uses, such as healthcare and residential care services or daycares, are allowed in the rural area or natural resource lands, they are allowed with a variety of size and scale conditions that protect rural character. These conditions include minimum lot sizes, maximum floor areas, operational limits such as hours of operation or restrictions on the number of customers served, and protections for active agricultural production.

S. Further, changes proposed to the rural towns, including establishing consistent R-4 zoning by removing small pockets of existing R-1 zoning, and clarifying that minimum density does apply within the rural towns that have sewer service, both create further clarity in the zoning administration and provide for workforce housing within two communities with unique circumstances: Vashon Rural Town, which is only accessible via boat or plane, and Snoqualmie Pass Rural Town, which is an employment base but far from other population centers.

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

U. As part of the 2024 Comprehensive Plan update, the land use designation and zoning classifications were reviewed on parcel 1522049162 and the surrounding area in urban unincorporated King County near Kent. The site is the location of a pet cemetery, which was designated as a historic landmark in 2022. The current Industrial land use designation and zoning classification on the parcel does not allow the cemetery uses on the site as permitted or conditional uses. Urban residential zoning, and a corresponding land use designation, would allow the cemetery uses on the site to become legal conforming uses. The zoning of other cemeteries in unincorporated urban King County was also analyzed, based on a survey of cemeteries completed by the King County historic preservation program. The survey identified two cemeteries in the Potential Annexation Areas for Carnation and Duvall; however, because those have a land use designation of Cities in the Rural Area Urban Growth Area, they have different zoning considerations not applicable to this site within the contiguous Urban Growth Area. The survey identified one other currently operating urban unincorporated cemetery, which is also near Kent and has a R-1 zone classification; this was found to be a good model for the

zoning of the pet cemetery site. A R-1 zone classification also best supports the historic designation by not imposing zoning that would allow for and incentivize more-intensive uses or densities on the site; the R-1 zone is the least-intensive zone classification allowed in the continuous Urban Growth Area. This zoning is supported by Comprehensive Plan Policies P-221 and P-222.

V. The King County Comprehensive Plan and King County Strategic Climate Action Plan call on the county to act with urgency in addressing the climate crisis. Increasing the generation of renewable energy and reducing greenhouse gas emissions associated with waste are both critical to this effort. Specifically, the Comprehensive Plan calls on King County to:

1. Reduce greenhouse gas emissions from its operations and actions to meet ambitious emissions reduction targets (Policies E-202, E-203);
2. Achieve carbon neutrality within its solid waste division (Policy E-205);
3. Encourage the use of renewable energy and support its expansion through development regulations and incentive programs (Policy E-209);
4. Make properties it owns available for renewable energy production (Policy F-304);
5. Maximize the capture, use, and marketing of renewable energy at the Cedar Hills landfill (Policy F-507);
6. Provide leadership in, and foster the development and increased use of, clean, renewable, and alternative fuel and energy technologies, such as anaerobic digestion and co-digestion of organic material, with a particular emphasis on creating renewable natural gas (Policy F-508);
7. Work with industry partners to reduce energy and fossil fuel use and greenhouse gas emissions while promoting green jobs, products, and services (Policy E-241);
8. Encourage development of markets for reusable and recyclable materials (Policy F-442);
9. Allow for renewable energy technologies in the rural area (Policy R-332);
10. Allow for infrastructure in the rural area that requires a rural location or that provides or supports

infrastructure for nearby residents (Policy R-323);

11. Allow for siting of green energy and distributed energy resources, while considering appropriate use of land and associated impacts, including protection of designated natural resource lands and open spaces (Policy F-517); and

12. Make land use decisions that consider the impacts of renewable energy siting with open space, agriculture, and housing needs (Policy F-510).

W. The creation of a green energy overlay contributes to all of the goals in subsection V. of this section by reducing permitting barriers to generating renewable energy and reducing greenhouse gas emissions from waste. The green energy overlay is appropriate for this chosen area because it is:

1. Sited on parcels with a long history of waste management and mineral extraction uses, making them unsuitable for housing, agriculture, or public open space;
2. Within one thousand feet of utility corridors, making it uniquely sited to provide energy to surrounding residents and the region while reducing transportation costs and emissions; and
3. Adjacent to the Cedar Hills Landfill, a prime source of emissions that can be captured and put to beneficial use as renewable natural gas.

X. The GMA was amended by Chapter 228, Laws of Washington 2023, to require a climate change and resiliency element as part of the next periodic update. For King County, this includes an update to the transportation element and incorporate a climate change and resiliency element into the King County Comprehensive Plan as part of the 2029 midpoint update. The climate change and resiliency element will include greenhouse gas emissions reduction and resiliency subelements. The transportation element will include a multimodal level of service, which will align with provisions of VISION for a multimodal level of service standard.

Y. Within the White Center unincorporated activity center, there is a core street, along on 16th Avenue SW between SW Roxbury Street and SW 100th Street. This area, and the Top Hat area of North Highline

subarea geography, as described in the Environmental Impact Statement ("EIS") for the 2024 Comprehensive Plan, as pre-war urban centers that are organized within a grid of streets, with compact rectangular lots centered around a main street with commercial buildings on both sides. The EIS states, "[m]ain street commercial buildings tend to be 1 or 2 stories high, sometimes with apartments above a commercial ground floor. They tend to be oriented towards the street or sidewalk and have large windows, creating an engaging pedestrian environment. Such buildings are often "zero lot line" buildings, meaning their side walls touch, and they typically have limited off-street parking. Relatively affordable rents in older commercial buildings are supportive of small, independent businesses and often serve as cultural anchors for local communities." This unique character of these areas is not found elsewhere in urban unincorporated King County.

Z. The North Highline Community Service Area Subarea Plan ("North Highline Plan") includes a guiding principle to "support a thriving and equitable economy, with racially and ethnically diverse, community-minded small business owners, entrepreneurs, and employers." The North Highline Plan supports the preservation of the unique and thriving White Center historic core. Several North Highline Plan policies call for preserving the small size and scale of existing businesses and allowing for new commercial spaces for small business needs, in the core of the White Center unincorporated activity center. This core street character is an aspect of this geography that the County has taken steps to protect, including adoption of existing regulations on maximum tenant size, pedestrian-oriented design standards, and sign regulations.

AA. As part of the development of the North Highline design standards in Ordinance 19687, a consultant's report noted aspects of the existing character that the community valued included its "welcoming storefronts with weather protection and lighting," "color and signage add character to this business," "[l]ocal pride can be seen in this 'White Center' mural," and "[f]abric and scale of White Center main street," as examples. Existing businesses include small businesses that provide goods and services to the surrounding residents, and are a draw for the rest of the county and region. The consultant's report states that "[t]he North Highline Subarea has a distinctive character and neighborhood form composed of its buildings, public realm,

landscape, natural environment, and the infrastructure that supports it. These guidelines are intended to preserve the desirable existing design characteristics and support future enhancements to meet the community's vision by accomplishing these specific goals." This includes, "traditional neighborhood-scale commercial pattern," "human scale," "visible cultural diversity," and "historic and traditional elements" in the neighborhood composition.

BB. As of November 2024, there are no formula businesses, as defined by this ordinance, in the Top Hat neighborhood, and only one formula business in the core street of the White Center unincorporated activity center.

CC. The Vashon Rural Town is an historical settlement that provides for more intensive commercial uses and has developed in a main street pattern similar to White Center and Top Hat. As described in Chapter 3 of the Comprehensive Plan, each of the County's three "Rural Towns has unique features and needs, and therefore different standards may be appropriate for each, while meeting the purposes described above." "Vashon, accessible mainly by ferry and limited in terms of water supply, has natural constraints upon the type and intensity of development that can occur." Further, the Vashon-Maury Island Community Service Area Subarea Plan ("Vashon-Maury Island Plan") establishes a guiding principle to "[p]lan the Rural Town of Vashon as the mixed use and vibrant center of the community." The Vashon Rural Town includes the Town Core and Vashon Center, where most commercial businesses are located. Policy LU-3 in the Vashon-Maury Island Plan calls for development of these areas to "maintain rural character" and provide "compact, pedestrian-friendly development." Policy LU-5 also calls for reduced parking in the Vashon Town Core. The main street character of the Vashon Rural Town is an aspect of this geography that the County has taken steps to protect, including adoption of existing regulations on pedestrian-oriented design, height restrictions, and allowed uses.

DD. As of November 2024, in the Vashon Rural Town, there is only one eating and drinking formula business establishment, and two legally nonconforming gasoline service stations. The eating and drinking establishment recently located in the Vashon Rural Town, highlighting the need to protect the unique character



of the Vashon Rural Town from any further formula businesses. Market conditions have changed and made it more feasible to locate formula businesses in these locations.

EE. This ordinance furthers the vision, guiding principles, and policies of the Comprehensive Plan, subarea plans, and adopted development regulations, by prohibiting formula businesses within these areas of North Highline and in the Vashon Rural Town. This regulation on the location and design of formula business establishments is intended to maintain the existing main street character, the diversity of the each of these community's unique commercial areas, the breadth of commercial options available to residents, and the resiliency of the community's vibrant, small-scale, diversified commercial character, and to thereby protect and ensure the community's quality. Once multiple formula businesses locate in a community, that unique character is irreparably lost and cannot be recaptured. Small, independent businesses cannot compete with pricing and the marketing power of formula businesses, pushing them out, along with the distinctive character that comes with the individual design, product offerings, and marketing approaches made by small businesses.

## SECTION 2.

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

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

C. The elements of the King County Shoreline Master Program in sections 48, 270, 272, 273, 274, 275, 276, 277, 278, 279, and 280 of this ordinance and in King County Comprehensive Plan chapter six of Attachment A to this ordinance are hereby amended to read as set forth in this ordinance and are incorporated herein by this reference.

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

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

F. The land use and zoning amendments in sections 325 through 336 of this ordinance, sections 363 through 365 of this ordinance, section 3798 of this ordinance, and Attachment I to this ordinance are hereby adopted as amendments to Appendix A to Ordinance 12824, as amended, and as the official land use and zoning controls for those portions of unincorporated King County defined in those sections of this ordinance and attachments to this ordinance.

G. The King County department of local services, permitting division, shall update the geographic information system data layers accordingly to reflect enactment of this ordinance, and update section numbers with the codified section of the King County Code.

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

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

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

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

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

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

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

3. Develop and implement programs and strategies that emphasize:

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

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

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

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

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

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

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

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

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

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

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

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

subarea plan; and

g. review the land use designations and zoning classifications in the subarea geography, including all special district overlays and property-specific development conditions, and transmit map amendments necessary to implement land use and zoning updates and the vision, guiding principles, and policies within the subarea plan, and for the five urban unincorporated potential annexation area geographies, the subarea plan shall include modifications to the land use designations and zoning classifications to meaningfully and substantially increase residential density in order to accelerate housing production ((; and

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

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

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

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

2. Each community needs list shall:

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

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

assets;

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

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

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

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

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

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

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

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

(1) the executive, in consultation with the community and the councilmember office or offices that

represent the subarea geography, shall propose a prioritization of low, medium, or high priority;

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

(3) an anticipated timeline for completion that reflects that future resources and budget

appropriations may change the timeline. The county shall encourage creativity and flexibility in identifying potential partnerships with and opportunities for others, such as community-based organizations, to meet these needs;

d. For each request from the initial catalog that is not advanced to the community needs list, the executive shall state why the request was not advanced. The county shall clearly communicate why the request was not advanced to the community. For items that cannot be accomplished by the county because they are outside of the scope of county operations, the county shall provide information on how noncounty entities may be able to accomplish the item, including consideration of potential partnerships with noncounty entities; and

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

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

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

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

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

a. ~~((concurrent with the transmittal of the applicable subarea plan as required in subsection B. of this section;~~

~~b.))~~ concurrent with the executive's biennial budget transmittal((:

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

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

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

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

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

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

a. be consistent with and implement the applicable subarea plan as described in subsection B. of this



section, the community needs list in subsection C. of this section, and other county plans;

- b. address the required elements in Ordinance 17139;
- c. list potential action items for the area;
- d. list known planning activities for the area;
- e. identify public meetings for the area;
- f. include the current adopted community needs list as required in subsection C. of this section; and
- g. establish an ongoing communications and community engagement plan using tools and resources

developed by the office of equity and racial and social justice, including, but not limited to, community engagement, language access, and equity impact review tools. The county shall use, at minimum, the ((  
"County engages in dialogue" and)) "County and community work together" level((s)) of engagement as outlined in the office of equity and racial and social justice's Community Engagement Guide for the development, review, amendment, adoption, and implementation of the community needs list; and

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

3. The community service area program shall provide regular updates to the councilmember or councilmembers who represent the subarea geography on the progress of the work program throughout the year and shall publish regular reports on the work program to its website((;)) at least once per quarter.

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

E.1. The department of local services shall monitor and report on performance metrics for subarea plans described in subsection B. of this section, for community needs lists described in subsection C. of this section, and for the work program described in this subsection D. of this section.

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

- a. for transmitting a report to the council:

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

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

b. for reporting outside of the timeframe in subsection E.2.a. of this section, reporting is required every year by the last business day of December, by posting the performance metrics and monitoring information on the department's website.

3. Performance monitoring shall be informed and monitored by the community and the council.

F.1. The department shall also establish service partnership agreements with each executive branch agency that provides programs, services, or facilities in the unincorporated area, including those agencies that provide regional services to unincorporated area residents and businesses. The service partnership agreements shall inform budget development for programs, services, or facilities in the unincorporated area.

2. Service partnerships agreements shall:

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

b. use tools and resources developed by the office of equity and racial and social justice by the partner agency to deliver the programs, services, and facilities described in the service partnership agreements((; ))).

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

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

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

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

- (1) the desired outcomes for provision of each program, service, or facility; and
- (2) service level goals for each program, service, or facility;
- d. performance metrics to monitor progress of implementing the outcomes and service level goals for each program, service, or facility;
- e. use of the community service area work programs in local service delivery by the partner agency; and
- f. the current adopted community needs lists and associated performance metrics for monitoring and reporting on the progress the county agencies have made on items on the lists that they are responsible for.

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

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

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

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

- a. ensuring consistent and efficient administration of environmental, building, and land use codes and regulations for commercial and residential projects by means of permit review and approval, construction inspections, and public information;
  - b. participating on the interbranch regional planning team as specified in K.C.C. 2.16.025;
  - c. administering the ~~((s))~~State Environmental Policy Act and acting as lead agency, including making the threshold determinations, determining the amount of environmental impact and reasonable mitigation measures, and coordinating with other departments and divisions in the preparation of county environmental documents or in response to environmental documents from other agencies;
  - d. effective processing and timely review of land development proposals, including zoning variances, ~~((and))~~ zoning reclassifications, master drainage plans, variances from the ~~((s))~~Surface ~~((w))~~Water ~~((d))~~Design ~~((m))~~Manual and the King County ~~((r))~~Road Design and Construction ~~((s))~~Standards, critical area, subdivision, right-of-way use, ~~((urban-planned-development,))~~ clearing and grading, shoreline, special use, and conditional use applications;
  - e. pursuing and resolving code violations, including preparing for administrative or legal actions, evaluating the department's success in obtaining compliance with King County rules and regulations, and designing measures to improve compliance;
  - f. regulating the operation, maintenance, and conduct of county-licensed businesses, except taxicab, ~~((and))~~ for-hire, and transportation network company drivers and vehicles; and
  - g. developing and implementing an inspection program to identify fire hazards and require conformance with K.C.C. Title 17, reviewing building plans and applications for compliance with K.C.C. Title 17, and conducting inspections, including inspections of new construction, for compliance with K.C.C. Title 17.
2. The permitting division manager shall be the:
- a. county planning director;

- b. zoning adjuster;
- c. responsible official for purposes of administering the ~~((s))~~State Environmental Policy Act;
- d. county building official; and
- e. county fire marshal.

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

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

- 1. Designing, constructing, and maintaining county roads, bridges, and associated drainage facilities;
- 2. Designing, installing, and maintaining county traffic signs, markings, and signals;
- 3. Designing, installing, and maintaining ~~((bicycle and pedestrian))~~ roadway active transportation facilities;
- 4. Managing intergovernmental contracts or agreements for services related to road maintenance and construction and to other transportation programs supporting the transportation plan;
- 5. Inspecting utilities during construction and upon completion for compliance with standards and specifications~~((; assuring))~~, and ensuring that public facilities disturbed due to construction are restored;
- 6. Performing detailed project development of roads capital improvement projects that are consistent with the transportation element of the county's Comprehensive Plan, and coordinating such programming with other county departments and divisions assigned responsibilities for Comprehensive Plan implementation;
- 7. Incorporating into the roads capital improvement program those projects identified in the transportation needs report, ~~((community plans,))~~ related functional plans, and elsewhere consistent with the county's Comprehensive Plan;

8. Preparing, maintaining, and administering the county road standards;
9. Preparing and administering multiyear roads maintenance and capital construction plans and periodic updates;
10. Administering the transportation concurrency and mitigation payment programs; and
- 11.a. Performing the duties of the office of the county road engineer, which is hereby established as an administrative office of the road services division. The office of the county road engineer shall be an office of record, supervised by the county road engineer hired in accordance with RCW 36.80.010 and reporting to the manager of the road services division. The office of the county road engineer shall be located within the corporate limits of the county seat.
- b. The county road engineer shall carry out all duties assigned to the county road engineer as prescribed by state statute, except as modified by the county executive as authorized in subsection ~~((H.11.e.))~~ I.11.c. of this section.
- c. The county executive may assign professional engineering duties of the county road engineer to someone other than the county road engineer, except as otherwise assigned by the King County Code, and only if the individual assigned those duties shall be qualified as required under RCW 36.80.020. The executive shall provide to the county council and the Washington state County Road Administration Board, in writing, those specific professional engineering duties not assigned to the county road engineer, the name and position of each person responsible for carrying out those assigned duties, the specific reporting and working relationships with the county road engineer, and the duration for which those duties have been assigned.

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

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

1. King County recognizes that arts and heritage institutions and organizations, and professional artists, heritage specialists, and historic preservationists, working in partnership with the region's tourism industry, attract visitors and enhance the county's national and international reputation as a cultural center.
2. King County recognizes that the transmission of historical and cultural values and traditions from one generation to the next is essential to the sense of identity of communities, ethnic and cultural groups, and of all ~~((citizens))~~ residents of King County.
3. King County recognizes that a healthy and well-balanced future ~~((citizenry))~~ is dependent upon the promotion of comprehensive cultural education programs for today's youth and that cultural education, in the classroom and in the community, is an integral part of building audiences, appreciation, and support for cultural programs.
4. King County recognizes that the loss or destruction of historic structures, sites, and artifacts constitutes an irreplaceable loss to the quality of life and character of King County.
5. King County recognizes that its support for the cultural community should be distributed to major regional, midsized, emerging, and community-based organizations.
6. King County recognizes that support for the development of cultural activities should be distributed throughout all parts of the county, including urban, suburban, rural, and incorporated and unincorporated areas;
7. King County recognizes that meeting its goals for regional distribution of cultural activities requires regional planning, outreach to cities and communities throughout the county, and a regional investment strategy; and
8. King County recognizes that support for the work of individual artists and heritage specialists is important to ensure the continuance of diverse creative expression.

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

C. The county is committed to ensuring the success of cultural programs and facilitating strong

partnerships between the county, cultural development authority, and cultural community. The executive shall ensure county departments and agencies perform their duties related to cultural programs and fully cooperate with the cultural development authority in its performance of its responsibilities.

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

SECTION 5. Ordinance 18326, Section 3, and K.C.C. 6.70.010 are hereby amended to read as follows:

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

SECTION 6. Ordinance 18326, Section 4, and K.C.C. 6.70.020 are hereby amended to read as follows:

A person or entity shall not operate or maintain a retail ~~((marijuana))~~ cannabis business in unincorporated King County unless the business has obtained a business license issued by the director as provided by this chapter. A current ~~((marijuana))~~ cannabis retail business license issued under this chapter shall be prominently displayed on the licensed premises.

SECTION 7. Ordinance 18326, Section 5, and K.C.C. 6.70.030 are hereby amended to read as follows:

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

A. The full name, birthdate, and current residential street, email, and mailing address of each person, including all partners if the applicant is a partnership, and all officers or ~~((principles))~~ principals if the applicant is a corporation or limited liability company, with a financial interest in the business; and the Universal



Business Identifier number, the identity of the registered agent, and the address of the ((~~principal~~)) principal office, if the applicant is a corporation or limited liability company;

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

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

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

SECTION 8. Ordinance 18326, Section 6, as amended, and K.C.C. 6.70.040 are hereby amended to read as follows:

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

SECTION 9. Ordinance 18326, Section 8, as amended, and K.C.C. 6.70.060 are hereby amended to read as follows:

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

SECTION 10. Ordinance 18326, Section 9, and K.C.C. 6.70.070 are hereby amended to read as follows:

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

SECTION 11. Ordinance 9163, Section 2, as amended, and K.C.C. 9.04.020 are hereby amended to read as follows:

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

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

B. "Applicant" means a property owner, ~~((or))~~ a public agency, or public or private utility that owns a right-of-way or other easement or has been adjudicated the right to such an easement ~~((under RCW 8.12.090))~~ in accordance with RCW 8.08.040, or any person or entity designated or named in writing by the property or easement owner to be the applicant, in an application for a development proposal, permit, or approval.

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

D. "Basin plan" means a plan and all implementing regulations and procedures including, but not limited to, capital projects, public education activities, and land use management adopted by ordinance for managing surface water and stormwater within the basin.

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

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

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

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

I. "Conveyance system" means the drainage facilities and features, both natural and constructed, that provide for the collection and transport of surface water or stormwater runoff. The natural elements of the "conveyance system" include swales and small drainage courses, streams, rivers, lakes, and wetlands. The constructed elements of the "conveyance system" include gutters, ditches, pipes, catch basins, channels, and most flow control and water quality facilities.

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

K. "Development" means any activity that requires a permit or approval, including, but not limited to, a building permit, grading permit, shoreline substantial development permit, conditional use permit, special use permit, zoning variance or reclassification, subdivision, short subdivision, ~~((urban-planned development,))~~

binding site plan, site development permit, or right-of-way use permit. "Development" does not include forest management activities, as defined in K.C.C. chapter 21A.06.

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

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

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

O. "Drainage facility" means a constructed or engineered feature that collects, conveys, stores, treats, or otherwise manages stormwater runoff or surface water. "Drainage facility" includes, but is not limited to, a constructed or engineered stream, lake, wetland or closed depression, or a pipe, channel, ditch, gutter, flow control facility, flow control BMP, water quality facility, erosion and sediment control facility, and any other structure and appurtenance that provides for drainage.

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

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

R. "Financial guarantee" means a form of financial security posted to do one or more of the following: ensure timely and proper completion of improvements; ensure compliance with the King County Code; or

provide secured warranty of materials, quality of work of the improvements, and design. "Financial guarantees" include assignments of funds, cash deposit, surety bonds, or other forms of financial security acceptable to the department of local services permitting division manager or designee. "Performance guarantee," "maintenance guarantee," and "defect guarantee" are considered subcategories of financial guarantee.

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

T. "Flow control BMP" means small scale drainage facility or feature that is part of a development site strategy to use processes such as infiltration, dispersion, storage, evaporation, transpiration, forest retention, and reduced impervious surface (~~((foot print))~~) footprint to mimic predeveloped hydrology and minimize (~~((stormwater))~~) stormwater runoff. "Flow control BMPs" include the methods and designs specified in the Surface Water Design Manual. Flow control BMPs are also known as low impact development BMPs(~~(( ))~~) or LID(~~(( ))~~) BMPs.

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

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

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

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

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

X. "High-use site" means the area of a commercial, industrial, or road intersection site that generates a higher than average number of vehicle turnovers or has other characteristics that generate the potential for chronic oil accumulation. "High use site" includes:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

FF. "Maintenance" means those usual activities taken to prevent a decline, lapse, or cessation in the use

of currently serviceable structures, facilities, equipment, or systems, if there is no expansion of the structure, facilities, equipment, or system and there are no significant hydrologic impacts. "Maintenance" includes the repair or replacement of nonfunctional facilities or the replacement of existing structures with different types of structures, if the repair or replacement is required by one or more environmental permits or to meet current engineering standards and the functioning characteristics of the original facility or structure are not changed.

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

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

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

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

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

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

MM. "Pollution-generating impervious surface" means an impervious surface considered to be a



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

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

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

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

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

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

RR. "Replaced impervious surface" means an existing impervious surface proposed to be removed and reestablished as impervious surface, excluding impervious surface removed for the sole purpose of installing utilities or performing maintenance. For structures, "removed" means the removal of buildings down to the foundation. For other impervious surfaces, "removed" means the removal down to base course or bare soil. For purposes of this definition, "base course" means the layer of crushed rock that typically underlies an asphalt or concrete pavement.

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

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

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

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

VV. "Site" means a single parcel, or either two or more contiguous parcels that are under common ownership or documented legal control, or a portion of single parcel under documented legal control separate from the remaining parcel, used as a single parcel for a proposed project for purposes of applying for authority from King County to carry out a proposed project. For projects located primarily within dedicated rights-of-

way, "site" includes the entire width of right-of-way subject to improvements proposed by the project.

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

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

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

ZZ. "Subbasin" means a geographic area that:

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

AAA. "Surface water" means the water that exists on land surfaces before, during, and after stormwater runoff occurs and includes, but is not limited to, the water found on ground surfaces and in drainage facilities, rivers, streams, springs, seeps, ponds, lakes, wetlands, and Puget Sound. ~~((H))~~ "Surface water" also includes shallow groundwater.

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

CCC. "Targeted drainage review" means an abbreviated evaluation required by K.C.C. 9.04.030 for

certain types of proposed projects that are not subject to full or large project drainage review. Targeted drainage review may be required for some projects in simplified drainage review.

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

SECTION 12. Ordinance 9163, Section 5, as amended, and K.C.C. 9.04.060 are hereby amended to read as follows:

A. A proposed project required to have drainage review by K.C.C. 9.04.030 must meet each of the following core requirements, which are described in detail in the Surface Water Design Manual. Projects subject only to simplified drainage review that meet the simplified drainage requirements and BMPs specified in the Surface Water Design Manual, including flow control BMPs, construction stormwater pollution prevention BMPs and drainage plan submittal requirements are deemed to comply with the following core requirements:

1. Core requirement 1: Discharge at the natural location. All stormwater runoff and surface water from a project shall be discharged at the natural location so as not to be diverted onto, or away from, downstream properties. The manner in which stormwater runoff and surface water are discharged from the project site shall not create a significant adverse impact or significantly aggravate an existing adverse impact to downhill properties or drainage facilities as specified in the discharge requirements of the Surface Water Design Manual;

2. Core requirement 2: Offsite analysis. The initial application submittal for proposed projects shall include an offsite analysis report that assesses potential offsite drainage and water quality impacts associated with development of the proposed site and proposes appropriate mitigations to those impacts. This initial submittal shall include, at minimum, a Level One downstream analysis as described in the Surface Water

Design Manual. If impacts are identified, the proposed projects shall meet any applicable problem-specific requirements as specified in the Surface Water Design Manual;

3. Core requirement 3: Flow control facilities. Proposed projects that would result in five thousand square feet or more of new plus replaced impervious surface or three quarters of an acre or more of new pervious surface shall provide flow control facilities to control stormwater runoff generated by new impervious surface, new pervious surface, replaced impervious surface and any existing impervious surface added on or after January 8, 2001, as specified in the Surface Water Design Manual. Flow control facilities shall meet the area-specific flow control facility requirements and the flow control facility implementation requirements applicable to the project site as specified in the Surface Water Design Manual. Projects subject to area-specific flow control facility requirements shall meet one of the flow control facility performance criteria listed in a. through c. of this subsection A.3., as directed by the Surface Water Design Manual:

a. Level One shall match the predeveloped site's peak discharge rates for the two-year and ten-year return periods;

b. Level Two shall meet Level One criteria and also match the predeveloped site's discharge durations for the predeveloped peak discharge rates between the fifty percent of the two-year peak flow through the fifty-year peak flow; or

c. Level Three shall meet Level Two criteria and also match the predeveloped site's peak discharge rate for the one hundred-year return period;

4. Core requirement 4: Conveyance system. All engineered conveyance system elements for proposed projects shall be analyzed, designed and constructed to provide the minimum level of protection against overtopping, flooding, erosion and structural failure as specified by the conveyance requirements for new and existing systems and conveyance implementation requirements described in the Surface Water Design Manual;

5. Core requirement 5: Construction stormwater pollution prevention. All proposed projects that will

conduct construction activities onsite or offsite or will clear, grade or otherwise disturb the site shall provide stormwater pollution prevention controls, spill controls, and erosion and sediment controls-to-prevent, reduce or eliminate the discharge of pollutants including sediment to onsite or adjacent drainage facilities, adjacent properties and surface water or groundwater. Erosion and sediment controls shall be applied in accordance with K.C.C. chapter 16.82 and as specified by the temporary erosion and sediment control measures and performance criteria and implementation requirements in the King County Surface Water Design Manual;

6. Core requirement 6: Maintenance and operation. Maintenance of all drainage facilities in compliance with King County maintenance standards is the responsibility of the applicant or property owner as described in the Surface Water Design Manual, except those facilities for which King County assumes maintenance and operation as described in K.C.C. 9.04.115 and 9.04.120 and the Surface Water Design Manual;

7. Core requirement 7: Financial guarantees and liability. All drainage facilities constructed or modified for projects, except downspout infiltration and dispersion systems for single family residential lots, must comply with the liability requirements of K.C.C. 9.04.100 and the financial guarantee requirements of K.C.C. Title 27A;

8. Core requirement 8: Water quality facilities. Proposed projects that would result in five thousand square feet or more of new plus replaced pollution generating impervious surface or three quarters of an acre or more of new pollution-generating pervious surface, or that are redevelopment projects that would result in a total of five thousand square feet or more of new and replaced pollution-generating impervious surface, shall provide water quality facilities to treat polluted stormwater runoff generated by new or replaced pollution-generating impervious surface, new pollution-generating pervious surface and any existing pollution-generating impervious surface added on or after January 8, 2001, as specified in the Surface Water Design Manual. However, pervious surfaces are specifically excluded if there is a good faith agreement with the King Conservation District to implement a farm management plan for agricultural uses, and pervious areas for other

uses are specifically excluded if King County department of local services, permitting division, approves a landscape management plan that controls solids, pesticides, fertilizers and other erodible or leachable materials leaving the site. Water quality facilities shall meet the area-specific water quality facility requirements and the water quality implementation requirements applicable to the project site as specified in the Surface Water Design Manual. The facilities specified by these requirements are designed to reduce pollutant loads according to the applicable annual average performance goals listed in a. through d. of this subsection A.8. for ninety-five percent of the annual average runoff volume:

- a. for basic water quality: remove eighty percent of the total suspended solids;
- b. for enhanced basic water quality: remove sixty percent dissolved zinc and thirty percent of dissolved copper;
- c. for sensitive lake protection: remove fifty percent of the total phosphorus; and
- d. for sphagnum bog protection: remove fifty percent of the total phosphorus and forty percent of the total nitrate plus nitrite. The discharge shall maintain a pH of less than 6.5 and an alkalinity of less than ten milligrams per liter.

9. Core requirement 9: Flow control BMPs. Proposed projects that would result in two thousand square feet or more of new plus replaced impervious surface or seven thousand square feet or more of land disturbing activity shall provide flow control BMPs that use processes such as infiltration, dispersion, storage, evaporation, transpiration, forest retention and reduced impervious surface footprint to mimic pre-developed hydrology and minimize stormwater runoff generated by new impervious surface, new pervious surface, replaced impervious surface and any existing impervious surface added on or after January 8, 2001, as specified in the Surface Water Design Manual. Flow control BMPs shall be applied to manage stormwater runoff from the aforementioned surfaces to the maximum extent feasible using lists of flow control BMPs specific to the project location, size and impervious coverage; or as required to demonstrate that developed discharge durations from the surfaces match predeveloped durations for those surfaces for the range of predeveloped

discharge rates from eight percent of the two-year peak flow to fifty percent of the two-year peak flow as specified in the Surface Water Design Manual.

B. A proposed project required by K.C.C. 9.04.030 to have drainage review shall meet any of the following special requirements that apply to the site and that are described in detail in the Surface Water Design Manual. The department performing drainage review as specified in K.C.C. 9.04.070 shall verify if a proposed project is subject to and must meet any of the following special requirements.

1. Special requirement 1: Other adopted area-specific requirements. If a proposed project is in a designated critical drainage area, or is in an area included in an adopted master drainage plan, basin plan, salmon conservation plan, stormwater compliance plan, flood management plan, lake management plan or shared facility plan, then the proposed project shall meet the applicable drainage requirements of the critical drainage area, master drainage plan, basin plan, salmon conservation plan, stormwater compliance plan, flood management plan, lake management plan or shared facility plan;

2. Special requirement 2: Floodplain/floodway delineation. If a proposed project contains or is adjacent to a stream, lake, wetland or closed depression, or if other King County regulations require study of flood hazards relating to the proposed project, the one hundred year floodplain boundaries and floodway shall be determined and delineated on the site improvement plans and profiles and any final maps prepared for the proposed project. The flood hazard study shall be prepared as specified in the Surface Water Design Manual;

3. Special requirement 3: Flood protection facilities. If a proposed project contains or is adjacent to a stream that has an existing flood protection facility, such as a levee, revetment or berm, or proposes to either construct a new or modify an existing flood protection facility, then the flood protection facilities shall be analyzed and designed as specified in the Surface Water Design Manual;

4. Special requirement 4: Source Control. If a proposed project requires a commercial building or commercial site development permit, then water quality source controls shall be applied to prevent rainfall and runoff from coming into contact with pollutants to the maximum extent practicable. Water quality source



controls shall be applied in accordance with K.C.C. chapter 9.12, the King County stormwater pollution prevention manual and the Surface Water Design Manual. All structural source controls shall be identified on the site improvement plans and profiles or final maps prepared for the proposed project; and

5. Special requirement 5: Oil control. If a proposed project is any of the following, then oil control shall be applied to all runoff from the high-use portion of a site as specified in the Surface Water Design Manual:

- a. a project that creates a high-use site;
- b. a redevelopment project proposing one hundred thousand dollars or more of improvements to an existing high-use site; or
- c. a redevelopment project that results in new plus replaced pollution-generating impervious surface of five thousand square feet or more or new pollution-generating pervious surface of three quarters of an acre or more.

C.1. An adjustment to the requirements contained in this section or other requirements in the Surface Water Design Manual may be proposed. The resulting development shall be subject to all of the remaining terms and conditions of this chapter and the adjustment shall:

- a. produce a compensating or comparable result in the public interest; and
- b. meet this chapter's objectives of safety, function, appearance, environmental protection and maintainability based upon sound engineering judgment.

2. If complying with subsection C.1.a. of this section will deny all reasonable use of a property, the best practicable alternative shall be obtained as determined by the department of local services permitting division manager or designee according to the adjustment process defined in the Surface Water Design Manual.

3. Requests for adjustments that may conflict with the requirements of any other King County division shall require review and concurrence with that division. The director shall coordinate to resolve conflicts between adjustments to the Surface Water Design Manual and requirements of other divisions.

4. A request for an adjustment is a Type 1 land use decision as provided for in K.C.C. 20.20.020 and shall be processed in accordance with the procedures specified in the Surface Water Design Manual.

5. The county may require monitoring of experimental designs and technology or untested applications proposed by the applicant in order to determine compliance with subsection C.1. of this section and the approved plans and conditions.

6. The applicant may appeal an adjustment decision by following the appeal procedures as specified in the Surface Water Design Manual.

~~((D. The drainage review requirements in this section and in the Surface Water Design Manual may be modified or waived under the procedures in K.C.C. 21A.55.060.))~~

SECTION 13. Ordinance 13625, Section 22, as amended, and K.C.C. 13.24.035 are hereby amended to read as follows:

A. All development within the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area shall be served by public sewer service except on-site sewage systems may be allowed temporarily in some parts of the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area in accordance with K.C.C. 13.24.136.

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

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

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

C. Public sewer service shall not be provided outside the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area or any rural

town designated to receive the service, except as described in K.C.C. 13.24.134.

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

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

SECTION 14. Ordinance 1709, Section 7, as amended, and K.C.C. 13.24.090 are hereby amended to read as follows:

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

B. The utilities technical review committee shall:

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

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

3.a. Serve as the appeal body to hear all issues relating to the creation of new public water systems and the extension of existing public water service within the boundaries of a critical water supply service area ((~~as provided for in the utility service review procedures contained in the coordinated water system plans~~)), based

on whether an existing water purveyor can provide service in a timely and reasonable manner (WAC 246-293-190).

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

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

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

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

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

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

4. Issue the findings required under K.C.C. 13.24.132, 13.24.134, and 13.24.136 relative to sewer expansion in the rural area and natural resource ((areas)) lands. The determination that sewer expansion in rural and resource areas is necessary shall be based on information concerning the feasibility of alternative

treatment technologies as provided by ~~((the))~~ public health - Seattle((-) & King County ~~((department of public health))~~.

SECTION 15. Ordinance 11616, Section 10, as amended, and K.C.C. 13.24.132 are hereby amended to read as follows:

New sewer facilities shall be allowed to cross ~~((the))~~ rural ~~((areas))~~ and natural resource lands only if the facilities are:

A. Limited to serving areas within ~~((an))~~ the Urban Growth Area~~((, rural city))~~ or a rural town approved for public sewer service;

B. Tightly lined or otherwise subject to access restrictions precluding service to adjacent rural ~~((areas))~~ or natural resource lands; and

C. Identified in a King County-approved comprehensive sewage system plan and upon a finding by the utilities technical review committee that it is technically necessary.

NEW SECTION. SECTION 16. There is hereby added to K.C.C. chapter 13.28 a new section to read as follows:

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

NEW SECTION. SECTION 17. There is hereby added to K.C.C. chapter 14.01 a new section to read as follows:

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

SECTION 18. Ordinance 18420, Section 37, and K.C.C. 14.01.360 are hereby amended to read as

follows:

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

SECTION 19. Ordinance 18420, Section 61, as amended, and K.C.C. 14.40.0104 are hereby amended to read as follows:

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

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

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

2. Whether the county (~~((right-of-way))~~) right-of-way is in use or has been in use;
  3. The condition of the (~~((right-of-way))~~) right-of-way;
  4. Whether it is advisable to preserve all or a portion of the (~~((right-of-way))~~) right-of-way for the county transportation system of the future, including use as a public trail;
  5. Whether the public will be benefited by the vacation of the county (~~((right-of-way))~~) right-of-way;
  6. The appraised value of the county (~~((right-of-way))~~) right-of-way or portion thereof proposed for vacation as well as the county road engineer's recommendation for compensation to be determined in accordance with the factors listed in K.C.C. 14.40.020.A.;
  - 7.a. Whether the proposed county (~~((right-of-way))~~) right-of-way to be vacated serves as access to property abutting the county (~~((right-of-way))~~) right-of-way that is subject of the vacation request; and
    - b. a recommendation for requiring access easements for all abutting properties as a condition of granting the vacation;
  - 8.a. Whether the proposed county (~~((right-of-way))~~) right-of-way to be vacated contains utilities; and
    - b. a recommendation for retaining an easement for the construction, repair, and maintenance of public utilities and services that are authorized at the time the ordinance is adopted or are physically located on a portion of the (~~((right-of-way))~~) right-of-way being vacated;
  9. Other matters that may be of interest, including any fees charged under K.C.C. 14.40.0106.B.;
  10. Whether the proposed area to be vacated abuts a body of salt or fresh water as (~~((set forth))~~) established in RCW 36.87.130;
  11. A list of the property owners whose property abuts the county (~~((right-of-way))~~) right-of-way or any portion thereof proposed for vacation who are not petitioners; and
  12. If not waived in accordance with K.C.C. 14.40.106.C., a list of all costs incurred in preparing the report.
- C. Upon completion of the report by the county road engineer, the executive shall transmit the report,

any petition, and a proposed ordinance to the council. The hearing examiner is appointed by the council to conduct the public hearing of any proposed vacation of a county ~~((right-of-way))~~ right-of-way.

SECTION 20. Ordinance 8421, Section 3, as amended, and K.C.C. 14.56.020 are hereby amended to read as follows:

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

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

B. Active transportation project needs contained in agency capital improvement programs; and

C. ((e))Operational activities that:

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

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

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

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

SECTION 21. Ordinance 8421, Section 4, as amended, and K.C.C. 14.56.030 are hereby amended to read as follows:

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

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

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



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

SECTION 22. Ordinance 1488, Section 5, as amended, and K.C.C. 16.82.020 are hereby amended to read as follows:

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

A. "Applicant" means a property owner, ~~((or))~~ a public agency, or public or private utility that owns a right-of-way or other easement or has been adjudicated the right to such an easement in accordance with RCW ~~((8.12.090))~~ 8.08.040, or any person or entity designated or named in writing by the property or easement owner to be the applicant, in an application for a development proposal, permit, or approval.

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

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

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

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

F. "Compaction" means the densification of a fill by mechanical means.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

uses of the proposed zone appropriate for the site.

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

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

1. "Documented legal control" includes fee simple or leasehold rights, or an easement, or any combination thereof, that allows uses associated with the overall development proposal; and
2. Lots that are separated only by a public road right-of-way shall be considered to be contiguous.

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

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

((W-)) Y. "Structure" means ~~((that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts jointed together in some definite manner))~~ anything permanently constructed in or on the ground, or over the water; excluding fences six feet or less in height, decks less than eighteen inches above grade, paved areas, and structural or non-structural fill.

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

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

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

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

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

SECTION 23. Ordinance 15053, Section 3, as amended, and K.C.C. 16.82.051 are hereby amended to read as follows:

A. For the purposes of this section, the definitions in K.C.C. chapter 21A.06 apply to the activities described in this section, if the terms are not defined in K.C.C. 16.82.020. Where definitions in K.C.C. 16.82.020 differ from the definitions in K.C.C. chapter 21A.06, the definitions in K.C.C. 16.82.020 shall apply.

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

C. Clearing and grading permit requirement exemptions in the table in subsection D. of this section shall be interpreted as follows:

1. The use of "NP" in a cell means that a clearing or grading permit is not required if the listed conditions are met;
2. A number in a cell means the numbered condition in subsection E. of this section applies, and:
  - a. where a series of numbers separated by commas are in a cell, each of the numbered conditions for that activity applies; and
  - b. if more than one letter-number combination appears in a cell, the conditions of at least one letter-number combinations shall be met for a given exemption to apply;

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

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

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

D. Clearing and grading permit requirement exemptions.

((("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	Land slide Hazard and Buffer	Seismic Hazard	Volcanic Hazard	Steep Slope Hazard and Buffer	Critical Aquifer Recharge Area	Wetland and Buffer	Aquatic Area and Buffer	Wildlife Habitat at Conservation Area, Habitat at Network and Buffer
<b>ACTIVITY</b>													
<b>Grading and Clearing</b>													
Grading	NP 1, 2	NP 1, 2	NP 1, 2				NP 1, 2	NP 1, 2		NP 1, 2			
Clearing	NP 3 NP 23 NP 24	NP 3	NP 3	NP 3			NP 3	NP 3		NP 3	NP 4 ((NP 23))	NP 4 ((NP 23))	
Covering of garbage	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5
Emergency tree removal	NP	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6

Hazard tree removal	NP 25	NP 25	NP 25	NP 25			NP 25	NP 25		NP 25			
Removal of noxious weeds	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Removal of invasive vegetation	NP 7	NP 7	NP 7	NP 7	NP 7		NP 7	NP 7		NP 7	NP 8	NP 8	NP 8
Forest management activity	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9
Emergency action	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10
<b>Roads</b>													
Grading within the roadway	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11			NP 11
Clearing within the roadway	NP	NP 12	NP 12	NP 12	NP 12	NP 12	NP 12	NP 12	NP 12	NP	NP 12	NP 12	NP 12
Maintenance of driveway or private access road	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13
Maintenance of bridge or culvert	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15
Construction of farm field access drive	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16
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
<b>Utilities</b>													
Construction or maintenance of utility corridors or facility within the right-of-way	NP 18	NP 19	NP 19	NP 19	NP 19	NP 19	NP 19	NP 19	NP 19	NP 18	NP 19	NP 19	NP 19
Construction or maintenance of utility corridors or facility outside of the right-of-way	NP 1, 2, 3 NP 27		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
Maintenance or repair of existing instream structure	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP 11	NP 11	NP
<b>Recreation areas</b>													
Maintenance of outdoor public park facility, trail, or publicly improved recreation area	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13
<b>Habitat and science projects</b>													
Habitat restoration or enhancement project	NP	NP 21	NP 21	NP 21	NP 21	NP 21	NP 21	NP 21	NP 21	NP	NP 21	NP 21	NP 21
Drilling and testing for critical areas report	NP 1, 2	NP 1, 2	NP 1, 2	NP 22	NP 22	NP 22	NP 1, 2	NP 1, 2	NP 22	NP 1, 2	NP 22	NP 22	NP 22
<b>Agriculture</b>													
Horticulture activity including tilling, discing, planting, seeding, harvesting, preparing soil, rotating crops, and related activity	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Grazing livestock	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Construction and maintenance of livestock manure storage facility	NP 16	NP 16	NP 16	NP 16	NP 16		NP 16	NP 16		NP 16	NP 16	NP 16	
Maintenance or replacement of agricultural drainage	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15

Maintenance of agricultural waterway	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26
Maintenance of farm pond, fish pond, livestock watering pond	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15
<b>Other</b>													
Excavation of cemetery grave in established and approved cemetery	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Maintenance of cemetery grave	NP	NP 13	NP 13	NP	NP 13	NP 13	NP	NP	NP 13	NP	NP 13	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 13	NP	NP 13	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

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

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

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

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



- a. regulated as a Class IV forest practice under chapter 76.09 RCW;
- b. in a critical drainage areas established by administrative rules;
- c. subject to clearing limits included in property-specific development standards and special district overlays under K.C.C. chapter 21A.38; or
- d. subject to ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area significant tree retention standards under K.C.C. 16.82.156 and K.C.C. Title 21A~~((38.230))~~.

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

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

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

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

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

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

b. limited to removal with hand labor.

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

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

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

to an aquatic area or wetland. For purposes of this subsection ((C.))E.11., "new impervious surface" is defined in K.C.C. 9.04.020.

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

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

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

- a. there is no alteration of a ditch or aquatic area that is used by salmonids;
- b. the structure, condition<sub>2</sub> or site maintained was constructed or created in accordance with law; and
- c. the maintenance does not expand the roadway, lawn, landscaping, ditch, culvert<sub>2</sub> or other

improved area being maintained.

14. If a culvert is used by salmonids or conveys water used by salmonids and there is no adopted farm management plan, the maintenance is limited to removal of sediment and debris from the culvert and its inlet, invert<sub>2</sub> and outlet and the stabilization of the area within three feet of the culvert where the maintenance disturbed or damaged the bank or bed and does not involve the excavation of a new sediment trap adjacent to the inlet.

15. If used by salmonids, only in compliance with an adopted farm plan in accordance with K.C.C.

Title 21A and only if the maintenance activity is inspected by:

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

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

17. Only if consistent with a farm plan.

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

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

20. When:

- a. conducted by a public agency;
- b. the height of the facility is not increased;
- c. the linear length of the facility is not increased;
- d. the footprint of the facility is not expanded waterward;
- e. done in accordance with the Regional Road Maintenance Guidelines;
- f. done in accordance with the adopted King County Flood Management Plan and the Integrated

Streambank Protection Guidelines (Washington State Aquatic Habitat Guidelines Program, 2002); and

g. monitoring is conducted for three years following maintenance or repair and an annual report is submitted to the department.

21. Only if:

a. the activity is not part of a mitigation plan associated with another development proposal or is not corrective action associated with a violation; and

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

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

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

(3) hand labor except:

(a) the use of riding mower or light mechanical cultivating equipment and herbicides or biological

control methods when prescribed by the King County noxious weed control board for the removal of noxious weeds or invasive vegetation; or

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

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

23. ~~((Limited to removal of vegetation for forest fire prevention purposes in accordance with best management practices approved by the King County fire marshal))~~ Clearing for the purposes of wildfire preparedness that does not otherwise require another permit and that is not subject to K.C.C. 16.82.156 or K.C.C. Title 21A, as follows:

a. understory clearing within fifteen feet of a residential structure containing habitable space or an attached deck;

b. understory clearing and tree removal and pruning within ten feet of an installed aboveground nonportable liquefied petroleum gas tank;

c. within thirty feet of a residential structure containing habitable space, understory clearing and tree pruning underneath a tree crown to provide up to ten feet of vertical clearance from the ground to remove ladder fuels. Tree pruning shall not exceed one-third of the tree height;

d. within thirty feet of a residential structure containing habitable space, tree removal and pruning to provide up to fifteen feet of vertical clearance over driveways and roads used for emergency vehicle access;

e. within thirty feet of a residential structure containing habitable space, tree removal and pruning to provide up to eighteen feet between tree crowns;

f. tree removal and pruning to provide up to ten feet between tree crowns and decks, chimneys, overhead communication cables and electrical wires, or other structures; and

g. clearing may be allowed up to one hundred feet from a residential structure containing habitable space if advised by a wildfire risk assessment conducted by a professional holding a wildfire risk assessment

certification or a forest stewardship plan approved by the department of natural resources and parks that includes best management practices to reduce wildfire risk. The removal and pruning of trees under this subsection to provide clearance between tree crowns is limited to:

(1) twelve feet between tree crowns for trees between thirty and sixty feet from a residential structure containing habitable space; and

(2) six feet between tree crowns for trees between sixty and one hundred feet from a residential structure containing habitable space.

24. Limited to the removal of downed trees.

25. Except on properties that are:

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

b. subject to ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area significant tree retention standards under K.C.C. 16.82.156.

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

a. King Conservation District;

b. department of natural resources and parks;

c. department of local services, permitting division; or

d. Washington state Department of Fish and Wildlife.

27. Clearing for the purposes of wildfire preparedness that does not otherwise require another permit, that is not subject to K.C.C. 16.82.156 or K.C.C. Title 21A., and that maintains any require screening consistent with K.C.C. chapter 21A.16, as follows:

a. tree pruning to provide up to ten feet of vertical clearance from overhead communication cables and electrical wire components of utility facilities, if:

- (1) all debris is removed following the pruning activity;
- (2) the activity is authorized by a right-of-way construction permit, if applicable; and
- (3) pruning activities do not extend fifteen feet beyond the right-of-way;
- b. understory clearing within fifteen feet of a utility facility structure; and
- c. within thirty feet of a utility facility structure, understory clearing and tree pruning underneath a tree crown to provide up to ten feet of vertical clearance from the ground to remove ladder fuels. Tree pruning shall not exceed one-third of the tree height;
- d. within thirty feet of a utility facility structure, tree removal and pruning to provide up to fifteen feet of vertical clearance over driveways and roads used for emergency vehicle access;
- e. within thirty feet of a utility facility structure, tree removal to provide up to eighteen feet between tree crowns;
- f. tree removal and pruning to provide up to ten feet between tree crowns and utility and facility structures; and
- g. clearing may be allowed up to one hundred feet from the utility facility structure if such clearing activity is advised by a wildfire risk assessment conducted by a professional holding a wildfire risk assessment certification or a forest stewardship plan approved by the department of natural resources and parks that includes best management practices to reduce wildfire risks. The removal and pruning of trees to provide clearance between tree crowns is limited to:
  - (1) twelve feet between tree crowns for trees located between thirty and sixty feet from a utility facility structure; and
  - (2) six feet between tree crowns for trees located between sixty and one hundred feet from a utility facility structure.

SECTION 24. Ordinance 1488, Section 7, as amended, and K.C.C. 16.82.060 are hereby amended to read as follows:

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

1. Identification and description of the work to be covered by the permit for which application is made;
2. An estimate of the quantities of work involved by volume and the total area cleared or graded as a percentage of the total site area;
3. An identification and description of:
  - a. all critical areas on the site or visible from the boundaries of the site; and
  - b. ~~((all clearing restrictions applicable to the site in K.C.C. 16.82.150,))~~ critical drainage areas requirements established by administrative rules or property-specific development standards and special district overlays under K.C.C. chapter 21A.38;
4. Location of any ~~((open space))~~ natural area tracts or conservation easements if required under:
  - a. ~~((K.C.C. 16.82.152;~~
  - b.)) K.C.C. chapter 21A.14;
  - ~~((e.))~~ b. K.C.C. chapter 21A.37;
  - ~~((d.))~~ c. critical drainage areas; or
  - ~~((e.))~~ d. property-specific development standards or special district overlays under K.C.C. chapter 21A.38;
5. Plans and specifications that, at a minimum, include:
  - a. property boundaries, easements, and setbacks;
  - b. a 1:2000 scale vicinity map with a north arrow;
  - c. horizontal and vertical scale;
  - d. size and location of existing improvements on and within fifty feet of the project, indicating which will remain and which will be removed;

- e. location of all proposed cleared areas;
- f. existing and proposed contours at maximum five foot intervals, and extending for one hundred feet beyond the project edge;
- g. at least two cross sections, one in each direction, showing existing and proposed contours and horizontal and vertical scales; and
- h. a proposed erosion and sediment control plan as required by K.C.C. 16.82.095.

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

- 1. Higher accuracy contours and more details of existing terrain and area drainage, limiting dimensions, elevations or finished contours to be achieved by the grading, and proposed drainage channels and related construction;
- 2. As required by K.C.C. 20.20.040, all drainage plans and documentation consistent with the King County Surface Water Design Manual;
- 3. Restoration plan if required under K.C.C. ((16.82.110)) 21A.22.081; and
- 4. Studies prepared by qualified specialists, as necessary to substantiate any submitted materials and compliance with this chapter or other law, particularly if clearing or grading is proposed to take place in or adjacent to a critical area.

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

D. The department shall specify the formats in which application materials may be submitted.

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



SECTION 25. Ordinance 12560, Section 148, as amended, and K.C.C. 17.04.200 are hereby amended to read as follows:

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

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

1. Procedures to ensure that building permits for structures shall conform to the requirements of this code.
2. Procedures to ensure that applicable standards of this code shall be reviewed as part of the subdivision, short subdivision, ~~((urban-planned development,))~~ rezone, conditional use, special use, site development permit, binding site plan, and building permit processes.
3. Procedures to assure that the standard known as NFPA 13R shall be applied as a minimum standard to all R occupancies.
4. Procedures to allow for relaxation of the hydrant spacing requirements by as much as 50 percent, except when such allowances would unreasonably reduce fire protection to the area or structures served.

SECTION 26. Ordinance 12560, Section 149, as amended, and K.C.C. 17.04.280 are hereby amended to read as follows:

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

**Notice to fire districts (IFC 104.12).**

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

1. the applicant shall submit a copy of the application to the fire district providing fire protection services to the proposed development;
2. subdivisions and short subdivisions applied for and/or recorded before February 1, 1989, shall be submitted once to the applicable fire district for review at the time of the first building permit by the applicant for that building permit;
3. it shall be the responsibility of the fire district to issue a receipt to the applicant the same day it receives a copy of a permit application. The receipt shall constitute proof to the director of the notification;
4. the applicant shall include the fire district receipt with the permit application to the department;
5. it shall be the responsibility of the fire district to notify the fire marshal of any comments within seven days of the receipt of an applied for permit.

SECTION 27. Ordinance 16147, Section 2, as amended, and K.C.C. 18.17.010 are hereby amended to read as follows:

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

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

1. Built Green Four-Star, Built Green Five-Star, or Built Green Emerald Star, or any combination thereof;
2. Envision;
3. Evergreen Sustainable Development Standard;
4. Fitwel;
5. Greenroads;

6. Living Building Challenge;
7. Passive House;
8. Salmon Safe;
9. SITES; and
10. WELL.

B. "Built Green Four-Star," "Built Green Five-Star," and "Built Green Emerald Star" mean a third-party residential green building certification((;)) developed and administered by the Master Builders Association of King and Snohomish Counties.

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

D. "Energy Star" means the energy certification rating system developed by the United States Environmental Protection Agency that focuses on energy efficiency.

E. "Envision" means a voluntary sustainable infrastructure rating system administered by the Institute for Sustainable Infrastructure and developed by the Harvard University Graduate School of Design, American Public Works Association, American Society of Civil Engineers, and the American Council of Engineering Companies for assessing sustainability and resilience in infrastructure.

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

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

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

I. "Facility" means all or any portion of buildings, structures, infrastructure, sites, complexes,

equipment, utilities, and conveyance lines.

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

K. "Green building team" means a group that includes representatives from county agencies with capital project or building management staff including, but not limited to, the Metro transit department, the department of natural resources and parks, the department of executive services, the department of local services, permitting and road services divisions, ~~((the department of))~~ public health - Seattle & King County, the historic preservation program, and the department of community and human services. The members represent staff with expertise in project management, construction management, architecture, landscape architecture, environmental planning, design, engineering, historic preservation and resource conservation, public health, building energy systems, building management, budget analysis, equity and racial and social justice, procurement, and other skills as needed. The green building team provides assistance and helps to disseminate information to project managers in all county agencies.

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

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

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

O. "Leadership in Energy and Environmental Design" or "LEED" means a voluntary, consensus-based

national standard for developing high-performance, sustainable buildings, created by the United States Green Building Council.

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

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

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

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

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

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

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

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

X. "Salmon Safe" means a voluntary peer-reviewed certification program, linking site development

land management practices with the protection of agricultural and urban watersheds, founded by the Stewardship Partners.

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

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

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

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

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

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

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

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

SECTION 28. Ordinance 19402, Section 8, and K.C.C. 18.17.050 are hereby amended to read as follows:

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

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

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

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

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

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

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

1. Shall meet King County Surface Water Design Manual requirements, regardless of jurisdiction

location. If a project is located in a jurisdiction where the surface water design manual standards and requirements are different than King County's, the project shall implement the more stringent requirement;

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

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

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

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

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

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

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

SECTION 29. Ordinance 17270, Section 2, as amended, and K.C.C. 18.25.010 are hereby amended to



read as follows:

A.1. ~~((The county developed a strategic climate action plan in 2012 to establish long-term targets and guide actions within county services and operations to reduce greenhouse gas emissions and adapt to a changing climate. In accordance with this chapter, the executive updates the strategic climate action plan.))~~ In order to guide the county's climate-related objectives and strategies, the executive shall develop an updated strategic climate action plan at least every five years. Each update to the strategic climate action plan shall be developed with an environmental justice framework in partnership with those communities disproportionately impacted by climate change and in a manner consistent with ~~((Ordinance 16948, which establishes the county's fair and just principle))~~ K.C.C. 2.10.200, 2.10.210, 2.10.220, and 2.10.230. The strategic climate action plan shall include the following:

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

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

high-demand industry sectors such as construction, manufacturing, transportation, and professional services.

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

(2) the green jobs strategy shall be developed in consultation with members of the King County climate and equity community taskforce identified in subsection A.1.~~((b.(2)(f)))~~c. of this section, labor and workforce development organizations directed in subsection A.~~((7.))~~5. of this section, and representatives of an environmental justice and climate equity organization, education, business, building managers, utilities, scientists with knowledge of the latest research on strategies to reduce emissions, tribes, local governments, and regional groups such as the King County-Cities Climate Collaboration and the Puget Sound Regional Council, and shall include:

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

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

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

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

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

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

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

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

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

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

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

~~((e.))~~ f. an assessment of cost effectiveness for key county services and operations building on the

pilot cost effectiveness assessment in the 2015 strategic climate action plan update.

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

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

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

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

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

~~((7.))~~ 5. The executive shall convene a strategic climate action plan labor advisory council ~~((or))~~ and seek input from county labor and workforce development organizations, including the Martin Luther King, Jr. County Labor Council of Washington, the Seattle Building and Construction Trades Council, and the Workforce Development Council of Seattle-King County, on recommendations for policies, programs, and

partnerships to strengthen pathways to local green jobs and to provide guidance on each update.

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

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

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

SECTION 30. The following should constitute a new chapter in K.C.C. Title 18, to follow K.C.C. chapter 18.35:

- A. K.C.C. 28.30.010, as recodified by this ordinance;
- B. K.C.C. 28.30.020, as recodified by this ordinance; and
- C. K.C.C. 28.30.030, as recodified by this ordinance.

SECTION 31. The following are hereby recodified as new sections in K.C.C. chapter 18.xx (the new chapter created in section 30 of this ordinance):

- A. K.C.C. 28.30.010;
- B. K.C.C. 28.30.020; and
- C. K.C.C. 28.30.030, as amended by this ordinance.

SECTION 32. Ordinance 17971, Section 4, as amended, and K.C.C. 28.30.030 are hereby amended to read as follows:

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

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

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

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

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

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

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

SECTION 33. Ordinance 13694, Section 5, and K.C.C. 19A.04.030 are hereby amended to read as follows:

Applicant: a property owner, ~~((or))~~ a public agency, or public or private utility that owns a right-of-way or other easement or has been adjudicated the right to such easement ~~((pursuant to))~~ in accordance with RCW ~~((8.12.090))~~ 8.08.040, or any person or entity designated or named in writing by the property or easement owner to be the applicant, in an application for a development proposal, permit, or approval.

NEW SECTION. SECTION 34. There is hereby added to K.C.C. chapter 19A.04 a new section to read as follows:

Microsubdivision: a short subdivision involving a division or redivision of land into two lots, tracts, parcels, or sites for the purpose of the sale, lease, or transfer of ownership.

SECTION 35. Ordinance 17841, Section 1, and K.C.C. 19A.04.205 are hereby amended to read as follows:

"Large lot segregation" means the division of land into lots or tracts each one of which is one-sixteenth of a section of land or larger, or forty acres or larger if the land is not capable of description as a fraction of a section of land. However, for purposes of computing the size of a lot that borders on a street or road, the lot size shall be expanded to include that area that would be bounded by the center line of the road or street and the side lot lines of the lot running perpendicular to such center line. Also, within the resource zones, each lot or tract shall be of a size that meets the minimum lot size requirements of K.C.C. (~~((21A.12.040.A.))~~) Title 21A for the respective zone. SECTION 36. Ordinance 13694, as amended, and K.C.C. 19A.04.310 are hereby amended to read as follows:

Short subdivision: inside the Urban Growth Area, a division or redivision of land into nine or fewer lots, tracts, parcels, or sites for the purpose of the sale, lease, or transfer of ownership. Outside the Urban Growth Area, a division or redivision of land into four or fewer lots, tracts, parcels, or sites for the purpose of sale, lease, or transfer of ownership. A microsubdivision is a type of short subdivision.

SECTION 37. Ordinance 13694, Section 42, as amended, and K.C.C. 19A.08.070 are hereby amended to read as follows:

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

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

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

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

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

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

a. an approved sewage disposal; or

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

~~e. a road that was:~~

~~(1) accepted for maintenance by the King County department of transportation; or~~

~~(2) located within an access easement for residential use or in a road right-of-way and consists of a smooth driving surface, including, but not limited to, asphalt, concrete, or compact gravel, that complied with the King County road standards in effect at the time the road was constructed;))~~

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

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

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

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

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

c. at a size forty acres or greater created through a larger lot segregation made in accordance with RCW 58.18.010, approved by King County and not subsequently merged into a larger lot. Within the F zone,



each lot ~~((or))~~ or tract shall be of a size that meets the minimum lot size requirements of ~~((K.C.C. 21A.12.040.A))~~ section 227 of this ordinance;

- d. through testamentary provisions or the laws of descent after August 10, 1969; or
- e. as a result of deeding land to a public body after April 3, 1977.

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

- 1. Recorded subdivisions or division of land into four lots or less;
- 2. King County documents indicating approval of a short subdivision;
- 3. Recorded deeds or contracts describing the lot or lots either individually or as part of a conjunctive legal description ~~((e.g.)),~~ such as Lot 1 and Lot 2~~((+))~~; or
- 4. Historic tax records or other similar evidence, describing the lot as an individual parcel. The department shall give great weight to the existence of historic tax records or tax parcels in making its determination.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 39. Ordinance 13694, Section 57, as amended, and K.C.C 19A.12.030 are hereby amended

as follows:

- A. A request to revise a ~~((plat, short plat))~~ preliminary subdivision, preliminary short subdivision, or binding site plan that has received preliminary approval shall be submitted to the department.
- B. Proposed revisions to a preliminary subdivision that would result in a substantial change, as defined in K.C.C. 20.20.100, shall be treated as a new application for purposes of vesting and transportation concurrency and shall be reviewed as Type 3 land use decision under K.C.C. 20.20.020.
- C. Proposed revisions to a preliminary short subdivision, or binding site plan that would result in a substantial change, as defined in K.C.C. 20.20.100, shall be treated as a new application for purposes of vesting and, where applicable, transportation concurrency, and shall be reviewed as Type 2 land use decision ~~((pursuant to))~~ under K.C.C. 20.20.020, except that a proposed revision to a microsubdivision in the urban area shall be reviewed as a Type I land use decision under K.C.C. 20.20.020.
- D. Proposed changes to a preliminary subdivision, preliminary short subdivision, or binding site plan that do not result in a substantial change, as defined in K.C.C. 20.20.100, shall be treated as a minor change and may be approved administratively by the department.
- E. For purposes of this section, minor changes include, but are not limited to:
1. Changes to engineering design standards necessitated by changed circumstances, such as reconfiguration or reduction of lots;
  2. Changes in lot dimensions that are consistent with the underlying zone;
  3. A decrease in the number of lots to be created so long as the minimum lot size and minimum density of the underlying zone is maintained;
  4. Changes in timing of phased plans; and
  5. Changes to engineering design that reduce construction related impacts and do not eliminate off-site improvements specifically required as a condition of preliminary approval.

SECTION 40. Ordinance 13694, Section 80, as amended, and K.C.C. 19A.28.020 are hereby amended

to read as follows:

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

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

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

C. ~~((Any adjustment of boundary lines must be approved by the department before the t))~~Transfer of property ownership between adjacent legal lots shall not occur until the boundary line adjustment is approved;

D. A boundary line adjustment proposal shall not:

1. Result in the creation of an additional lot; ~~((or))~~
2. Result in the creation of more than one additional building site in the rural area and natural resource lands or two additional building sites in the urban area;
3. Result in a lot that does not qualify as a building site ~~((pursuant to))~~ under this title;
- ~~((3-))~~ 4. Relocate an entire lot from one parent parcel into another parent parcel;
- ~~((4-))~~ 5. Reduce the overall area in a plat or short plat devoted to open space;
- ~~((5-))~~ 6. Be inconsistent with any restrictions or conditions of approval for a recorded plat or short plat;
- ~~((6-))~~ 7. Involve lots ~~((which))~~ that do not have a common boundary; ~~((or))~~
- ~~((7-))~~ 8. Circumvent the subdivision or short subdivision procedures ~~((set forth))~~ in this title. Factors ~~((which))~~ that indicate that the boundary line adjustment process is being used in a manner inconsistent with

statutory intent include: numerous and frequent adjustments to the existing lot boundary, a proposal to move a lot or building site to a different location, and a large number of lots being proposed for a boundary line adjustment; or

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

E. The elimination of lines between two or more lots shall, in all cases, ~~((shall))~~ be considered a minor adjustment of boundary lines and shall not be subject to the subdivision and short subdivision provisions of this title or to K.C.C. 19A.28.030. The format and requirements of a minor adjustment under this subsection shall be specified by the department;

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

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

SECTION 41. Ordinance 18810, Section 3, and K.C.C. 20.08.037 are hereby amended to read as follows:

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

Act, chapter 36.70A RCW.

SECTION 42. Ordinance 263, Art. 3 (part), and K.C.C. 20.08.060 are hereby amended to read as follows:

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

SECTION 43. Ordinance 263, Article 2, Section 1, as amended, and K.C.C. 20.12.010 are hereby amended to read as follows:

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

SECTION 44. Ordinance 3692, Section 2, as amended, and K.C.C. 20.12.200 are hereby amended to read as follows:

A. The King County shoreline master program consists of the following elements, enacted on or before ~~((October 4, 2024))~~ the date of enactment of this ordinance:

1. The King County Comprehensive Plan chapter six;
2. K.C.C. chapter 21A.25;
3. The following sections of K.C.C. chapter 21A.24:
  - a. K.C.C. 21A.24.045;
  - b. K.C.C. 21A.24.051;
  - c. K.C.C. 21A.24.055;
  - d. K.C.C. 21A.24.070.A., B.2., C.2., D., and E.;
  - e. K.C.C. 21A.24.125;
  - f. K.C.C. 21A.24.130;
  - g. K.C.C. 21A.24.133;
  - h. K.C.C. 21A.24.200;
  - i. K.C.C. 21A.24.210;
  - j. K.C.C. 21A.24.220;
  - k. K.C.C. 21A.24.275;
  - l. K.C.C. 21A.24.280;
  - m. K.C.C. 21A.24.290;
  - n. K.C.C. 21A.24.300;
  - o. K.C.C. 21A.24.310;
  - p. K.C.C. 21A.24.316;
  - q. K.C.C. 21A.24.318;



- r. K.C.C. 21A.24.325;
- s. K.C.C. 21A.24.335;
- t. K.C.C. 21A.24.340;
- u. K.C.C. 21A.24.355;
- v. K.C.C. 21A.24.358;
- w. K.C.C. 21A.24.365;
- x. K.C.C. 21A.24.380;
- y. K.C.C. 21A.24.382;
- z. K.C.C. 21A.24.386; and
- aa. K.C.C. 21A.24.388;

4. The following:

- a. ~~((K.C.C. 20.18.040;~~
- ~~b.))~~ K.C.C. 20.18.050;
- ~~((c.))~~ b. K.C.C. 20.18.056;
- ~~((d.))~~ c. K.C.C. 20.18.057;
- ~~((e.))~~ d. K.C.C. 20.18.058;
- ~~((f.))~~ e. K.C.C. 20.22.160;
- ~~((g.))~~ f. K.C.C. 21A.32.045;
- ~~((h.))~~ g. K.C.C. 21A.44.090;
- ~~((i.))~~ h. K.C.C. 21A.44.100; and
- ~~((j.))~~ i. K.C.C. 21A.50.030; and

5. The 2024 King County Flood Management Plan.

B. The shoreline management goals and policies constitute the official policy of King County regarding areas of the county subject to shoreline ~~((management))~~ jurisdiction under chapter 90.58 RCW. As provided by

WAC 173-26-191(2)(a), King County's local administrative, enforcement, and permit review procedures shall conform to chapter 90.58 RCW but shall not be a part of the master program.

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

NEW SECTION. SECTION 45. There is hereby added to K.C.C. chapter 20.12 a new section to read as follows:

The Snoqualmie Valley/Northeast King County Subarea Plan, dated December 2024, contained in Attachment J to this ordinance is adopted as an element of the King County Comprehensive Plan and, as such, constitutes official county policy for the geographic area of unincorporated King County defined in the plan.

SECTION 46. Ordinance 13147, Section 19, as amended, and K.C.C. 20.18.030 are hereby amended to read as follows:

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

1. Emergencies, only after public notice and an opportunity for public testimony, commensurate with the nature of the emergency, in the same manner as an emergency ordinance under Section 230.30 of the King County Charter;

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

3. The initial adoption of a subarea plan, which may amend the ~~((u))Urban ((g))Growth ((a))Area~~ boundary only to redesignate land within a joint planning area;

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

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

B. Every year the Comprehensive Plan may be updated to address technical updates and corrections, to adopt ~~((community service area))~~ subarea plans, and to consider amendments that do not require substantive changes to the Comprehensive Plan or subarea plan policy language or do not require changes to the ~~((u))Urban ((g))Growth ((a))Area~~ boundary, except as ~~((permitted in subsection B.9. and 11. Of this section))~~ allowed in Comprehensive Plan chapter 12. The review may be referred to as the annual update. ~~((The Comprehensive Plan, including subarea plans, may be amended in the annual update only to consider the following:~~

- ~~1. Technical amendments to policy, text, maps or shoreline environment designations;~~
- ~~2. The annual capital improvement plan;~~
- ~~3. The transportation needs report;~~
- ~~4. School capital facility plans;~~
- ~~5. Changes required by existing Comprehensive Plan policies;~~
- ~~6. Changes to the technical appendices and any amendments required thereby;~~
- ~~7. Comprehensive updates of subarea plans initiated by motion;~~
- ~~8. Changes required by amendments to the Countywide Planning Policies or state law;~~
- ~~9. Redesignation proposals under the four-to-one program as provided for in this chapter;~~
- ~~10. Amendments necessary for the conservation of threatened and endangered species;~~
- ~~11. Site-specific land use map amendments that do not require substantive change to Comprehensive Plan policy language and that do not alter the urban growth area boundary, except to correct mapping errors;~~
- ~~12. Amendments resulting from subarea studies required by Comprehensive Plan policy that do not~~

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

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

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

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

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

C. Every ~~((eighth))~~ tenth year beginning in 2024, the county shall complete a comprehensive review of the Comprehensive Plan in order to update it as appropriate and to ensure continued compliance with the GMA. This review may provide for a cumulative analysis of the twenty-year plan based upon official population growth forecasts, benchmarks, and other relevant data in order to consider substantive changes to the Comprehensive Plan and changes to the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area boundary. The comprehensive review shall ~~((begin one year in advance of the transmittal))~~ follow the schedule established in K.C.C. 20.18.060 and may be referred to as the ~~((eight))~~ ten-year update. The ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area boundaries shall be reviewed in the context of the ~~((eight))~~ ten-year update and in accordance with countywide planning policy ~~((G-1))~~ FW-1 and RCW 36.70A.130.

D.1. At the midpoint of the ~~((eight))~~ ten-year update process, a limited update to the Comprehensive Plan to address time-sensitive issues before to the next ~~((eight))~~ ten-year update, may be authorized by motion. The update may be referred to as the midpoint update. The midpoint update may include those substantive changes to the Comprehensive Plan and amendments to the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area boundary that are identified in the scope of work. The midpoint update may also include additions or amendments to the

Comprehensive Plan Workplan related to a topic identified in the scope of work.

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

3. If the executive proposes a midpoint update, the executive shall transmit to the council by the last business day in ~~((June))~~ March two years before the midpoint year of the ~~((eight))~~ ten-year update schedule a proposed motion specifying the scope of work for the midpoint update. The council shall have until ~~((September 15))~~ June 30 of that year, to adopt a motion specifying the scope of work initiating a midpoint update, either as transmitted or amended, or as introduced or amended. If the motion is approved by ~~((September 15))~~ June 30, the scope shall proceed as established by the approved motion. In the absence of council approval by ~~((September 15))~~ June 30, the executive shall proceed to implement the scope as transmitted. If such a motion is adopted, the executive shall transmit a midpoint update by the last business day of June of the following year after adoption of the motion. The council shall have until June 30 of the following year after transmittal to adopt a midpoint update.

~~((4. Before initiation of the first eight year update in 2024, substantive changes to the Comprehensive Plan and amendments to the urban growth area boundary may be considered. The amendments shall be considered in the 2020 Comprehensive Plan update and shall be subject to the midpoint update process and requirements. The executive shall transmit to the council by the first business day of January 2019 a proposed motion specifying the scope of work for the proposed update consistent with K.C.C. 20.18.030.D.1. The council shall have until the last business day of February 2019, to adopt the motion, either as transmitted or amended. In the absence of council approval by the last business day of February 2019, the executive shall proceed to implement the scope as proposed. If the motion is approved the last business day of February 2019,~~

~~the scope shall proceed as established by the approved motion. The executive shall transmit to the council any proposed amendments for the 2020 Comprehensive Plan update by the last business day of September 2019. The council shall have until the last business day of July 2020 to adopt the 2020 Comprehensive Plan update.))~~

E. The executive shall seek public comment on the Comprehensive Plan and any proposed Comprehensive Plan update in accordance with the procedures in K.C.C. 20.18.160 before making a recommendation, which shall include publishing a public review draft of the proposed Comprehensive Plan update, in addition to conducting the public review and comment procedures required by SEPA. The public shall be afforded at least one official opportunity to record public comment before the transmittal of a recommendation by the executive to the council. County-sponsored councils and commissions may submit written position statements that shall be considered by the executive before transmittal and by the council before adoption, if they are received in a timely manner. The executive's recommendations for changes to policies~~((, text and maps))~~ shall include the elements listed in Comprehensive Plan policy ~~((I-207 and analysis of their financial costs and public benefits, any of which may be included in environmental review documents))~~ I-108.

F. Proposed amendments to the Comprehensive Plan shall be accompanied by any development regulations or amendments to development regulations, including area zoning, necessary to implement the proposed amendments.

SECTION 47. Ordinance 13147, Section 20, as amended, and K.C.C. 20.18.040 are hereby amended to read as follows:

A. Site-specific land use map ~~((or shoreline master program map))~~ amendments may be considered during the annual ~~((update))~~, midpoint<sub>2</sub> ~~((update))~~ or ~~((eight))~~ ten-year update, depending on the degree of change proposed.

B. ~~((The following categories of s))~~Site-specific land use map amendments ~~((or shoreline master~~

~~program map~~)) that do not require substantive change to Comprehensive Plan or subarea plan language and that do not alter the Urban Growth Area boundary, except to correct mapping errors, may be initiated by either the county or a property owner for consideration in the annual update((:

- ~~1. Amendments that do not require substantive change to Comprehensive Plan policy language and that do not alter the urban growth area boundary, except to correct mapping errors; and~~
- ~~2. Four to one proposals)).~~

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

1. Amendments that could be considered in the annual update;
2. Amendments that require substantive change to Comprehensive Plan policy language; and
3. Amendments to the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area boundary.

SECTION 48. Ordinance 3688, Section 813, as amended, and K.C.C. 20.18.056 are hereby amended to read as follows:

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

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

SECTION 49. Ordinance 13147, Section 22, as amended, and K.C.C. 20.18.060 are hereby amended to read as follows:

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

1.a. By September 15, 2031, and every ten years thereafter, the executive shall transmit to the council a proposed motion specifying the scope of work for the proposed ten-year update to the Comprehensive Plan ((

~~that will occur in the following year under))~~ in subsection ~~((B.))~~ A.2. of this section. ~~((1.))~~ The scoping motion shall include as an attachment to the motion the following:

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

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

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

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

b. The council shall have until ~~((September 15))~~ December 31 of that year to approve the motion. ~~((3.))~~ In the absence of council approval, the executive shall proceed to implement the scope of work as proposed in the motion transmitted by the executive. If the motion is approved, the scope of work shall proceed as established by the approved motion.

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

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

~~2. Beginning in 2030))~~ a. By June 30, 2033, and every ~~((eighth))~~ ten years thereafter, the executive



shall transmit to the council ~~((by the last business day of June))~~ a proposed ordinance ~~((updating))~~ for the ten-year Comprehensive Plan update. All transmittals shall be accompanied by a public participation ~~((note))~~ summary, identifying the methods used by the executive to ensure early and continuous public participation in the preparation of amendments~~((-))~~; and

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

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

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

- a. transmitted by the executive to the council no later than transmittal of the biennial budget; and
- b. adopted by the council in conjunction with the biennial budget; ~~((and))~~

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

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

- a. transmitted by the executive to the council by October 1; and
- b. adopted by the council no later than adoption of the midbiennium review or in conjunction with the annual budget.

SECTION 50. Ordinance 13147, Section 23, as amended, and K.C.C. 20.18.070 are hereby amended to read as follows:

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

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

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

SECTION 51. Ordinance 13147, Section 24, as amended, and K.C.C. 20.18.080 are hereby amended to read as follows:

~~((A. Initial subarea plans may be adopted by ordinance at any time.~~

B. ~~The schedule for adoption of or comprehensive updates to Community Service Area s))~~Subarea plans for the community service area and potential annexation area geographies shall be adopted consistent with ((is)) the schedule established in the Comprehensive Plan.

~~((C. Adoption of comprehensive updates of existing, non-Community Service Area subarea plans may occur during annual updates, as allowed in K.C.C. 20.18.030, if initiated by motion. If initiated by motion, the motion shall specify the scope of the plan, identify the completion date, and identify that the resources necessary to accomplish the work are available. The executive shall determine if an additional appropriation is necessary to complete the subarea plan, and may transmit an ordinance requesting the additional appropriation. Amendments to or comprehensive updates not initiated by motion of existing, non-Community Service Area~~

~~subarea plans shall be considered in the same manner as amendments to the Comprehensive Plan and shall be classified in accordance with K.C.C. 20.18.030.))~~

SECTION 52. Ordinance 13147, Section 25, as amended, and K.C.C. 20.18.090 are hereby amended to read as follows:

~~((The department of local services, permitting division, shall prepare implementing development regulations to accompany any proposed comprehensive plan amendments. In addition, from time to time, t))~~I  
he ~~((department of local services, permitting division,))~~ executive may propose development regulations to further implement the comprehensive plan, consistent with the requirements of the Washington State Growth Management Act. Notice of proposed amendments to development regulations shall be provided to the state and to the public pursuant to K.C.C. 20.18.150.

SECTION 53. Ordinance 13147, Section 27, and K.C.C. 20.18.110 are hereby amended to read as follows:

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

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

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

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

b. mailed to affected property owners, appropriate to the scope of the proposal, whose names appear on the rolls of the King County assessor and shall at a minimum include owners of properties within five hundred feet of affected property, at least twenty property owners in the vicinity of the property, and to any individuals or organizations that have formally requested to the department of local services, permitting division, department of performance, strategy and budget, regional planning section, or council, to be kept

informed of applications in an identified area. If the additional publication referenced in subsection A.2.a. of this section is not available, the mailing radius shall be extended to one thousand feet, and at least forty property owners in the vicinity of the property. The mail shall be postmarked at least thirty days before the hearing. If the county sends the mailed notice by bulk mail, the certificate of mailing shall qualify as a postmark. Failure to notify any specific property owner shall not invalidate an area zoning proceeding or any resulting reclassification of land; and

c. posted on the county website.

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

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

SECTION 54. Ordinance 13147, Section 30, as amended, and K.C.C. 20.18.140 are hereby amended to read as follows:

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

B. ((All agencies of county government having responsibility for elements of the Comprehensive Plan

~~or implementing development regulations))~~ 1. The department shall provide a means by which ~~((citizens))~~ members of the public may docket written comments on the plan or on development regulations. The department ~~((shall))~~ should use public participation methods identified in K.C.C. 20.18.160 to ~~((solicit public use of))~~ publicize the docket. The department shall provide a mechanism for docketing amendments ~~((through ))~~ on the ~~((Internet))~~ county's website.

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

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

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

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

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

~~((4-))~~ b. By the last business day of April, the department shall forward to the council a report

including all docketed amendments and comments with an executive response. The report shall include a statement indicating that the department has complied with the notification requirements in this section. The executive shall attach to the report copies of the docket requests and supporting materials submitted by the proponents and copies of the executive response that was issued to the proponents.

~~((5. Upon))~~ 6. The docket report shall be made available on the county's website.

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

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

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

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

~~7. The docket report shall be made available through the Internet. The department shall endeavor to~~

~~make the docket report available within one week of transmittal to the council.))~~

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

SECTION 55. Ordinance 13147, Section 31, and K.C.C. 20.18.150 are hereby amended to read as follows:

A. Pursuant to RCW 36.70A.106 and WAC 365-195-620, the responsible department or the council sponsor of the amendment shall notify the state of its intent to adopt amendments to the ~~((e))~~Comprehensive ~~((p))~~Plan or to development regulations ~~((at least sixty days prior to anticipated legislative action on the proposal except for regulations or amendments which are procedural, ministerial or required to address an emergency))~~, consistent with RCW 36.70A.106. When the state is notified, the department or the council sponsor shall also provide notice to the public, using one or more methods provided in K.C.C. 20.18.160.B., of the intent to amend the ~~((e))~~Comprehensive ~~((p))~~Plan ~~((and/))~~ or development regulations, if such notice has not already been provided. This information will be posted on the internet. Internet posting of the information is supplemental to other required notice, and the county's failure in any particular case to provide notice via the internet shall not constitute a procedural violation.

B. Within ten days of ~~((adoption))~~ enactment, the clerk of the council shall transmit to the state any adopted plan, amendment to the ~~((e))~~Comprehensive ~~((p))~~Plan, or development regulation. Pursuant to RCW 36.70A.106, within ten days of ~~((adoption))~~ enactment, the clerk of the council shall provide published notice in ~~((the official county))~~ a newspaper of general circulation of adoption of or amendment to the ~~((e))~~C

omprehensive ((p))Plan or any development regulation. The notice shall indicate how the detailed description of the ordinance required by K.C.C. 20.18.100 can be obtained by a member of the public.

SECTION 56. Ordinance 13147, Section 32, and K.C.C. 20.18.160 are hereby amended to read as follows:

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

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

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

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

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



~~government channel electronic kiosks and~~) television; the internet~~((;))~~; transit advertising~~((;))~~; telephone ~~((and fax))~~ information or comment lines~~((;))~~; public review documents ~~((and displays in public facilities, speakers bureau, and printed or computerized graphics depicting the effect of the proposal))~~; posters; agency newsletters and mailing list; and social media. The county shall endeavor to provide such notices in nontechnical language;

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

5. ~~((The county shall provide))~~ Other methods of public engagement to solicit feedback about the proposal, appropriate to the scope and significance of the proposal, such as surveys, focus groups, partnering with community-based organizations, and online engagement portals; and

6. County-provided mechanisms to enable public access to additional information. The county shall provide for publicly accessible ~~((and complete))~~ records of all ~~((applications,))~~ docketed amendment requests~~((; ))~~ and related background information during normal business hours. The public may seek assistance from the office of ~~((citizen complaints))~~ the ombuds to obtain time sensitive information. ~~((Methods of disseminating information may include, but are not limited to, the following: published notice of location of public review documents, use of the public education and government channel, use of electronic kiosks and the internet,~~

~~telephone information lines with or without fax options, placement of documents in public libraries and community centers, speakers bureau and public displays.))~~

C. ~~((When technical matters are considered with regard to docketed issues, or to evaluate public testimony, due consideration shall be given to technical testimony from the public and third party analysis may be sought when appropriate.))~~ Along with any executive's proposed Comprehensive Plan update, the executive shall transmit to the council, as supplementary material:

1. a public participation summary, identifying the methods used by the executive to assure early and continuous public participation in the preparation of update; and

2. a summary of the proposal in non-technical language and translated into the top six languages spoken in King County other than English.

D. At the beginning of the committee review process, the council shall develop a committee review schedule with dates for committee meetings and any other opportunities for public testimony and shall attach the review schedule to the agenda whenever the Comprehensive Plan is to be reviewed.

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

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

SECTION 57. Ordinance 14047, Section 9, and K.C.C. 20.18.170 are hereby amended to read as follows:

A. ~~((The total area added to the urban growth area as a result of this program shall not exceed four thousand acres. The department shall keep a cumulative total for all parcels added under this section. The total shall be updated annually through the plan amendment process.))~~ The purpose of the four-to-one program is to create a contiguous band of natural area to the regional open space system adjacent to the original Urban

Growth Area boundary, which was adopted in the 1994 King County Comprehensive Plan.

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

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

2. ((p))Processed as land use amendments to the Comprehensive Plan ((and may be considered in the annual update, midpoint update or eight-year update. Site suitability and development conditions for both the urban and rural portions of the proposal shall be established through the preliminary formal plat approval process)).

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

1. Be approved by ordinance by the legislative bodies of the county and the city or town;
2. For county approval, be transmitted concurrent with transmittal of the executive's proposed land use amendment and approved concurrent with council adoption of the land use map amendment;
3. Require the city or town to add the area proposed to be urban to the city's or town's potential annexation area in the city's or town's comprehensive plan following ratification of the Growth Management Planning Council's motion that makes a recommendation on the proposal. The approval of the proposal shall be reflected in the Countywide Planning Policies, on both the generalized land use categories map and the potential annexation area map; and
4. Specify conditions including, but not limited to, restrictions on residential uses, required minimum density, timing and sequencing of development, annexation requirements, or requirements regarding the conservation easement.

D. If the countywide planning policy amendment that approves the proposal is not ratified, the triparty agreement and four-to-one proposal shall be void and not take effect, and the urban properties shall be

redesignated to the rural area land use designation and associated previous zoning during the next Comprehensive Plan update.

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

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

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

SECTION 58. Ordinance 14047, Section 10, and K.C.C. 20.18.180 are hereby amended to read as follows:

Rural area land may be added to the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area in accordance with the following criteria:

A. A proposal to add land to the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area under this program shall meet the following criteria:

- ~~1. ((A permanent dedication to the King County open space system of four acres of open space is required for every one acre of land added to the urban growth area;~~
- ~~2. The land shall not be zoned agriculture (A);~~
- ~~3. The~~1))Land added to the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area shall~~((: a. be physically contiguous to~~

~~urban growth area as adopted in 1994, unless the director determines that the land directly adjacent to the urban growth area contains critical areas that would be substantially harmed by development directly adjacent to the urban growth area and that all other criteria can be met; and~~

~~b.) not ((be in an area where)) interrupt an existing contiguous band of public open space, parks, or watersheds ((already exists)) along the ((u))Urban ((g))Growth ((a))Area boundary;~~

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

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

~~((6. All urban facilities shall be provided directly from the urban area and shall not cross the open space or rural area and be located in the urban area except as permitted in subsection E of this section;~~

~~7 Open space areas shall retain a rural designation;~~

~~8.) 3. Land added to the Urban Growth Area for drainage facilities in support of its development shall not require dedication of natural area;~~

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

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

~~b. generally parallel the ((u))Urban ((g))Growth ((a))Area boundary; and~~

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

~~((9-)) 5. The on-site natural area shall include a fifty-foot landscaped buffer to surround the new urban area. The buffer shall include a mix of trees, shrubs, and groundcover that are native to the area and that create a visual barrier or separator to the new urban area. The county may determine that a larger buffer or different vegetation is warranted in order to restore the natural area or habitat or would better protect natural resources~~

and functions and land use compatibility in the area;

6. The minimum size of the property to be considered is twenty acres. Smaller parcels may be combined to meet the twenty-acre minimum;

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

~~((11.))~~ 7. The land to be retained ~~((in open space))~~ as natural area is not needed for any facilities necessary to support the urban development; and

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

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

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

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

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

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

2. Provision of regional open space connections;

3. Protection of wetlands, stream corridors, ~~((ground water))~~ groundwater, and water bodies;

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

5. The size of ~~((open space))~~ natural area dedication and connection to other open space ~~((dedications))~~ along the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area boundary; and

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

~~((E-))~~ C. The ~~((open space acquired))~~ land dedicated through ~~((this))~~ the four-to-one program shall be preserved primarily as natural areas.~~((, p))~~ Passive recreation, ~~((sites or resource lands for))~~ farming, ~~((and))~~ or forestry may also be allowed as an alternative to natural area. The following additional uses may be allowed only if located on a small portion of the ~~((open space))~~ natural area and ~~((provided that))~~ only if these uses are found to be compatible with the site's ~~((natural open space))~~ values and functions:

1. Trails;

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

3. Active recreation uses not to exceed five percent of the total ~~((open space))~~ natural area, including any off-site natural area dedicated for the proposal. ~~((The s))~~ Support services and facilities for the active recreation uses may only locate within the active recreation area ~~((only,))~~ and shall not exceed five percent of the total acreage of the active recreation area. The entire ~~((open space))~~ natural area, including any active recreation site, is a regional resource. It shall not be used to satisfy the on-site active recreation space requirements in K.C.C. 21A.14.180 for the urban portion of the four-to-one property.

NEW SECTION. SECTION 59. There is hereby added to K.C.C. chapter 20.18 a new section to read as follows:

For a four-to-one proposal that adds ten or more dwelling units:

A.1. Thirty percent of the total number of dwelling units shall be affordable units.

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

a. owner-occupied dwelling units;

- b. affordable to residents earning up to eighty percent of area median income; and
- c. affordable for at least fifty years from the date of initial occupancy.

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

- a. rental dwelling units;
- b. affordable to residents earning up to sixty percent of area median income; and
- c. affordable for the life of the project.

4. For proposals that include both homeownership and rental dwelling units:

- a. the proportion of affordable rental dwelling units to affordable owner-occupied dwelling units

shall be identical to the proportion of market rate rental dwelling units to market rate owner-occupied dwelling units; and

- b. meet the applicable affordability levels in subsections A.2. and A.3. of this section.

B. Accessory dwelling units shall not be used to meet the requirements of this section.

C. Developments subject to this section shall be subject to K.C.C. 21A.48.060 and K.C.C. 21A.48.080.

The county may modify or waive the standards in these sections if the county determines them to not be applicable to a four-to-one proposal.

NEW SECTION. SECTION 60. There is hereby added to K.C.C. chapter 20.18 a new section to read as follows:

A. The effective date of an amendment that adds land to the Urban Growth Area, removes land from the agricultural production district or forest production district, or removes land from the mineral resources map shall be after the following:

- 1. Sixty-one days after the date of publication of notice of adoption of the Comprehensive Plan; and
- 2. If a petition for review to the growth management hearings board is timely filed, upon issuance of

the board's final order.

B. The effective date required in subsection A. of this section, and language direction notification to the



clerk of the council, shall be specified in the ordinance adopting the amendments.

SECTION 61. Ordinance 12196, Section 9, as amended, and K.C.C. 20.20.020 are hereby amended to read as follows:

A. Land use decisions are classified into four types, based on who makes the decision, whether public notice is required, whether a public hearing is required before a decision is made, and whether administrative appeals are provided. The types of land use decisions are listed in subsection D. of this section.

1. Type 1 decisions are made by the manager of the department of local services, permitting division ("the division"). Type 1 decisions are administrative decisions. An administrative appeal is not provided.

2. Type 2 decisions require public notice and are made by the manager. Type 2 decisions are discretionary decisions that are subject to administrative appeal to the hearing examiner.

3. Type 3 decisions require public notice and are quasi-judicial decisions made by the hearing examiner following an open record hearing. An administrative appeal is not provided

4. Type 4 decisions require public notice and are site-specific quasi-judicial decisions made by the council based on the record established by the hearing examiner, after a recommendation by the division.

B. Except as provided in K.C.C. 20.44.120.A.7., or unless otherwise agreed to by the applicant, all Type 2, 3, and 4 decisions included in consolidated permit applications that would require more than one type of land use decision process may be processed and decided together, including any administrative appeals, using the highest-numbered land use decision type applicable to the project application.

C. Certain development proposals are subject to additional procedural requirements beyond the standard procedures established in this chapter.

D. Land use decision types are classified as follows:

TYPE 1	Temporary use permit for a homeless encampment <u>or temporary microshelter village</u> under K.C.C. chapter 21A.45, <u>except as required by K.C.C. 21A.45.100</u> Building permit, commercial 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 division has issued a determination of nonsignificance or mitigated determination of nonsignificance Boundary line adjustment (( <del>right-of-way</del> )) <u>Right-of-way</u> permit Variance from K.C.C. chapter 9.04 Shoreline exemption Decisions to require studies or to approve, condition, or deny a development proposal based on K.C.C. chapter 21A.24, except for decisions to approve, condition, or deny alteration exceptions 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 Binding site plan for a condominium that is based on (( <del>a recorded final planned unit development,</del> )) a building permit, an as-built site plan for developed sites, a commercial site development permit for the entire site Approvals for agricultural activities and agricultural support services authorized under K.C.C. 21A.42.300 <u>In the urban area: microsubdivision, microsubdivision revision, microsubdivision alteration, or microsubdivision vacation</u> Final short plat Final plat Critical area determination
TYPE 2 <sup>1,2</sup>	<u>Except those classified as microsubdivisions in the urban area, ((S))short ((plat)) subdivision, ((S))short ((plat)) subdivision revision, ((S))short ((plat)) subdivision alteration, or ((S))short ((plat)) subdivision vacation</u> Zoning variance Conditional use permit Temporary use permit under K.C.C. chapter 21A.32 Temporary use permit for a homeless encampment <u>or temporary microshelter village</u> under K.C.C. 21A.45.100 Shoreline substantial development permit <sup>3</sup> Building permit, commercial site development permit, or clearing and grading permit for which the division has issued a determination of significance Reuse of public schools Reasonable use exceptions under K.C.C. 21A.24.070.B, 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 Waivers from the moratorium provisions of K.C.C. 16.82.140 based upon a finding of special circumstances Sea level rise risk area variance adopted in K.C.C. chapter 21A.23
TYPE 3 <sup>1</sup>	Preliminary (( <del>plat</del> )) <u>subdivision</u> Plat alterations Preliminary (( <del>plat</del> )) <u>subdivision</u> revisions Plat vacations Special use permit
TYPE 4 <sup>1,4</sup>	Site-specific zone reclassifications Site-specific shoreline environment redesignation Site-specific amendment or deletion of P suffix conditions Site-specific deletion of special district overlay

<sup>1</sup> See K.C.C. 20.44.120.C. for provisions governing procedural and substantive SEPA appeals and appeals of Type 2, 3, and 4 decisions.

<sup>2</sup> When an application for a Type 2 decision is combined with other permits requiring Type 3 or 4 land use decisions under this chapter, the examiner, not the manager, makes the decision.

<sup>3</sup> A shoreline permit, including a shoreline variance or conditional use, is appealable to the state Shorelines Hearings Board and not to the hearing examiner.

<sup>4</sup> Approvals that are consistent with the Comprehensive Plan may be considered by the council at any time. Zone reclassifications that are not consistent with the Comprehensive Plan require a site-specific land use map amendment and the council's hearing and consideration shall be scheduled with the amendment to the Comprehensive Plan under K.C.C. 20.18.040 and 20.18.060.

E. The definitions in K.C.C. 21A.45.020 apply to this section.

SECTION 62. Ordinance 16950, Section 10, as amended, and K.C.C. 20.20.035 are hereby amended to read as follows:

When an applicant is required by K.C.C. ~~((chapter))~~ Title 21A~~((-.08))~~ to conduct a community meeting, under this section, before filing of an application, notice of the meeting shall be given and the meeting shall be conducted as follows:

A. At least two weeks in advance, the applicant shall:

1. Publish notice of the meeting in the local paper and mail and email to the department; and
2. Mail notice of the meeting to all property owners within five hundred feet or at least twenty of the nearest property owners, whichever is greater, as provided in K.C.C. 21A.26.170 of any potential sites, identified by the applicant for possible development, to be discussed at the community meeting. The mailed notice shall, at a minimum, contain a brief description and purpose of the proposal, approximate location noted on an assessor map with address and parcel number, photograph or sketch of any existing or proposed structures, a statement that alternative sites proposed by ~~((citizens))~~ the public can be presented at the meeting that will be considered by the applicant, a contact name and telephone number to obtain additional information, and other information deemed necessary by the department of local services, permitting division. Because the

purpose of the community meeting is to promote early discussion, applicants shall ~~((to))~~ note any changes to the conceptual information presented in the mailed notices when they submit ~~((an))~~ applications;

B. At the community meeting at which at least one employee of the department of local services, permitting division, assigned by the permitting division manager or designee, shall be in attendance, the applicant shall provide information relative to the proposal and any modifications proposed to existing structures or any new structures and how the proposal is compatible with the character of the surrounding neighborhood.

~~((An))~~ C. At time of application, the applicant shall ~~((also))~~ provide ~~((with the applicant's application))~~ a list of meeting attendees~~((;))~~ and those receiving mailed notice of the meeting and a record of the published meeting notice; and

~~((C.))~~ D. The applicant shall, in the notice required under subsection A.2. of this section, and at the community meeting required under subsection B. of this section, advise that persons interested in the applicant's proposal may monitor the progress of the permitting of that proposal by contacting the department or by viewing the department's website, the address of which will be provided in the notice and at the community meeting.

SECTION 63. Ordinance 12196, Section 16, as amended, and K.C.C. 20.20.090 are hereby amended to read as follows:

A. In accordance with K.C.C. 20.20.100, the department shall provide notice of:

1. ~~((Its f))~~ Final Type 1 decisions subject to SEPA, including the threshold determination, if any;
2. ~~((Its))~~ Type 2 decisions; and
3. ~~((Its))~~ Type 3 and 4 recommendations.

B. The notice shall include the applicable procedures for either an administrative appeal to, or further consideration by, the examiner.

C. The notice shall be provided to:

1. The applicant;
2. If required by SEPA, the Department of Ecology and to agencies with jurisdiction as defined in chapter 197-11 WAC;
3. If required by chapter 90.58 RCW, the Department of Ecology and the Attorney General;
4. Any person who, before the decision or recommendation, had requested notice of the decision or recommendation from, or submitted comments to, the department; and
5. Owners of record of property in an area within five hundred feet of the site. The area shall be expanded when the department determines it is necessary to send mailed notices to at least twenty different property owners.

D. Except for decisions regarding shoreline substantial development permits, shoreline variances and shoreline conditional uses, which are only appealable to the state Shorelines Hearings Board, any administrative appeal or further consideration by the examiner is subject to K.C.C. chapter 20.22.

SECTION 64. Ordinance 12196, Section 17, as amended, and K.C.C. 20.20.100 are hereby amended to read as follows:

A. The period to issue a final decision for each type of complete land use application or project type subject to this chapter should not exceed the following time periods, except as modified by this section:

1. For land use applications that do not require public notice under K.C.C. 20.20.060, the division shall issue a final decision within sixty-five days of the determination of completeness;
2. For land use applications that require public notice under K.C.C. 20.20.060, the division must issue a final decision within one hundred days of the determination of completeness; and
3. For land use applications that require public notice under K.C.C. 20.20.060 and a public hearing, the division must issue a final decision within one hundred seventy days of the determination of completeness.

B. The time periods for permit review established in subsection A. of this section and as modified by subsections C. through K. of this section, shall be extended by seventy-five percent if a development proposal

or application:

1. Requires approval of a road variance under K.C.C. Title 14, or drainage standard adjustment or drainage criteria exception under K.C.C. Title 9;
2. Is for a variance, critical area alteration exception, or reasonable use exception under K.C.C. Title 21A;
3. Is granted concurrent review with other permit applications applicable to the development; or
4. Is for a development proposal to install permanent stabilization measures to replace any structures or grading done as an emergency action.

C. The number of days an application is in review with the division shall be calculated from the day completeness is determined under section 17 of this ordinance to the date a final decision is issued on the permit application. The number of days shall be calculated by counting every calendar day and excludes the following periods:

1. Any period between the day that the division notifies the applicant in writing that additional information is required to further process the application and the day when responsive information is submitted by the applicant. If the county determines that corrections, studies, or other information submitted by the applicant is insufficient, it shall notify the applicant of the deficiencies and the procedures of this section shall apply as if a new request for information had been made. The department shall set a reasonable deadline for the submittal of corrections, studies, or other information, and shall provide written notification to the applicant. The department may extend the deadline upon receipt of a written request from an applicant providing satisfactory justification for an extension;
2. The period during which an environmental impact statement is being prepared following a determination of significance under chapter 43.21C RCW, as ~~((set forth))~~ established in K.C.C. 20.44.050;
3. Any period between issuance of an administrative decision and resolution of an administrative appeal, and any additional period provided by the administrative appeal decision;

4. Any period during which an applicant fails to post the property, if required by this chapter, following the date notice is required until an affidavit of posting is provided to the division by the applicant;
  5. Any time extension mutually agreed upon by the applicant and the division;
  6. Any time during which there is an outstanding fee balance;
  7. The period during which the state ((d))Department of ((e))Ecology is reviewing and approving shoreline variance or shoreline conditional use permit, measured between the date of filing with the state ((d))Department of ((e))Ecology and the date the county receives the state ((d))Department of ((e))Ecology's decision;
  8. The period during which another agency is reviewing and issuing a decision on any required modification to a previous approval, after the required construction permit has been deemed complete; and
  9. The period during which information has been requested that can only be obtained during a seasonal window, including but not limited to, infiltration mounding analysis, traffic studies when school is in session, wetland studies in the growing season, or stream typing or fish status outside of times of low flow.
- D. The county shall provide any written comments and requests for corrections within thirty days of each submittal or resubmittal.
- E. The division may cancel a permit application in the following situations:
1. Failure by the applicant to submit corrections, studies, or other information acceptable to the division after two rounds of written requests under subsection C. of this section; or
  2. Failure by the applicant to make full payment of review fees within sixty days of the division's invoice.
- F. If an applicant informs the division in writing that the applicant would like to temporarily suspend the review of the project for more than sixty days, or if an applicant is not responsive for more than sixty consecutive days after the division has notified the applicant in writing, that additional information is required to further process the application, an additional thirty days may be added to the time periods for the division to issue a final decision. Any written notice from the division to the applicant that additional information is

required to further process the application shall include a notice that nonresponsiveness for sixty consecutive days may result in thirty days being added to the time period for permit review. For the purposes of this subsection, "nonresponsiveness" means that an applicant is not making demonstrable progress on providing additional requested information to the division, or that there is not ongoing communication from the applicant to the division on the applicant's ability or willingness to provide the additional information.

G. The time periods for permit review established in this section shall not apply if an unforeseen event, as determined by the permitting division manager, disrupts normal county operations and prevents permit review from being feasible. This could include, but is not limited to:

1. Declared emergencies under K.C.C. chapter 12.52;
2. Court orders, litigation, or settlements pursuant to specific applications or to the King County Comprehensive Plan or the county's development regulations;
3. Building or land use moratoria;
4. A recession resulting in unexpected staffing changes; or
5. Denial of service for critical infrastructure, such as software failure, breach or termination of contract, loss of internet access, or cyber security breach.

~~((E.))~~ H. The time periods established in ~~((this))~~ subsection A. of this section shall not apply if a proposed development or application:

1. Requires modification or waiver of a development regulation as part of a demonstration project in K.C.C. 21A.55. Any time periods for permit review in that chapter shall apply;
2. Involves uses or activities related to mineral extraction or processing, coal mining, materials processing facilities, or fossil fuel facilities: or
3. Is to rectify a code violation case;

I.1. If an application is revised by the applicant and results in a substantial change the application review, the division may, in some cases, need to restart the time period for permit review in K.C.C. 20.20.100.



A substantial change in the application review may also include new public notice and revised vesting.

2. For the purposes of this subsection ((H.)) I.:

a. a "substantial change" that results in new public notice, revised vesting, and a restart of the time periods for permit review, includes, but is not limited to:

- (1) the creation of additional lots;
- (2) the reduction or elimination of open space; or
- (3) a change in land use;

b. a "substantial change" that results in a restart of the time periods for permit review, includes, but is not limited to:

(1) a fifty-percent or more increase to the total value of building construction work, including all finish work, painting, roofing, electrical, plumbing, heating, ventilation, air conditioning, elevators, fire systems, and any other permanent fixtures;

(2) a ten-percent or more increase to the total building square footage, impervious surface area, parking, or building height;

(3) when a change to the application results in a change to the type of drainage review required under the King County Surface Water Design Manual, if the new type of drainage review adds additional requirements;

(4) when a change to the application results in a new requirement for a road variance under K.C.C. Title 14;

(5) when a change in points of ingress or egress to the property, where:

(a) the ingress or egress point is moved more than 25 percent of the width of the property line width on the same street; or

(b) the ingress or egress point is on a different street; or

(6) when a change to the application results in a new or increased impact to critical areas that will

require a revision to mitigation measures.

J. The division shall require that all plats, short plats, building permits, clearing and grading permits, conditional use permits, special use permits, commercial site development permits, shoreline substantial development permits, or binding site plans~~((, urban planned development permits, or fully contained community permits))~~, issued for development activities on or within five hundred feet of designated agricultural lands, forest lands, or mineral resource lands, contain a notice that the subject property is within or near designated agricultural lands, forest lands, or mineral resource lands, on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration.

K. Where federal, state, or county law requires a shorter time period for permit review and decision, the division should comply with the shorter time periods.

L.1. An applicant may, in writing and with the division's agreement, voluntarily opt out of the time period for permit review and decision specified in this section.

2. If an applicant is under an application processing service agreement with the county, the time periods for permit review in that agreement shall control.

SECTION 65. Ordinance 12196, Section 19, as amended, and K.C.C. 20.20.120 are hereby amended to read as follows:

The ~~((director))~~ department shall ~~((issue a citizens guide to))~~ produce guides describing permit processing, including making an appeal or participating in a hearing. The department shall make them available to the public and shall post them to its website.

SECTION 66. Ordinance 4461, Section 10, as amended, and K.C.C. 20.22.150 are hereby amended to read as follows:

Examiner recommendations on an application for a zone reclassification shall include findings on whether the application meets ~~((both of))~~ the following:

A. The proposed rezone is consistent with the King County Comprehensive Plan, including, but not limited to, policies, narrative, maps, and land use designations; ~~((and))~~

B.1.a. The property is potentially zoned under K.C.C. 21A.04.170 for the reclassification being requested; or

~~((2.))~~ b. An adopted subarea plan~~((, subarea study,))~~ or an area zoning and land use study specifies that the property shall be subsequently considered through an individual reclassification application; or

~~((3.))~~ 2. The requested reclassification is based on ~~((changed))~~ a substantial change in unincorporated area conditions, including but not limited to:

a. the availability of public facilities or infrastructure;

b. development patterns on surrounding parcels; or

c. the quantity or quality of critical areas, not caused by actions of the applicant; and

C. That the classification would not harm or diminish the surrounding area.

SECTION 67. Ordinance 9544, Section 16, as amended, and K.C.C. 20.22.180 are hereby amended to read as follows:

For a proposed preliminary ~~((plat))~~ subdivision, the examiner decision shall include findings as to whether:

A. Appropriate provisions are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools, and school grounds, and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who walk to and from school; ~~((and))~~

B. The public use and interest will be served by platting the subdivision and dedication; and

C. When a subdivision uses transfer of development rights to exceed base density, the additional density does not create unmitigated impacts beyond those created by development at base density.

SECTION 68. Ordinance 10511, Section 7, as amended, and K.C.C. 20.36.100 are hereby amended to read as follows:

A. The definitions in this section apply throughout this section, as well as in K.C.C. 20.36.040 and K.C.C. ~~((20.30.190))~~ 20.36.190, unless the context clearly requires otherwise.

B. To be eligible for open space classification under the public benefit rating system, a property ~~((must))~~ shall contain one or more qualifying open space resources and have at least five points as determined under this section. The department shall review each application and recommend award of credit for current use of the property. In making the recommendation, the department shall utilize the point system described in subsections C. and D. of this section.

C. The following open space resources are each eligible for the points indicated:

1. Active trail linkage - fifteen or twenty-five points. "Active trail linkage" means land in private ownership through which the owner agrees to allow ~~((nonmotorized))~~ public passage for active transportation, as defined in section 17 of this ordinance, for the purpose of providing a connection between trails within the county's regional trails system and local or regional attractions or points of interest, for trail users including equestrians, pedestrians, bicyclists, and other users. "Local or regional attractions or points of interest" include other trails, parks, waterways, or other recreational and open space attractions, retail centers, arts and cultural facilities, transportation facilities, residential concentrations, or similar destinations. The linkage ~~((must))~~ shall be open to passage by the general public and the property owner shall enter into an agreement with the county consistent with applicable parks and recreation division policies to grant public access. To receive twenty-five points, the property owner shall enter into an agreement with the county regarding improvement of the trail, including trail pavement and maintenance. To receive fifteen points, the property owner shall agree to allow a soft-surface, nonpaved trail. The parks and recreation division is authorized to develop criteria for determining the highest priority linkages for which it will enter into agreements with property owners;

2. Aquifer protection area - five points. "Aquifer protection area" means property that has a plant

community in which native plants are dominant and that includes an area designated as a critical aquifer recharge area under K.C.C. chapter 21A.24 or applicable city critical aquifer recharge area regulations. At least fifty percent of the enrolling open space area or a minimum of one acre of open space shall be designated as a critical aquifer recharge area. If the enrolling open space area does not have a plant community in which native plants are dominant, ~~((a plan for))~~ revegetation ~~((must be submitted))~~ shall occur subject to a revegetation plan reviewed and approved by the department~~((, and must be implemented according to the plan's proposed schedule of activities))~~;

3. Buffer to public or current use classified land - three points. "Buffer to public or current use classified land" means land that has a plant community in which native plants are dominant or has other natural features, such as streams or wetlands, and that is abutting and provides a buffer to a publicly owned park, trail, or forest, to land legally required to remain in a natural state, to a state or federal highway, or to a property participating in a current use taxation program under chapters 84.33 or 84.34 RCW. The buffer ~~((must))~~ shall be at least fifty feet long and fifty feet in wide. Public roads may separate the public land, or land in private ownership classified under chapters 84.33 or 84.34 RCW, from the buffering land, if the entire buffer is at least as wide and long as the adjacent section of the road easement. Landscaping or other nonnative vegetation may not separate the public land or land enrolled under chapters 84.33 or 84.34 RCW from the native vegetation buffer. The department may grant an exception to the native vegetation requirement for property along parkways with historic designation, upon review and recommendation of the historic preservation officer of King County or the local jurisdiction in which the property is located. Eligibility for this exception does not extend to a property where plantings are required or existing plant communities are protected under local zoning codes, development mitigation requirements, or other local regulations;

4. Ecological enhancement land - eighteen points. "Ecological enhancement land" means open space lands undergoing recovery of significantly degraded or lost ecological function or processes. The following requirements shall be met:

- a. A jurisdiction, natural resource agency, or appropriate organization has committed to sponsoring the ecological enhancement project, with secured funding in place before the application's public hearing;
  - b. The ecological enhancement project ~~((must))~~ shall include removing significant human-made structures, alterations, or impediments such as shoreline armoring, roads, culverts, and wetland fill that are detrimental to significant wildlife or salmonid habitat. The intent of the removal ~~((must))~~ shall be to reestablish natural function or processes to the project area;
  - c. The owner is responsible for providing and implementing an ecological enhancement plan for the proposed project. The approved enhancement plan ~~((must))~~ shall include at least a statement of purpose, detailed description of work to be done, site map of the project area, and specific timeline for the enhancement activities to be completed ~~((and must be approved))~~. The enhancement plan is subject to approval by the department; and
  - d. The owner shall annually provide to the department a monitoring report detailing the enhancement efforts' success for five years following enrollment. The owner shall also provide any additional monitoring reports required by K.C.C. 20.36.190. The monitoring report ~~((must))~~ shall describe the progress and success of the enhancement project and ~~((must))~~ shall include photographs to document the success. Land receiving credit for this category may not receive credit for the rural stewardship land or resource restoration categories;
5. Equestrian-pedestrian-bicycle trail linkage - thirty-five points. "Equestrian-pedestrian-bicycle trail linkage" means land in private ownership that the property owner allows the public to use as an off-road trail linkage for equestrian, pedestrian, or other ~~((nonmotorized))~~ active transportation, as defined in section 17 of this ordinance, uses, or that provides a trail link from a public right-of-way to a trail system. Use of motorized vehicles is prohibited on trails receiving a tax reduction for this category, except for maintenance or for medical, public safety, or police emergencies. Public access is required only on that portion of the property containing the trail. The landowner may impose reasonable restrictions on access that are mutually agreed to by the landowner and the department, such as limiting use to daylight hours. To be eligible as an equestrian-

pedestrian-bicycle trail linkage, the owner shall provide a trail easement to an appropriate public or private entity acceptable to the department. The easement shall be recorded with the King County recorder's office or its successor. In addition to the area covered by the trail easement, adjacent land used as pasture, barn, or stable area and any corral or paddock may be included, if an approved and implemented farm management plan is provided. Land necessary to provide a buffer from the trail to other nonequestrian uses, land that contributes to the aesthetics of the trail, such as a forest, and land set aside and marked for off road parking for trail users may also be included as land eligible for current use taxation. Those portions of private roads, driveways, or sidewalks open to the public for this purpose may also qualify. Fencing and gates are not allowed in the trail easement area, except those that are parallel to the trail or linkage;

6. Farm and agricultural conservation land - five points. "Farm and agricultural conservation land" means land previously classified as farm and agricultural land under RCW 84.34.020 that no longer meets the criteria of farm and agricultural land, or traditional farmland not classified under chapter 84.34 RCW that has not been irrevocably devoted to a use inconsistent with agricultural uses and has a high potential for returning to commercial agriculture. The property ~~((must))~~ shall be used for farm and agricultural activities or have a high probability of returning to agriculture and the property owner ~~((must))~~ shall commit to returning the property to farm or agricultural activities by implementing a farm management plan. An applicant ~~((must))~~ shall have an approved farm management plan in accordance with K.C.C. 21A.24.051 that is acceptable to the department and that is being implemented according to its proposed schedule of activities before receiving credit for this category. Farm and agricultural activities ~~((must))~~ shall occur on at least one acre of the property. Eligible land ~~((must))~~ shall be zoned to allow agricultural uses and be owned by the same owner or held under the same ownership. Land receiving credit for this category may not receive credit for the contiguous parcels under separate ownership category;

7. Forest stewardship land - five points. "Forest stewardship land" means property that is managed according to an approved forest stewardship plan and that is not enrolled in the designated forestland program

under chapter 84.33 RCW. The property (~~(must)~~) shall contain at least four acres of contiguous forestland, which may include land undergoing reforestation, according to the approved plan. The owner shall have and implement a forest stewardship plan approved by the department. The forest stewardship plan may emphasize forest retention, harvesting, or a combination of both. Land receiving credit for this category may not receive credit for the resource restoration or rural stewardship land categories;

8. Historic landmark or archeological site: buffer to a designated site - three points. "Historic landmark or archaeological site: buffer to a designated site" means property adjacent to land constituting or containing a designated county or local historic landmark or archeological site, as determined by King County's historic preservation officer or by a manager of a certified local government program in the jurisdiction in which the property is located. A property (~~(must)~~) shall have a plant community in which native plants are dominant and provide a significant buffer for a designated landmark or archaeological site listed on the county or other certified local government list or register of historic places or landmarks. "Significant buffer" means land and plant communities that provide physical, visual, noise, or other barriers and separation from adverse effects to the historic resources due to adjacent land use;

9. Historic landmark or archeological site: designated site - five points. "Historic landmark or archaeological site: designated site" means land that constitutes or contains a historic landmark designated by King County or other certified local government program in the jurisdiction in which the property is located. Historic landmarks include buildings, structures, districts, or sites of significance in the county's historic or prehistoric heritage, such as Native American settlements, trails, pioneer settlements, farmsteads, roads, industrial works, bridges, burial sites, prehistoric and historic archaeological sites, or traditional cultural properties. A property (~~(must)~~) shall be listed on a county or other certified local government list or register of historic places or landmarks for which there is local regulatory protection. Eligible property may include property that contributes to the historic character within designated historic districts, as defined by the historic preservation officer of King County or other certified local government jurisdiction. The King County historic



preservation officer shall make the determination on eligibility;

10. Historic landmark or archeological site: eligible site - three points. "Historic landmark or archaeological site: eligible site" means land that constitutes or contains a historic property that has the potential of being designated by a certified local government jurisdiction, including buildings, structures, districts, or sites of significance in the county's historic or prehistoric heritage, such as Native American settlements, pioneer settlements, farmsteads, roads, industrial works, bridges, burial sites, prehistoric and historic archaeological sites, or traditional cultural properties. To be eligible, the historic preservation officer of King County or other certified local government program in the jurisdiction in which the property is located shall determine the property meets the jurisdiction's criteria for designation and listing on the county or other local register of historic places or landmarks for which there is local regulatory protection. Eligible property may include contributing property within designated historic districts. Property listed ~~((on))~~ in the state or national Registers of Historic Places may qualify under this category;

11. Public recreation area - five points. "Public recreation area" means land devoted to providing active or passive recreation use or that complements or substitutes for recreation facilities characteristically provided by public agencies. Use of motorized vehicles is prohibited, except for golf carts on golf courses, for maintenance, or for medical, public safety, or police emergencies. The facilities ~~((must))~~ shall be open to the general public or to specific public user groups, such as youth, seniors ~~((citizens))~~, or people with disabilities. A property ~~((must))~~ shall be identified by the responsible agency within whose jurisdiction the property is located as meeting the definition of public recreation area. The property owner ~~((must))~~ shall use any best practices defined in K.C.C. chapter 21A.06. If a fee is charged for use, it ~~((must))~~ shall be comparable to the fee charged by a similar public facility;

12. Rural open space - five points. "Rural open space" means an area of ten or more contiguous acres of open space located outside of the ~~((u))~~ Urban ~~((g))~~ Growth ~~((a))~~ Area as identified in the King County Comprehensive Plan that:

a. has a plant community in which native plants are dominant; or

b. is former open farmland, woodlots, scrublands, or other lands that are in the process of being replanted with native vegetation and for which the property owner is implementing an approved farm management, ecological enhancement, forest stewardship, rural stewardship, or resource restoration plan acceptable to the department;

13. Rural stewardship land - five points. "Rural stewardship land" means land zoned RA (rural area), A (agricultural), or F (forest), that has an implemented rural stewardship plan under K.C.C. chapter 21A.24 acceptable to the department. On RA-zoned properties, the approved rural stewardship plan (~~((must))~~) shall meet the goals and standards of K.C.C. 21A.24.055. On A- and F-zoned properties, credit for this category is allowed if the plan meets the goals of K.C.C. 21A.24.055. A rural stewardship plan includes, but is not limited to, identification of critical areas, location of structures and significant features, site-specific best management practices, a schedule for implementation, and a plan for monitoring as provided in K.C.C. 21A.24.055. To be eligible as rural stewardship land, the open space (~~((must))~~) shall be at least one acre and feature a plant community in which native plants are dominant or be in the process of native vegetation restoration, reforestation, or enhancement. Land receiving credit for this category may not receive credit for the ecological enhancement land, resource restoration, or forest stewardship land categories;

14. Scenic resource, viewpoint or view corridor - five points.

a. "Scenic resource" means an area of natural or recognized cultural features visually significant to the aesthetic character of the county. The site (~~((must))~~) shall be significant to the identity of the local area, (~~((must))~~) be visible to a significant number of the general public from public rights-of-way, (~~((must))~~) be of sufficient size to substantially preserve the scenic resource value, and (~~((must))~~) enroll at least ten acres of open space.

b. A "viewpoint" means a property that provides a view of an area visually significant to the aesthetic character of the county. A site (~~((must))~~) shall provide a view of a scenic natural or recognized cultural resource

in King County or other visually significant area, ~~((must))~~ allow unlimited public access, and ~~((must))~~ be identified by a permanent sign readily visible from a road or other public right-of-way.

c. A "view corridor" means a property that contributes to the aesthetics of a recognized view corridor critical to maintaining a public view of a visually significant scenic natural or recognized cultural resource. The site ~~((must))~~ shall contain at least one acre of open space that contributes to a view corridor visible to the public and that provides views of a scenic natural resource area or recognized cultural resource significant to the local area. The ~~((King County historic preservation officer or officer of another certified local government program in the jurisdiction in which the property is located must find the recognized))~~ site shall have a significant cultural areas ((to be significant and must find that the site)) and contain((s)) significant inventoried or designated historic properties, as determined by the King County historic preservation officer or officer of another certified local government program in the jurisdiction in which the property is located in. Eligibility is subject to determination by the department or applicable jurisdiction;

15. Significant plant or ecological site - five points. "Significant plant or ecological site" means an area that meets the criteria for Element Occurrence established under the Washington Natural Heritage Program authorized by chapter 79.70 RCW. An Element Occurrence is a particular, on-the-ground observation of a rare species or ecosystem. An eligible site ~~((must))~~ shall be listed as an Element Occurrence by the Washington Natural Heritage Program or be identified as a property that meets the criteria for an Element Occurrence. The identification ~~((must))~~ shall be confirmed by a qualified expert acceptable to the department in order to qualify. The department shall notify the Washington Natural Heritage Program of any verified Element Occurrence on an enrolling property. Commercial nurseries, arboretums, or other maintained garden sites with native or nonnative plantings are ineligible for this category;

16. Significant wildlife or salmonid habitat - five points.

a. "Significant wildlife or salmonid habitat" means:

(1) an area used by animal species listed as endangered, threatened, sensitive, or candidate by the

Washington state Department of Fish and Wildlife or Department of Natural Resources or used by species of local significance that are listed by the King County Comprehensive Plan or a local jurisdiction;

(2) an area where the species listed in subsection C.16.a.(1) of this section are potentially found with sufficient frequency for critical ecological processes, such as reproduction, nesting, rearing, wintering, feeding, or resting, to occur;

(3) a site that meets the criteria for priority habitats as defined by the Washington state Department of Fish and Wildlife and that is so listed by the King County Comprehensive Plan or by the local jurisdiction in which the property is located; or

(4) a site that meets criteria for a wildlife habitat conservation area as defined by the department or a local jurisdiction.

b. To be eligible, the department, by its own determination or by expert determination acceptable to the department, ~~((must))~~ shall verify that qualified species are present on the property or that the land fulfills the functions described in subsection C.16.a. of this section. To receive credit for salmonid habitat, the owner shall provide a buffer at least fifteen percent greater in width than required by any applicable regulation. Property consisting mainly of disturbed or fragmented open space determined by the department as having minimal wildlife habitat significance is ineligible;

17. Special animal site - three points. "Special animal site" means a site that includes a wildlife habitat network identified by the King County Comprehensive Plan or individual jurisdictions through the Growth Management Act, chapter 36.70A RCW, or a biodiversity area and corridor identified by the Washington state Department of Fish and Wildlife's priority habitats and species project as of the date of the application~~((--The property must be))~~ as identified by King County or local or state jurisdiction or by expert verification acceptable to the department or local jurisdiction. Property consisting mainly of disturbed or fragmented open space determined by the department to have minimal wildlife habitat significance is ineligible for this category;

18. Surface water quality buffer - five, eight, or ten total points. "Surface water quality buffer" means an undisturbed area that has a plant community in which native plants are dominant abutting a lake, pond, stream, shoreline, wetland, or marine waters on or abutting the property, that provides buffers beyond that required by any applicable regulation. To receive five points, the buffer ~~((must))~~ shall be at least fifty percent wider than the buffer required by any applicable regulation. To receive eight points, the buffer ~~((must))~~ shall be at least two times the required width. To receive ten points, the buffer ~~((must))~~ shall be at least three times the required width. The qualifying buffer ~~((must))~~ shall be longer than twenty-five feet and ~~((must))~~ shall be preserved from clearing or maintenance, unless this area is part of a department-approved ecological enhancement, farm management, forest stewardship, rural stewardship, or resource restoration plan. Grazing use by livestock on such land is prohibited;

19. Urban open space - five points.

a. "Urban open space" means land located within the boundaries of a city or within the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area that has a plant community in which native plants are dominant and that under the applicable zoning is eligible for more-intensive development or use. The enrolling area ~~((must))~~ shall be at least one acre, or be at least one-half acre if the land meets one of the following criteria:

- (1) the land conserves and enhances natural or scenic resources;
- (2) the land protects streams or water supply;
- (3) the land promotes conservation of soils, wetlands, beaches, or tidal marshes;
- (4) the land enhances the value to the public of adjacent parks, forests, wildlife preserves, nature reservations or sanctuaries, or other open space;
- (5) the land enhances recreation opportunities for the general public; or
- (6) the land preserves visual quality along highways, roads, and streets or scenic vistas.

b. Owners of noncontiguous properties that together meet the minimum acreage requirement may jointly apply under this category if each property is closer than seventy-five feet to one other property in the

application and if each property contains an enrolling open space area at least as large as the minimum zoned lot size; and

20. Watershed protection area - five points. "Watershed protection area" means property contributing to the forest cover that provides run-off reduction and groundwater protection. The property ~~((must))~~ shall consist of contiguous native forest or be in the process of reforestation. The enrolling forested area ~~((must))~~ shall consist of additional forest cover beyond that required by county or applicable local government regulation and ~~((must))~~ shall be at least one acre or sixty-five percent of the property acreage, whichever is greater. If reforestation or improvements to the forest health are necessary, the property owner shall provide and implement an ecological enhancement, a forest stewardship, resource restoration, or rural stewardship plan that addresses this need and is acceptable to the department.

D. Property qualifying for an open space category in subsection C. of this section may receive credit for additional points as follows:

1. Conservation easement or historic preservation easement - eighteen points. "Conservation easement or historic preservation easement" means land on which an easement is voluntarily placed that restricts, in perpetuity, further potential development or other uses of the property. The easement ~~((must be approved))~~ is subject to approval by the department and shall be recorded with the King County recorder's office or its successor. The easement ~~((must))~~ shall be conveyed to the county or to an organization acceptable to the department, such as a land trust or conservancy. Historic preservation easements ~~((must also be approved))~~ are subject to approval by the historic preservation officer of King County or of the local government jurisdiction in which the property is located. An easement required by zoning, subdivision conditions, or other land use regulation is not eligible unless an additional substantive easement area is provided beyond that otherwise required;

2. Contiguous parcels under separate ownership - two points.

a. "Contiguous parcels under separate ownership" means at least two or more parcels under different

ownership where either:

(1) the enrolling parcels and open space acreage abut each other without a significant human-made barrier separating them; or

(2) the enrolling parcels do not abut each other, but abut a publicly owned open space, without a significant human-made barrier separating the publicly owned open space and the open space portion of the parcels seeking open space classification.

b. Award of this category requires a single application by multiple owners and parcels with identical qualifying public benefit rating system resources. Only a single application fee is required.

c. Contiguous parcels of land with the same qualifying public benefit rating system resources are eligible for treatment as a single parcel if open space classification is sought under the same application except as otherwise prohibited by the farm and agricultural conservation land category. Each parcel need not meet the minimum acreage requirements for a resource category so long as the total area of all enrolling land combined meets any required minimum acreage requirements. The owners of each parcel included in the application ((~~must~~)) shall agree to identical terms and conditions for enrollment in the program.

d. Individual parcels or portions of parcels may be withdrawn or removed from open space classification, consistent with all applicable rules and regulations. The continued eligibility of all parcels and associated acreage remaining in open space classification accepted under the same application is dependent upon the continued qualification for a resource category or categories.

e. Points are awarded for each participating owner above one owner and accrue to all owners of a single application. The withdrawal or removal of all enrolled acreage associated with an owner results in the loss of two points for each remaining owner;

3. Easement and access - thirty-five points. "Easement and access" means that the property has at least one qualifying open space resource, unlimited public access or limited public access due to resource sensitivity, and a conservation easement or historic preservation easement in perpetuity in a form and with conditions

acceptable to the department. ~~((To be eligible, a))~~ A property ~~((must))~~ shall only be eligible in this category if it receives credit for an open space category and for the conservation easement or historic easement in perpetuity category. The owner ~~((must))~~ shall agree to allow public access to the portion of the property designated for public access in the easement. An easement required by zoning, subdivision conditions, or other land use regulation is not eligible, unless there is additional easement area beyond that required. Credit for this category may not overlap with the equestrian-pedestrian-bicycle trail linkage;

4. Public access - points depend on type and frequency of access allowed. "Public access " means the general public is allowed access on an ongoing basis for uses such as recreation, education, or training. Access ~~((must))~~ shall be allowed on the portion of the property that is designated for public access. The landowner may impose reasonable restrictions on access, such as limiting use to daylight hours, agreed to by the department. No physical barriers may limit reasonable public access or negatively affect an open space resource. A property owner shall demonstrate that the property is open to public access and is used by the public. Award of public access points for historic properties is subject to approval by ~~((F))~~ the historic preservation officer of King County or a certified officer of another local government jurisdiction in which the property is located ~~((must approve the award of public access points for historic properties))~~. The property owner may be required to furnish and maintain signage according to county specifications.

a. Unlimited public access - five points. Year-round access by the general public is allowed without special arrangements with the property owner.

b. Limited public access because of resource sensitivity - five points. Access may be reasonably limited by the property owner due to the sensitive nature of the resource, with access provided only to appropriate user groups. The access allowed should generally be for an educational, scientific, or research purpose and may require special arrangements with the owner.

c. Seasonally limited public access - three points. Access by the public is allowed only for part of the year due to seasonal conditions, as mutually agreed to by the landowner and the department.



d. Environmental education access - three points. The landowner enters into an agreement with a school, with an organization with 26 U.S.C. Sec. 501(c)(3) tax status, or, with the agreement of the department, with another community organization that allows membership by the general public to provide environmental education to its members or the public at large. The department (~~((must agree))~~) shall verify that the enrolled portion of the property has value for environmental education purposes.

e. None or members-only - zero points. No public access is allowed or the access is allowed only by members of the organization using or owning the land; and

5. Resource restoration - five points. "Resource restoration" means restoration of an enrolling area of property benefiting an area in an open space resource category. Emphasis is placed on the restoration of native vegetation associated with anadromous fish rearing habitat, riparian zones, migration corridors and wildlife, forest, stream, and wetland habitats. The owner shall provide and implement a restoration plan approved by the department. The plan may be developed in cooperation with a natural resource expert or agency. The approved restoration plan (~~((must))~~) shall, at a minimum, include a purpose statement, a description of restoration work to be done, a detailed site map of the area to be restored, a specific timeline for the restoration activities to be completed and a monitoring schedule for the restoration project's first five years. Historic resource restoration (~~((must be approved))~~) is subject to approval by the King County historic preservation officer or officer of another certified local government in the jurisdiction in which the property is located and (~~((must))~~) shall be accompanied by a long-term maintenance plan. The owner shall also provide to the department a yearly monitoring report for at least five years following enrollment in the public benefit rating system program. The report (~~((must))~~) shall describe the progress and success of the restoration project and (~~((must))~~) shall include photographs to document the success. Land receiving credit for this category may not receive credit for the ecological enhancement land, forest stewardship land, or rural stewardship land categories.

SECTION 69. Ordinance 15137, Section 10, as amended, and K.C.C. 20.36.190 are hereby amended to read as follows:

A. ~~((The definitions in K.C.C. 20.36.100 apply to this section.~~

B.)) A property may achieve a maximum ninety-percent reduction in appraised value for that portion of the land enrolled in the public benefit rating system. A plant community where native plants are dominant that does not independently contain a qualifying open space resource can participate if it is contiguous to and provides a benefit to a portion of the property being awarded credit for a qualifying open space priority resource. The department shall evaluate the property for the presence of open space resource categories. Abutting parcels of land with the same open space resources, owned by one or more landowners, may be eligible for consideration as a single parcel if open space classification is sought under the same application; however, property pursuing credit for the farm and agricultural conservation land category, which ~~((must))~~ shall be owned by the same owner or held under the same ownership. For buffer measurements under this chapter, the width is the distance perpendicular to the edge of the resource and the length of the buffer is parallel to the resource. The entire buffer width may be averaged to qualify for a resource category.

~~((C.))~~ B. The presence or occurrence of an eligible open space resource may be verified by:

1. Reference to a recognized source, such as:

- a. the natural heritage data base;
- b. the state office of historic preservation;
- c. state, national, county, or city registers of historic places;
- d. the Washington state recreation and conservation office inventory of dry accretion beach and shoreline features;
- e. a shoreline master program;
- f. parks and recreation studies; or
- g. studies by the state Department of Fish and Wildlife or Department of Natural Resources;

2. Reference to a map developed by the county or other recognized authority; or

3. Using the best available source, such as a recognized expert in the particular resource being

reviewed.

~~((D-))~~ C. When more than one reasonable interpretation can be supported by the text of this chapter, the department may make a determination relating to the open space resource definitions and eligibility standards in accordance with the purpose and intent of this chapter. The department may calculate the appropriate area of land to receive credit for a particular priority resource to support the assessor's determination of the accompanying tax reduction for each priority resource.

~~((E-))~~ D. Management or preservation of the open space resources is a condition for acceptance into the program. Each open space resource ~~((must))~~ shall be maintained in the same or better condition as it was when approved for enrollment. The property owner shall not engage in any activity that reduces the value of the open space resource, unless that activity is required for public safety and is conducted lawfully under appropriate permits. As a condition of enrollment into the program, the department may require the owner to develop a plan acceptable to the department to restore any property whose open space resources are degraded. In addition, if an existing approved plan for farm and agricultural conservation land, ecological enhancement land, forest stewardship land, rural stewardship land, or resource restoration category has a management schedule or management goals that are out of date or otherwise require change, the owner is responsible for revising the plan. Plan revisions are subject to review and approval by ~~((F))~~ the department ~~((must review and accept any plan revisions))~~.

~~((F-))~~ E. The county may base acceptance of property into the public benefit rating system on specific conditions or requirements being met, including, but not limited to, granting easements.

~~((G-))~~ F. Except as otherwise provided in this chapter, the following properties or areas are not eligible for open space classification:

1. Improvements or structures on eligible open space land;
2. Properties that do not contain a qualifying open space resource;
3. Open space areas protected by a native growth, forest retention, or other covenant that is required as

part of a development process or subdivision, or required by zoning or other land use regulations; however, such an area is eligible as ecological enhancement, or forest stewardship or rural stewardship land if implementation of the associated plan provides resource improvements within the enrolling open space. Such an area is also eligible as public recreation area, equestrian-pedestrian-bicycle, or active trail linkage due to the public's use and benefit. Additionally:

a. Enrollment of at least ten percent additional open space acres, beyond that restricted or required by applicable covenant or regulation, is necessary to qualify for additional resource categories not referenced in this subsection ~~((G))~~E.3. but not including those additional resource categories referenced in subsection ~~((G))~~E.3.b. of this section; and

b.~~((F))~~ The minimum ten percent additional open space acres provided ~~((must be acceptable))~~ shall, to the satisfaction of the department ~~((and))~~, feature a plant community where native plants are dominant or should be dominant after implementing an approved farm management, ecological enhancement, forest stewardship, resource restoration, or rural stewardship plan associated with the approved open space resource or bonus category;

4. Any portion of a property dominated by or whose resource value is compromised by invasive plant species, unless the department has received a resource restoration, rural stewardship, ecological enhancement, farm management, or forest stewardship plan and determined that the plan adequately addresses the invasive plant species concern and is being implemented; and

5. Homesite and other areas developed for residential or personal use, such as garden, landscaping and driveway, except for historic resources.

~~((H))~~ G. The department may monitor the participating portion of the property to evaluate its current use and continuing compliance with the conditions of enrollment.

1. Monitoring may include scheduled, physical inspections of the property and in-office review using aerial photography, mapping software, or other available technologies.

2. Program staff may require an owner of enrolled property to submit a monitoring report on an annual or less frequent basis. The report ~~((must))~~ shall include a brief description of how the property still qualifies for each awarded resource category, photographs from established points on the property, and any owner observations by the owner. The owner ~~((must))~~ shall submit this report to the department by email, the program's website, or by other mutually agreed upon method. An environmental consultant need not prepare this report.

3. An owner of property receiving credit for farm and agricultural conservation land, ecological enhancement land, forest stewardship land, or rural stewardship land, all of which require a stewardship or management plan, shall annually provide a monitoring report that describes progress in implementing the plan and includes a brief description of activities taken to implement the plan and photographs from established points on the property. The owner shall submit this report to the department by email or by other mutually agreed upon method. An environmental consultant need not prepare this report.

~~((F.))~~ H. Failure by the owner to meet the conditions of the approval or to maintain the uses of the property that were the basis for the original approval is grounds for the department to reevaluate the property under the public benefit rating system. If the reevaluation shows the property or a portion of the property is no longer eligible to participate in the program, the county shall take action to remove the current use classification and determine the amount of deferred taxes, interest, and penalty owed by the landowner. If the reevaluation shows the property or a portion thereof is no longer eligible as approved but that the property still qualifies for one or more public benefit rating system resource categories, then the overall credit award shall be adjusted to reflect the reevaluation. The new credit award may result in a current use assessment at a lower percentage of appraised value than was originally approved. A landowner may appeal a determination under this subsection by following K.C.C. 20.36.130.B.

SECTION 70. Ordinance 6949, Section 7, as amended, and K.C.C. 20.44.050 are hereby amended to read as follows:

The procedures and standards for preparation of environmental impact statements and other environmental documents pursuant to WAC 197-11-400 through 197-11-460 and 197-11-600 through 197-11-640 are adopted, subject to the following:

A. Pursuant to WAC 197-11-408(2)(a), all comments on determinations of significance and scoping notices shall be in writing, except where a public meeting on EIS scoping occurs pursuant to WAC 197-11-410 (1)(b).

B. Pursuant to WAC 197-11-420, 197-11-620, and 197-11-625, the county department acting as lead agency shall be responsible for preparation and content of an EIS and other environmental documents. The department shall contract with consultants as necessary for the preparation of environmental documents. The department may consider the opinion of the applicant regarding the qualifications of the consultant but the department shall retain sole authority for selecting persons or firms to author, co-author, provide special services or otherwise participate in the preparation of required environmental documents.

C. Consultants or subconsultants selected by King County to prepare environmental documents for a private development project proposal shall not: act as agents for the applicant in preparation or acquisition of associated underlying permits; have a financial interest in the proposal for which the environmental document is being prepared; or perform any work or provide any services for the applicant in connection with or related to the proposal.

D. The department shall establish and maintain one or more lists of qualified consultants who are eligible to receive contracts for preparation of environmental documents for project proposals. Separate lists may be maintained to reflect specialized qualifications or expertise. When the department requires consultant services to prepare environmental documents for project proposals, the department shall select a consultant from the lists and negotiate a contract for such services. The department director may waive these requirements as provided for in rules adopted to implement this section. ((Subject to K.C.C. 20.44.145 and p))Pursuant to K.C.C. chapter 2.98, the department of local services shall adopt public rules that establish processes to: create

and maintain a qualified consultant list; select consultants from the list; remove consultants from the list; provide a method by which applicants may request a reconsideration of selected consultants based upon costs, qualifications or timely production of the environmental document; and waive the consultant selection requirements of this chapter on any basis provided by K.C.C. chapter 2.93.

E. All costs of preparing the environment document shall be borne by the applicant. ~~((Subject to K.C.C. 20.44.145 and p))~~Pursuant to K.C.C. chapter 2.98, the department of local services shall promulgate administrative rules that establish a trust fund for consultant payment purposes, define consultant payment schedules, prescribe procedures for treating interest from deposited funds, and develop other procedures necessary to implement this chapter.

F. In the event an applicant decides to suspend or abandon the project, the applicant must provide formal written notice to the department and consultant. The applicant shall continue to be responsible for all ~~((monies))~~ moneys expended by the division or consultants to the point of receipt of notification to suspend or abandon, or other obligations or penalties under the terms of any contract let for preparation of the environmental documents.

G. The department shall only publish an EIS when it believes that the EIS adequately disclose: the significant direct, indirect, and cumulative adverse impacts of the proposal and its alternatives; mitigation measures proposed and committed to by the applicant, and their effectiveness in significantly mitigating impacts; mitigation measures that could be implemented or required; and unavoidable significant adverse impacts. Unless otherwise agreed to by the applicant, a final environmental impact statement shall be issued by the department within two hundred seventy days following the issuance of a DS for the proposal, except for public projects and nonproject actions, unless the department determines at the time of issuance of the DS that a longer period will be required because of the extraordinary size of the proposal or the scope of the environmental impacts resulting therefrom; ~~((provided that))~~ the additional time shall not exceed ninety days unless agreed to by the applicant.

H. The following periods shall be excluded from the two-hundred-seventy-day period for issuing a final environmental impact statement:

1. Any period during which the applicant has failed to pay required environmental review fees to the department;
2. Any period during which the applicant has been requested to provide additional information required for preparation of the environmental impact statement, and
3. Any period during which the applicant has not authorized the department to proceed with preparation of the environmental impact statement.

SECTION 71. Ordinance 6949, Section 10, as amended, and K.C.C. 20.44.080 are hereby amended to read as follows:

A. The procedures and standards of WAC 197-11-650 through 197-11-660 regarding substantive authority and mitigation, and WAC 197-11-158, regarding reliance on existing plans, laws and regulations, are adopted.

B. For the purposes of RCW 43.21C.060 and WAC 197-11-660, the following policies, plans, rules, and regulations, and all amendments thereto, are designated as potential bases for the exercise of King County's substantive authority under SEPA, subject to RCW 43.21C.240 ~~((and subsection C of this section))~~:

1. The policies of the state Environmental Policy Act~~((;))~~ under RCW 43.21C.020~~((;))~~;
2. ~~((As specified in K.C.C. chapter 20.12, t))~~The King County Comprehensive Plan, its addenda and revisions, ~~((and community and))~~ subarea plans and ~~((housing report, and as specified in K.C.C. chapter 20.14, surface water management program basin))~~ functional plans ~~((;))~~;
3. The King County Zoning Code~~((, as adopted in))~~ under K.C.C. Title 21A~~((;))~~;
4. ~~((The King County Agricultural Lands Policy, as adopted in K.C.C. Title 26.~~
- 5.)) The King County ~~((Landmarks))~~ Protection and Preservation of Landmarks, Landmark Sites and Districts Preservation Code~~((, as adopted in))~~ under K.C.C. chapter 20.62~~((;))~~;



~~((6-))~~ 5. The King County Shoreline ~~((Management))~~ Master ~~((Plan))~~ Program~~((, as adopted in))~~ under K.C.C. ~~((Title 25-))~~ 20.12.200;

~~((7-))~~ 6. The King County Surface Water, Stormwater and Groundwater Management Code ~~((Runoff Policy, as adopted in))~~ under K.C.C. ~~((chapter 9.04, including the Covington Master Drainage Plan, as adopted in K.C.C. chapter 20.14,))~~ Title 9;

~~((8-))~~ 7. The King County Roads and Bridges Code ~~((Standards, as adopted in))~~ under K.C.C. ~~((chapter 14.42-))~~ Title 14;

~~((9-))~~ 8. The ~~((Comprehensive Plan for Transportation adopted by Resolution No. 6617 of the council of the Municipality of Metropolitan Seattle and readopted and ratified by the county council in K.C.C. 28.01.030-))~~ King County Metro Strategic Plan for Public Transportation 2021-2031, Metro Connects, and the King County Metro Service Guidelines;

9. The King County Open Space Plan;

10. The Strategic Plan for Roads;

11. The Comprehensive Sewerage Disposal Plan adopted by Resolution No. 23 of the council of the Municipality of Metropolitan Seattle and readopted and ratified by the county council in K.C.C. 28.01.030~~((-))~~;

~~((11-))~~ 12. The rules and regulations for construction and use of local sewage facilities set forth in K.C.C. chapters 28.81 through 28.84~~((-~~

~~12. The rules and regulations on the consistency of sewer projects with local land use plans and policies set forth in Ordinance 11034, as amended.~~

~~13. The rules and regulations for the disposal of industrial waste into the sewerage system set forth in Ordinance 11034, as amended.~~

~~14. The Duwamish Clean Water Plan adopted by the council of the Municipality of Metropolitan Seattle and readopted and ratified by the county council by Ordinance 11032, Section 28, as amended.~~

~~15. The Washington Department of Ecology's Best Management Practices for the Use of Municipal~~

Sludge.));

- 13. Noise requirements under K.C.C. chapter 12.86;
- 14. Water and Sewer Systems Code under K.C.C. Title 13;
- 15. Building and Construction Standards Code under K.C.C. Title 16;
- 16. Fire Coder under K.C.C. Title 17;
- 17. Land Segregation Code under K.C.C. Title 19A; and
- 18. The King County Board of Health Code.

C. ~~((Within the urban growth area, substantive SEPA authority to condition or deny new development proposals or other actions shall be used only in cases where specific adverse environmental impacts are not addressed by regulations as set forth below or unusual circumstances exist. In cases where the county has adopted the following regulations to systematically avoid or mitigate adverse impacts, those standards and regulations will normally constitute adequate mitigation of the impacts of new development: K.C.C. chapter 9.04, Surface Water Runoff Policy, K.C.C. chapter 9.08, Surface Water Management Program, K.C.C. chapter 9.12, Water Quality, K.C.C. chapter 14.42, King County Road Standards, K.C.C. chapter 16.82, Clearing and Grading, K.C.C. chapter 21A.12, Development Standards – Density and Dimensions, K.C.C. chapter 21A.14, Development Standards – Design Requirements, K.C.C. chapter 21A.16, Development Standards – Landscaping and Water Use, K.C.C. chapter 21A.18, Development Standards – Parking and Circulation, K.C.C. chapter 21A.20, Development Standards – Signs, K.C.C. chapter 21A.22, Development Standards – Mineral Extraction, K.C.C. chapter 21A.24, Critical Areas, K.C.C. chapter 21A.26, Development Standards – Communication Facilities, K.C.C. chapter 21A.28, Development Standards – Adequacy of Public Facilities and Services. Unusual circumstances related to a site or to a proposal, as well as environmental impacts not mitigated by the regulations listed in this subsection, will be subject to site-specific or project-specific SEPA mitigation.~~

~~This subsection shall not apply if the county's development regulations cited in this subsection are amended after April 22, 1996, unless the amending ordinance contains a finding, supported by documentation,~~

~~that the requirements for environmental analysis, protections, and mitigation measures in this chapter, provide adequate analysis of and mitigation for the specific adverse environmental impacts to which the requirements apply.~~

~~D. Outside the urban growth area, in the course of project review, including any required environmental analysis, the responsible official may determine that requirements for environmental analysis, protection, and mitigation measures in the county's development regulations or comprehensive plans adopted under chapter 36.70A RCW and in other applicable local, state, or federal laws and rules provide adequate analysis and mitigation for specific adverse environmental impacts of the project, if the following criteria are met:~~

~~1. In the course of project review, the responsible official shall identify and consider the specific probable adverse environmental impacts of the proposed action and then make a determination whether these specific impacts are adequately addressed by the development regulations. If they are not, the responsible official shall apply mitigation consistent with the applicable requirements of the comprehensive plan, subarea plan element of the comprehensive plan, or other local, state, or federal rules or laws; and~~

~~2. The responsible official bases or conditions its approval on compliance with these requirements or mitigation measures.~~

~~E.))~~ Any decision to approve, deny, or approve with conditions pursuant to RCW 43.21C.060 shall be contained in the responsible official's decision document. The written decision shall contain facts and conclusions based on the proposal's specific adverse environmental impacts, or lack thereof, as identified in an environmental checklist, EIS, threshold determination, other environmental document including an executive department's staff report and recommendation to a decision maker, or findings made pursuant to a public hearing authorized or required by law or ordinance. The decision document shall state the specific plan, policy, or regulation that supports the SEPA decision and, if mitigation beyond existing development regulations is required, the specific adverse environmental impacts and the reasons why additional mitigation is needed to comply with SEPA.

((F-)) D. This chapter shall not be construed as a limitation on the authority of King County to approve, deny, or condition a proposal for reasons based upon other statutes, ordinances, or regulations.

SECTION 72. Ordinance 4828, Section 2, as amended, and K.C.C. 20.62.020 are hereby amended to read as follows:

The following words and terms shall, when used in this chapter, be defined as follows unless a different meaning clearly appears from the context:

A. "Alteration" is any construction, demolition, removal, modification, excavation, restoration, or remodeling of a landmark.

B. "Building" is a structure created to shelter any form of human activity, such as a ((house)) residence, barn, ((church)) religious facility, hotel, or similar structure. Building may refer to a historically related complex, such as a courthouse and jail or a ((house)) residence and barn.

C. "Certificate of appropriateness" is written authorization issued by the commission or its designee permitting an alteration to a significant feature of a designated landmark.

D. "Commission" is the landmarks commission created by this chapter.

E. "Community landmark" is an historic resource which has been designated pursuant to K.C.C. 20.62.040 but which may be altered or changed without application for or approval of a certificate of appropriateness.

F. "Designation" is the act of the commission determining that an historic resource meets the criteria established by this chapter.

G. "Designation report" is a report issued by the commission after a public hearing setting forth its determination to designate a landmark and specifying the significant feature or features thereof.

H. "Director" is the director of the King County department of local services permitting division manager or designee.

I. "District" is a geographically definable area, urban ((or)), rural, or natural resource lands, possessing

a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united by past events or aesthetically by plan or physical development. A district may also comprise individual elements separated geographically but linked by association or history.

J. "Heritage" is a discipline relating to historic preservation and archaeology, history, ethnic history, traditional cultures, and folklore.

K. "Historic preservation officer" is the King County historic preservation officer or designee.

L. "Historic resource" is a district, site, building, structure, or object significant in national, state or local history, architecture, archaeology, and culture.

M. "Historic resource inventory" is an organized compilation of information on historic resources considered to be significant according to the criteria listed in K.C.C. 20.62.040.A. The historic resource inventory is kept on file by the historic preservation officer and is updated from time to time to include newly eligible resources and to reflect changes to resources.

N. "Incentives" are such compensation, rights, or privileges, or combination thereof, which the council, or other local, state, or federal public body or agency, by virtue of applicable present or future legislation, may be authorized to grant to or obtain for the owner or owners of designated landmarks. Examples of economic incentives include but are not limited to tax relief, conditional use permits, rezoning, street vacation, ((~~planned unit development~~),) transfer of development rights, facade easements, gifts, preferential leasing policies, private or public grants in aid, beneficial placement of public improvements, or amenities, or the like.

O. "Interested person of record" is any individual, corporation, partnership, or association that notifies the commission or the council in writing of its interest in any matter before the commission.

P. "Landmark" is an historic resource designated as a landmark pursuant to K.C.C. 20.62.070.

Q. "Nomination" is a proposal that an historic resource be designated a landmark.

R. "Object" is a material thing of functional, aesthetic, cultural, historical, or scientific value that may be, by nature or design, movable yet related to a specific setting or environment.

S. "Owner" is a person having a fee simple interest, a substantial beneficial interest of record or a substantial beneficial interest known to the commission in an historic resource. Where the owner is a public agency or government, that agency shall specify the person or persons to receive notices under this chapter.

T. "Person" is any individual, partnership, corporation, group, or association.

U. "Person in charge" is the person or persons in possession of a landmark including, but not limited to, a mortgagee or vendee in possession, an assignee of rents, a receiver, executor, trustee, lessee, tenant, agent, or any other person directly or indirectly in control of the landmark.

V. "Preliminary determination" is a decision of the commission determining that an historic resource which has been nominated for designation is of significant value and is likely to satisfy the criteria for designation.

W. "Significant feature" is any element of a landmark which the commission has designated pursuant to this chapter as of importance to the historic, architectural or archaeological value of the landmark.

X. "Site" is the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself maintains an historical or archaeological value regardless of the value of any existing structures.

Y. "Structure" is any functional construction made usually for purposes other than creating human shelter.

SECTION 73. Ordinance 4828, Section 4, as amended, and K.C.C. 20.62.040 are hereby amended to read as follows:

A. An historic resource may be designated as a King County landmark if it is more than forty years old or, in the case of a landmark district, contains resources that are more than forty years old, and possesses integrity of location, design, setting, materials, quality of work, feeling, or association, or any combination of the foregoing aspects of integrity, sufficient to convey its historic character, and:

1. Is associated with events that have made a significant contribution to the broad patterns of national,

state, or local history;

2. Is associated with the lives of persons significant in national, state, or local history;

3. Embodies the distinctive characteristics of a type, period, style, or method of design or construction, or that represents a significant and distinguishable entity whose components may lack individual distinction;

4. Has yielded, or may be likely to yield, information important in prehistory or history; or

5. Is an outstanding work of a designer or builder who has made a substantial contribution to the art.

B. An historic resource may be designated a community landmark because it is an easily identifiable visual feature of a neighborhood or the county and contributes to the distinctive quality or identity of such a neighborhood or county or because of its association with significant historical events or historic themes, association with important or prominent persons in the community or county, or recognition by local ~~((citizens))~~ individuals for substantial contribution to the neighborhood or community. An improvement or site qualifying for designation solely by virtue of satisfying criteria set out in this section shall be designated a community landmark and shall not be subject to K.C.C. 20.62.080.

C. Cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past forty years shall not be considered eligible for designation. However, such ~~((a property))~~ properties shall be eligible for designation if they are

~~1. A))~~ an integral part of districts that meet the criteria set out in subsection A. of this section or if ~~((it is))~~ they are:

~~((2. A))~~ 1. ((f)) Religious ((property)) properties deriving primary significance from architectural or artistic distinction or historical importance;

~~((3. A))~~ 2. ((b)) Buildings or structures removed from ((its)) their original locations but that ((is)) are

significant primarily for ~~((its))~~ their architectural value, or ~~((which is))~~ that are the surviving structure most importantly associated with ~~((a))~~ historic persons or events;

~~((4. A))~~ 3. ~~((b))~~ Birthplaces, graves, or residences of ~~((a))~~ historical figures of outstanding importance if there ~~((is))~~ are no other appropriate sites or buildings directly associated with the historical ~~((figure's))~~ figures' productive ~~((life))~~ lives;

~~((5. A cemetery))~~ 4. Cemeteries that derive~~((s its))~~ their primary significances from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events;

~~((6. A))~~ 5. ~~((f))~~ Reconstructed buildings when accurately executed in a suitable environment and presented in a dignified manner or as part of ~~((a))~~ restoration master plans, and when no other buildings or structures with the same association ~~((has))~~ have survived;

~~((7. A property))~~ 6. Properties commemorative in intent if design, age, tradition, or symbolic value ~~((has))~~ have invested ~~((it))~~ them with ~~((its))~~ their own historical significance; or

~~((8. A property))~~ 7. Properties achieving significance within the past forty years if ~~((it is))~~ they are of exceptional importance.

SECTION 74. Ordinance 11620, Section 12, as amended, and K.C.C. 20.62.150 are hereby amended to read as follows:

A. King County shall not approve any development proposal or otherwise issue any authorization to alter, demolish, or relocate any historic resource identified in the King County Historic Resource Inventory, pursuant to the requirements of this chapter. The dimensional standards of the underlying zone contained in K.C.C. ~~((chapter))~~ Title 21A~~((12, Development Standards—Density and Dimensions))~~ and K.C.C. chapter 21A.16~~((Development Standards—Landscaping and Water Use))~~ shall be expanded, when necessary, to preserve the aesthetic, visual and historic integrity of the historic resource from the impacts of development on adjacent properties.

B. Upon receipt of an application for a development proposal located on or adjacent to a historic



resource listed in the King County Historic Resource Inventory, the director shall follow the following procedure:

1. The development proposal application shall be circulated to the King County historic preservation officer for comment on the impact of the project on historic resources and for recommendation on mitigation. This includes all permits for alterations to historic buildings, alteration to landscape elements, new construction on the same or abutting lots, or any other action requiring a permit (~~((which))~~) that might affect the historic character of the resource. Information required for a complete permit application to be circulated to the historic preservation officer shall include:

- a. a vicinity map;
- b. a site plan showing the location of all buildings, structures, and landscape features;
- c. a brief description of the proposed project together with architectural drawings showing the existing condition of all buildings, structures, landscape features, and any proposed alteration to them;
- d. photographs of all buildings, structures, or landscape features on the site; and
- e. an environmental checklist, except where categorically exempt under King County SEPA guidelines.

2. Upon request, the historic preservation officer shall provide information about available grant assistance and tax incentives for historic preservation. The officer may also provide the owner, developer, or other interested party with examples of comparable projects where historic resources have been restored or rehabilitated.

3. In the event of a conflict between the development proposal and preservation of an historic resource, the historic preservation officer shall:

- a. suggest appropriate alternatives to the owner/developer which achieve the goals of historic preservation;
- b. recommend approval, or approval with conditions to the director; or

c. propose that a resource be nominated for county landmark designation according to procedures established in the landmarks preservation ordinance ~~((f))~~ under K.C.C. chapter 20.62((f)).

4. The director may continue to process the development proposal application, but shall not issue any development permits or issue a SEPA threshold determination until receiving a recommendation from the historic preservation officer. In no event shall review of the proposal by the historic preservation officer delay permit processing beyond any period required by law. Permit applications for changes to landmark properties shall not be considered complete unless accompanied by a certificate of appropriateness pursuant to K.C.C. 20.62.080.

5. On known archaeological sites, before any disturbance of the site, including, but not limited to test boring, site clearing, construction, grading or revegetation, the ~~((S))~~state ~~((Office))~~ Department of Archaeology and Historic Preservation ~~((OAH))~~, and the King County historic preservation officer, and appropriate ~~((Native American))~~ Indian tribal organizations must be notified and state permits obtained, if required by law. The officer may require that a professional archaeological survey be conducted to identify site boundaries, resources, and mitigation alternatives prior to any site disturbance and that a technical report be provided to the officer, ~~((OAH))~~ the state Department of Archaeology and Historic Preservation, and appropriate Indian tribal organizations. The officer may approve, disapprove or require permits conditions, including professional archeological surveys, to mitigate adverse impacts to known archeological sites.

C. Upon receipt of an application for a development proposal ~~((which))~~ that affects a King County landmark or an historic resource that has received a preliminary determination of significance as defined by K.C.C. 20.62.020\_V., the application circulated to the King County historic preservation officer shall be deemed an application for a certificate of appropriateness pursuant to K.C.C. 20.62.080 if accompanied by the additional information required to apply for such certificate.

SECTION 75. Ordinance 10870, Section 17, as amended, and K.C.C. 21A.02.070 are hereby amended to read as follows:

A. All references to the Standard Industrial Classification (SIC) are to the titles and descriptions found in the Standard Industrial Classification Manual, 1987 edition, prepared by United States Office of Management and Budget, which is hereby adopted by reference. The ~~((SIC))~~ is used, with modifications to suit the purposes of this title, to list and define land uses authorized to be located in the various zones consistent with the ~~((comprehensive plan))~~ land use map.

B. The SIC categorizes each land use under a general two-digit major group number, or under a more specific three- or four-digit industry group or industry number. A use shown on a land use table with a two-digit number includes all uses listed in the SIC for that major group. A use shown with a three-digit or four-digit number includes only the uses listed in the SIC number for that industry group or industry.

C. An asterisk ~~((SIC))~~, shown as "~~((SIC))~~" in the SIC number column of a land use table means that the SIC definition for the specific land use identified has been modified by this title. The definition may include one or more SIC ~~((subclassification))~~ numbers, or may define the use without reference to the SIC.

D. The ~~((D))~~director shall determine whether a proposed land use not specifically listed in a land use table or specifically included within a SIC ~~((classification))~~ number is allowed in a zone. The director's determination shall be based on whether ~~((or not))~~ permitting the proposed use in a particular zone is consistent with the purposes of this title and the zone's purpose ~~((as set forth))~~ established in K.C.C. chapter 21A.04, by considering the following factors:

1. The physical characteristics of the use and its supporting structures, including but not limited to scale, traffic, and other impacts, and hours of operation;
2. Whether ~~((or not))~~ the use complements or is compatible with other uses ~~((permitted))~~ allowed in the zone; and
3. The SIC ~~((classification))~~ number, if any, assigned to the business or other entity that will carry on the primary activities of the proposed use.

E. If a proposed land use subject to subsection D. of this section is an essential public facility under the

Growth Management Act, it shall be evaluated using the special use permit process.

SECTION 76. Ordinance 10870, Section 27, as amended, and K.C.C. 21A.04.060 are hereby amended to read as follows:

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

These purposes are accomplished by:

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

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

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

4. Requiring tracts created through clustering ~~((development))~~ to be designated as permanent ~~((open space))~~ natural area or as permanent resource use.

B. Use of this zone is appropriate in the rural area((s)) designated by the Comprehensive Plan as follows:

1. RA-2.5 in the rural area((s)) where the predominant lot pattern is below five acres in size for lots established ~~((prior to))~~ before the adoption of the 1994 Comprehensive Plan;

2. RA-5 in the rural area((s)) where ~~((the predominant lot pattern is five acres or greater but less than ten acres in size and the area is generally environmentally unconstrained;))~~:

a. the land is more than a quarter mile from designated natural resource lands;

b. the land is physically suitable for development with minimal critical areas; and

c. the density would not harm or diminish the surrounding area, burden infrastructure, increase

development pressure, or be inconsistent with the development patterns promoted by the Comprehensive Plan;

3.a. RA-10 in the rural area((s)) where ~~((the predominant lot pattern is ten acres or greater but less than twenty acres in size. RA-10 is also applied on land that is generally environmentally constrained, as defined by county, state or federal law, to protect critical habitat and regionally significant resource areas (RSRAs). The RA-10 zone is also applied to lands within one-quarter mile of a forest or agricultural production district or an approved long-term mineral extraction site.))~~);

(1) the land is adjacent to or within one-quarter mile of designated natural resource lands;

(2) the land contains moderate or significant critical areas; or

(3) a density of one dwelling unit per five acres would harm or diminish the surrounding area, burden infrastructure, increase development pressure, or be inconsistent with the development patterns promoted by the Comprehensive Plan; and

b. On Vashon-Maury Island, RA-10 zoning shall be maintained on areas zoned RA-10 as of 1994 and on areas with a predominant lot size of ten acres or greater that are identified on the Areas Highly Susceptible to Groundwater Contamination map; and

4. RA-20 in Rural Forest Focus ~~((Districts))~~ Areas designated by the King County Comprehensive Plan. This level of density should also be considered when a larger parcel with an agricultural, forestry, or mineral land use designation is redesignated to a rural area land use designation.

SECTION 77. Ordinance 10870, Section 28, as amended, and K.C.C. 21A.04.070 are hereby amended to read as follows:

A. The purposes of the urban reserve zone (UR) are to: phase growth and demand for urban services, and to reserve large tracts of land for possible future growth in portions of King County designated by the Comprehensive Plan for future urban growth while allowing reasonable interim uses of property; or to reflect designation by the Comprehensive Plan of a property or area as part of the ~~((#))~~Urban ~~((g))~~Growth ~~((a))~~Area when a detailed plan for urban uses and densities has not been completed, or where adequate public facilities

and services are not available or yet needed. These purposes are accomplished by:

1. Allowing for rural, agricultural, and other low-density uses;
2. Allowing for limited residential growth, either contiguous to existing urban public facilities~~((;))~~ or at a density supportable by existing rural public service levels; and
3. Requiring ~~((clustered residential developments))~~ clustering where feasible, to prevent establishment of uses and lot patterns ~~((which))~~ that may foreclose future alternatives and impede efficient later development at urban densities.

B. Use of this zone is appropriate in ~~((urban areas, rural towns or in rural city expansion areas))~~ the Urban Growth Area for Cities in the Rural Area designated by the Comprehensive Plan~~((, when such areas do not have adequate public facilities and services or are not yet needed to accommodate planned growth, do not yet have detailed land use plans for urban uses and densities, or are designated as sites for a potential urban planned development or new fully contained communities))~~.

SECTION 78. Ordinance 10870, Section 29, as amended, and K.C.C. 21A.04.080 are hereby amended to read as follows:

A. The purpose of the urban residential zone (R) is to implement ~~((e))~~Comprehensive ~~((p))~~Plan goals and policies for housing quality, diversity, and affordability, and to efficiently use urban residential land, public services, and ~~((energy))~~ utilities. These purposes are accomplished by:

1. Providing, in the R-1 zone, predominantly single detached residences at a relatively low residential density;
2. Providing, in the R-4 through R-8 zones, for a mix of ~~((predominantly))~~ single detached ~~((dwelling units))~~ residences, duplexes, houseplexes, and other development types, with a variety of densities and sizes in locations appropriate for ~~((urban))~~ lower or moderate residential densities;
- ~~((2-))~~ 3. Providing, in the R-12 through R-48 zones, for a mix of predominantly apartments and townhouses ~~((dwelling units))~~, mixed-use, and other development types, with a variety of densities and sizes in

locations appropriate for ~~((urban))~~ moderate to higher residential densities;

~~((3-))~~ 4. Allowing only those accessory and complementary nonresidential uses that are compatible with urban residential communities; and

~~((4-))~~ 5. Establishing density designations to facilitate advanced area-wide planning for public facilities and services, and to protect ~~((environmentally sensitive sites))~~ critical areas from over~~((~~ development.

B. Use of ~~((this))~~ these zones is appropriate in urban areas, ~~((activity))~~ centers, or ~~((R))~~ rural ~~((T))~~ towns designated by the Comprehensive Plan as follows:

1. The R-1 zone:

a. on or adjacent to lands with area-wide environmental constraints where ~~((development))~~ clustering is required ~~((to cluster))~~ away from ~~((sensitive))~~ critical areas~~((;))~~;

b. on lands designated as urban separators ~~((or))~~, wildlife habitat network ~~((where development is required to cluster away from the axis of the corridor on))~~, or critical aquifer recharge areas~~((, and on Regionally and Locally Significant Resource Areas (RSRAs/LSRAs)))~~; or

c. in well-established subdivisions of the same density~~((, which))~~ that are served at the time of development by public or private facilities and services adequate to support planned densities;

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

3. The R-12 through R-48 zones on lands in and next to ~~((U))~~unincorporated ~~((A))~~activity ~~((C))~~centers, in ~~((C))~~community business centers, or ~~((N))~~neighborhood ~~((B))~~business ~~((C))~~centers, in mixed-use development, on small, scattered lots integrated into existing residential areas, or in ~~((R))~~rural ~~((T))~~towns, that are served at the time of development by adequate public sewers, water supply, roads, and other needed public facilities and services.

SECTION 79. Ordinance 10870, Section 30, as amended, and K.C.C. 21A.04.090 are hereby amended to read as follows:

A. The purpose of the neighborhood business zone (NB) is to provide convenient daily retail and personal services for a limited service area and to minimize impacts of commercial activities on nearby properties and ~~((in urban areas on properties with the land use designation of commercial outside of center,))~~ to provide for limited residential development. These purposes are accomplished by:

1. Limiting nonresidential uses to those retail or personal services ~~((which))~~ that can serve the everyday needs of a surrounding urban or rural residential area;
2. Allowing for ~~((mixed use (housing and retail/service)))~~ mixed-use developments to provide workforce housing ~~((and))~~;
3. Allowing for townhouse developments as a sole use on properties in the urban area with the land use designation of commercial outside of center; and
- ~~((3-))~~ 4. Excluding industrial and community/regional business-scaled uses.

B. Use of this zone is appropriate in ~~((urban))~~ unincorporated activity centers, community business centers, neighborhood business centers, commercial outside of centers, rural towns, or rural neighborhood commercial centers designated by the ~~((e))~~Comprehensive ~~((p))~~Plan, on sites ~~((which))~~ that are served at the time of development by adequate public sewers when located in urban areas or adequate on-site sewage disposal when located in rural areas, water supply, roads, and other needed public facilities and services.

SECTION 80. Ordinance 10870, Section 31, as amended, and K.C.C. 21A.04.100 are hereby amended to read as follows:

A. The purpose of the community business zone (CB) is to provide convenience and comparison retail and personal services for local service areas ~~((which))~~ that exceed the daily convenience needs of adjacent neighborhoods but ~~((which))~~ that cannot be served conveniently by larger unincorporated activity centers, and to provide retail and personal services in locations within unincorporated activity centers that are not



appropriate for extensive outdoor storage or ~~((auto))~~ vehicle-related and industrial uses. These purposes are accomplished by:

1. Providing for limited small-scale offices as well as a wider range of the retail, professional, governmental, and personal services than are found in neighborhood business areas;
2. Allowing for ~~((mixed-use (housing and retail/service)))~~ mixed-use developments; and
3. Excluding commercial uses with extensive outdoor storage or auto related and industrial uses.

B. Use of this zone is appropriate in ~~((urban and))~~ unincorporated activity centers, community business centers, commercial outside of centers, or rural towns that are designated by the Comprehensive Plan ~~((and community plans))~~ and that are served at the time of development by adequate public sewers, water supply, roads, and other needed public facilities and services.

SECTION 81. Ordinance 10870, Section 32, as amended, and K.C.C. 21A.04.110 are hereby amended to read as follows:

A. The purpose of the regional business zone (RB) is to provide for the broadest mix of comparison retail, wholesale, service, and ~~((recreation/))~~ recreational and cultural uses with compatible storage and fabrication uses, serving regional market areas and offering significant employment opportunities. These purposes are accomplished by:

1. Encouraging compact development that is supportive of transit and pedestrian travel, through higher nonresidential building heights and floor area ratios than those found in community business centers;
2. Allowing for outdoor sales and storage, regional shopping areas, and limited fabrication uses; ~~((and ))~~
3. Concentrating large-scale commercial and office uses to facilitate the efficient provision of public facilities and services; and
4. Allowing for mixed-use developments in urban areas.

B. Use of this zone is appropriate in ~~((urban activity centers or rural towns))~~ commercial outside of

centers that are designated by the Comprehensive Plan (~~((and community plans))~~) that are served at the time of development by adequate public sewers, water supply, roads, and other needed public facilities and services.

SECTION 82. Ordinance 10870, Section 33, and K.C.C. 21A.04.120 are hereby amended to read as follows:

A. The purpose of the office zone (O) is to provide for pedestrian and transit-oriented high-density employment uses together with limited complementary retail and urban density residential development in locations (~~((within activity centers))~~) where the full range of commercial activities is not desirable. These purposes are accomplished by:

1. Allowing for uses that will take advantage of pedestrian-oriented site and street improvement standards;
2. Providing for higher building heights and floor area ratios than those found in community business centers;
3. Reducing the ratio of required parking to building floor area;
4. Allowing for on-site convenient daily retail and personal services for employees and residences; (~~((and))~~)
5. Excluding (~~((auto))~~) vehicle-oriented, outdoor, or other retail sales and services (~~((which))~~) that do not provide for the daily convenience needs of on-site and nearby employees or residents; and
6. Allowing for mixed-use developments.

B. Use of this zone is appropriate in unincorporated activity centers, community business centers, neighborhood business centers, commercial outside of centers, or rural towns designated by the Comprehensive Plan (~~((and community plans which))~~) that are served at the time of development by adequate public sewers, water supply, roads, and other needed public facilities and services.

SECTION 83. Ordinance 10870, Section 44, as amended, and K.C.C. 21A.06.020 are hereby amended to read as follows:

Accessory use, residential: an accessory use to a residential use, including, but not limited to:

A. Accessory living quarters and dwellings;

B. Fallout or bomb shelters;

C. Keeping household pets or operating a hobby cattery, ~~((or))~~ hobby kennel, or home-based animal shelter;

D. On-site rental office;

E. Pools, private docks or piers;

F. Antennae for private telecommunication services;

G. Storage of yard maintenance equipment;

H. Storage of private vehicles, such as motor vehicles, boats, trailers or planes;

I. Greenhouses;

J. Recreation space and play areas required under K.C.C. 21A.14.180 ~~((and play areas required under K.C.C. 21A.14.190))~~;

K. Home occupations and home industries under K.C.C. chapter 21A.30;

L. Consumer-scale renewable energy systems; and

M. Battery energy storage systems meeting the requirements of K.C.C. 21A.08.030.B.7.

NEW SECTION. SECTION 84. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Adult family home: a residence in which a person or persons provide personal care, special care, room, and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services. An adult family home may provide services to up to eight adults upon approval from the department of social and health services under RCW 70.128.066.

SECTION 85. Ordinance 10870, Section 48, as amended, and K.C.C. 21A.06.040 are hereby amended to read as follows:

Agricultural product sales: the retail sale of items resulting from the practice of agriculture, including primary horticulture products such as fruits, vegetables, grains, seed, feed, and plants, primary animal products such as eggs, milk, and meat, or secondary and value-added products resulting from processing, sorting, or packaging of primary agricultural products such as jams, cheeses, dried herbs, or similar items. Agricultural product sales do not include ~~((marijuana))~~ cannabis, usable ~~((marijuana))~~ cannabis, or ~~((marijuana))~~ cannabis -infused products.

NEW SECTION. SECTION 86. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Anaerobic digester: an airtight, oxygen-free container that is fed animal manure or other solid waste and that uses a biological process to stabilize organic matter and produce methane gas for energy generation or other beneficial use.

SECTION 87. K.C.C. 21A.06.355, as amended by this ordinance, is hereby recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.067.

SECTION 88. Ordinance 10870, Section 5, and K.C.C. 21A.06.355 are hereby amended to read as follows:

~~((Dwelling unit, a))~~Apartment: ~~((a dwelling unit contained in))~~ a building consisting of ~~((two))~~ ten or more dwelling units ~~((which may be stacked, or one or more dwellings with nonresidential uses))~~ sharing a common roof, wall, or floor. A houseplex with one or more accessory dwelling units is not considered an apartment.

SECTION 89. Ordinance 10870, Section 54, as amended, and K.C.C. 21A.06.070 are hereby amended to read as follows:

Applicant: a property owner, a public agency, or a public or private utility that owns a right-of-way or other easement or has been adjudicated the right to such an easement ~~((under))~~ in accordance with RCW 8.08.040, or any person or entity designated or named in writing by the property or easement owner to be the

applicant, in an application for a development proposal, permit, or approval.

NEW SECTION. SECTION 90. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

At imminent risk of becoming homeless: a household that will lose their primary nighttime residence as follows:

- A. The residence will be lost within fourteen days of the date of application for homeless assistance;
- B. No subsequent residence has been identified; and
- C. The household lacks the resources or support networks needed to obtain other permanent housing, such as family, friends, or faith-based or other social networks.

NEW SECTION. SECTION 91. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

At risk of chronic homelessness: a household that includes at least one adult:

- A. With a developmental, physical, or behavioral health disability;
- B. That is currently experiencing homelessness for at least ten months in the previous three years, or has experienced homelessness for a cumulative total of twelve months within the previous five years; and
- C. That has been incarcerated within the previous five years in a jail or prison, has been detained or involuntarily committed under chapter 71.05 RCW, or identifies as a member of a population that is demographically overrepresented among persons experiencing homelessness in King County.

SECTION 92. K.C.C. 21A.06.7341, as amended by this ordinance, is hereby recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.162.

SECTION 93. Ordinance 17710, Section 2, and K.C.C. 21A.06.7341 are hereby amended to read as follows:

((~~Marijuana~~)) Cannabis: all parts of the plant cannabis, whether growing or not, with a percentage concentration of delta-9 tetrahydrocannabinol content per dry weight of any part of the plant cannabis, or per

volume or weight of ~~((marijuana))~~ cannabis product greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. ~~((Marijuana))~~ Cannabis does not include the mature stalks of the plant, fiber produced from the stalks, oil, or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant ~~((which))~~ that is incapable of germination.

SECTION 94. K.C.C. 21A.06.7342, as amended by this ordinance, is hereby recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.7341, as recodified by this ordinance.

SECTION 95. Ordinance 17710, Section 3, and K.C.C. 21A.06.7342 are hereby amended to read as follows:

~~((Marijuana))~~ Cannabis greenhouse: a structure with a glass or rigid plastic roof and glass or rigid plastic walls designed and used to create an artificial climate for the growing of ~~((marijuana))~~ cannabis as licensed by the Washington state Liquor ~~((Control))~~ and Cannabis Board for the ~~((marijuana))~~ cannabis production that is of sufficient strength and stability to comply with the structural design load requirements of the building code and that is not used as a place for human habitation or by the general public.

SECTION 96. K.C.C. 21A.06.7344, as amended by this ordinance, is hereby recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.7342, as recodified by this ordinance.

SECTION 97. Ordinance 17710, Section 4, as amended, and K.C.C. 21A.06.7344 are hereby amended to read as follows:

~~((Marijuana))~~ Cannabis processor: a facility licensed by the Washington state Liquor and Cannabis Board to process ~~((marijuana))~~ cannabis into useable ~~((marijuana))~~ cannabis and ~~((marijuana))~~ cannabis-infused products, package, and label useable ~~((marijuana))~~ cannabis and ~~((marijuana))~~ cannabis-infused products for sale in retail outlets, and sell useable ~~((marijuana))~~ cannabis and ~~((marijuana))~~ cannabis-infused products at wholesale to ~~((marijuana))~~ cannabis retailers. ~~((Marijuana))~~ Cannabis processors are classified as follows:

A. ((~~Marijuana~~)) Cannabis processor I -- processing that is limited to:

1. Drying, curing, and trimming; and
2. Packaging.

B. ((~~Marijuana~~)) Cannabis process- II -- all elements of processing including:

1. All ((~~marijuana~~)) Cannabis processor I activities;
2. Extracting concentrates and infusing products;
3. Mechanical and chemical processing; and
4. Packaging.

SECTION 98. K.C.C. 21A.06.7346, as amended by this ordinance, is hereby recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.7344, as recodified by this ordinance.

SECTION 99. Ordinance 17710, Section 5, as amended, and K.C.C. 21A.06.7346 are hereby amended to read as follows:

((~~Marijuana~~)) Cannabis producer: a facility licensed by the Washington state Liquor and Cannabis Board for the production and sale at wholesale of ((~~marijuana~~)) cannabis to ((~~marijuana~~)) cannabis processors and other ((~~marijuana~~)) cannabis producers.

SECTION 100. K.C.C. 21A.06.7348, as amended by this ordinance, is hereby recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.7346, as recodified by this ordinance.

SECTION 101. Ordinance 17710, Section 6, as amended, and K.C.C. 21A.06.7348 hereby amended to read as follows:

((~~Marijuana~~)) Cannabis retailer: a facility licensed by the Washington state Liquor and Cannabis Board where useable ((~~marijuana~~)) cannabis and ((~~marijuana~~)) cannabis-infused products may be sold at retail.

SECTION 102. Ordinance 10870, Section 84, and K.C.C. 21A.06.220 are hereby amended to read as follows:

Community residential facility ("CRF"): living quarters meeting applicable federal and state standards

that function as a single ~~((housekeeping unit))~~ household and provide supportive services, including but not limited to counseling, rehabilitation, and medical supervision~~((;))~~. It does not include ~~((excluding))~~ drug and alcohol detoxification, which is classified ~~((in K.C.C. 21A.08.050))~~ as health care services and residential care services in section 162 of this ordinance, ~~((and))~~ or ~~((excluding))~~ a secure community transition facility as defined in ~~((R.C.W.))~~ RCW 71.09.020 and in this chapter. For purposes of domestic violence shelters, minors living with a parent shall not be counted as part of the maximum number of residents. Community Residential Facilities are further classified as follows:

- A. Community Residential Facility - I -- Nine to ten residents and staff;
- B. Community Residential Facility - II -- Eleven or more residents and staff.

If staffed by nonresident staff, each twenty-four staff hours per day equals one full-time residing staff member for purposes of subclassifying CRFs.

SECTION 103. Ordinance 12243, Section 4, and K.C.C. 21A.06.247 are hereby amended to read as follows:

Construction and trade~~((s))~~: establishments that provide services related to construction of buildings and infrastructure, and other improvements to property. Such establishments include~~((;))~~ SIC Major ~~((group no.'s))~~ Groups 15-17~~((;))~~ and SIC Industry ~~((group no.))~~ Group 078~~((;))~~ Landscape and Horticultural Services~~((;))~~.

SECTION 104. K.C.C. 21A.06.358, as amended by this ordinance, is hereby recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.252.

SECTION 105. Ordinance 15032, Section 4, and K.C.C. 21A.06.358 are hereby amended to read as follows:

~~((Dwelling unit, e))~~ Cottage housing: ~~((a))~~ three or more small single detached ~~((single-family dwelling unit located on a commonly owned parcel with common open space))~~ residences sited around a central common space on a commonly owned parcel.

SECTION 106. Ordinance 15606, Section 5, and K.C.C. 21A.06.196 are hereby amended to read as



follows:

Clustering: development of a subdivision at the existing zoned density that reduces the size of individual lots and creates one or more natural ~~((open space))~~ area tracts for the preservation of critical areas~~((; parks and permanent open space or as a reserve for future development))~~ or resource land tracts for forestry or agriculture.

NEW SECTION. SECTION 107. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Community center: An establishment owned by a public agency or private nonprofit entity that provides cultural, recreational, athletic, civic, social, health, or educational activities as its primary function. A community center is open to the general public on equal basis and serves the subarea geography in which it is located. A community center may include meeting areas, senior centers, day cares, teen centers, gymnasiums, dance studios, pools, exercise rooms, meals, counseling services, classes, community programs, social gatherings, or health services such as mobile clinics or vaccination events. A community center may include other accessory uses or activities, outdoor or indoor recreation, community gardens, commercial kitchens and food processing, craft work and maker spaces, cafes, galleries, coworking spaces, health clinics, office spaces, and retail sales of food and goods. A community center does not include a private community clubhouse, or a civil or fraternal association.

NEW SECTION. SECTION 108. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Congregate residence: a building that contains sleeping units or dwelling units, or both, with communal facilities such as sanitation facilities, kitchen facilities, recreation space, or lounges.

NEW SECTION. SECTION 109. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Crisis care center: a facility that provides same-day access to crisis stabilization services for people in

behavioral health crisis including walk-in behavioral health urgent care clinic, a twenty-three-hour observation unit or similar facility, a crisis stabilization unit for up to fourteen days of care, and post-crisis support services.

SECTION 110. Ordinance 10870, Section 92, as amended, and K.C.C. 21A.06.260 are hereby amended to read as follows:

Critical facility: a facility necessary to protect the public health, safety, and welfare including, but not limited to, a facility defined under the occupancy categories of "essential facilities," "hazardous facilities," and "special occupancy structures" in the structural ~~((forces))~~ design chapter ~~((or succeeding chapter))~~ in K.C.C. Title 16. Critical facilities also include nursing and personal care facilities, schools, senior ~~((citizen))~~ assisted housing, ~~((public roadway))~~ county-owned bridges, and sites that produce, use, or store hazardous substances or hazardous waste, not including the temporary storage of consumer products containing hazardous substances or hazardous waste intended for household use or for retail sale on the site.

SECTION 111. Ordinance 10870, Section 98, and K.C.C. 21A.06.290 are hereby amended to read as follows:

Destination resort: an establishment for outdoor resource-based recreation and intended to utilize and provide access to outdoor recreational opportunities~~((, including related))~~. Accessory services, such as ~~((food))~~ retail, eating and drinking places, ((overnight)) temporary lodging, recreation equipment rentals, entertainment, and ~~((other conveniences for guests of the resort))~~ personal services are allowed as part of a destination resort.

SECTION 112. Ordinance 10870, Section 101, as amended, and K.C.C. 21A.06.305 are hereby amended to read as follows:

Development agreement:

~~((A. A recorded agreement between a UPD applicant and King County which incorporates the site plans, development standards, and other features of an Urban Plan Development as described in K.C.C. chapter 21A.39; or~~

~~B.))~~ An agreement authorized under RCW 36.70B.170 through 36.70B.210.

SECTION 113. Ordinance 15051, Section 31, and K.C.C. 21A.06.333 are hereby amended to read as follows:

Drainage subbasin: ~~((a drainage area identified as a drainage subbasin in a county approved basin plan or, if not identified, a drainage))~~ an area that drains to a body of water that is named and mapped and contained within a ~~((drainage))~~ larger basin.

NEW SECTION. SECTION 114. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Duplex: a building containing two dwelling units designed sharing a common roof, wall, or floor. Individual units may be side-by-side or stacked one on top of the other. A single detached residence with accessory dwelling unit is not considered a duplex.

SECTION 115. Ordinance 10870, Section 109, and K.C.C. 21A.06.345 are hereby amended to read as follows:

Dwelling unit: one or more rooms designed for occupancy by a ~~((person or family))~~ household for living and sleeping purposes, containing kitchen facilities and rooms with internal accessibility, for use solely by the dwelling's occupants~~((; d)).~~ Dwelling units include ~~((but are not limited to bachelor, efficiency and))~~ studio apartments, factory-built housing, and manufactured and mobile homes.

NEW SECTION. SECTION 116. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Emergency shelter: a facility providing short-term overnight accommodations. Day, cooling, or warming center services may be offered.

NEW SECTION. SECTION 117. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Emergency supportive housing: housing where persons experiencing chronic homelessness or at risk of chronic homelessness can reside temporarily, and that offers housing-oriented services, case management, and

other support or assistance services.

NEW SECTION. SECTION 118. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Experiencing chronic homelessness: a household that includes at least one adult with a disability, that is currently experiencing homelessness for at least twelve consecutive months or has experienced multiple episodes homelessness for a cumulative twelve months within the previous three years.

SECTION 119. Ordinance 10870, Section 125, as amended, and K.C.C. 21A.06.425 are hereby amended to read as follows:

Examiner: the ~~((zoning and subdivision))~~ office of the hearing examiner as established by K.C.C. chapter 20.22.

NEW SECTION. SECTION 120. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Floor area ratio (FAR): the proportion of total amount of usable floor area within a building, excluding basement or underground areas, and the total area of the site. This ratio is determined by dividing the total usable floor area by the site area.

SECTION 121. Ordinance 10870, Section 144, as amended, and K.C.C. 21A.06.520 are hereby amended to read as follows:

Forest practice: any forest practice as defined in RCW ~~((79.06.020))~~ 76.09.020.

NEW SECTION. SECTION 122. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Formula business: a type of nonresidential land use which is under common ownership or control or is a franchise, and is one of thirty or more other businesses or establishments worldwide maintaining two or more of the following features:

A. Standardized menu or standardized array of merchandise with fifty percent or more of in-stock

merchandise from a single distributor bearing uniform markings;

B. Trademark or service mark, defined as a word, phrase, symbol, or design, or a combination thereof, that identifies and distinguishes the source of the goods from one party from those of others, on products or as part of store design, such as cups, napkins, bags, boxes, wrappers, straws, store signs, or advertising devices;

C. <https://ecode360.com/11471524> Standardized color scheme used throughout the interior or exterior of the establishment, including, but not limited to, graphics, awnings, or signage, visible from the exterior of the structure;

D. Standardized interior decor, including, but not limited to, style of furniture, wall coverings, permanent fixtures, displays, or window treatments; and

E. <https://ecode360.com/27457046> Standardized uniform, including but not limited to aprons, pants, shirts, smocks or dresses, hats, and pins, but excluding name tags.

SECTION 123. Ordinance 10870, Section 148, and K.C.C. 21A.06.540 are hereby amended to read as follows:

General business service: an establishment engaged in providing services to businesses or individuals, with no outdoor storage or fabrication, including only uses located in SIC Major Groups ~~((Nos.))~~ and Industry Groups:

- A. 60-Depository Institutions;
- B. 61-Nondepository Credit Institutions;
- C. 62-Security and Commodity Brokers, Dealers, Exchanges, and Services;
- D. 63-Insurance Carriers;
- E. 65-Real Estate, except 653-~~((Real Estate Agents and Directors))~~;
- F. 67-Holding and Other Investment Offices;
- G. 7299-Miscellaneous Personal Services, not elsewhere classified;
- H. 73-Business Services, except ~~((Industry Group and Industry Nos.:~~
- I.)) 7312-Outdoor Advertising Services; and
- J. 86-Membership Organizations, including administrative offices of organized religions found in 8661, but excluding ~~((churches and places of worship))~~ religious facilities.

SECTION 124. Ordinance 10870, Section 153, and K.C.C. 21A.06.565 are hereby amended to read as follows:

Grading: any excavation, filling, ~~((removing the duff layer))~~ or land disturbing activity, or ~~((any))~~ combination thereof.

NEW SECTION. SECTION 125. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Home-based animal shelter: A single-detached residence where a nonprofit animal welfare organization takes custody of small animals for interim care or to find permanent adoptive homes for them.

NEW SECTION. SECTION 126. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Household: one or more persons living together as a single housekeeping unit.

NEW SECTION. SECTION 127. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Houseplex: a building containing between three and nine dwelling units sharing a common roof, wall, or floor. A single detached residence or duplex with one or more accessory dwelling units is not considered a houseplex.

SECTION 128. Ordinance 10870, Section 172, and K.C.C. 21A.06.660 are hereby amended to read as

follows:

Kennel, commercial: an establishment or facility where four or more dogs are kept for commercial purposes, including, but not limited to, boarding, breeding, and training. A commercial kennel does not include a dog daycare facility.

SECTION 129. Ordinance 15051, Section 74, and K.C.C. 21A.06.732 are hereby amended to read as follows:

Manufactured home: ~~((or mobile home: a structure, transportable in one or more sections, that in the traveling mode is eight body feet or more in width or thirty-two body feet or more in length; or when erected on site, is three hundred square feet or more in area; which is built on a permanent chassis and is designated for use with or without a permanent foundation when attached to the required utilities; which contains plumbing, heating, air conditioning and electrical systems; and shall include any structure that meets all the requirements of this section, or of chapter 296-150M WAC, except the size requirements for which the manufacturer voluntarily complies with the standards and files the certification required by the federal Department of Housing and Urban Development.))~~ A factory-built dwelling built in accordance with regulations adopted under the National Manufactured Housing Construction and Safety Standards Act of 1974. ~~((The term "m"))~~ Manufactured home ~~((or "mobile home"))~~ does not include a ~~((recreational vehicle.))~~

NEW SECTION. SECTION 130. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Manufactured home community: a development with two or more pads or spaces designed to accommodate manufactured homes or mobile homes. Manufactured home communities may include utilities, parking, common spaces, and other shared amenities.

NEW SECTION. SECTION 131. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Microshelter: a structure that is less than two hundred square feet and designed for people to temporarily reside.

NEW SECTION. SECTION 132. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Microshelter village: a permanent site containing multiple microshelters and may provide cooking facilities or meals, hygiene facilities, including restrooms and showers, and a shared gathering space.

NEW SECTION. SECTION 133. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Mixed-use: a site containing one or more dwelling units and nonresidential uses.

SECTION 134. Ordinance 10870, Section 191, and K.C.C. 21A.06.755 are hereby amended to read as follows:

~~((See manufactured home.))~~ Mobile home: a factory-built dwelling built prior to June 15, 1976, to standards other than the United States department of housing and urban development code, and acceptable under applicable state codes in effect at the time of construction or introduction of the home into the state. Mobile home does not include a recreational vehicle.

NEW SECTION. SECTION 135. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Mobile vendor: a business that sells food, drinks, goods, or merchandise from a motor vehicle, cart, trailer, tent, or table, that is capable of being set up and taken down in one day, is readily movable, and would not qualify as a structure under K.C.C. 21A.06.1255.

SECTION 136. Ordinance 10870, Section 195, and K.C.C. 21A.06.775 are hereby amended to read as

follows:

Motor vehicle, boat, and mobile home dealer: an establishment engaged in the retail sale of new and/or used automobiles, motor homes, motorcycles, trailers, boats, or mobile homes, including only uses located in SIC ~~((Major Group and Industry Group Nos.))~~ Industries:

A. ~~5511-((Automotive))~~ Motor Vehicle Dealers ~~((and Gasoline Service Stations except:))~~ (New and Used);

~~((1. 553-Auto and Home Supply Stores;~~

~~2. 554-Gasoline Service Stations; and))~~

B. ~~((Aircraft dealers found in 5599:))~~ 5521-Motor Vehicle Dealers (Used Only);

C. 5551-Boat Dealers;

D. 5561-Recreational Vehicle Dealers;

E. 5571-Motorcycle Dealers;

F. 5599, Automotive Dealers, Not Elsewhere Classified, except Aircraft Dealers;

~~((1.))~~ G. 5271-Mobile Home Dealers; and

~~((2.))~~ H. 7389, limited to Yacht brokers ~~((found in 7389)).~~

NEW SECTION. SECTION 137. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Natural area: Properties or tracts whose primary purpose is to conserve and restore ecological value. They may not be completely natural and undisturbed but may be important in preserving rare or vanishing flora, fauna, geological sites, or features of scientific, traditional, cultural, or educational value. These sites may allow public use in ways that avoid and minimize harm to the ecological resources of the site to the maximum extent feasible.

NEW SECTION. SECTION 138. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Outdoor resource-based recreation: recreational activities that rely upon their setting in or near natural resource lands for their enjoyment, including but not limited to, hiking, rafting, biking, skiing, horseback riding, fishing, climbing, or similar activities necessitating an outdoor setting.

NEW SECTION. SECTION 139. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Permanent supportive housing: subsidized housing with comprehensive support services, such as healthcare, treatment, or employment services, and that is designed for persons experiencing homelessness and living with a complex and disabling behavioral or physical health condition.

SECTION 140. Ordinance 15051, Section 87, and K.C.C. 21A.06.957 are hereby amended to read as follows:

Reclamation: the final grading and restoration of a site to ~~((re))~~establish the vegetative cover, soil ~~((stability and))~~ surface water, and groundwater conditions appropriate to accommodate and sustain all ~~((permitted))~~ allowed uses of the proposed zone appropriate for the site ~~((and to prevent and mitigate future environmental degradation))~~.

NEW SECTION. SECTION 141. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Recuperative housing: housing that is designed for persons experiencing homelessness who require continued treatment or medical care but do not require hospitalization.

SECTION 142. K.C.C. 21A.06.185, as amended by this ordinance, is hereby recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.980. SECTION 143. Ordinance 10870, Section 77, and K.C.C. 21A.06.185 hereby amended to read as follows:

~~((Church, synagogue or temple))~~ Religious facility: a place where religious services are conducted, including a church, synagogue, temple, or mosque. Religious facilities includes those uses located in SIC Industry ~~((No-))~~ Group 866 and ~~((including))~~ accessory uses in the primary or accessory buildings, such as



religious education facilities, reading rooms, assembly rooms, and residences for nuns and clergy. ~~((This definition))~~ Religious facilities do not include facilities for training of religious orders.

SECTION 144. Ordinance 14045, Section 7, and K.C.C. 21A.06.1013 are hereby amended to read as follows:

Rural equestrian community trail: an existing trail ~~((within the Equestrian Community))~~ located in the A, F<sub>2</sub> or RA zones that has historically been used by the public for riding horses, and that may also have historically been used by or is suitable for use by other ~~((non-motorized))~~ active transportation, as defined in section 17 of this ordinance, trail users.

NEW SECTION. SECTION 145. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Safe parking: a site designated for unsheltered people to reside in a recreational vehicle or vehicle and may provide on-site services and utilities.

SECTION 146. Ordinance 10870, Section 252, as amended, and K.C.C. 21A.06.1060 are hereby amended to read as follows:

Senior ~~((citizen))~~: a person aged ~~((62))~~ sixty-two years or older.

SECTION 147. Ordinance 10870, Section 634 (part), as amended, and K.C.C. 21A.06.1062 are hereby amended to read as follows:

Senior ~~((citizen))~~ assisted housing: ~~((housing in))~~ a building consisting of two or more dwelling units or sleeping units restricted to occupancy by ~~((at least one senior citizen per unit))~~ seniors, and may include the following support services~~((, as deemed necessary))~~:

- A. Food preparation and dining areas;
- B. Group activity areas;
- C. Medical supervision; and
- D. Similar activities.

SECTION 148. Ordinance 3688, Section 251, as amended, and K.C.C. 21A.06.1082C are hereby amended to read as follows:

Shoreline stabilization: a structure ~~((or))~~, device, ~~((including, but not limited to, breakwaters, bulkheads, jetties, groins and riprap, that is placed so as to prevent))~~ or action used to address erosion impacts or to alter ~~((the))~~ normal currents, wave actions, or other natural forces or actions of a waterbody. Shoreline stabilization falls on a spectrum of measures from nonstructural, soft structural, and hard, including, but not limited to, relocation of structures, building setbacks, upland drainage control, revegetation, beach nourishment, drift log placement, riprap, groins, revetments, bulkheads, and seawalls. Shoreline stabilization does not include flood protection facilities.

NEW SECTION. SECTION 149. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Sign, Heritage Trail: A sign that provides information, guidance, or educational content regarding sites of historical, cultural, or natural importance along a specific route identified by a special purpose district, chamber of commerce, historical society, or similar entity, regardless of whether the route or individual sites are designated historic sites.

SECTION 150. Ordinance 11922, Section 2, and K.C.C. 21A.06.1170 are hereby amended to read as follows:

Site: A single lot or parcel of land, or two or more contiguous lots that are under common ownership or documented legal control, used as a single parcel for a development proposal in order to calculate compliance with the standards and regulations of this title.

NEW SECTION. SECTION 151. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Sleeping unit: A room designed for occupancy by a household for living and sleeping purposes, and may contain a sanitation facility or kitchen facility, but not both. Such rooms that are also part of a dwelling

unit are not sleeping units.

NEW SECTION. SECTION 152. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Social services: An establishment providing social services and rehabilitation services, including only uses located in SIC Industry Groups:

- A. 832-Individual and Family Social Services;
- B. 833-Job Training and Vocational Rehabilitation Services; and
- C. 839-Social Services, Not Elsewhere Classified.

SECTION 153. Ordinance 10870, Section 292, as amended, and K.C.C. 21A.06.1260 are hereby amended to read as follows:

Student factor: the number derived by a school district to describe how many students of each grade span are expected to be generated by a dwelling unit. Student factors shall be based on district records of average actual student generated rates for new developments constructed over a period of not more than five years prior to the date of the fee calculation; if such information is not available in the district, data from adjacent districts, districts with similar demographics, or county wide averages (~~((must))~~) shall be used. Student factors (~~((must))~~) shall be separately determined for single (~~((family and multifamily))~~) detached and multiunit dwelling units, and for grade spans.

SECTION 154. Ordinance 13733, Section 5, as amended, and K.C.C. 21A.06.1273B are hereby amended to read as follows:

TDR bank fund: the fund established under K.C.C. (~~((4.08.327))~~) 4A.200.730.

SECTION 155. K.C.C. 21A.06.370, as amended by this ordinance, is hereby recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.1280.

SECTION 156. Ordinance 10870, Section 114, and K.C.C. 21A.06.370 are hereby amended to read as follows:

~~((Dwelling unit, t))~~ Townhouse: a site with one or more buildings containing ~~((one))~~ a total of ten or more dwelling units that ~~((occupies))~~ occupy space from the ground to the roof~~((;))~~ and ~~((is attached to one or more other townhouse dwellings by))~~ that share common walls with one or more dwelling units. A houseplex with one or more accessory dwelling units is not considered a townhouse.

SECTION 157. Ordinance 10870, Section 297, as amended, and K.C.C. 21A.06.1285 are hereby amended to read as follows:

Trails: human-made pathways, including elevated boardwalks, bridges, and stairs, designed and intended for ~~((use by pedestrians, bicyclists, equestrians and other nonmotorized recreational users))~~ one or more forms of active transportation, as defined in section 17 of this ordinance.

NEW SECTION. SECTION 158. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Unsheltered person: An individual sleeping in a place not meant for human habitation.

SECTION 159. Ordinance 10870, Section 315, as amended, and K.C.C. 21A.06.1375 are hereby amended to read as follows:

Warehousing and wholesale trade: establishments involved in the storage ~~((and/))~~ or sale of bulk goods for resale or assembly, excluding establishments offering the sale of bulk goods to the general public which is classified as a retail use in K.C.C. 21A.08.070 and excluding local distribution gas storage tanks. These establishments shall include only SIC Major Groups ~~((Nos.))~~ 50 and 51 and SIC Industry Groups ~~((Nos.))~~ 422 and 423, excluding fossil fuels and fossil fuel facilities.

SECTION 160. Ordinance 10870, Section 330, as amended, and K.C.C. 21A.08.030 are hereby amended to read as follows:

A. Residential land uses.

<del>((P-Permitted Use C-Conditional Use S-Special Use))</del>	RESOURCE	<del>R-U R-A-L</del>	RESIDENTIAL	COMMERCIAL/INDUSTRIAL
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SIC #	SPECIFIC	F	M	RA	UR	R-1	((R-1-R-12)) R-4-R-8	R-12	NB	CB	RB	O	I
	((DWELLING)) HOUSE												
*	Single Detached Residence ((C12))	P17	P2	P ((C12))	P ((C12))	P	P ((C12))	P ((C12))	P ((C12))	P ((C12))			
*	Duplex			C4	C4	P	P12	P12	P3	P3	P3	P3	
*	Houseplex			C4	C4	P	P	P	P3	P3	P3	P3	
*	Townhouse			C4	C4	P	P ((C12))	P	P3	P3	P3	P3	
*	Apartment			C4	C4		P ((C5))	P	P3	P3	P3	P3	
*	((Mobile Home ((P)) Commun			S13			((C8))	P					
*	Cottage Home						P15	P15					
	((GROUP RESIDENCE))												
*	Community Facility-L			C	C		P14.a	P	P3	P3	P3	P3	
*	Community Facility-L						P14.b	P	P3	P3	P3	P3))	
*	((Dormitory Congrega			C6	C6	C6	C6	P10	P11	P11	P11	P11	
*	Senior ((Assisted				P4	P4	P ((4))	P	P3	P3	P3	P3	
	ACCESS												
*	Residential Uses	P7	P7	P7	P7	P7	P7	P7	P7	P7	P7	P7	
*	Home Occupied	P18	P18	P18	P18	P18	P18	P18	P18	P18	P18	P18	
*	Home Industrial	C		C	C	C	C						
	((TEMPORARY LODGING))												
7011	Hotel/Motel									P	P	P	
*	Bed and Breakfast Guesthouse	P9		P9	P9	P9	P9	P9	P9	P10	P10		
7041	Organized Hotel/Lodging						P17				P))		

## B. Development conditions.

1. ((Except bed and breakfast guesthouses.)) Repealed.

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

a. Site disturbance associated with development of any new residence shall be limited to three acres.

Site disturbance shall mean all land alterations including, but not limited to, grading, utility installation,

landscaping, clearing for crops, on-site sewage disposal systems, and driveways. Additional site disturbance for agriculture, including raising livestock, up to the smaller of thirty-five percent of the lot or seven acres, may be approved only if a farm management plan is prepared in accordance with K.C.C. chapter 21A.30. Animal densities shall be based on the area devoted to animal care and not the total area of the lot;

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

c. The forest management plan shall incorporate a fire protection element that includes fire safety best management practices developed by the department.

3. Only as part of a mixed-use development subject to the conditions of K.C.C. chapter 21A.14, except that:

a. in the NB zone on properties with a land use designation of commercial outside of center ((CO)) in the urban areas, stand((-))alone townhouse developments are ((permitted)) allowed subject to K.C.C. ((21A.12.040, 21A.14.030, 21A.14.060, and 21A.14.180)) section 174 of this ordinance, section 199 of this ordinance, and section 206 of this ordinance, and K.C.C. chapter 21A.14; and

b. in the rural area outside of rural towns on historic properties listed in the National Register of Historic Places or designated as a King County landmark, mixed-use is not required.

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

5.a. ~~((In the R-1 zone, apartment units are permitted, if:~~

~~(1) At least fifty percent of the site is constrained by unbuildable critical areas. For purposes of this subsection, unbuildable critical areas includes wetlands, aquatic areas and slopes forty percent or steeper and associated buffers; and~~

~~(2) The density does not exceed a density of eighteen units per acre of net buildable area.~~

~~b. In the R-4 through R-8 zones, apartment units are permitted if the density does not exceed a density of eighteen units per acre of net buildable area.~~

~~c. If the proposal will exceed base density for the zone in which it is proposed, a conditional use permit is required.)) Repealed.~~

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

7.a. Accessory dwelling units are subject to the following standards:

~~(1) ((Only one accessory dwelling per primary single detached dwelling or townhouse unit;~~

~~(2) Only allowed in the same building as the primary dwelling unit, except that detached accessory dwelling units are allowed when there is no more than one primary dwelling unit on the lot, and the following conditions are met:~~

~~(a) the lot must be three thousand two hundred square feet or greater if located in the urban area or a rural town; or~~

~~(b) the lot must meet the minimum lot area for the applicable zone if located in the rural area but not in a rural town, except that if one transferable development right is purchased from the Rural Area or Natural Resource Lands under K.C.C. chapter 21A.37, a detached accessory dwelling unit is allowed on a RA-5 zoned lot that is two and one-half acres or greater;~~

~~(3)) The accessory dwelling unit shall not exceed one thousand square feet of heated floor area and one thousand square feet of unheated floor area except:~~

~~(a) when the accessory dwelling unit is wholly contained within a basement or attic of the primary dwelling unit, this limitation does not apply;~~

~~(b) for detached accessory dwelling units, the floor area contained in a basement does not count toward the floor area maximum; ~~((or))~~ and~~

~~(c) ((on a site-zoned RA if one transferable development right is purchased from the Rural Area or Natural Resource Lands under K.C.C. chapter 21A.37, the accessory dwelling unit is permitted a maximum~~

~~heated floor area of one thousand five hundred square feet and one thousand five hundred square feet of unheated floor area;))~~ in the urban area, accessory dwelling units that do not provide the maximum amount of unheated floor area allowed in subsection B.7.a.(1) of this section may increase their heated floor area by one square foot for each square foot of allowed unheated floor area not provided, up to a maximum of one thousand five hundred square feet of heated floor area. For example, an accessory dwelling unit could include one thousand two hundred fifty square feet of heated floor space if only seven hundred fifty square feet of unheated floor space was included.

~~(4))~~ (2) Accessory dwelling units that are not wholly contained within an existing dwelling unit shall not exceed the base height for the applicable zone as established ((in 21A.12.030)) by this title;

~~((5) When the primary and accessory dwelling units are located in the same building, or in multiple buildings connected by a breezeway or other structure, only one entrance may front a street;~~

~~(6))~~ (3) Attached accessory dwelling units shall have at least one common wall with the primary dwelling unit and appear to be contained within one structure. Connection through a breezeway or covered pathway shall not constitute an attached accessory dwelling unit unless the breezeway or covered pathway is:

(a) is less than ten feet in length;

(b) shares a common wall with both the accessory dwelling unit and primary residence;

(c) is completely enclosed; and

(d) is heated space;

(4) No additional off-street parking spaces are required for accessory dwelling units;

~~((7) The primary dwelling unit or the accessory dwelling unit shall be occupied either by the owner of the primary dwelling unit or by an immediate family member of the owner. Immediate family members are limited to spouses, siblings, parents, grandparents, children and grandchildren, either by blood, adoption or marriage, of the owner. The accessory dwelling unit shall be converted to another permitted use or shall be removed if neither dwelling unit is occupied by the owner or an immediate family member;~~



~~(8))~~ (5) An applicant seeking to build an accessory dwelling unit shall file a notice approved by the department of executive services, records and licensing services division, that identifies the dwelling unit as accessory. The notice shall run with the land. The applicant shall submit proof that the notice was filed before the department approves any permit for the construction of the accessory dwelling unit. The required contents and form of the notice shall be ~~((set forth))~~ established in administrative rules;

~~((9))~~ (6) Accessory dwelling units are ~~((not allowed))~~ prohibited in the F zone;

(7) For lots in the urban area:

(a) Two accessory dwelling units are allowed per lot in the following configurations:

(i) one attached accessory dwelling unit and one detached accessory dwelling unit;

(ii) two attached accessory dwelling units; or

(iii) two detached accessory dwelling units, which may be either one or two detached structures;

(b) Accessory dwelling units may be converted from existing structures, including but not limited to garages, even if the existing structure is legally nonconforming with respect to setbacks or maximum impervious surface percentage; and

(c) No public street improvements are required for accessory dwelling units; and

(8) For lots in the rural area or on natural resource lands:

(a) One accessory dwelling unit is allowed per lot;

(b) Only allowed in the same building as the primary dwelling unit, except that detached accessory dwelling units are allowed when:

(i) there is no more than one primary dwelling unit on the lot; and

(ii) the lot is three thousand two hundred square feet or greater if located in a rural town or meets the minimum lot area for the applicable zone if located in the rural area but not in a rural town or on natural resource lands;

(c) When the primary and accessory dwelling unit are located in the same building, or in multiple

buildings connected by a breezeway or covered pathway, only one entrance may front a street;

~~((10))~~ (d) Accessory dwelling units should be designed to be compatible with the primary dwelling unit and the surrounding properties, including material, colors, and building forms; ~~((and))~~

~~((11))~~ (e) The applicant should consider a siting alternatives study that analyzes placement options of the accessory dwelling unit on the property to minimize impacts to privacy and views for surrounding property owners; and

(f) Accessory dwelling units in structures detached from the primary dwelling unit shall be counted as a separate dwelling unit for the purpose of lot calculations in place at the time of a proposed subdivision. If an accessory dwelling unit in a detached building in the RA zone is subsequently converted to a primary unit on a separate lot, neither the original lot nor the new lot may have an additional detached accessory dwelling unit constructed unless the lot is at least twice the minimum lot area required by the applicable zone as established by this title.

b. Accessory living quarters:

(1) are limited to one per lot;

(2) are allowed only on lots of three thousand two hundred square feet or greater when located in the urban area or a rural town;

(3) shall not exceed the base height for the applicable zone as established ~~((in K.C.C. 21A.12.030))~~ by this title;

(4) shall not exceed one thousand square feet of heated floor area and one thousand square feet of unheated floor area; and

(5) are ~~((not allowed))~~ prohibited in the F zone.

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

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

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

d. Battery energy storage systems are considered a residential accessory use when the total system capacity is two megawatts or less, and:

(1) the system provides electricity for on-site use only, with "on-site use" including net metering as well as charging of vehicles on-site or in the right-of-way immediately adjacent to the site; or

(2) the system is intended primarily for on-site use, but also participates in load sharing or another grid-connected electricity-sharing arrangement.

e. Hobby kennels, hobby catteries, and home-based animal shelters are subject to K.C.C.

21A.30.020.

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

8. ~~((Mobile home parks shall not be permitted in the R-1 zones.))~~ Repealed.

9. ~~((Only as accessory to the permanent residence of the operator, and:~~

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

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

10. ~~((Only if part of a mixed-use development, and subject to the conditions of subsection B.9. of this section.))~~ Allowed when meeting the provisions in section 245 of this ordinance.

11. ~~((Townhouses are permitted, but shall be subject to a conditional use permit if exceeding base density.))~~ Allowed as part of a mixed-use development and meeting provisions in section 245 of this ordinance.

12. ~~((Required before approving more than one dwelling on individual lots, except on lots in subdivisions, short subdivisions or binding site plans approved for multiple unit lots, and except as provided for~~

~~accessory dwelling units in subsection B.7. of this section.))~~ A duplex is allowed if meeting the density requirements established in this title. A duplex is also allowed on a lot that is four thousand five hundred square feet or greater, despite base density requirement for the applicable zone as established in this title, if under K.C.C. chapter 21A.37:

- a. The lot is located in Snoqualmie Pass Rural Town and one transferable development right is purchased from the rural area or natural resource lands; or
- b. The lot is located in the urban area and one-half transferable development right is purchased from the rural area or natural resource lands, or one transfer of development right is purchased from the urban area.

13. No new ~~((mobile))~~ manufactured home ~~((parks))~~ communities are allowed in ~~((a rural))~~ the RA zone.

14. ~~((a. Limited to domestic violence shelter facilities.~~

~~b. Limited to domestic violence shelter facilities with no more than eighteen residents or staff.))~~

Repealed.

15. ~~((Only in the R4-R8 zones-s))~~ Subject to the following standards:

a. Developments shall contain only cottage housing units with no fewer than three units. If the site contains an existing ~~((home))~~ residence that is not being demolished, the existing ~~((house))~~ residence is not required to comply with the height limitation ~~((in K.C.C. 21A.12.020.B.25.))~~ or the floor area and footprint limits in K.C.C. 21A.14.025.B.; and

b. Cottage housing developments should consider including a variety of housing sizes, such as units with a range of bedroom sizes or total floor area~~((; and~~

~~c. Before filing an application with the department, the applicant shall hold a community meeting in accordance with K.C.C. 20.20.035)).~~

16. The development for a single detached ~~((single-family))~~ residence shall be consistent with the following:

- a. The lot ~~((must have))~~ legally existed before March 1, 2005;
- b. The lot has a Comprehensive Plan land use designation of ~~((Rural Neighborhood Commercial Center or Rural Area))~~ rural neighborhood commercial center or rural area; and
- c. The dimensional standards of this title for the RA-5 zone shall apply.
- 17.a. ~~((Only in the R-1 zone as an accessory to a golf facility and consistent with K.C.C. 21A.08.040.))~~ Only farm residences, accessory to active, ongoing use of the site for agriculture, are allowed, except as provided for farm worker housing in K.C.C. 21A.08.090. The property owner shall file with the department of executive services, records and licensing services division, a notice approved by the department identifying the residence as a farm residence and stating that the housing shall be occupied only by the owner or operator of the commercial agriculture operation, their families, and their employees while employed on-site by the owner. The notice shall run with the land.

b. Farm residences shall be located on portions of agricultural lands that are unsuitable for agricultural purposes, such as areas within the already developed portion of such agricultural lands that are not available for direct agricultural production or areas without prime agricultural soils.

18. Allowed if consistent with K.C.C. chapter 21A.30.

SECTION 161. Ordinance 10870, Section 331, as amended, and K.C.C. 21A.08.040 are hereby amended to read as follows:

A. Recreational~~((/))~~ and cultural land uses.

(( P-Permitted Use C- Conditional Use S- Special Use ))		RESOURCE				R-U R-A L	RESIDENTIAL				COMMERCIAL/INDUSTRI )				
SIC#	SPECIAL	A	F	M	RA (18)	UR	<u>R-1</u>	((R1-R12 ) R-4 - R-8	R-12 R-48	NB	CB	RB	O	I	
	PARK/														
*	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	

*	Campgr		P16 C16a	P16	P16 C16a	P16 C16a								P16 C16a
*	Destinat		S17		S((48 )17	((C))						((C))		
*	Marina		C3		C((4))5	C((4))C5	C((4))	C((4))	P5	P	P	P	P	
*	Recreati		P19	P19	C2 (( and 48)) P19	C2 P19								
((*	Sports C				C4 and18	C4		C4	C4	C	P	P))		
*	Ski Area		S		S((48 )									
*	Recreati		C		P24 C									
*	Golf Co				C7	P7	P7	P7	P7					
	<b>AMUSE INMEN</b>													
*	Adult E Busines										P6	P6	P6	
*	Theater										P	P	P	P25
7833	Theater,											C		
793	Bowling										P	P		P
((*	Golf Fac				C7 and 18	P7		P7	P7))					
7999 (14)	Amusem Services		P21	P21	P8 P21 C15 (( and 48))	P8 P21 P22 C15	P8 P21 P22 C15	P8 P21 P22 C15	P8 P21 P22 C15	P21 P22	P	P	P21	P21
*	Indoor F										P26	P26		P26
*	Outdoor				C27	C27								
*	Shooting		C9		C9 (( and 48))							C10		P10
*	Amusem										P	P		
7996	Amusem											C		
*	Outdoor		S		C12 S ((48))		P20	P20	P20			S		
	<b>CULTU</b>													
823	Library				P11	P11 C	P11 C	P11 C	P28	P	P	P	P	
841	Museum	C23	C23		P11	P11 C	P11 C	P11 C	P28	P	P	P	P	P
842	Arboret	P	P		P	P	P	P	P	P	P	P	P	
*	Confere				P29 C12	P29 C12	P29 C	P29 C	P29 C	P	P	P	P	
*	Commu				C30		P4 C32	P4 C32	P31 C32	P31 C32	P31 C32	P	P31 C32	

## B. Development conditions.

1. The following conditions and limitations shall apply, where appropriate:
  - a. No stadiums on sites less than ten acres;
  - b. Lighting for structures and fields shall be directed away from ~~((rural area and residential))~~ RA, UR, and R zones;
  - c. Structures or service yards shall maintain a minimum distance of fifty feet from property lines adjoining ~~((rural area and residential))~~ RA, UR, and R zones, except for fences and mesh backstops;
  - d. Facilities in the A zone shall be limited to trails and trailheads, including related accessory uses such as parking and sanitary facilities; and
  - e. Overnight camping is allowed only in an approved campground.
2. Recreational vehicle parks are subject to the following conditions and limitations:
  - a. The maximum length of stay of any vehicle shall not exceed one hundred eighty days during a three-hundred-sixty-five-day period;
  - b. The minimum distance between recreational vehicle pads shall be no less than ten feet; and
  - c. Sewage shall be disposed in a system approved by ~~((the))~~ public health - Seattle((-) & King County ((health department)).
3. Limited to day moorage. The marina shall not create a need for off-site public services beyond those already available before the date of application.
4. ~~((Not permitted in the RA-10 or RA-20 zones. Limited to recreation facilities subject to the following conditions and limitations:~~
  - a. ~~The bulk and scale shall be compatible with residential or rural character of the area;~~
  - b. ~~For sports clubs, the gross floor area shall not exceed ten thousand square feet unless the building is on the same site or adjacent to a site where a public facility is located; or unless the building is a nonprofit facility located in the urban area; and~~
  - c. ~~Use is limited to residents of a specified residential development or to sports clubs providing~~

~~supervised instructional or athletic programs))~~ Only in the urban area, and only as:

a. a reuse of a public school facility or surplus nonresidential facility subject to K.C.C. chapter

21A.32; or

b. accessory to publicly owned park.

5. Limited to day moorage.

6.a. Adult entertainment businesses shall be prohibited within three hundred thirty feet of any property zoned RA, UR<sub>2</sub> or R or containing schools, licensed daycare centers, public parks or trails, community centers, public libraries<sub>2</sub> or ~~((churches))~~ religious facilities. In addition, adult entertainment businesses shall not be located closer than three thousand feet to any other adult entertainment business. These distances shall be measured from the property line of the parcel or parcels proposed to contain the adult entertainment business to the property line of the parcels zoned RA, UR<sub>2</sub> or R or that contain the uses identified in this subsection B.6.a.

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

7.a. Clubhouses, maintenance buildings, equipment storage areas<sub>2</sub> and driving range tees shall be at least fifty feet from ~~((rural area and residential))~~ RA, UR, and R zoned property lines.

b. Lighting for practice greens and driving range ball impact areas shall be directed away from adjoining ~~((rural area and residential))~~ RA, UR, and R zones.

c. Applications shall comply with adopted best management practices for golf course development.

d. Within the RA zone, those facilities shall be ~~((permitted))~~ allowed only in the RA-5 and RA-2.5 zones.

e. Not ~~((permitted))~~ allowed in designated rural forest focus area~~((, regionally significant resource areas or locally significant resource areas))~~.



f. Ancillary facilities associated with a golf course are limited to practice putting greens, maintenance buildings, and other structures housing administrative offices or activities that provide convenience services to players. These convenience services are limited to a pro shop, food services, and dressing facilities and shall occupy a total of no more than ten thousand square feet.

g. ~~((Furthermore, t))~~The residential density that is otherwise ~~((permitted))~~ allowed by the zone shall not be used on other portions of the site through clustering or on other sites through the transfer of density provision. This ~~((residential density))~~ clustering or transfer limitation shall be reflected in a deed restriction that is recorded at the time applicable permits for the development of the golf course are issued; and

~~((b))~~h. In addition to ancillary facilities, an organizational hotel/lodging house shall be allowed as an accessory use, subject to the following:

(1) only allowed in the R-1 zone;

(2) only allowed with a privately owned golf course facility that legally existed as of January 1, 2019;

(3) only allowed as an incidental or subordinate use to a principal golf course facility use;

(4) a maximum of twenty-four sleeping units is allowed; and

(5) shall be connected to and served by public sewer.

8. Limited to golf driving ranges, only as:

a. accessory to golf courses; or

b. accessory to a recreation or multiuse park.

9.a. New structures and outdoor ranges shall maintain a minimum distance of fifty feet from property lines adjoining ~~((rural area and residential))~~ RA, UR, and R zones, but existing facilities shall be exempt.

b. Ranges shall be designed to prevent stray or ricocheting projectiles, pellets, or arrows from leaving the property.

c. Site plans shall include: safety features of the range; provisions for reducing sound produced on

the firing line; elevations of the range showing target area, backdrops, or butts; and approximate locations of buildings on adjoining properties.

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

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

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

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

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

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

12.~~((a-))~~ Only as accessory to a nonresidential use established through a discretionary permit process, if the scale is limited to ensure compatibility with surrounding neighborhoods~~((; and~~

~~b. In the UR zone, only if the property is located within a designated unincorporated rural town)).~~

13. Subject to the following:

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

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

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

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

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

b. Fireworks display services, also known as public displays of fireworks, are allowed in all zones,

subject to the requirements of K.C.C. chapter 17.11.

15. For amusement and recreation services not otherwise provided for in this chapter:

- a. In the RA zones, not subject to regulation under K.C.C. Title 6 and only on sites at least five acres or larger;
- b. Retail sales are limited to incidental sales to patrons of the amusement or recreation service; and
- c. Does not involve the operation of motor vehicles or off-road vehicles, including, but not limited to, motorcycles and go-carts.

16. Subject to the following conditions:

- a. The length of stay per party in campgrounds shall not exceed one hundred eighty days during a three-hundred-sixty-five-day period; and
- b. Only for campgrounds that are part of a proposed or existing county park, that are subject to review and public meetings through the department of natural resources and parks.

17. ~~((Only for stand-alone sports clubs that are not part of a park.))~~ Before submitting an application, the applicant shall hold a community meeting consistent with K.C.C. 20.20.035.

b. Except for trails, residential and recreational structures and facilities shall be setback at least one hundred feet from adjacent roadways and access easements; and at least three hundred feet from F, M, A, RA, UR, and R zoned properties.

c. The site area shall be a minimum of ten acres and shall be at least five miles from the Urban Growth Area boundary;

d. Temporary lodging units shall:

(1) not exceed two units per acre and one hundred units total;

(2) be proportionately scaled and limited based on developed site area, availability of recreation opportunities, and distance to urban area zones allowing for temporary lodging;

e. The site shall be within ten miles of at least three off-site, outdoor resource-based recreation

activities;

f. The destination resort shall provide at least two on-site outdoor resource-based recreation

activities;

g. Applications shall identify all aspects of the proposal, including residential, commercial, and

recreational uses;

h. Accessory on-site uses shall be at a size and scale to serve primarily the guests of the destination

resort;

i. When occurring in the forest zone, forest production district, or rural forest focus areas, the proposal shall demonstrate that the predominate land area will remain viable for forest resource-based uses or preservation of forestry resources, or both; and

j. When occurring in the forest production district, only allowed if compatible with long-term forestry, protection of Indian tribal cultural resources, and other resource management goals of the Comprehensive Plan.

18. Subject to review and approval of conditions to comply with trail corridor provisions of K.C.C. chapter 21A.14 ~~((when located in an RA zone))~~.

19. Only as an accessory to a recreation or multiuse park.

20. Only as an accessory to a recreation or multiuse park of at least twenty acres located within the urban ~~((growth))~~ area, or on a site immediately adjacent to the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area boundary with the floor area of an individual outdoor performance center stage limited to three thousand square feet.

21. Limited to rentals of sports and recreation equipment with a total floor area of no more than seven hundred fifty square feet and only as accessory to a park, or, in the RA zones, to a recreation or multiuse park.

22. Only as accessory to a large active recreation and multiuse park and limited to:

- a. water slides, wave pools, and associated water recreation facilities; and
- b. rentals of sports and recreation equipment.

23. Limited to natural resource and heritage museums and only allowed in a farm or forestry structure, including, but not limited to, barns or sawmills, existing as of December 31, 2003.

24. Use is ~~((permitted))~~ allowed without a conditional use permit only when in compliance with all of the following conditions:

a. The use is limited to camps for youths or for persons with special needs due to a disability, as defined by the American With Disabilities Act of 1990, or due to a medical condition and including training for leaders for those who use the camp;

b. Active recreational activities shall not involve the use of motorized vehicles such as cross-country motorcycles or all-terrain vehicles or the use of firearms. The prohibition on motorized vehicles does not apply to such vehicles that may be necessary for operation and maintenance of the facility or to a client-specific vehicle used as a personal mobility device;

c.(1) Except as provided in subsection B.24.c.(2)(b) of this section, the number of overnight campers, not including camp personnel, in a new camp shall not exceed:

(a) one hundred and fifty for a camp between twenty and forty acres; or

(b) for a camp greater than forty acres, but less than two hundred and fifty acres, the number of users allowed by the design capacity of a water system and on-site sewage disposal system approved by ~~((the department of))~~ public health~~((,))~~ ~~Seattle~~~~((/))~~ & King County, up to a maximum of three hundred and fifty; and

(2) Existing camps shall be subject to the following:

(a) For a camp established before August 11, 2005, with a conditional use permit and that is forty acres or larger, but less than one hundred and sixty acres, the number of overnight campers, not including camp personnel, may be up to one hundred ~~((and))~~ fifty campers over the limit established by subsection B.24.c.(1) (b) of this section.

(b) For a camp established before August 11, 2005, with a conditional use permit and that is one

hundred ~~((and))~~ sixty acres or larger, but less than two hundred acres, the number of overnight campers, not including camp personnel, may be up to three hundred ~~((and))~~ fifty campers over the limit established by subsection B.24.c.(1)(b) of this section. The camp may terminate operations at its existing site and establish a new camp if the area of the camp is greater than two hundred ~~((and))~~ fifty acres and the number of overnight campers, not including camp personnel, shall not exceed seven hundred.

d. The length of stay for any individual overnight camper, not including camp personnel, shall not exceed ninety days during a three-hundred-sixty-five-day period;

e. The camp facilities, such as a medical station, food service hall, and activity rooms, shall be of a scale to serve overnight camp users;

f. The minimum size of parcel for such use shall be twenty acres;

g. Except for any permanent caretaker residence, all new structures where camp users will be housed, fed, or assembled shall be no less than fifty feet from properties not related to the camp;

h. In order to reduce the visual impacts of parking areas, sports and activity fields, or new structures where campers will be housed, fed, or assembled, the applicant shall provide a Type 3 landscape buffer no less than twenty feet wide between the nearest property line and such parking area, field, or structures, by retaining existing vegetation or augmenting as necessary to achieve the required level of screening;

i. If the site is adjacent to an arterial roadway, access to the site shall be directly onto ~~((said))~~ the arterial unless direct access is unsafe due inadequate sight distance or extreme grade separation between the roadway and the site;

j. If direct access to the site is via local access streets, transportation demand management measures, such as use of carpools, buses, or vans to bring in campers, shall be used to minimize traffic impacts;

k. Any lights provided to illuminate any building or recreational area shall be so arranged as to reflect the light away from any adjacent property; and

l. A community meeting shall be convened by the applicant before submittal of an application for

permits to establish a camp, or to expand the number of camp users on an existing camp site as provided in subsection B.24.c.(2)(b) of this section. Notice of the meeting shall be provided at least two weeks in advance to all property owners within five hundred feet, or at least twenty of the nearest property owners, whichever is greater. The notice shall at a minimum contain a brief description of the project and the location, as well as((;)) contact persons and numbers.

25. Limited to theaters primarily for live productions located within a ((~~R~~))rural ((~~T~~))town designated by the King County Comprehensive Plan.

26.a. Only in an enclosed building; and

b. A copy of the current liability policy of not less than one million dollars for bodily injury or death shall be maintained in the department.

27. Minimum standards for outdoor paintball recreation fields:

a. The minimum site area is twenty-five acres;

b. Structure shall be no closer than one hundred feet from any lot line adjacent to a ((~~rural area or residential~~)) RA, UR, and R zoned property;

c. The area where paintballs are discharged shall be located more than three hundred feet of any lot line and more than five hundred feet from the lot line of any adjoining ((~~rural area or residential~~)) RA, UR, and R zoned property. The department may allow for a lesser setback if it determines through the conditional use permit review that the lesser setback in combination with other elements of the site design provides adequate protection to adjoining properties and rights-of-way((s));

d. A twenty-foot high nylon mesh screen shall be installed around all play areas and shall be removed at the end of each day when the play area is not being used. The department may allow for the height of the screen to be lowered to no less than ten feet if it determines through the conditional use permit review that the lower screen in combination with other elements of the site design provides adequate protection from discharged paintballs;

e. All parking and spectator areas, structures, and play areas shall be screened from adjoining ~~((rural area or residential))~~ RA, UR, and R zoned property and public ~~((rights-of-way))~~ rights-of-way with Type 1 landscaping at least ten feet wide;

f. Any retail sales conducted on the property shall be accessory and incidental to the ~~((permitted))~~ allowed activity and conducted only for the participants of the site;

g. A plan of operations specifying days and hours of operation, number of participants and employees, types of equipment to be used by users of the site, safety procedures, type of compressed air fuel to be used on the site, and storage and maintenance procedures for the compressed air fuel shall be provided for review in conjunction with the conditional use permit application. All safety procedures shall be reviewed and approved by department of public safety before submittal of the conditional use permit application. All activities shall be in compliance with National Paintball League standards;

h. The hours of operation shall be limited to Saturdays and Sundays and statutory holidays from 8:30 ~~((A.M.))~~ a.m. to 8:30 ~~((P.M.))~~ p.m., and further restricted as applicable to daylight hours;

i. No more than one hundred paintball players shall be allowed on the site at any one time;

j. ~~((No-))~~Outdoor lights or amplified sounds ~~((shall be permitted))~~ are prohibited;

k. The facility shall have direct access to a road designated as a major collector (or higher) in the Comprehensive Plan unless the department determines through the conditional use permit review that the type and amount of traffic generated by the facility is such that it will not cause an undue impact on the neighbors or adversely affect safety of road usage;

l. The facility shall be secured at the close of business each day;

m. All equipment and objects used in the paintball activities shall be removed from the site within ninety days of the discontinuance of the paintball use; and

n. A copy of the current liability policy of not less than one million dollars for bodily injury or death shall be submitted with the conditional use permit application and shall be maintained in the department.



28. Before filing an application with the department, the applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

29. Only as accessory to a recreation or multiuse park of least twenty acres located within the urban ((growth)) area or on a site immediately adjacent to the ((u))Urban ((g))Growth ((a))Area boundary or in a building listed ((on)) in the National Register of Historic Places as an historic site or designated as a King County landmark subject to K.C.C. chapter 21A.32.

30. Only:

a. in the RA-10 zone;

b. as a reuse of a nonresidential facility subject to K.C.C. chapter 21A.32;

c. on a parcel within one thousand feet of a rural town; and

d. if owned and operated by a public agency or nonprofit.

31. Only in the urban area.

32. Only in a rural town.

NEW SECTION. SECTION 162. There is hereby added to K.C.C. chapter 21A.08 a new section to read as follows:

A. Health care services and residential care services land uses.

SIC #	SPECIFIC LAND USE	A	F	M	RA (1)	UR	R-1	R-4 - R-8	R-12 - R-48	NB	CB	RB	O	I
	<b>HEALTH CARE SERVICES</b>													
801-04	Doctor's Office/Outpatient Clinic				C2	P2 C		P3 P4 C5 C6 C7	P4 P5 C7	C P	P	P	P	P
806	Hospital							C2	P8 C2		P	P	C	
807	Medical/Dental Lab										P	P	P	P
808-09	Miscellaneous Health										P	P	P	
*	Social Services				P2 C	P2 C	P2 C	P2 C	P		P	P	P	
*	Crisis Care Center				P2 C9	P2 C9	P3 C9	P3 C	P5		P5	P5	P5	P10

	<b>RESIDENTIAL CARE SERVICES</b>												
805	Nursing and Personal Care Facilities						P3 C5	P5 C	P5 P	P	P5		
*	Adult Family Home	P	P11	P	P	P	P	P	P	P12	P12	P12	
*	Community Residential Facility I			C	C	P13.a C	P13.a C	P	P12	P12	P12	P12	
*	Community Residential Facility II					P13.b	P13.b	P	P12	P12	P12	P12	
*	Permanent Supportive Housing						C14	P15	P15	P15	P15	P15	
*	Recuperative Housing						C16	P16	P16	P16	P16	P16	
*	Emergency Supportive Housing						C16	P16	P16	P16	P16	P16	
*	Emergency Shelter						C16	P16	P16	P16	P16	P16	
*	Microshelter Villages						C17	P17	P17	P17	P17	P17	
*	Safe Parking						C18	P18	P18	P18	P18	P18	
836	Other Residential Care (19)						C	P4 P5 P	P	P	P	P	

## B. Development conditions.

1. Subject to review and approval of conditions to comply with trail corridor provisions of K.C.C. chapter 21A.14.
2. Only as a reuse of a public school facility or surplus nonresidential facility subject to K.C.C. chapter 21A.32.
3. Only in the urban area, as a reuse of a public school facility or surplus nonresidential facility subject to K.C.C. chapter 21A.32.
4. Outside the urban area, only as a reuse of a public school facility and subject to K.C.C. chapter 21A.32. Before filing an application with the department, the applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.
5. Only in the urban area.
6. Outside of the urban area, only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter 21A.32.
7. Outside of the urban area, subject to the requirements in K.C.C. 21A.12.250.

8. Only in the R-24 and R-48 zones, and limited to SIC Industries 8063-Psychiatric Hospitals and 8069-Specialty Hospitals, Except Psychiatric.

9.a. Not allowed in the RA-2.5, RA-10, or RA-20 zone;

b. Only allowed on lots of at least four and one-half acres;

c. Located within one mile of an interstate highway; and

d. Limited to sixteen beds.

10. Only allowed in the Preston Industrial Area.

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

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

b. A forest management plan shall be required in the forest production district, that shall be reviewed and approved by the King County department of natural resources and parks before building permit issuance; and

c. The forest management plan shall incorporate a fire protection element that includes fire safety best management practices developed by the department.

12. Only as part of a mixed-use development subject to the conditions of K.C.C. chapter 21A.14, except in the rural area outside of rural towns on historic properties listed in the National Register of Historic Places or designated as a King County landmark.

13.a. Limited to domestic violence shelter facilities.

b. Limited to domestic violence shelter facilities with no more than eighteen residents and staff.

14. Subject to the following standards:

- a. Allowed only in the urban area;
- b. Located on the same site as a religious facility, public agency, or social services use; and
- c. Exempt from bicycle parking requirements in K.C.C. 21A.18.030.E. and electric vehicle parking

infrastructure requirements in K.C.C. 21A.18.140.

15. Subject to the following standards:

- a. Allowed only in the urban area;
- b. Only as part of a mixed-use development subject to the conditions of K.C.C. chapter 21A.14,

except in the rural area outside of rural towns on historic properties listed in the National Register of Historic Places or designated as a King County landmark; and

- c. Exempt from bicycle parking requirements in K.C.C. 21A.18.030.E. and electric vehicle parking

infrastructure requirements in K.C.C. 21A.18.140.

16. Subject to the following standards:

- a. Allowed only in the urban area;

b. In the R-4 through R-8 zones, only when located on the same site as a religious facility, public agency, or social service use;

- c. Exempt from bicycle parking requirements in K.C.C. 21A.18.030.E, and electric vehicle parking

infrastructure requirements in K.C.C. 21A.18.140; and

- d. The application shall include:

(1) A description of the staffing and operational characteristics, including sanitation and basic safety measures required for the facility;

(2) Occupancy policies, including a description of the population to be served and a code of conduct that includes, at a minimum, a prohibition of threatening or unsafe behavior;

- (3) A plan for managing the exterior appearance of the site, including keeping the site litter free;

(4) A plan for addressing reported concerns and making this information publicly available, including a phone number, email, and point of contact at the site of the facility for the community to report concerns;

(5) A plan for outreach with surrounding property owners and residents addressing items such as noise, smoking areas, parking, security procedures, and litter; and

(6) Plans and narrative documenting compliance with all applicable codes, including:

(a) an elevation of the building or buildings to be occupied;

(b) a floor plan that describes the capacities of the buildings for the uses intended, room dimensions, and a designation of the rooms to be used for nonambulatory residents, if any; and

(c) a site plan showing property lines, buildings, driveways, parking, fences, storage areas, gardens, recreation areas, and site improvements.

17. Subject to the following standards:

a. Allowed in the urban area;

b. In the R-4 through R-8 zones, only when located on the same site as a religious facility, public agency, or social service use;

c. Exempt from landscaping requirements in K.C.C. chapter 21A.16 except as required by this section, bicycle parking requirements in K.C.C. 21A.18.030.E., and electric vehicle parking infrastructure requirements in K.C.C. 21A.18.140;

d. The application shall include:

(1) A description of the staffing and operational characteristics, including sanitation and basic safety measures required for the facility;

(2) Occupancy policies, including a description of the population to be served and a code of conduct that includes, at a minimum, a prohibition of threatening or unsafe behavior;

(3) A plan for managing the exterior appearance of the site, including keeping the site litter free;

(4) A plan for addressing reported concerns and making this information publicly available, including a phone number, email, and point of contact at the site of the facility for the community to report concerns;

(5) A plan for outreach with surrounding property owners and residents addressing items such as noise, smoking areas, parking, security procedures, and litter; and

(6) Plans and narrative documenting compliance with all applicable codes, including:

(a) an elevation of the building or buildings to be occupied;

(b) a floor plan that describes the capacities of the buildings for the uses intended, room dimensions, and a designation of the rooms to be used for nonambulatory residents, if any; and

(c) a site plan showing property lines, buildings, driveways, parking, fences, storage areas, gardens, recreation areas, and site improvements;

e. A setback of ten feet shall be along any property line adjoining a UR or R zone; and

f. The use shall be buffered with:

(1) ten feet of Type II landscaping consistent with K.C.C. 21A.16.040; or

(2) a six-foot high, view-obscuring fence.

18. Subject to the following standards:

a. Allowed in the urban area;

b. In the R-4 through R-8 zones, only when located on the same site as a religious facility, public agency, or social services use;

c. Exempt from landscaping requirements in K.C.C. chapter 21A.16 except as required by this section, bicycle parking requirements in K.C.C. 21A.18.030.E., and electric vehicle parking infrastructure requirements in K.C.C. 21A.18.140;

d. The application shall include:

(1) A description of the staffing and operational characteristics, including sanitation and basic safety

measures required for the facility;

(2) Occupancy policies, including a description of the population to be served and a code of conduct that includes, at a minimum, a prohibition of threatening or unsafe behavior;

(3) A plan for managing the exterior appearance of the site, including keeping the site litter free;

(4) A plan for addressing reported concerns and making this information publicly available, including a phone number, email, and point of contact at the site of the facility for the community to report concerns;

(5) A plan for outreach with surrounding property owners and residents addressing items such as noise, smoking areas, parking, security procedures, and litter; and

(6) Plans and narrative documenting compliance with all applicable codes, including:

(a) an elevation of the building or buildings to be occupied;

(b) a floor plan that describes the capacities of the buildings for the uses intended, room dimensions, and a designation of the rooms to be used for nonambulatory residents, if any; and

(c) a site plan showing property lines, buildings, driveways, parking, fences, storage areas, gardens, recreation areas, and site improvements;

e. A setback of ten feet shall be along any property line adjoining a UR or R zone;

f. The use shall be buffered with:

(1) ten feet of Type II landscaping consistent with K.C.C. 21A.16.040; or

(2) a six-foot high, view-obscuring fence;

g. When safe parking is located on a site with an established primary use, the director may reduce the minimum number of on-site parking spaces consistent with K.C.C. chapter 21A.18;

h. A safe parking site shall provide restroom and potable water access within the buildings or portable facilities and handwashing stations on the property; and

i. If recreational vehicles are hosted at the safe parking site, provision shall be made for potable

water and for proper disposal of grey water and black water waste from the vehicles.

19. Excluding residential care uses classified elsewhere in this chapter.

20. Only in a rural town, as a reuse of a surplus nonresidential facility and subject to K.C.C. chapter

21A.32. Before filing an application with the department, the applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

SECTION 163. Ordinance 10870, Section 332, as amended, and K.C.C. 21A.08.050 are hereby amended to read as follows:

A. ((General services)) Personal services and temporary lodging land uses.

((P-Permitted Use-C-Conditional Use S-Special Use		RESOURCE			R-U R-A L	RESIDENTIAL				COMMERCIAL/INDUSTRIAL))					
SIC#	SPECIAL LAND	F	M	RA (31)	UR	R-1	((R-1-R-12)) R-4-R-8	R-12	NB	CB	RB	O	I		
	PERSONAL SERVICE														
((72	General Service							C-25 C-37	C-25 C-37	P	P	P	P-3	P-3))	
*	Sports Club (8)			C-3	P-6 C-7	P-6 C-7	P-6 C-7	P-6 C-7	P-6 C-7	P	P				
*	Specialized Inst	P-18		P-19 C-20	P-19 C-20	P-19 C-20	P-19 C-20	P-19 C-20	P-19 C-20	P	P	P	P-17	P-38	
7231 7241	Beauty and Bar						P-6	P-25	P	P	P	P	P		
7251	Shoe Repair Sh						P-6	P-25	P	P	P	P	P		
7211 7213 7215 7219	Laundry, Clean Services						P-6	P-25	P	P	P	P	P		
7212	Drycleaner and						P-6	P-25	P	P	P	P	P		
7216	Drycleaning Pla													P	
7217	Carpet and Uph								P	P	P	P	P		
7218	Industrial Laun													P	
7261	Funeral Home/Cy					C-4	C-4	C-4	C-4	P	P				
*	Cemeter Colum Mausol			P-24 C-((5 and 31))	P-24 C-((5))	P-24 C-((5))	P-24 C-((5))	P-24 C-((5))	P-24 C-((5))	P-24 C-((5))	P-24 C-((5))	P-24 C-((5))	P-24 C-((5))		
*	((Day-Care))	P-((6))		P-((6))	P-((6))	P-((6))	P-((6))	P-((6))	P-((6))	P-((6))	P-((6))	P-((6))	P-((6))	P-((6))	
((*	Day-Care			P-8 C	P-8 C	P-8 C	P-8 C	P-8 C	P-8 C	P	P	P	P-7	P-7	



074	Veterin	P9				P9 C10 and 31	P9 C1				P10	P10	P10		P))
753	Automc Repair										P11	P	P		P
754	Automc Service										P11	P	P		P
76	Miscell Repair					P32	P32	P32	P32	P32	P32	P	P		P
((866))	((Chure Synago Temple Religion Facility					P12 C27 ((and 31 )	P12 C	P12 C	P12 C	P12 C	P	P	P		
((83	Soccal S (2)					P12 P13 C31	P12 P13 C		P12	P12 P	P	P	P	P))	
074	Veterin	P9				P9 C10	P9 C1				P10	P10	P10		P
0752	Animal pecialty ervices					C P35 P36	C				P	P	P	P	P
((*	Stable	P14 C				P14 C31	P14 C		P 14 C )						
*	Comme Kennel Comme Cattery	P42				C43	C43					C43	P43		
*	Dog Tra Facility	C34				C34	C34				P	P	P		P
*	Theatric Product Service											P30	P28		
7221	Portrait Photogr								P6	P25	P	P	P	P	
*	Artist S					P28	P28	P28	P28	P28	P	P	P	P29	P
*	Interim Recycli Facility					P21	P21	P21	P21	P21	P22	P22	P	P21	P
((*	Dog tra facility	C34				C34	C34				P	P	P		P
	HEAL SERVI														
801-04	Office/C t Clinie					P12 C13a	P12 C13a		P12 C13a C37	P12 C13a C37	P	P	P	P	P
805	Nursing Persona Facilitie									C		P	P		
806	Hospita								C13a	C13a		P	P	C	
807	Medica Lab											P	P	P	P
808-09	Miscell Health											P	P	P))	
	TEMP LODG														
7011	Hotel/M											P	P	P	

*	Bed and Breakfast Guesthouse	P15			P15	P15	P15	P15	P15	P15	P16	P16		
7041	Organized Hotel/Lodging Houses					P23						P		
	((EDUCATIONAL SERVICE))													
*	Elementary School				P39 P40	P		P	P		P16 P40	P16 P40	P16 P40	
*	Middle High School				P40 C39 and 31	P		P	P		P16 C40	P16 C40	P16 C40	
*	Second High School				C39 and 31 C41 and 31	P26		P26	P26		P16 C15	P16 C15	P16	
*	Vocational School					P13a		P13a	P13a			P15	P17	P
*	Special Instruction School		P18		P19 C20 and 31	P19 C20		P19 C20	P19 CP	P	P	P	P17	P38
*	School Support					P23 C		P23 C	P23 C	C15	P15	P15	P15	P15))

## B. Development conditions.

1. Except SIC Industry ((Nos.)) 7534-Tire Retreading(~~(, see manufacturing permitted use table)~~)).
2. Except SIC Industry Groups ((Nos.)):
  - a. 835-Day Care Services, and
  - b. Community residential facilities.
3. ~~((Limited to SIC Industry Group and Industry Nos.:~~
  - a. ~~723-Beauty Shops;~~
  - b. ~~724-Barber Shops;~~
  - c. ~~725-Shoe Repair Shops and Shoeshine Parlors;~~
  - d. ~~7212-Garment Pressing and Agents for Laundries and Drycleaners; and~~
  - e. ~~217-Carpet and Upholstery Cleaning.))~~ Only outside the urban area and subject to the following:
    - a. Not allowed in the RA-10 or RA-20 zones.
    - b. The bulk and scale shall be compatible with residential or the rural character of the area;
    - c. The gross floor area shall not exceed ten thousand square feet unless the building is on the same

site or adjacent to a site where a public facility is located; and

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

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

5. Structures shall maintain a minimum distance of one hundred feet from property lines adjoining ((~~rural area and residential~~)) RA, UR, and R zones.

6. (~~Only as accessory to residential use, and:~~

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

~~b. Outdoor play equipment shall maintain a minimum distance of twenty feet from property lines adjoining rural area and residential zones.))~~ Only in the urban area and subject to the following:

a. Limited to a maximum of two thousand five hundred square feet of gross floor area;

b. Amplified noise is prohibited;

c. The maximum on-site parking ratio shall be two spaces per one thousand square feet and required parking shall not be located between the building and the street; and

d. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

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

Only in the urban area and subject to the following:

a. Amplified noise is prohibited;

b. Limited to a maximum of ten thousand square feet of gross floor area unless the building either is on the same site or adjacent to a site where a public facility is located or is nonprofit facility located in the urban area; and

c. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

8. Only ~~((as a reuse of a public school facility subject to K.C.C. chapter 21A.32, or an accessory use to a school, church, park, sport club or public housing administered by a public agency, and:~~

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

b. ~~Outdoor play equipment shall maintain a minimum distance of twenty feet from property lines adjoining rural area and residential zones;~~

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

d. ~~Hours of operation may be restricted to assure compatibility with surrounding development)) for standalone sports clubs that are not part of a park.~~

9. As a home occupation only, but the square footage limitations in K.C.C. chapter 21A.30 for home occupations apply only to the office space for the veterinary clinic, and:

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

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

c. The portion of the building or structure in which animals are kept or treated shall be soundproofed.

All run areas, excluding confinement areas for livestock, shall be surrounded by an eight-foot-high solid wall and the floor area shall be surfaced with concrete or other impervious material; and

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

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

b. The portion of the building or structure in which animals are kept or treated shall be soundproofed.

All run areas, excluding confinement areas for livestock, shall be surrounded by an eight-foot-high solid wall and the floor area shall be surfaced with concrete or other impervious material; and

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

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

allowed)) prohibited.

12. Only as a reuse of a public school facility or surplus nonresidential facility subject to K.C.C. chapter 21A.32. Before filing an application with the department, the applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

13. ~~((a. Except as otherwise provided in subsection B.13.b. of this section, only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter 21A.32.~~

~~b. Allowed for a social service agency on a site in the NB zone that serves transitional or low-income housing located within three hundred feet of the site on which the social service agency is located.~~

~~c. Before filing an application with the department, the applicant shall hold a community meeting in accordance with K.C.C. 20.20.035))~~ Only in the urban area and subject to the following:

a. Limited to a maximum of five thousand square feet of gross floor area;

b. Amplified noise is prohibited;

c. The maximum on-site parking ratio shall be two spaces per one thousand square feet and required parking shall not be located between the building and the street; and

d. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

14. ~~((Covered riding arenas are subject to K.C.C. 21A.30.030 and shall not exceed twenty thousand square feet, but stabling areas, whether attached or detached, shall not be counted in this calculation))~~ Except bed and breakfast guesthouses.

15. ~~((If located outside of the urban growth area, limited to projects that are of a size and scale designed to primarily serve the Rural Area and Natural Resource Lands and shall be located within a rural town~~ )) Subject to the following:

a. Only as accessory use to the permanent residence of the operator;

b. Served meals shall be limited to paying guests; and

c. Limited to no more than five rooms accommodating up to ten guests.

16. ~~((If located outside of the urban growth area, shall be designed to primarily serve the Rural Area and Natural Resource Lands and shall be located within a rural town. In CB, RB and O, for K-12 schools with no more than one hundred students))~~ Only if part of a mixed-use development, and subject to the conditions of subsection B.15. of this section.

17. All instruction ~~((must be))~~ shall occur within an enclosed structure.

18. Limited to resource management education programs.

19. Only as accessory to residential use, and:

a. Students shall be limited to twelve per one-hour session;

b. Except as provided in subsection B.19.c. of this section, all instruction ~~((must be))~~ shall occur within an enclosed structure;

c. Outdoor instruction may be allowed on properties at least two and one-half acres in size. Any outdoor activity ~~((must))~~ shall comply with the requirements for setbacks in ~~((K.C.C. chapter 21A.12))~~ this title ; and

d. Structures used for the school shall maintain a distance of twenty-five feet from property lines adjoining ~~((rural area and residential))~~ RA, UR, and R zones.

20. Subject to the following:

a. Structures used for the school and accessory uses shall maintain a minimum distance of twenty-five feet from property lines adjoining ~~((residential))~~ UR and R zones;

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

(1) Retail sale of items related to the instructional courses is ~~((permitted))~~ allowed, if total floor area for retail sales is limited to two thousand square feet;

(2) Sale of food prepared in the instructional courses is ~~((permitted))~~ allowed with ~~((Seattle King County department of))~~ public health - Seattle & King County approval, if total floor area for food sales is limited to one thousand square feet and is located in the same structure as the school; and

(3) Other incidental student-supporting uses are allowed, if such uses are found to be both compatible with, and incidental to the principal use; and

c. On sites over ten acres, located in a (~~((designated Rural Town))~~) rural town and zoned (~~((any one or more of UR,))~~) R-1 (~~((and))~~) or R-4:

(1) Retail sale of items related to the instructional courses is (~~((permitted,))~~) allowed. (~~((provided))~~) The total floor area for retail sales is limited to two thousand square feet;

(2) Sale of food prepared in the instructional courses is (~~((permitted))~~) allowed with (~~((Seattle King County department of))~~) public health - Seattle & King County approval, if total floor area for food sales is limited to one thousand seven hundred fifty square feet and is located in the same structure as the school;

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

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

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

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

21. Limited to:

a. drop box facilities accessory to a public or community use such as a school, fire station, or community center; or

b. in the RA zone only, a facility accessory to a retail nursery, garden center, and farm supply store (~~((that))~~) may accept(~~((s))~~) earth materials, vegetation, organic waste, construction, and demolition materials, or source separated organic materials, if:

(1) the site is five acres or greater;

(2) all material is deposited into covered containers or onto covered impervious areas;

(3) the facility and any driveways or other access to the facility maintain a setback of at least twenty five feet from adjacent properties;

(4) the total area of the containers and covered impervious area is ten thousand square feet or less;

(5) ten feet of type II landscaping is provided between the facility and adjacent properties;

(6) no processing of the material is conducted on-site; and

(7) access to the facility is not from a local access street.

22. With the exception of drop box facilities for the collection and temporary storage of recyclable materials, all processing and storage of material shall be within enclosed buildings. Yard waste processing is not ~~((permitted))~~ allowed.

23. ~~((Only if adjacent to an existing or proposed school))~~ Only in the R-1 zone, as an accessory to a golf course facility and consistent with K.C.C. 21A.08.040.

24. Limited to columbariums accessory to a ~~((church, but))~~ religious facility. ~~((#))~~ Required landscaping and parking shall not be reduced.

25.a. ~~((Not permitted in R-1 and))~~ Outside of the urban area, limited to a maximum of five thousand square feet per establishment and subject to the additional requirements in K.C.C. 21A.12.230.

26.~~((a. New high schools permitted in the rural and the urban residential and urban reserve zones shall be subject to the review process in K.C.C. 21A.42.140.~~

~~b. Renovation, expansion, modernization, or reconstruction of a school, or the addition of relocatable facilities, is permitted))~~ Repealed.

27. Limited to projects that do not require or result in an expansion of sewer service outside the ~~((#))~~ Urban ~~((g))~~ Growth ~~((a))~~ Area. In addition, such use shall not be ~~((permitted))~~ allowed in the RA-20 zone.

28. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter 21A.32 or as a joint use of an existing public school facility.



29. All studio use (~~((must be))~~) shall occur within an enclosed structure.

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

31. Subject to review and approval of conditions to comply with trail corridor provisions of K.C.C. chapter 21A.14 (~~((when located in an RA zone))~~).

32. Limited to repair of sports and recreation equipment:

- a. as accessory to a recreation or multiuse park in the urban (~~((growth))~~) area; or
- b. as accessory to a park and limited to a total floor area of seven hundred fifty square feet.

33. Repealed.

34. Subject to the following:

- a. the lot is at least five acres;
- b. in the A zones, area used for dog training shall be located on portions of agricultural lands that are unsuitable for other agricultural purposes, such as areas within the already developed portion of such agricultural lands that are not available for direct agricultural production or areas without prime agricultural soils;
- c. structures and areas used for dog training shall maintain a minimum distance of seventy-five feet from property lines; and
- d. all training activities shall be conducted within fenced areas or in indoor facilities. Fences (~~((must~~)) shall be sufficient to contain the dogs.

35. Limited to animal rescue shelters and (~~((provided that))~~):

- a. the property shall be at least four acres;
- b. buildings used to house rescued animals shall be (~~((no less than))~~) set back at least fifty feet from property lines, except on Vashon-Maury Island, the setback shall be at least twenty-five feet;

c. outdoor animal enclosure areas shall be located no less than thirty feet from property lines and shall be fenced in a manner sufficient to contain the animals;

~~((d. the facility shall be operated by a nonprofit organization registered under the Internal Revenue Code as a 501(c)(3) organization;))~~ and

~~((e. the facility shall maintain normal))~~ d. hours of operation ~~((no earlier than))~~ shall be limited to 7:00 a.m. ((and no later than)) through 7:00 p.m.

36. Limited to kennel-free dog boarding and daycare facilities, and:

a. the property shall be at least four and one-half acres;

b. buildings housing dogs shall be no less than seventy-five feet from property lines;

c. outdoor exercise areas shall be located no less than thirty feet from property lines and shall be fenced in a manner sufficient to contain the dogs;

d. the number of dogs allowed on the property at any one time shall be limited to the number allowed for hobby kennels, as provided in K.C.C. 11.04.060.B; and

e. training and grooming are ancillary services that may be provided only to dogs staying at the facility; and

f. ~~((the facility shall maintain normal h))~~ Hours of operation ((no earlier than)) shall be limited to 7:00 a.m. ((and no later than)) through 7:00 p.m.

37. ~~((Not permitted in R-1 and-s))~~ Subject to the additional requirements in K.C.C. 21A.12.250.

38. Driver training is limited to driver training schools licensed under chapter 46.82 RCW.

39. ~~((A school may be located outside of the urban growth area only if allowed under King County Comprehensive Plan policies))~~ Excluding adult daycares, nursery schools, preschool centers, and privately conducted kindergartens and prekindergartens, and only allowed when primarily serving residents of the rural area or natural resource lands.

40. ~~((Only as a reuse of an existing public school))~~ Excluding adult daycares, nursery schools,

preschool centers, and privately conducted kindergartens and prekindergartens, and only allowed when:

- a. Accessory to an agricultural use;
- b. Serving only the children of farm workers employed on the site; and
- c. No more than thirty children are cared for on site.

41. ~~((A high school may be allowed as a reuse of an existing public school if allowed under King County Comprehensive Plan policies))~~ Repealed.

42. Commercial kennels and commercial catteries in the A zone are subject to the following:

a. Only as a home occupation, but the square footage limitations in K.C.C. chapter 21A.30.085 for home occupations apply only to the office space for the commercial kennel or commercial cattery; and

b. Subject to K.C.C. 21A.30.020, except:

(1) A building or structure used for housing dogs or cats and any outdoor runs shall be set back one hundred and fifty feet from property lines;

(2) The portion of the building or structure in which the dogs or cats are kept shall be soundproofed;

(3) Impervious surface for the kennel or cattery shall not exceed twelve thousand square feet; and

(4) Obedience training classes are not allowed except as provided in subsection B.34. of this section.

43. Commercial kennels and commercial catteries are subject to K.C.C. 21A.30.020.

44. ~~((If the m))~~ Miscellaneous repair ((is)) associated with agricultur~~((e))~~ al activities ~~((it will))~~ shall be reviewed in accordance with K.C.C. 21A.08.090.

NEW SECTION. SECTION 164. There is hereby added to K.C.C. chapter 21A.08 a new section to read as follows:

A. Government and education land uses.

SIC#	SPECIFIC LAND USE	A	F	M	RA (1)	UR	R-1	R-4 - R-8	R-12 - R-48	NB	CB	RB	O	I
	<b>GOVERNMENT SERVICES:</b>													
*	Public Agency or Utility Office				P2 C4	P2 C4	P2 C	P2 C	P2 C	P	P	P	P	P3

*	Public Agency or Utility Yard				P5	P5	P5	P5	P5			P		P
*	Public Agency Archives											P	P	P
921	Court										P6	P	P	
9221	Police Facility				P7	P7	P7	P7	P7	P7	P	P	P	P
9224	Fire Facility				C8	C8	C8	C8	C8	P	P	P	P	P
*	Utility Facility (12)	P10 C11	P10 C11	P10 C11	P10 C11	P10 C11	P10 C11	P10 C11	P10 C11	P	P	P	P	P
*	Private Stormwater Management Facility	P13	P13	P13	P13	P13	P13	P13	P13	P13	P13	P13	P13	P13
*	Vector Waste Receiving Facility	P	P	P	P14	P14	P14	P14	P14	P15	P15	P15	P15	P
*	Commuter Parking Lot				P29 C	P29 C		P29 C	P29 C	P	P	P	P	P30
	<b>EDUCATION SERVICES:</b>													
*	Elementary School				P16 P18	P	P	P	P		P17 P18	P17 P18	P17 P18	
*	Middle/Junior High School				P18 C16	P	P	P	P		P17 C18	P17 C18	P17 C18	
*	Secondary or High School				C16 C20	P21	P21	P21	P21		P17 C19	P17 C19	P17	
8221-8222	College/University(26)	P22	P22		P22 C23 S24	P22 C23 S24	P22 C23 S	P22 C23 S	P22 C23 S	P22 C23 S	P	P	P	P
*	Vocational School					P25 C	P25 C	P25 C	P25 C			P19	P27	P
*	School District Support Facility					P28 C	P28 C	P28 C	P28 C	C19	P19	P19	P19	P19

**B. Development conditions.**

1. Subject to review and approval of conditions to comply with trail corridor provisions of K.C.C. chapter 21A.14.
- 2.a. Only as a reuse of a public school facility or a surplus nonresidential facility subject to K.C.C. chapter 21A.32; or
  - b. only when accessory to a fire facility and the office is no greater than one thousand five hundred square feet of floor area.
3. Only as an accessory use to another permitted use.
4. New utility office locations only if there is no commercial/industrial zoning in the utility district,

and not in the RA-10 or RA-20 zones unless it is demonstrated that no feasible alternative location is possible.

- 5a. Utility yards only on sites with utility district offices; or
- b. Public agency yards are limited to material storage for road maintenance facilities.
- 6. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter 21A.32.

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

- a. holding cells;
- b. suspect interview rooms (except in the NB zone); or
- c. long-term storage of stolen properties.

8.a. All buildings and structures shall maintain a minimum distance of twenty feet from property lines adjoining RA, UR, and R zones;

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

c. No outdoor storage; and

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

10. Excluding local distribution gas storage tanks.

11. Limited to local distribution gas storage tanks that pipe to individual residences but excluding liquefied natural gas storage tanks.

12. As part of an application for construction of new electric transmission lines in regional utility corridors, or for the construction or siting of new, modified, or expanded gas or hazardous liquid transmission pipelines, the applicant shall submit an equity impact review of the proposal using tools developed by the office of equity and racial and social justice. Until the tools have been developed and made publicly available by the office, the equity impact review is not required. The results from the equity impact review shall be used to assess equity impacts and opportunities during county permit review and may be used to inform determinations

of project approval.

13. Private stormwater management facilities serving development proposals located on commercial/industrial zoned lands shall also be located on commercial/industrial lands, unless participating in an approved shared facility drainage plan. Such facilities serving development within an area designated urban in the King County Comprehensive Plan shall only be located in the urban area.

14. Only as an accessory use to a public agency or utility yard, or to a transfer station.

15. Vactor waste treatment, storage, and disposal shall be limited to liquid materials. Materials shall be disposed of directly into a sewer system or shall be stored in tanks, covered structures, or enclosed buildings.

16. A school may be located outside of the Urban Growth Area only if allowed under King County Comprehensive Plan policies. New high school sites shall abut or be accessible from a public street functioning as an arterial per the King County Design Standards.

17. If located outside of the urban area, shall be designed to primarily serve the rural area and natural resource lands and shall be located within a rural town. In CB, RB, and O zones, only for K-12 schools, and limited to a maximum of one hundred students.

18. Only as a reuse of an existing public school.

19. If located outside of the urban area, limited to projects that are of a size and scale designed to primarily serve the rural area and natural resource lands and shall be located within a rural town.

20. A high school may be allowed as a reuse of an existing public school if allowed under King County Comprehensive Plan policies.

21.a. New high schools permitted in the RA, UR, and R zones shall be subject to the review process in K.C.C. 21A.42.140.

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

22. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32.

23. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter 21A.32.

24. Only for facilities related to resource-based research.

25. Only as a reuse of a public school facility or surplus nonresidential facility subject to K.C.C. chapter 21A.32. Before filing an application with the department, the applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

26. Except technical institutions, which are classified as vocational schools.

27. All instruction shall occur within an enclosed structure.

28. Only if adjacent to an existing or proposed school.

29. Limited to new commuter parking lots designed for thirty or fewer parking spaces or commuter parking lots located on existing parking lots for religious facilities, schools, or other allowed nonresidential uses that have excess capacity available during commuting, but only if the new or existing lot is adjacent to a designated arterial that has been improved to a standard acceptable to the department of local services.

30. Allowed as a primary or accessory use to an allowed industrial-zoned land use.

SECTION 165. Ordinance 10870, Section 333, as amended, and K.C.C. 21A.08.060 are hereby amended to read as follows:

A. ~~((Government/b))~~Business services land uses.

((P-Permitted Use C- Conditional Use S-Special Use		RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUST IAL))					
SIC#	SPECIF	A	F	M	RA (12)	UR	<u>R-1</u>	(( R1-8 ) R-4 - R-8	R-12 R-48	NB	CB	RB	O	I (( (30)) 19
	((GOVE SERVIC													
*	Public a office				P3-C5	P3-C5		P3-C	P3-C	P	P	P	P	P16
*	Public a yard				P27	P27		P27	P27			P		P
*	Public a											P	P	P
921	Court										P4	P	P	

9221	Police F				P7	P7		P7	P7	P7	P	P	P	P
9224	Fire Fac				C6 and33	C6		C6	C6	P	P	P	P	P
*	Utility F	P29 C28	P29 C28	P29C 28	P29 C28 and 33	P29 C28		P29 C28	P29 C28	P	P	P	P	P
*	Commun				C-3 P19	C- P19		C- P19	C-19	P	P	P	P	P35
*	Private SP8 Manager		P8	P8	P8	P8		P8	P8	P8	P8	P8	P8	P8
*	Vactor VP Facility		P	P	P18	P18		P18	P18	P31	P31	P31	P31	P))
	BUSINE													
*	Construc				P((34 )20						P	P((9) 21	P	
*	Individu and Tax									P((25 10	P	P1((0 )	P	
421	Trucking Service									P((11 22	P((12 )23	P((13 )24	P	
*	Warehou and Whc													P
*	Self-serv								((P14 )15	P((37 )15	P	P	P	P
4221	Farm Pro													P
4222	Warehou Refriger (((38))10													
*	Log Stor		P		P26 (( and 33))									P
47	Transpo													P((39 )27
473	Freight a										P	P	P	
472	Passenge Service									P	P	P		
48	Commun										P	P	P	
482	Telegrap Commun									P	P	P	P	
*	General									P	P	P	P	P((16 )2
*	Professio									P	P	P	P	P((16 )2
7312	Outdoor Service										P	P((17 )3	P	
735	Miscella Rental									P((17 )3	P	P((17 )3	P	
751	Automot Leasing									P	P			P
752	Automot									P((20 )5a	P((20 )b	P((21 )6	P((20 )5a	P
*	Off-Stre Parking				P((32 )	P((32))	P	P((32 )	P((32 )	P((32 )	P((32 )	P((32 )	P((32 )	P((32 )



7941	Professio Teams/P											P	P	
873	Research and Test											P28	P28	P28
*	Heavy E Truck R													P
	ACCES													
*	Commer Accesso			P((41 )18	P((22 )7 P((41 )18					P((22 )7 P((41 )18	P((22 )7 P((41 )18	P((41 )18	P((41 )18	P((41 )18
*	Helistop				((40)) 17	C((23))8	C8	C((23 )8	C((23 )8	C((23 )8	C((23 )8	C((24 )9	C((23 )8	C((24 )9

## B. Development conditions.

1. ~~((Except self-service storage.~~

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

3.a. ~~Only as a reuse of a public school facility or a surplus nonresidential facility subject to K.C.C. chapter 21A.32; or~~

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

4. ~~Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter 21A.32.~~

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

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

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

c. ~~No outdoor storage; and~~

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

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

- ~~a. holding cells;~~
- ~~b. suspect interview rooms (except in the NB zone); or~~
- ~~c. long-term storage of stolen properties.~~

~~8. Private stormwater management facilities serving development proposals located on commercial/industrial zoned lands shall also be located on commercial/industrial lands, unless participating in an approved shared facility drainage plan. Such facilities serving development within an area designated urban in the King County Comprehensive Plan shall only be located in the urban area.~~

~~9. No outdoor storage of materials.~~

~~10.)) Limited to office uses.~~

~~((11. Limited to self-service household moving truck or trailer rental accessory to a gasoline service station.~~

~~12. Limited to self-service household moving truck or trailer rental accessory to a gasoline service station and SIC Industry No. 4215 Courier Services, except by air.~~

~~13. Limited to SIC Industry No. 4215 Courier Services, except by air.~~

~~14. Accessory to an apartment development of at least twelve units provided:~~

- ~~a. The gross floor area in self-service storage shall not exceed the total gross floor area of the apartment dwellings on the site;~~
- ~~b. All outdoor lights shall be deflected, shaded and focused away from all adjoining property;~~
- ~~c. The use of the facility shall be limited to dead storage of household goods;~~
- ~~d. No servicing or repair of motor vehicles, boats, trailers, lawn mowers or similar equipment;~~
- ~~e. No outdoor storage or storage of flammable liquids, highly combustible or explosive materials or~~

~~hazardous chemicals;~~

~~f. No residential occupancy of the storage units;~~

~~g. No business activity other than the rental of storage units; and~~

~~h. A resident director shall be required on the site and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval.~~

~~i. Before filing an application with the department, the applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.~~

~~15. Repealed.~~

~~16.)) 2. Only as an accessory use to another permitted use.~~

~~((17.)) 3. No outdoor storage.~~

~~((18. Only as an accessory use to a public agency or utility yard, or to a transfer station.~~

~~19. Limited to new commuter parking lots designed for thirty or fewer parking spaces or commuter parking lots located on existing parking lots for churches, schools, or other permitted nonresidential uses that have excess capacity available during commuting; provided that the new or existing lot is adjacent to a designated arterial that has been improved to a standard acceptable to the department of local services.))~~

~~((20.)) 4. Reserved.~~

~~5.a. No tow-in lots for damaged, abandoned, or otherwise impounded vehicles((;)); and~~

~~b. Tow-in lots for damaged, abandoned, or otherwise impounded vehicles shall be:~~

~~(1) permitted only on parcels located within Vashon Town ((Center)) Core, as adopted in the Vashon-Maury Island Community Service Area Subarea Plan in Attachment H to this ordinance;~~

~~(2) accessory to a gas or automotive service use; and~~

~~(3) limited to no more than ten vehicles.~~

~~((21.)) 6. No dismantling or salvage of damaged, abandoned, or otherwise impounded vehicles.~~

~~22.)) 7. Storage limited to accessory storage of commodities sold at retail on the premises or materials~~

used in the fabrication of commodities sold on the premises.

~~((23.))~~ 8. Limited to emergency medical evacuation sites in conjunction with police, fire, or health service facility. ~~((Helistops are prohibited from the UR zone only if the property is located within a designated unincorporated Rural Town.~~

~~24.))~~ 9. Allowed as accessory to an allowed use.

~~((25.))~~ 10. Limited to private road ambulance services with no outside storage of vehicles.

~~((26. Limited to two acres or less.~~

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

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

~~28. Limited to local distribution gas storage tanks that pipe to individual residences but excluding liquefied natural gas storage tanks.~~

~~29. Excluding local distribution gas storage tanks.~~

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

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

~~32. Provided))~~ 11. As follows:

a. Off-street required parking for a land use located in the urban area ~~((must))~~ shall be located in the urban area;

b. Off-street required parking for a land use located in the rural area ~~((must))~~ shall be located in the rural area; and

c.~~((1) Except as provided in subsection B.32.c.(2) of this section, or))~~ Off-street required parking ((must)) shall be located on a lot that would ~~((permit))~~ allow, either outright or through a land use permit

approval process, the land use the off-street parking will serve.

~~((2) For a social service agency allowed under K.C.C. 21A.08.050B.13.b. to be located on a site in the NB zone, off-street required parking may be located on a site within three hundred feet of the social service agency, regardless of zoning classification of the site on which the parking is located.))~~

~~((33.))~~ 12. Subject to review and approval of conditions to comply with trail corridor provisions of K.C.C. chapter 21A.14 ~~((when located in an RA zone))~~.

~~((34. Limited to landscape and horticultural services (SIC 078) that are accessory to a retail nursery, garden center and farm supply store. Construction equipment for the accessory use shall not be stored on the premises.~~

~~35.))~~ 13. ~~((Allowed as a primary or accessory use to an allowed industrial-zoned land use))~~ Repealed.

~~((36. Repealed.))~~ 14. Prohibited in the White Center unincorporated activity center.

~~((37.))~~ 15. Use shall be limited to the NB zone on parcels outside of the ~~((U))~~urban ~~((Growth))~~ ~~((A))~~a rea, ~~((R))~~rural ~~((F))~~towns, and ~~((Rural Neighborhoods))~~ rural neighborhood commercial centers and the building floor area devoted to such use shall not exceed ten thousand square feet.

~~((38.))~~ 16. If the farm product warehousing, refrigeration, and storage, or log storage, is associated with ~~((agriculture))~~ agricultural activities it will be reviewed in accordance with K.C.C. 21A.08.090.

~~((39. Excluding fossil fuel facilities.~~

~~40.))~~ 17. Helistops are ~~((not allowed))~~ prohibited in the RA zone as an accessory to a government or business services use, ~~((but may be allowed in that zone))~~ except as part of a search and rescue facility~~((;))~~ subject to K.C.C. 21A.08.100.B.~~((30))~~31.

~~((41.))~~ 18. Battery energy storage systems are considered a commercial/industrial accessory use when the total system capacity is two megawatts or less, and:

- a. the system provides electricity for on-site use only, with "on-site use" including net metering as

well as charging of vehicles on-site or in the right-of-way immediately adjacent to the site; or

b. the system is intended primarily for on-site use, but also participates in load sharing or another grid-connected electricity-sharing arrangement.

19. For I-zoned sites located outside the urban growth area designated by the King County Comprehensive Plan, uses shall be subject to the provisions for rural industrial uses in K.C.C. 21A.14.280, as recodified by this ordinance.

20. Limited to landscape and horticultural services (SIC 078) that are accessory to a retail nursery, garden center and farm supply store. Construction equipment for the accessory use shall not be stored on the premises.

21. No outdoor storage of materials.

22. Limited to self-service household moving truck or trailer rental accessory to a gasoline service station.

23. Limited to self-service household moving truck or trailer rental accessory to a gasoline service station and SIC Industry No. 4215-Courier Services, except by air.

24. Limited to SIC Industry No. 4215-Courier Services, except by air.

25. Except self-service storage.

26. Limited to two acres or less.

27. Excluding fossil fuel facilities.

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

SECTION 166. Ordinance 10870, Section 334, as amended, and K.C.C. 21A.08.070 are hereby amended to read as follows:

A. Retail land uses.

((P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			RURAL	RESIDENTIAL				COMMERCIAL/INDUSTRIAL))				
SIC#	SPECIAL LAND	A	F	M	RA	UR	R-1	((R-1-8 R-48)) R-48 - R-8	R-12	NB	CB	RB	O	I ((30))
*	Building Material Hardware Stores		P23							P2	P	P		
*	Retail Garden and Fast Supply	P1 C1			P1 C1					P18	P	P		
*	Forest Sales	P3 and 4	P4		P3 and 4							P		
*	Department Variety							P30 C14a C31	P14 P32	P5	P	P		
54	Food S				C17			P30 C15a C31	P15 P32	P18	P	P	C	P6
*	Agricultural Products (28)								P25	P25	P25	P25	P25	P25
*	Farmers	P24	P24		P24	P24	P24	P24	P24	P24	P24	P24	P24	P24
*	Motor and Boat Dealers											P8		P
553	Auto Stores										P9	P9		P
554	Gasoline Service									P	P	P		P
56	Apparel Access Stores										P	P		
*	Furniture Home Furnish Stores										P	P		
58	Eating Drinking				P21 C19		P20	P20 P30 C16 C31	P20 P16 P32	P10	P	P	P	P
*	Remote Room				P13						P7	P7		
*	Drug S							P30 C15 C31	P15 P32	P18	P	P	C	
*	((Marijuana Cannab retailer										P26 C27	P26 C27		

592	Liquor										P	P		
593	Used C Antiqu Second Shops										P	P		
*	Sportin and Re Stores			P22 and 29	P22 and 29	P22 and 29	P22 and 29	P22 and 29	P22 and 29	P22 and 29	P29	P29	P22 and 29	P22 and 29
*	Book, Station Video, Supply							P30 C15a C31	P15 P32	P18	P	P		
*	Jewelry										P	P		
*	Monum Tombs and Gr											P		
*	Hobby, Game S									P18	P	P		
*	Photog and Ele Shops									P18	P	P		
*	Fabric										P	P		
598	Fuel D										C11	P		P
*	Florist							P30 C15a C31	P15 P32	P18	P	P	P	
*	Person Medica Stores										P	P		
*	Pet Sho									P18	P	P		
*	Bulk R										P	P		
*	Auction											P12		P
*	Livesto (28)													P

## B. Development conditions.

1.a. As a permitted use, covered sales areas shall not exceed a total area of ~~((two))~~ three thousand five hundred square feet, unless located in a building designated as historic resource under K.C.C. chapter 20.62. With a conditional use((s)) permit, covered sales areas of up to ~~((three))~~ five thousand ~~((five hundred))~~ square feet may be allowed. Greenhouses used for the display of merchandise other than plants shall be considered part of the covered sales area. Uncovered outdoor areas used to grow or display trees, shrubs, or other plants are not considered part of the covered sales area;

b. The site area shall be at least four and one-half acres;



c. Sales may include locally made arts and crafts; and

d. Outside lighting is ~~((permitted))~~ allowed if no off-site glare is ~~((allowed))~~ generated.

2.a. Only hardware stores; and

b. In rural neighborhood commercial centers, limited to fifteen thousand square feet of gross floor area.

3.a. Limited to products grown on-site.

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

4. No permanent structures or signs.

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

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

7. Off-street parking is limited to a maximum of one space per fifty square feet of tasting and retail areas.

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

9. Only the sale of new or reconditioned automobile supplies is ~~((permitted))~~ allowed.

10. Excluding SIC Industry ~~((No.))~~ 5813-Drinking Places.

11. No outside storage of fuel trucks and equipment.

12. Excluding vehicle and livestock auctions.

13. ~~((Permitted))~~ Allowed as part of the demonstration project authorized by K.C.C. 21A.55.110.

14.a. ~~((Not in R-1 and))~~ Outside of the urban area, limited to SIC Industry No. 5331-Variety Stores, limited to a maximum of five thousand square feet of gross floor area, and subject to K.C.C. 21A.12.230; and

b. Before filing an application with the department, the applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

15.~~((a. Not permitted in R-1 and))~~ Outside of the urban area, limited to a maximum of five thousand

square feet of gross floor area and subject to K.C.C. 21A.12.230; and

b. Before filing an application with the department, the applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

16.a. ~~((Not permitted in R-1 and e))~~ Excluding SIC Industry No. 5813-Drinking Places, and limited to a maximum of five thousand square feet of gross floor area, and subject to K.C.C. 21A.12.230, except as provided in subsection B.20. of this section; and

b. Before filing an application with the department, the applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

17. ~~((Repealed))~~ Only within a former grange hall incorporated under chapter 24.28 RCW and listed in the National Register of Historic Places or designated as a King County landmark subject to K.C.C. chapter 21A.32 and if the parcel is located within one thousand feet of a rural neighborhood commercial center as designated by the King County Comprehensive Plan.

18. ~~((Repealed))~~ In rural neighborhood commercial centers, limited to fifteen thousand square feet of gross floor area.

19. Only as:

a. an accessory use to an ~~((permitted manufacturing))~~ allowed industrial or retail land use, limited to espresso stands to include sales of beverages and incidental food items, and not to include drive-through sales; or

b. an accessory use to a recreation or multiuse park, limited to a total floor area of three thousand five hundred square feet.

20. Only as:

a. an accessory use to a recreation or multiuse park; or

b. an accessory use to a park and limited to a total floor area of one thousand five hundred square feet.

21. Accessory to a park, limited to a total floor area of seven hundred fifty square feet.

22. Only as an accessory use to:

a. a large active recreation and multiuse park in the urban ((growth)) area; or

b. a park, or a recreation or multiuse park in the RA zones, and limited to a total floor area of seven hundred ((and)) fifty square feet.

23. Only as accessory to SIC Industry Group ((No.)) 242-Sawmills and SIC Industry ((No.)) 2431-Millwork and((;))

a. limited to lumber milled on-site; and

b. the covered sales area is limited to two thousand square feet. The covered sales area does not include covered areas used to display only milled lumber.

24. Requires at least five farmers selling their own products at each market and the annual value of sales by farmers should exceed the annual sales value of nonfarmer vendors.

25. Limited to sites located within the urban ((growth)) area and:

a. The sales area shall be limited to three hundred square feet and ((must)) shall be removed each evening;

b. There ((must)) shall be legal parking that is easily available for customers; and

c. The site ((must)) shall be in an area that is easily accessible to the public, will accommodate multiple shoppers at one time and does not infringe on neighboring properties.

26.a. Per lot, limited to a maximum aggregated total of two thousand square feet of gross floor area devoted to, and in support of, the retail sale of ((marijuana)) cannabis.

b. Notwithstanding subsection B.26.a. of this section, the maximum aggregated total gross floor area devoted to, and in support of, the retail sale of ((marijuana)) cannabis may be increased to up to three thousand square feet if the retail outlet devotes at least five hundred square feet to the sale, and the support of the sale, of medical ((marijuana)) cannabis, and the operator maintains a current medical ((marijuana)) cannabis

endorsement issued by the Washington state Liquor and Cannabis Board.

c. Any lot line of a lot having any area devoted to retail ~~((marijuana))~~ cannabis activity ~~((must))~~ shall be one thousand feet or more from any lot line of any other lot having any area devoted to retail ~~((marijuana))~~ cannabis activity; and a lot line of a lot having any area devoted to new retail ~~((marijuana))~~ cannabis activity may not be within one thousand feet of any lot line of any lot having any area devoted to existing retail ~~((marijuana))~~ cannabis activity.

d. Whether a new retail ~~((marijuana))~~ cannabis activity complies with this locational requirement shall be determined based on the date a conditional use permit application submitted to the department of local services, permitting division, became or was deemed complete, and:

(1) if a complete conditional use permit application for the proposed retail ~~((marijuana))~~ cannabis use was not submitted, or if more than one conditional use permit application became or was deemed complete on the same date, then the director shall determine compliance based on the date the Washington state Liquor and Cannabis Board issues a Notice of ~~((Marijuana))~~ Cannabis Application to King County;

(2) if the Washington state Liquor and Cannabis Board issues more than one Notice of ~~((Marijuana))~~ Cannabis Application on the same date, then the director shall determine compliance based on the date either any complete building permit or change of use permit application, or both, were submitted to the department declaring retail ~~((marijuana))~~ cannabis activity as an intended use;

(3) if more than one building permit or change of use permit application was submitted on the same date, or if no building permit or change of use permit application was submitted, then the director shall determine compliance based on the date a complete business license application was submitted; and

(4) if a business license application was not submitted or more than one business license application was submitted, then the director shall determine compliance based on the totality of the circumstances, including, but not limited to, the date that a retail ~~((marijuana))~~ cannabis license application was submitted to the Washington state Liquor and Cannabis Board identifying the lot at issue, the date that the applicant entered

into a lease or purchased the lot at issue for the purpose of retail ~~((marijuana))~~ cannabis use, and any other facts illustrating the timing of substantial investment in establishing a licensed retail ~~((marijuana))~~ cannabis use at the proposed location.

e. Retail ~~((marijuana))~~ cannabis businesses licensed by the Washington state Liquor and Cannabis Board and operating within one thousand feet of each other as of August 14, 2016, and retail ~~((marijuana))~~ cannabis businesses that do not require a permit issued by King County, that received a Washington state Liquor and Cannabis Board license to operate in a location within one thousand feet of another licensed retail ~~((marijuana))~~ cannabis business ~~((prior to))~~ before August 14, 2016, and that King County did not object to within the Washington state Liquor and Cannabis Board ~~((marijuana))~~ cannabis license application process, shall be considered nonconforming and may remain in ~~((their))~~ the business's current location, subject to the provisions of K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:

(1) the time periods identified in K.C.C. 21A.32.045.C. shall be six months; and

(2) the gross floor area of a nonconforming retail outlet may be increased up to the limitations in subsection B.26.a. and B.26.b. of this section.

27. Per lot, limited to a maximum aggregated total of five thousand square feet gross floor area devoted to, and in support of, the retail sale of ~~((marijuana))~~ cannabis, and~~((;))~~:

a. Any lot line of a lot having any area devoted to retail ~~((marijuana))~~ cannabis activity ~~((must))~~ shall be one thousand feet or more from any lot line of any other lot having any area devoted to retail ~~((marijuana))~~ cannabis activity; and any lot line of a lot having any area devoted to new retail ~~((marijuana))~~ cannabis activity may not be within one thousand feet of any lot line of any lot having any area devoted to existing retail ~~((marijuana))~~ cannabis activity; ~~((and))~~

b. Whether a new retail ~~((marijuana))~~ cannabis activity complies with this locational requirement shall be determined based on the date a conditional use permit application submitted to the department of local services, permitting division, became or was deemed complete, and:

(1) if a complete conditional use permit application for the proposed retail ((~~marijuana~~)) cannabis use was not submitted, or if more than one conditional use permit application became or was deemed complete on the same date, then the director shall determine compliance based on the date the Washington state Liquor and Cannabis Board issues a Notice of ((~~Marijuana~~)) Cannabis Application to King County;

(2) if the Washington state Liquor and Cannabis Board issues more than one Notice of ((~~Marijuana~~)) Cannabis Application on the same date, then the director shall determine compliance based on the date either any complete building permit or change of use permit application, or both, were submitted to the department declaring retail ((~~marijuana~~)) cannabis activity as an intended use;

(3) if more than one building permit or change of use permit application was submitted on the same date, or if no building permit or change of use permit application was submitted, then the director shall determine compliance based on the date a complete business license application was submitted; and

(4) if a business license application was not submitted or more than one business license application was submitted, then the director shall determine compliance based on the totality of the circumstances, including, but not limited to, the date that a retail ((~~marijuana~~)) cannabis license application was submitted to the Washington state Liquor and Cannabis Board identifying the lot at issue, the date that the applicant entered into a lease or purchased the lot at issue for the purpose of retail ((~~marijuana~~)) cannabis use, and any other facts illustrating the timing of substantial investment in establishing a licensed retail ((~~marijuana~~)) cannabis use at the proposed location; and

c. Retail ((~~marijuana~~)) cannabis businesses licensed by the Washington state Liquor and Cannabis Board and operating within one thousand feet of each other as of August 14, 2016, and retail ((~~marijuana~~)) cannabis businesses that do not require a permit issued by King County, that received a Washington state Liquor and Cannabis Board license to operate in a location within one thousand feet of another licensed retail ((~~marijuana~~)) cannabis business ((~~prior to~~)) before August 14, 2016, and that King County did not object to within the Washington state Liquor and Cannabis Board ((~~marijuana~~)) cannabis license application process,

shall be considered nonconforming and may remain in ~~((their))~~ the business' current location, subject to the provisions of K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:

(1) the time periods identified in K.C.C. 21A.32.045.C. shall be six months; and

(2) the gross floor area of a nonconforming retail outlet may be increased up to the limitations in subsection B.27. of this section, subject to K.C.C. 21A.42.190.

28. If the agricultural product sales or livestock sales is associated with agricultural activities it will be reviewed in accordance with K.C.C. 21A.08.090.

29. Businesses selling firearms that have a storefront, have hours during which it is open for business, and post advertisements or signs observable to passersby that firearms are available for sale shall be located at least five hundred feet or more from any elementary, middle/junior high, and secondary or high school properties. Businesses selling firearms in existence before June 30, 2020, shall be considered nonconforming and may remain in their current location, subject to the provisions of K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses.

30. In the urban area, subject to the following:

a. Limited to a maximum of one thousand square feet of gross floor area;

b. Drive-throughs are prohibited, except for detached buildings for eating and drinking places that do not exceed two hundred square feet and are located at an intersection with an arterial;

c. Amplified noise is prohibited;

d. The maximum on-site parking ratio shall be two spaces per one thousand square feet and required parking shall not be located between the building and the street; and

e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

31. In the urban area, subject to the following:

a. Limited to a maximum of two thousand five hundred square feet of gross floor area;

b. Drive-throughs are prohibited, except for detached buildings for eating and drinking places that do

not exceed two hundred square feet and are located at an intersection with an arterial;

c. Amplified noise is prohibited;

d. The maximum on-site parking ratio shall be two spaces per one thousand square feet and required parking shall not be located between the building and the street; and

e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

32. In the urban area, subject to the following:

a. Limited to a maximum of five thousand square feet of gross floor area;

b. Drive-throughs are prohibited, except for detached buildings for eating and drinking places that do not exceed two hundred square feet and are located at an intersection with an arterial;

c. Amplified noise is prohibited;

d. The maximum on-site parking ratio shall be two spaces per one thousand square feet and required parking shall not be located between the building and the street; and

e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

SECTION 167. Ordinance 10870, Section 335, as amended, and K.C.C. 21A.08.080 are hereby amended to read as follows:

A. Manufacturing land uses.

((P-Permitted Use C- Conditional Use S-Special Use		RESOURCE			RUR AL	RESIDENTIAL				COMMERCIAL/INDUSTRI L))				
SIC #	SPECIF	A	F	M	RA	UR	R-1	((R1-R12 ) R-4 - R R-8 -48		NB	CB	RB	O	I (11)
20	Food and Products									P2	P2	P2 C		P2 C
*	Winery/ ry Facili				P32									
*	Winery/ ry Facili	P3			P3 C30					P17	P17	P29		P31
	Winery/ ry Facili	C12			C12					C29	C29	C29		C31
*	Material Facility		P13 C	P14 C15	P16 C									P



22	Textile M													C
23	Apparel Products										C			P
24	Wood P4 furniture P18	P4 P18 ((€5))			P4 P18 C ((5))	P4					C6			P
25	Furniture	P19			P19						C			P
26	Paper and Products													C
27	Printing								P7	P7	P7 C	P7 C		P
*	((Mariju Process	P20			P27						P21 C	P21 C22		P25 C26
*	((Mariju Process										P23 C	P23 C24		P25 C26
28	Chemical Products													C
((291+ )) *	Petroleum Related													C
30	Rubber and Plastics													C
31	Leather Goods										C			P33 C
32	Stone, Concrete										P((6))	P9		P
33	Primary													C
34	Fabricated Products													P
35	Industrial Commercial													P
351-55	Heavy Machinery Equipment													C
357	Computer Equipment										C	C		P
36	Electronic Electric										C			P
371	Motor Vehicle Motor Vehicle													C
374	Railroad													C
375	Motorcycle and Parts													P34 C
376	Guided Missile Space Vehicle													C
379	Miscellaneous Transportation													C
38	Measuring Controlling										C	C		P
39	Miscellaneous Manufacturing										C			P
((*	Motor Vehicle Bicycle													€))
*	Aircraft, Building													P10 C
7534	Tire Retreading										C			P

781-82	Movie Producti											P		P
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B. Development conditions.

1. Repealed.

2. Except slaughterhouses.

3.a. In the A zone, only allowed on sites where the primary use is SIC Industry Group No. 01-Growing and Harvesting Crops or No. 02-Raising Livestock and Small Animals;

b. Only allowed on lots of at least two and one-half acres, except that this requirement shall not apply on Vashon-Maury Island to winery, brewery, or distillery business locations in use and licensed to produce by the Washington state Liquor and Cannabis Board before January 1, 2019, and that in the RA zone, for sites that contain a building designated as historic resource under K.C.C. chapter 20.62, only allowed on lots of at least two acres;

c. The aggregated floor area of structures and areas for winery, brewery, distillery facility uses shall not exceed three thousand five hundred square feet, unless located in whole or in part in a structure designated as historic resource under K.C.C. chapter 20.62, in which case the aggregated floor area of structures and areas devoted to winery, brewery, distillery facility uses shall not exceed seven thousand square feet in the RA zone and five thousand square feet in the A zone. Decks that are not occupied and not open to the public are excluded from the calculation for maximum aggregated floor area;

d. Structures and parking areas for winery, brewery, distillery facility uses shall maintain a minimum distance of seventy-five feet from interior property lines adjoining rural area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62, except that on Vashon-Maury Island this setback requirement shall not apply to structures and parking areas in use on December 4, 2019, by existing winery, brewery or distillery business locations licensed to produce by the Washington state Liquor and Cannabis Board before January 1, 2019;

e. In the A zone, sixty percent or more of the products processed must be grown on-site. At the time

of the initial application under K.C.C. chapter 6.74, the applicant shall submit a projection of the source of products to be produced;

f. At least two stages of production of wine, beer, cider or distilled spirits, such as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized by the Washington state Liquor and Cannabis Board production license, shall occur on-site. At least one of the stages of production occurring on-site shall include crushing, fermenting or distilling;

g. In the A zone, structures and area for non-agricultural winery, brewery, distillery facility uses shall be located on portions of agricultural lands that are unsuitable for agricultural purposes, such as areas within the already developed portion of such agricultural lands that are not available for direct agricultural production, or areas without prime agricultural soils. No more than one acre of agricultural land may be converted to a nonagricultural accessory use;

h. Tasting and retail sales of products produced on-site may occur only as accessory to the primary winery, brewery, distillery production use and may be provided in accordance with state law. The area devoted to on-site tasting or retail sales shall be limited to no more than thirty percent of the aggregated floor area and shall be included in the aggregated floor area limitation in subsection B.3.c. of this section. The limitation on tasting and retail sales of products produced on-site shall not apply on Vashon-Maury Island to winery, brewery, or distillery business locations in use and licensed to produce by the Washington state Liquor and Cannabis Board before January 1, 2019, or on sites in the RA zone that contain a building designated as historic resource under K.C.C. chapter 20.62. Incidental retail sales of merchandise related to the products produced on-site is allowed subject to the restrictions described in this subsection B.3. Hours of operation for on-site tasting of products shall be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays, tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays, Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00 p.m.;

i. Access to the site shall be directly to and from an arterial roadway, except that this requirement

shall not apply on Vashon-Maury Island to winery, brewery, distillery facility business locations in use and licensed to produce by the Washington state Liquor and Cannabis Board before January 1, 2019;

j. Off-street parking is limited to a maximum of one hundred fifty percent of the minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;

k. The business operator shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.74;

l. Events may be allowed with an approved temporary use permit under K.C.C. chapter 21A.32 or in compliance with the exemption in K.C.C. 21A.32.110.E.; and

m. The impervious surface associated with the winery, brewery, distillery facility use shall not exceed twenty-five percent of the site, or the maximum impervious surface for the applicable zone ~~((in accordance with K.C.C. 21A.12.030.A. or 21A.12.040.A.))~~ as established by this title, whichever is less.

4. Limited to rough milling and planing of products grown on-site with portable equipment.

5. ~~((Limited to SIC Industry Group No. 242-Sawmills and SIC Industry No. 2431-Millwork. For RA zoned sites, if using lumber or timber grown off-site, the minimum site area is four and one-half acres))~~

Repealed.

6. Limited to uses found in SIC Industry ~~((No.))~~ 2434-Wood Kitchen Cabinets and ~~((No.))~~ 2431-Millwork, ~~((excluding planing mills((+))).~~

7. Limited to photocopying and printing services offered to the general public.

8. Only within enclosed buildings, and as an accessory use to retail sales.

9. Only within enclosed buildings.

10. Limited to boat building of craft not exceeding forty-eight feet in length.

11. For I-zoned sites located outside the urban ~~((growth))~~ area ~~((designated by the King County Comprehensive Plan))~~, uses shown as a conditional use in the table of K.C.C. 21A.08.080.A. shall be prohibited, and all other uses shall be subject to the provisions for rural industrial uses ~~((as set forth))~~ in K.C.C.

~~((chapter 21A.12))~~ 21A.14.280, as recodified by this ordinance.

12.a. In the A zone, only allowed on sites where the primary use is SIC Industry Group No. 01-Growing and Harvesting Crops or No. 02-Raising Livestock and Small Animals;

b. The aggregated floor area of structures and areas for winery, brewery, distillery facility uses shall not exceed a total of eight thousand square feet. Decks that are not occupied and not open to the public are excluded from the calculation for maximum aggregated floor area;

c. Only allowed on lots of at least four and one-half acres. If the aggregated floor area of structures for winery, brewery, distillery uses exceeds six thousand square feet, the minimum site area shall be ten acres;

d. Wineries, breweries, and distilleries shall comply with Washington state Department of Ecology and King County board of health regulations for water usage and wastewater disposal, and must connect to an existing Group A water system. The definitions and limits of Group A water systems are described in K.C.C. 13.24.007, and provision of water service is described in K.C.C. 13.24.138, 13.24.140 and 13.24.142;

e. Structures and parking areas for winery, brewery distillery facility uses shall maintain a minimum distance of seventy-five feet from interior property lines adjoining rural area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62;

f. In the A Zone, sixty percent or more of the products processed must be grown on-site. At the time of the initial application under K.C.C. chapter 6.74, the applicant shall submit a projection of the source of products to be processed;

g. At least two stages of production of wine, beer, cider or distilled spirits, such as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized by the Washington state Liquor and Cannabis Board production license, shall occur on-site. At least one of the stages of on-site production shall include crushing, fermenting or distilling;

h. In the A zone, structures and areas for non-agricultural winery, brewery, distillery facility uses shall be located on portions of agricultural lands that are unsuitable for agricultural purposes, such as areas

within the already developed portion of such agricultural lands that are not available for direct agricultural production, or areas without prime agricultural soils. No more than one acre of agricultural land may be converted to a nonagricultural accessory use;

i. Tasting and retail sales of products produced on-site may occur only as accessory to the primary winery, brewery, distillery production use and may be provided in accordance with state law. The area devoted to on-site tasting or retail sales shall be limited to no more than thirty percent of the aggregated floor area and shall be included in the aggregated floor area limitation in subsection B.12.b. and c. of this section. Incidental retail sales of merchandise related to the products produced on-site is allowed subject to the restrictions described in this subsection. Hours of operation for on-site tasting of products shall be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays, tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays, Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00 p.m.;

j. Access to the site shall be directly to and from an arterial roadway;

k. Off-street parking maximums shall be determined through the conditional use permit process, and should not be more than one hundred fifty percent of the minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;

l. The business operator shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.74;

m. Events may be allowed with an approved temporary use permit under K.C.C. chapter 21A.32 or in compliance with the exemption in K.C.C. 21A.32.110.E.; and

n. The impervious surface associated with the winery, brewery, distillery facility use shall not exceed twenty-five percent of the site, or the maximum impervious surface for the applicable zone in accordance with ((K.C.C. 21A.12.030.A. or 21A.12.040.A.)) this title, whichever is less.

13. Only on the same lot or same group of lots under common ownership or documented legal control, which includes, but is not limited to, fee simple ownership, a long-term lease, or an easement, and:

a. does not include retail sales of processed materials, and

b.(1) as accessory to a primary forestry use and at a scale appropriate to process the organic waste generated on the site; or

~~((b-))~~ (2) as a continuation of a sawmill or lumber manufacturing use only for that period to complete delivery of products or projects under contract at the end of the sawmill or lumber manufacturing activity.

14. Only on the same lot or same group of lots under common ownership or documented legal control, which includes, but is not limited to, fee simple ownership, a long-term lease, or an easement, and:

a. does not include retail sales of processed materials; and

b.(1) as accessory to a primary mineral use and may only process materials generated from on-site or properties within three miles of the site; or

~~((b-))~~ (2) as a continuation of a mineral processing use only for that period to complete delivery of products or projects under contract at the end of mineral extraction.

15. Continuation of a materials processing facility after reclamation in accordance with an approved reclamation plan.

16. Only a site that is ten acres or greater and ~~((that))~~ in accordance with the following:

a. the site does not use local access streets that abut lots developed for residential use;

b. the materials processing use meets the requirements of K.C.C. 21A.12.220 and K.C.C. chapter 21A.16;

c. the materials processing use obtains and maintains an operational grading permit;

d. storage of fill material, as defined in K.C.C. chapter 16.82, does not exceed three thousand cubic yards;

e. processed fill material, as defined in K.C.C. chapter 16.82, are primarily from the rural area and natural resource lands; and

f. Does not include retail sales of processed materials.

17.a. The aggregated floor area of structures and areas for winery, brewery, distillery facility uses shall not exceed three thousand five hundred square feet, unless located in whole or in part in a structure designated as historic resource under K.C.C. chapter 20.62, in which case the aggregated floor area of structures and areas devoted to winery, brewery, distillery facility uses shall not exceed five thousand square feet. Decks that are not occupied and not open to the public are excluded from the calculation for maximum aggregated floor area;

b. Structures and parking areas for winery, brewery, distillery facility uses shall maintain a minimum distance of seventy-five feet from interior property lines adjoining rural area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62;

c. Tasting and retail sale of products produced on-site, and merchandise related to the products produced on-site, may be provided in accordance with state law. The area devoted to on-site tasting or retail sales shall be included in the aggregated floor area limitation in subsection B.17.a. of this section;

d. Off-street parking for the tasting and retail areas shall be limited to a maximum of one space per fifty square feet of tasting and retail areas;

e. The business operator shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.74; and

f. Events may be allowed with an approved temporary use permit under K.C.C. chapter 21A.32.

18. Limited to:

a. SIC Industry Group ~~((N0-))~~ 242-Sawmills and SIC Industry ~~((N0-))~~ 2431-Millwork, as follows:

(1) If using lumber or timber grown off-site, the minimum site area is four and one-half acres; and

(2) In the A and RA zones:

(a) The facility shall be limited to an annual production of no more than one hundred fifty thousand board feet;

~~((3))~~ (b) Structures housing equipment used in the operation shall be located at least one-hundred feet from adjacent properties with ~~((residential or rural area))~~ R, UR, and RA zoning;



~~((4))~~ (c) Deliveries and customer visits shall be limited to ~~((the hours of))~~ 8:00 a.m. to 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;

~~((5))~~ (d) In the RA zone, the facility's driveway shall have adequate entering sight distance required by the ~~((2007))~~ King County Road Design and Construction Standards. An adequate turn around shall be provided on-site to prevent vehicles from backing out on to the roadway that the driveway accesses; and

~~((6))~~ (e) Outside lighting is limited to avoid off-site glare; and

b. SIC Industry ~~((No.))~~ 2411-Logging.

19. Limited to manufacture of custom made wood furniture or cabinets.

20.a. Only allowed on lots of at least four and one-half acres;

b. Only as an accessory use to a Washington state Liquor ~~((Control))~~ and Cannabis Board licensed ~~((marijuana))~~ cannabis production facility on the same lot;

c. With a lighting plan, only if required by K.C.C. 21A.12.220.~~((H.))~~A.2.;

d. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before ~~((marijuana))~~ cannabis products are imported onto the site; and

e. Accessory ~~((marijuana))~~ cannabis processing uses allowed under this section are subject to all limitations applicable to ~~((marijuana))~~ cannabis production uses under K.C.C. 21A.08.090.

21.a. Only in the CB and RB zones located outside the urban ~~((growth))~~ area;

b. With a lighting plan, only if required by K.C.C. 21A.12.220.~~((H.))~~A.2.;

c. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before ~~((marijuana))~~ cannabis products are imported onto the site;

d. Per lot, the aggregated total gross floor area devoted to the use of, and in support of, processing ((~~marijuana~~)) cannabis together with any separately authorized production of ((~~marijuana~~)) cannabis shall be limited to a maximum of two thousand square feet; and

e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and every ((~~marijuana~~)) cannabis-related entity occupying space in addition to the two-thousand-square-foot threshold area on that lot shall obtain a conditional use permit as ((~~set forth~~)) required in subsection B.22. of this section.

22.a. Only in the CB and RB zones located outside the urban ((~~growth~~)) area;

b. Per lot, the aggregated total gross floor area devoted to the use of, and in support of, processing ((~~marijuana~~)) cannabis together with any separately authorized production of ((~~marijuana~~)) cannabis shall be limited to a maximum of thirty thousand square feet;

c. With a lighting plan, only if required by K.C.C. 21A.12.220.((~~H.~~))A.2.; and

d. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either ((~~marijuana~~)) cannabis producers or ((~~marijuana~~)) cannabis processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before ((~~marijuana~~)) cannabis products are imported onto the site.

23.a. Only in the CB and RB zones located inside the urban ((~~growth~~)) area, except the White Center unincorporated activity center;

b. With a lighting plan, only if required by K.C.C. 21A.12.220.((~~H.~~))A.2.;

c. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either ((~~marijuana~~)) cannabis producers or ((~~marijuana~~)) cannabis processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before ((~~marijuana~~)) cannabis products are imported onto the site;

d. Per lot, the aggregated total gross floor area devoted to the use of, and in support of, processing ((~~marijuana~~)) cannabis together with any separately authorized production of ((~~marijuana~~)) cannabis shall be

limited to a maximum of two thousand square feet; and

e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and every ~~((marijuana))~~ cannabis-related entity occupying space in addition to the two-thousand-square-foot threshold area on that lot shall obtain a conditional use permit as ~~((set forth))~~ required in subsection B.24. of this section.

24.a. Only in the CB and RB zones located inside the urban ~~((growth))~~ area, except the White Center unincorporated activity center;

b. With a lighting plan, only if required by K.C.C. 21A.12.220.~~((H.))~~A.2.;

c. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before ~~((marijuana))~~ cannabis products are imported onto the site; and

d. Per lot, the aggregated total gross floor area devoted to the use of, and in support of, processing ~~((marijuana))~~ cannabis together with any separately authorized production of ~~((marijuana))~~ cannabis shall be limited to a maximum of thirty thousand square feet.

25.a. With a lighting plan, only if required by K.C.C. 21A.12.220.~~((H.))~~A.2.;

b. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before ~~((marijuana))~~ cannabis products are imported onto the site; and

c. Per lot, limited to a maximum aggregate total of two thousand square feet of gross floor area devoted to, and in support of, the processing of ~~((marijuana))~~ cannabis together with any separately authorized production of ~~((marijuana))~~ cannabis.

26.a. With a lighting plan, only if required by K.C.C. 21A.12.220.~~((H.))~~A.2.;

b. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice

of Construction Permit. All department permits issued to either ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before ~~((marijuana))~~ cannabis products are imported onto the site; and

c. Per lot, limited to a maximum aggregate total of thirty thousand square feet of gross floor area devoted to, and in support of, the processing of ~~((marijuana))~~ cannabis together with any separately authorized production of ~~((marijuana))~~ cannabis.

27.a. ~~((Marijuana))~~ Cannabis processors in all RA zoned areas except for Vashon-Maury Island, that do not require a conditional use permit issued by King County, that receive a Washington state Liquor and Cannabis Board license business ~~((prior to))~~ before October 1, 2016, and that King County did not object to within the Washington state Liquor and Cannabis Board ~~((marijuana))~~ cannabis license application process, shall be considered nonconforming as to subsection B.27.e. of this section, subject to the provisions of K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses;

b. Only with a lighting plan that complies with K.C.C. 21A.12.220.~~((H.))~~A.2.;

c. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before ~~((marijuana))~~ cannabis products are imported onto the site;

d. Only allowed on lots of at least four and one-half acres on Vashon-Maury Island;

e. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres, except on Vashon-Maury Island;

f. Only as an accessory use to a Washington state Liquor Cannabis Board licensed ~~((marijuana))~~ cannabis production facility on the same lot; and

g. Accessory ~~((marijuana))~~ cannabis processing uses allowed under this section are subject to all limitations applicable to ~~((marijuana))~~ cannabis production uses under K.C.C. 21A.08.090.

28. If the food and kindred products manufacturing or processing is associated with agricultural activities it will be reviewed in accordance with K.C.C. 21A.08.090.

29.a. Tasting and retail sales of products produced on-site, and merchandise related to the products produced on-site, may be provided in accordance with state law;

b. Structures and parking areas for winery, brewery, distillery facility uses shall maintain a minimum distance of seventy-five feet from interior property lines adjoining rural area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62;

c. For winery, brewery, distillery facility uses that do not require a conditional use permit, off-street parking for the tasting and retail areas shall be limited to a maximum of one space per fifty square feet of tasting and retail areas. For winery, brewery, distillery facility uses that do require a conditional use permit, off-street parking maximums shall be determined through the conditional use permit process, and off-street parking for the tasting and retail areas should be limited to a maximum of one space per fifty square feet of tasting and retail areas;

d. The business operator shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.74; and

e. Events may be allowed with an approved temporary use permit under K.C.C. chapter 21A.32.

30.a. Only allowed on lots of at least two and one-half acres;

b. The aggregated floor area of structures and areas for winery, brewery, distillery facility uses shall not exceed three thousand five hundred square feet, unless located in whole or in part in a structure designated as historic resource under K.C.C. chapter 20.62, in which case the aggregated floor area of structures and areas devoted to winery, brewery, distillery facility uses shall not exceed five thousand square feet. Decks that are not occupied and not open to the public are excluded from the calculation for maximum aggregated floor area;

c. Structures and parking areas for winery, brewery, distillery facility uses shall maintain a minimum distance of seventy-five feet from interior property lines adjoining rural area and residential zones, unless

located in a building designated as historic resource under K.C.C. chapter 20.62;

d. Tasting and retail sales of products produced on-site may only occur as accessory to the primary winery, brewery, distillery production use and may be provided in accordance with state law. The area devoted to on-site tasting or retail sales shall be limited to no more than thirty percent of the aggregated floor area and shall be included in the aggregated floor area limitation in subsection B.30.b. of this section. Incidental retail sales of merchandise related to the products produced on-site is allowed subject to the restrictions described in this subsection. Hours of operation for on-site tasting of products shall be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays, tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays, Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00 p.m.;

e. Access to the site shall be directly to and from a public roadway;

f. Off-street parking is limited to a maximum of one hundred fifty percent of the minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;

g. The business operator shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.74;

h. Events may be allowed with an approved temporary use permit under K.C.C. chapter 21A.32 or in compliance with the exemption in K.C.C. 21A.32.110.E.;

i. At least two stages of production of wine, beer, cider or distilled spirits, such as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized by the Washington state Liquor and Cannabis Board production license, shall occur on-site. At least one of the stages of production occurring on-site shall include crushing, fermenting or distilling; and

j. The impervious surface associated with the winery, brewery, distillery facility use shall not exceed twenty-five percent of the site, or the maximum impervious surface for the applicable zone in accordance with ~~((K.C.C. 21A.12.030.A. or 21A.12.040.A.))~~ this title, whichever is less.

31.a. Limited to businesses with non-retail brewery and distillery production licenses from the

Washington state Liquor and Cannabis board. Wineries and remote tasting rooms for wineries shall not be allowed;

b. Tasting and retail sale of products produced on-site and merchandise related to the products produced on-site may be provided in accordance with state law. The area devoted to on-site tasting or retail sales shall not exceed one thousand five hundred square feet;

c. Structures and parking areas for brewery and distillery facility uses shall maintain a minimum distance of seventy-five feet from interior property lines adjoining rural area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62;

d. For brewery and distillery facility uses that do not require a conditional use permit, off-street parking for the tasting and retail areas shall be limited to a maximum of one space per fifty square feet of tasting and retail areas. For brewery and distillery facility uses that do require a conditional use permit, off-street parking maximums shall be determined through the conditional use permit process, and off-street parking for the tasting and retail areas should be limited to a maximum of one space per fifty square feet of tasting and retail areas;

e. The business operator shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.74; and

f. Events may be allowed with an approved temporary use permit under K.C.C. chapter 21A.32.

32.a. The aggregated floor area of structures and areas for winery, brewery, distillery facility uses shall not exceed one thousand five hundred square feet;

b. Structures and parking areas for winery, brewery, distillery facility uses shall maintain a minimum distance of seventy-five feet from interior property lines adjoining rural area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62;

c. One on-site parking stall shall be allowed for the winery, brewery, distillery facility I use;

d. The business operator shall obtain an adult beverage business license in accordance with K.C.C.

chapter 6.74;

e. At least two stages of production of wine, beer, cider or distilled spirits, such as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized by the Washington state Liquor and Cannabis Board production license, shall occur on-site. At least one of the stages of production occurring on-site shall include crushing, fermenting or distilling;

f. No product tasting or retail sales shall be allowed on-site;

g. Events may be allowed in accordance with K.C.C. 21A.32.120.B.6; and

h. The impervious surface associated with the winery, brewery, distillery facility use shall not exceed twenty-five percent of the site or the maximum impervious surface for the applicable zone in accordance with ((K.C.C. 21A.12.030.A. or 21A.12.040.A.)) this title, whichever is less.

33. Except leather tanning and finishing.

34. Except gasoline powered motorcycles.

SECTION 168. Ordinance 10870, Section 336, as amended, and K.C.C. 21A.08.090 are hereby amended to read as follows:

A. Resource land uses.

((P-Permitted Use Conditional Use S- Special Use		RESOURCE			R-U R-A-L	RESIDENTIAL				COMMERCIAL/INDU- RIAL))				
SIC#	SPECIFIC	A	F	M	RA	UR	R-1	(( R1-8 )) R-4 - R-8	R-12 -R-48	NB	CB	RB	O	I
12	Coal Min													
13	Oil and G													
*	Anaerobic	P13 C	C		P13 C	C31	C31	C31	C31	C31	C31	C	C	C
	AGRICU													
01	Growing P Crops	P	P		P	P	P	P	P30	P30	P30	P30	P30	P
02	Raising LP Small An	P	P		P	P								P
*	Stable	P32 C			P32 C	P32 C	P32 C	P 32 C						



*	Agriculture	P24 C	P24 C		P24 C	P24 C	P30 C30	P30 C30	P30 C30	P30	P30	P30	P30	
*	Agriculture Services	P25 C	P25 C		P26 C	P26 C	P26 C	P26 C		P27 C28	P27 C28			
*	((Marijuana producer	P15 C22			P16 C17						P18 C19	P18 C19		P20 C21
*	Agriculture Facility	C10												
*	Agriculture special ((n amp	P12												
((*	Agriculture Digester	P13))												
*	Temporary Housing	P14a			P14a									
	<b>FOREST</b>													
08	Growing Harvesting Production	P	P	P7	P	P	P	P						P
*	Forest Re		P		P	P						P2	P	
	<b>FISH AND MANAG</b>													
0921	Hatchery/P	P	P		P	P	C	C						P
0273	Aquaculture	P	P		P	P	C	C						P
*	Wildlife SP	P	P		P	P								
	<b>MINERAL</b>													
10, 14	Mineral Processing		P9 C	P C11										
2951, 3271, 327	Asphalt/C and Block		P8 C11	P8 C11										P
	<b>ACCESS</b>													
*	Resource	P3 P23 P29	P4 P29	P5 P29	P3 P29	P3 P29								P4 P29
*	Permanent Housing	P14b			P14b									

## B. Development conditions.

1. May be further subject to K.C.C. chapter 21A.25.
2. Only forest research conducted within an enclosed building.
3. Farm residences in accordance with K.C.C. 21A.08.030.
4. Excluding housing for agricultural workers.
5. Limited to either maintenance or storage facilities, or both, in conjunction with mineral extraction or processing operation.

6. Allowed in accordance with K.C.C. chapter 21A.30.
7. Only in conjunction with a mineral extraction site plan approved in accordance with K.C.C. chapter 21A.22.
8. Only on the same lot or same group of lots under common ownership or documented legal control, which includes, but is not limited to, fee simple ownership, a long-term lease, or an easement:
  - a. as accessory to a primary mineral extraction use; or
  - b. as a continuation of a mineral processing only for that period to complete delivery of products or projects under contract at the end of a mineral extraction(~~(; or~~
  - c. ~~for a public works project under a temporary grading permit issued in accordance with K.C.C. 16.82.152)).~~
9. Limited to mineral extraction and processing:
  - a. on a lot or group of lots under common ownership or documented legal control, which includes, but is not limited to, fee simple ownership, a long-term lease, or an easement;
  - b. that are located greater than one-quarter mile from an established residence; and
  - c. that do not use local access streets that abut lots developed for residential use.
10. Agriculture training facilities are allowed only as an accessory to existing agricultural uses and are subject to the following conditions:
  - a. The impervious surface associated with the agriculture training facilities shall comprise not more than ten percent of the ~~((allowable))~~ maximum impervious surface ~~((permitted))~~ allowed under ~~((K.C.C. 21A.12.040))~~ section 227 of this ordinance;
  - b. New or the expansion of existing structures, or other site improvements, shall not be located on class 1, 2, or 3 soils;
  - c. The director may require reuse of surplus structures to the maximum extent practical;
  - d. The director may require ~~((the clustering of))~~ new structures ~~((with))~~ to be sited near existing

structures;

e. New structures or other site improvements shall be set back a minimum distance of seventy-five feet from property lines adjoining ~~((rural area and residential))~~ RA, UR, and R zones;

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

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

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

i. Agriculture training facilities may be used to provide educational services to the surrounding rural/agricultural community or for community events. Property owners may be required to obtain a temporary use permit for community events in accordance with K.C.C. chapter 21A.32;

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

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

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

11. Continuation of mineral processing and asphalt/concrete mixtures and block uses after reclamation in accordance with an approved reclamation plan.

12.a. Activities at the camp shall be limited to agriculture and agriculture-oriented activities. In addition, activities that place minimal stress on the site's agricultural resources or activities that are compatible with agriculture are ~~((permitted))~~ allowed.

(1) passive recreation;

- (2) training of individuals who will work at the camp;
- (3) special events for families of the campers; and
- (4) agriculture education for youth.

b. Outside the camp center, as provided for in subsection B.12.e. of this section, camp activities shall not preclude the use of the site for agriculture and agricultural related activities, such as the processing of local food to create value-added products and the refrigeration and storage of local agricultural products. The camp shall be managed to coexist with agriculture and agricultural activities both on-site and in the surrounding area.

c. A farm plan shall be required for commercial agricultural production to ensure adherence to best management practices and soil conservation.

d.(1) The minimum site area shall be five hundred acres. Unless the property owner has sold or transferred the development rights as provided in subsection B.12.c.(((3))2) of this section, a minimum of five hundred acres of the site ((~~must~~)) shall be owned by a single individual, corporation, partnership, or other legal entity and ((~~must~~)) shall remain under the ownership of a single individual, corporation, partnership, or other legal entity for the duration of the operation of the camp.

(2) Nothing in subsection B.12.d.(1) of this section prohibits the property owner from selling or transferring the development rights for a portion or all of the site to the King County farmland preservation program or, if the development rights are extinguished as part of the sale or transfer, to a nonprofit entity approved by the director;

e. The impervious surface associated with the camp shall comprise not more than ten percent of the ((~~allowable~~)) maximum impervious surface ((~~permitted~~)) allowed under ((~~K.C.C. 21A.12.040~~)) section 227 of this ordinance;

f. Structures for living quarters, dining facilities, medical facilities, and other nonagricultural camp activities shall be located in a camp center. The camp center shall be no more than fifty acres and shall be depicted on a site plan. New structures for nonagricultural camp activities shall be ((~~clustered with~~)) sited near

existing structures;

g. To the extent practicable, existing structures shall be reused. The applicant shall demonstrate to the director that a new structure for nonagricultural camp activities cannot be practicably accommodated within an existing structure on the site, though cabins for campers shall be ~~((permitted))~~ allowed only if they do not already exist on-site;

h. Camp facilities may be used to provide agricultural educational services to the surrounding rural and agricultural community or for community events. If required by K.C.C. chapter 21A.32, the property owner shall obtain a temporary use permit for community events;

i. Lodging and food service facilities shall only be used for activities related to the camp or for agricultural education programs or community events held on-site;

j. Incidental uses, such as office and storage, shall be limited to those that directly support camp activities, farm operations, or agricultural education programs;

k. New nonagricultural camp structures and site improvements shall maintain a minimum set-back of seventy-five feet from property lines adjoining ~~((rural area and residential))~~ RA, UR, and R zones;

l. Except for legal nonconforming structures existing as of January 1, 2007, camp facilities, such as a medical station, food service hall, and activity rooms, shall be of a scale to serve overnight camp users;

m. Landscaping equivalent to a type III landscaping screen, as provided for in K.C.C. 21A.16.040, of at least twenty feet shall be provided for nonagricultural structures and site improvements located within two hundred feet of an adjacent ~~((rural area and residential))~~ RA, UR, and R zoned property not associated with the camp;

n. New sewers shall not be extended to the site;

o. The total number of persons staying overnight shall not exceed three hundred;

p. The length of stay for any individual overnight camper, not including camp personnel, shall not exceed ninety days during a three-hundred-sixty-five-day period;

q. Traffic generated by camp activities shall not impede the safe and efficient movement of agricultural vehicles nor shall it require capacity improvements to rural roads;

r. If the site is adjacent to an arterial roadway, access to the site shall be directly onto the arterial unless the county road engineer determines that direct access is unsafe;

s. If direct access to the site is via local access streets, transportation management measures shall be used to minimize adverse traffic impacts;

t. Camp recreational activities shall not involve the use of motor vehicles unless the motor vehicles are part of an agricultural activity or are being used for the transportation of campers, camp personnel, or the families of campers. Camp personnel may use motor vehicles for the operation and maintenance of the facility. Client-specific motorized personal mobility devices are allowed; and

u. Lights to illuminate the camp or its structures shall be arranged to reflect the light away from any adjacent property.

13. Limited to digester receiving plant ~~((and))~~, animal ~~((and))~~, or other organic waste from agricultural activities, and including electrical generation, as follows:

a. the digester ~~((must))~~ shall be included as part of a Washington state Department of Agriculture approved dairy nutrient plan;

b. the digester ~~((must))~~ shall process at least seventy percent livestock manure or other agricultural organic material from farms in the vicinity, by volume;

c. imported organic waste-derived material, such as food processing waste, may be processed in the digester for the purpose of increasing methane gas production for beneficial use, but ~~((not))~~ shall not exceed thirty percent of volume processed by the digester; and

d. the use ~~((must))~~ shall be accessory to an operating dairy or livestock operation.

14. Farm worker housing. Either:

a. Temporary farm worker housing subject to the following conditions:

(1) The housing (~~((must))~~) shall be licensed by the Washington state Department of Health under chapter 70.114A RCW and chapter 246-358 WAC, unless it falls below the threshold for licensing in WAC 246-358-025;

(2) Water supply and sewage disposal systems (~~((must be approved))~~) are subject to approval by (~~((the Seattle King County department of))~~) public health - Seattle & King County;

(3) To the maximum extent practical, the housing should be located on nonfarmable areas that are already disturbed and should not be located in the floodplain or in a critical area or critical area buffer; and

(4) The property owner shall file with the department of executive services, records and licensing services division, a notice approved by the department identifying the housing as temporary farm worker housing and that the housing shall be occupied only by agricultural employees and their families while employed by the owner or operator or on a nearby farm. The notice shall run with the land; or

b. Permanent farmworker (~~((H))~~)housing for agricultural employees who are employed by the owner or operator of the farm year-round as follows:

(1) Not more than:

(a) one agricultural employee dwelling unit on a site less than twenty acres;

(b) two agricultural employee dwelling units on a site of at least twenty acres and less than fifty acres;

(c) three agricultural employee dwelling units on a site of at least fifty acres and less than one-hundred acres; and

(d) four agricultural employee dwelling units on a site of at least one-hundred acres, and one additional agricultural employee dwelling unit for each additional one hundred acres thereafter;

(2) If the primary use of the site changes to a nonagricultural use, all agricultural employee dwelling units shall be removed;

(3) The applicant shall file with the department of executive services, records and licensing services

division, a notice approved by the department that identifies the agricultural employee dwelling units as accessory and that the dwelling units shall only be occupied by agricultural employees who are employed by the owner or operator year-round. The notice shall run with the land. The applicant shall submit to the department proof that the notice was filed with the department of executive services, records and licensing services division, before the department approves any permit for the construction of agricultural employee dwelling units;

(4) An agricultural employee dwelling unit shall not exceed a floor area of one thousand square feet and may be occupied by no more than eight unrelated agricultural employees;

(5) To the maximum extent practical, the housing should be located on nonfarmable areas that are already disturbed;

(6) One off-street parking space shall be provided for each agricultural employee dwelling unit; and

(7) The agricultural employee dwelling units shall be constructed in compliance with K.C.C. Title 16.

15. ((~~Marijuana~~)) Cannabis production by ((~~marijuana~~)) cannabis producers licensed by the Washington state Liquor and Cannabis Board is subject to the following standards:

- a. Only allowed on lots of at least four and one-half acres;
- b. With a lighting plan, only if required by and that complies with K.C.C. 21A.12.220.((H-))A.2.;
- c. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either ((~~marijuana~~)) cannabis producers or ((~~marijuana~~)) cannabis processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before ((~~marijuana~~)) cannabis products are imported onto the site;
- d. Production is limited to outdoor, indoor within ((~~marijuana~~)) cannabis greenhouses, and within structures that are nondwelling unit structures that exist as of October 1, 2013, subject to the size limitations in subsection B.15.e. of this section;



e. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum aggregated total of two thousand square feet and shall be located within a fenced area or ~~((marijuana))~~ cannabis greenhouse that is no more than ten percent larger than that combined area, or may occur in nondwelling unit structures that exist as of October 1, 2013;

f. Outdoor production area fencing as required by the Washington state Liquor and Cannabis Board, ~~((marijuana))~~ cannabis greenhouses and nondwelling unit structures shall maintain a minimum street setback of fifty feet and a minimum interior setback of thirty feet; and

g. If the two-thousand-square-foot-per-lot threshold of plant canopy combined with area used for processing under K.C.C. 21A.08.080 is exceeded, each and every ~~((marijuana))~~ cannabis-related entity occupying space in addition to the two-thousand-square-foot threshold area on that lot shall obtain a conditional use permit as ~~((set forth))~~ required in subsection B.22. of this section.

16. ~~((Marijuana))~~ Cannabis production by ~~((marijuana))~~ cannabis producers licensed by the Washington state Liquor and Cannabis Board is subject to the following standards:

a. ~~((Marijuana))~~ Cannabis producers in all RA zoned areas except for Vashon-Maury Island, that do not require a conditional use permit issued by King County, that receive a Washington state Liquor and Cannabis Board license business before October 1, 2016, and that King County did not object to within the Washington state Liquor and Cannabis Board ~~((marijuana))~~ cannabis license application process, shall be considered nonconforming as to subsection B.16.d. and h. of this section, subject to the provisions of K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses;

b. In ~~((all rural area))~~ RA zones, only with a lighting plan that complies with K.C.C. 21A.12.220.~~((H-))~~A.2.;

c. Only allowed on lots of at least four and one-half acres on Vashon-Maury Island;

d. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres, except on Vashon-

Maury Island;

e. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either ((~~marijuana~~)) cannabis producers or ((~~marijuana~~)) cannabis processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before ((~~marijuana~~)) cannabis products are imported onto the site;

f. Production is limited to outdoor, indoor within ((~~marijuana~~)) cannabis greenhouses, and within nondwelling unit structures that exist as of October 1, 2013, subject to the size limitations in subsection B.16.g. of this section; and

g. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum aggregated total of two thousand square feet and shall be located within a fenced area or ((~~marijuana~~)) cannabis greenhouse, that is no more than ten percent larger than that combined area, or may occur in nondwelling unit structures that exist as of October 1, 2013;

h. Outdoor production area fencing as required by the Washington state Liquor and Cannabis Board and ((~~marijuana~~)) cannabis greenhouses shall maintain a minimum street setback of fifty feet and a minimum interior setback of one hundred feet; and a minimum setback of one hundred fifty feet from any existing residence; and

i. If the two-thousand-square-foot-per-lot threshold of plant canopy within fenced areas or ((~~marijuana~~)) cannabis greenhouses is exceeded, each and every ((~~marijuana~~)) cannabis-related entity occupying space in addition to the two-thousand-square-foot threshold area on that lot shall obtain a conditional use permit as ((~~set forth~~)) required in subsection B.17. of this section.

17. ((~~Marijuana~~)) Cannabis production by ((~~marijuana~~)) cannabis producers licensed by the Washington state Liquor and Cannabis Board is subject to the following standards:

a. Only allowed on lots of at least four and one-half acres on Vashon-Maury Island;

- b. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres, except on Vashon-Maury Island;
- c. In ~~((all rural area))~~ RA zones, only with a lighting plan that complies with K.C.C. 21A.12.220.~~((H.))A.2.;~~
- d. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before ~~((marijuana))~~ cannabis products are imported onto the site;
- e. Production is limited to outdoor and indoor within ~~((marijuana))~~ cannabis greenhouses subject to the size limitations in subsection B.17.f. of this section;
- f. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum aggregated total of thirty thousand square feet and shall be located within a fenced area or ~~((marijuana))~~ cannabis greenhouse that is no more than ten percent larger than that combined area; and
- g. Outdoor production area fencing as required by the Washington state Liquor and Cannabis Board, and ~~((marijuana))~~ cannabis greenhouses shall maintain a minimum street setback of fifty feet and a minimum interior setback of one hundred feet, and a minimum setback of one hundred fifty feet from any existing residence.

18.a. Production is not allowed in the White Center unincorporated activity center;

b. Production is limited to indoor only;

~~((b-))~~ c. With a lighting plan only as required by and that complies with K.C.C. 21A.12.220.~~((H.))A.2.;~~

~~((e-))~~ d. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either ~~((marijuana))~~ cannabis producers or ~~((~~

~~marijuana~~) cannabis processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before (~~marijuana~~) cannabis products are imported onto the site; and

((~~d.~~)) e. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum aggregated total of two thousand square feet and shall be located within a building or tenant space that is no more than ten percent larger than the plant canopy and separately authorized processing area; and

((~~e.~~)) f. If the two-thousand-square-foot-per-lot threshold is exceeded, each and every (~~marijuana~~) cannabis-related entity occupying space in addition to the two-thousand-square foot threshold area on that parcel shall obtain a conditional use permit as (~~set forth~~) required in subsection B.19. of this section.

19.a. Production is not allowed in the White Center unincorporated activity center;

b. Production is limited to indoor only;

((~~b.~~)) c. With a lighting plan only as required by and that complies with K.C.C. 21A.12.220.((~~H.~~))  
A.2.;

((~~e.~~)) d. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either (~~marijuana~~) cannabis producers or (~~marijuana~~) cannabis processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before (~~marijuana~~) cannabis products are imported onto the site; and

((~~d.~~)) e. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum aggregated total of thirty thousand square feet and shall be located within a building or tenant space that is no more than ten percent larger than the plant canopy and separately authorized processing area.

20.a. Production is limited to indoor only;

b. With a lighting plan only as required by and that complies with K.C.C. 21A.12.220.((~~H.~~))A.2.;

c. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice

of Construction Permit. All department permits issued to either ((~~marijuana~~)) cannabis producers or ((~~marijuana~~)) cannabis processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before ((~~marijuana~~)) cannabis products are imported onto the site;

d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum aggregated total of two thousand square feet and shall be located within a building or tenant space that is no more than ten percent larger than the plant canopy and separately authorized processing area; and

e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and every ((~~marijuana~~)) cannabis-related entity occupying space in addition to the two-thousand-square-foot threshold area on that lot shall obtain a conditional use permit as ((~~set forth~~)) required in subsection B.21. of this section.

21.a. Production is limited to indoor only;

b. With a lighting plan only as required by and that complies with K.C.C. 21A.12.220.((~~H.~~))A.2.;

c. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either ((~~marijuana~~)) cannabis producers or ((~~marijuana~~)) cannabis processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before ((~~marijuana~~)) cannabis products are imported onto the site; and

d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum aggregated total of thirty thousand square feet and shall be located within a building or tenant space that is no more than ten percent larger than the plant canopy and separately authorized processing area.

22. ((~~Marijuana~~)) Cannabis production by ((~~marijuana~~)) cannabis producers licensed by the Washington state Liquor and Cannabis Board is subject to the following standards:

a. With a lighting plan only as required by and that complies with K.C.C. 21A.12.220.((~~H.~~))A.2.;

b. Only allowed on lots of at least four and one-half acres;

c. Only with documentation that the operator has applied for a Puget Sound Clean Air Agency Notice of Construction Permit. All department permits issued to either ((~~marijuana~~)) cannabis producers or ((~~marijuana~~)) cannabis processors, or both, shall require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved before ((~~marijuana~~)) cannabis products are imported onto the site;

d. Production is limited to outdoor, indoor within ((~~marijuana~~)) cannabis greenhouses, and within structures that are nondwelling unit structures that exist as of October 1, 2013, subject to the size limitations in subsection B.22. e. and f. of this section;

e. On lots less than ten acres, per lot, the plant canopy, as defined in WAC 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum aggregated total of five thousand square feet and shall be located within a fenced area or ((~~marijuana~~)) cannabis greenhouse that is no more than ten percent larger than that combined area, or may occur in nondwelling unit structures that exist as of October 1, 2013;

f. On lots ten acres or more, per lot, the plant canopy, as defined in WAC 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum aggregated total of ten thousand square feet, and shall be located within a fenced area or ((~~marijuana~~)) cannabis greenhouse that is no more than ten percent larger than that combined area, or may occur in nondwelling unit structures that exist as of October 1, 2013; and

g. Outdoor production area fencing as required by the Washington state Liquor and Cannabis Board, ((~~marijuana~~)) cannabis greenhouses and nondwelling unit structures shall maintain a minimum street setback of fifty feet and a minimum interior setback of one hundred feet, and a minimum setback of one hundred fifty feet from any existing residence.

23. The storage and processing of ((~~non-manufactured~~)) nonmanufactured source separated organic waste that originates from agricultural operations and that does not originate from the site, if:

a. agricultural is the primary use of the site;

b. the storage and processing are in accordance with best management practices included in an approved farm plan; and

c. except for areas used for manure storage, the areas used for storage and processing do not exceed three acres and ten percent of the site.

24.a. For activities relating to the processing of crops or livestock for commercial purposes, including associated activities such as warehousing, storage, including refrigeration, and other similar activities and excluding winery, brewery, distillery facility I, II, III, and remote tasting room:

(1) limited to agricultural products and sixty percent or more of the products processed (~~((must))~~) shall be grown in the Puget Sound counties. At the time of initial application, the applicant shall submit a projection of the source of products to be produced;

(2) in the RA and UR zones, only allowed on sites of at least four and one-half acres;

(3)(a) as a permitted use, the floor area devoted to all processing shall not exceed two thousand square feet, unless located in a building designated as an historic resource under K.C.C. chapter 20.62. The agricultural technical review committee, as established in K.C.C. 21A.42.300, may review and approve an increase in the processing floor area as follows: up to three thousand five hundred square feet of floor area may be devoted to all processing in the RA zones or on farms less than thirty-five acres located in the A zones or up to seven thousand square feet on farms greater than thirty-five acres in the A zone; and

(b) as a permitted use, the floor area devoted to all warehousing, refrigeration, storage, or other similar activities shall not exceed two thousand square feet, unless located in a building designated as historic resource under K.C.C. chapter 20.62. The agricultural technical review committee, as established in K.C.C. 21A.42.300, may review and approve an increase of up to three thousand five hundred square feet of floor area devoted to all (~~((warehousing))~~) warehousing, storage, including refrigeration, or other similar activities in the RA zones or on farms less than thirty-five acres located in the A zones or up to seven thousand square feet on farms greater than thirty-five acres in the A zone;

(4) in the A zone, structures and areas used for processing, warehousing, refrigeration, storage, and other similar activities shall be located on portions of agricultural lands that are unsuitable for other agricultural purposes, such as areas within the already developed portion of such agricultural lands that are not available for direct agricultural production, or areas without prime agricultural soils; and

(5) structures and areas used for processing, warehousing, storage, including refrigeration, and other similar activities shall maintain a minimum distance of seventy-five feet from property lines adjoining ~~((rural area and residential))~~ RA, UR, and R zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62.

b. For activities relating to the retail sale of agricultural products, except livestock:

(1) sales shall be limited to agricultural products and locally made arts and crafts;

(2) in the RA and UR zones, only allowed on sites at least four and one-half acres;

(3) as a permitted use, the covered sales area shall not exceed ~~((two))~~ three thousand five hundred square feet, unless located in a building designated as a historic resource under K.C.C. chapter 20.62. The agricultural technical review committee, as established in K.C.C. 21A.42.300, may review and approve an increase of up to ~~((three))~~ five thousand ~~((five hundred))~~ square feet of covered sales area;

(4) forty percent or more of the gross sales of agricultural product sold through the store ~~((must))~~ shall be sold by the producers of primary agricultural products;

(5) sixty percent or more of the gross sales of agricultural products sold through the store shall be derived from products grown or produced in the Puget Sound counties. At the time of the initial application, the applicant shall submit a reasonable projection of the source of product sales;

(6) tasting of products, in accordance with applicable health regulations, is allowed;

(7) storage areas for agricultural products may be included in a farm store structure or in any accessory building; and

(8) outside lighting is ~~((permitted))~~ allowed if there is no off-site glare.



c. Retail sales of livestock is ~~((permitted))~~ allowed only as accessory to raising livestock.

d. Farm operations, including equipment repair and related facilities, except that:

(1) the repair of tools and machinery is limited to those necessary for the operation of a farm or forest;

(2) in the RA and UR zones, only allowed on sites of at least four and one-half acres;

(3) the size of the total repair use is limited to one percent of the farm size in the A zone, and up to one percent of the size in other zones, up to a maximum of five thousand square feet unless located within an existing farm structure, including, but not limited to, barns, existing as of December 31, 2003; and

(4) Equipment repair shall not be ~~((permitted))~~ allowed in the Forest zone.

e. The agricultural technical review committee, as established in K.C.C. 21A.42.300, may review and approve reductions of minimum site sizes in the ~~((rural and residential))~~ RA, UR, and R zones and minimum setbacks from ~~((rural and residential))~~ RA, UR, and R zones.

25. The department may review and approve establishment of agricultural support services in accordance with the code compliance review process in K.C.C. 21A.42.300 only if:

a. project is sited on lands that are unsuitable for direct agricultural production based on size, soil conditions, or other factors and cannot be returned to productivity by drainage maintenance; and

b. the proposed use is allowed under any Farmland Preservation Program conservation easement and zoning development standards.

26. The agricultural technical review committee, as established in K.C.C. 21A.42.300, may review and approve establishment of agricultural support services only if the project site:

a. adjoins or is within six hundred sixty feet of the agricultural production district;

b. has direct vehicular access to the agricultural production district;

c. except for farm worker housing, does not use local access streets that abut lots developed for residential use; and

~~((b-))~~ d. has a minimum lot size of four and one-half acres.

27. The agricultural technical review committee, as established in K.C.C. 21A.42.300, may review and approve establishment of agricultural support services only if the project site:

a. is outside the urban ~~((growth))~~ area~~((;))~~;

b. adjoins or is within six hundred sixty feet of the agricultural production district~~((;))~~;

c. has direct vehicular access to the agricultural production district~~((;))~~;

d. except for farm worker housing, does not use local access streets that abut lots developed for residential use; and

e. has a minimum lot size of four and one-half acres.

28. Only allowed on properties that are outside the urban ~~((growth))~~ area.

29. Battery energy storage systems are considered a resource accessory use when the total system capacity is two megawatts or less, and:

~~((1))~~ a. the system provides electricity for on-site use only, with "on-site use" including net metering as well as charging of vehicles on-site or in the right-of-way immediately adjacent to the site; or

~~((2))~~ b. the system is intended primarily for on-site use, but also participates in load sharing or another grid-connected electricity-sharing arrangement.

30.a. Permitted as a primary use or an accessory use, except in accordance with subsection B.30.g. of this section;

b. A sufficient water supply shall be available to support cultivation practices on-site;

c. The site shall be designed and maintained to prevent water and fertilizer runoff onto adjacent properties;

d. Compost materials shall be stored at least twenty feet from interior lot lines and in a manner that minimizes odors and is not visible from adjacent properties;

e. Raising livestock and small animals, animal mortality management, and on-site animal waste

storage, disposal, and processing is not allowed;

f. In the R-1 through R-48 zones:

(1) The total lot area devoted to the use shall not exceed four thousand square feet.

(2) Structures used for agricultural activities:

(a) shall not exceed one thousand square feet in gross floor area per lot;

(b) shall not exceed twelve feet in height, including any pitched roof;

(c) shall be limited to raised garden beds, greenhouses, hoop houses, storage sheds, cold frames, and rain barrel systems; and

(d) are also subject to the development standards that would apply to an accessory structure in the zone, if the use is accessory;

(3) Only mechanical equipment designed for household use may be used;

(4) Retail sales and all other public use shall begin no earlier than 8:00 a.m. and end by 7:00 p.m.;

(5) Commercial deliveries and pickups are limited to one per day. On-site sales are not considered commercial pickups;

(6) No more than two motor vehicles dedicated to the use shall be stored on-site, each with a gross vehicle weight of ten thousand pounds or less; and

(7) One identification sign is allowed, not exceeding one-hundred square inches in area; and

g. A conditional use permit is required on properties twenty acres or more in size in the R-1 zone, or to exceed the limitations of subsection B.30.f. of this section in the R-1 through R-48 zones. Conditional use permits shall not be granted for properties with an urban separator land use designation.

31. Digester shall be limited to processing of waste generated on-site only.

32. Covered riding arenas are subject to K.C.C. 21A.30.030 and shall not exceed twenty thousand square feet. Stabling areas, whether attached or detached, shall not be counted in this calculation.

SECTION 169. Ordinance 10870, Section 337, as amended, and K.C.C. 21A.08.100 are hereby

amended to read as follows:

A. Regional land uses.

((P-Permitted Use-C-Conditional Use-S-Special Use		RESOURCE			R U R A-L	RESIDENTIAL				COMMERCIAL/INDUSTRIAL				
SIC#	SPECIFIC USE	A	F	M	RA	UR	R-1	((R-1-8)) R-4-R-8	R-12-R-48	NB	CB	RB	O	I (15)
*	Jail						<u>S</u>	S	S	S	S	S	S	S
*	Jail Farm	S	S		S	S								
*	Work Re				S19	S19	<u>S</u>	S	S	S	S	S	S	
*	Public Ag Control F		S		S	S						S		P
*	Public Ag Training		S		S3						S3	S3	S3	C4
*	Hydroele Generatio		C14 S14b		C14 S14b	C14 S14b	C14 S14b	C14 S14b						
*	Nonhydro Generatio	C12 S29	C12 S29	C12 S29	C12 S29	C12 S29	C12 S29	C12 S29	C12 S29	C12 S29	C12 S29	C12 S29	C12 S29	P12 S29
*	Renewable Generatio	C28	C28	C	C	C	<u>C</u>	C	C	C	C	C	C	C
*	Fossil Fu													S27
*	Battery E Storage S		S	P	P	P	<u>C</u>	C	C	P	P	P	P	P
*	Commun Facility (	C6c S	P		C6c S	C6c S	C6c S	C6c S	C6c S	C6c S	P	P	P	P
*	Earth Sta	P6b C	P		C6a S	C6a S	C6a S	C6a S	C6a S	P6b C	P	P	P	P
*	Energy R Recovery		S	S	S	S	<u>S</u>	S	S	S	S	S	S	S
*	Soil Recy Facility		S	S	S									C
*	Landfill		S	S	S	S	<u>S</u>	S	S	S	S	S	S	S
*	Transfer			S	S	S	<u>S</u>	S	S	S	S	S		P
*	Wastewa Facility				S	S	<u>S</u>	S	S	S	S	S	S	C
*	Municipa Productio	S	P13 S	S	S	S	<u>S</u>	S	S	S	S	S	S	S
*	Airport/H	S7	S7		S	S	<u>S</u>	S	S	S	S	S	S	S
*	Search an Facility				C31 S31									
*	Regional Authority						P25	((P25))						
*	Rural Pub Infrastruc Maintena				C23									P
*	Transit B						<u>S</u>	S	S	S	S	S	S	P

*	Transit C Facility				P26		P26	P26	P26	P26	P26	P26	P26	P26
*	School B				C5 S20	C5 S	C5 S	C5 S	C5 S	S	S	S	S	P
7948	Racetrack				S8	S8	S8	S8	S8	S8	S8	S8	S8	S24
*	Regional Facility													P
*	County F Facility				P21 S22									
*	Fairground										S	S		S
8422	Zoo/Wild (2)		S9		S9	S	S	S	S		S	S		
7941	Stadium/											S		S
(( 8221- 8222	College/UP	P10	P10		P10 C11 S18	P10 C11 S18		P10 C11 S	P10 C11 S	P10 C11 S	P	P	P	P))
*	Zoo Animal Facility	P16	P16		P16									

## B. Development conditions.

1. ~~((Except technical institutions. See vocational schools on general services land use table, K.C.C. 21A.08.050))~~ Repealed.
2. Except arboretum. ~~((See K.C.C. 21A.08.040, recreation/ cultural land use table.))~~
3. Except weapons armories and outdoor shooting ranges.
4. Except outdoor shooting range.
5. Only in conjunction with an existing or proposed school.
- 6.a. Limited to no more than three satellite dish antennae.
- b. Limited to one satellite dish antenna.
- c. Limited to tower consolidations.
7. Limited to landing field for aircraft involved in forestry or agricultural practices or for emergency landing sites.
8. Except racing of motorized vehicles.
9. Limited to wildlife exhibit.
10. ~~((Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32))~~ Repealed.

11. ~~((Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter 21A.32))~~ Repealed.

12.a. Limited to gas extraction as an accessory use to a waste management process, such as wastewater treatment, landfill waste management, livestock manure, and composting processes, and excluding anaerobic digesters.

b. an equity impact review of the proposal using tools developed by the office of equity and racial and social justice. Until the tools have been developed and made publicly available by the office, the equity impact review is not required. The results from the equity impact review shall be used to assess equity impacts and opportunities during county permit review and may be used to inform determinations of project approval.

13. Excluding impoundment of water using a dam.

14.a. Limited to facilities that comply with the following:

~~((a-))~~ (1) Any new diversion structure shall not:

~~((1))~~ (a) exceed a height of eight feet as measured from the streambed; or

~~((2))~~ (b) impound more than three surface acres of water at the normal maximum surface level;

~~((b-))~~ (2) There shall be no active storage;

~~((e-))~~ (3) The maximum water surface area at any existing dam or diversion shall not be increased;

~~((d-))~~ (4) An exceedance flow of no greater than fifty percent in mainstream reach shall be maintained;

~~((e-))~~ (5) Any transmission line shall ~~((be limited to a))~~ comply with the following:

~~((1))~~ (a) be limited to right-of-way of five miles or less; and

~~((2))~~ (b) be limited to capacity of two hundred thirty KV or less;

~~((f-))~~ (6) Any new, permanent access road shall be limited to five miles or less; and

~~((g-))~~ (7) The facility shall only be located above any portion of the stream used by anadromous fish.

b. The applicant shall submit an equity impact review of the proposal using tools developed by the office of equity and racial and social justice. Until the tools have been developed and made publicly available

by the office, the equity impact review is not required. The results from the equity impact review shall be used to assess equity impacts and opportunities during county permit review and may be used to inform determinations of project approval.

15. For I-zoned sites located outside the urban ~~((growth))~~ area ~~((designated by the King County Comprehensive Plan))~~, uses shown as a conditional or special use in K.C.C. 21A.08.100.A., except for ~~((waste water))~~ wastewater treatment facilities and racetracks, shall be prohibited. All other uses, including ~~((waste water))~~ wastewater treatment facilities, shall be subject to the provisions for rural industrial uses in K.C.C. ~~((chapter 21A.12))~~ 21A.14.280, as recodified by this ordinance.

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

17. The following provisions of the table apply only to major communication facilities. Minor communication facilities shall be reviewed in accordance with the processes and standard outlined in K.C.C. chapter 21A.27.

18. ~~((Only for facilities related to resource-based research))~~ Repealed.

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

20. Limited to projects ~~((which))~~ that do not require or result in an expansion of sewer service outside the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area boundary, unless a finding is made that no cost-effective alternative technologies are feasible, in which case a tightline sewer sized only to meet the needs of the school bus base and serving only the school bus base may be used. Renovation, expansion, modernization, or reconstruction of a school bus base is ~~((permitted))~~ allowed but shall not require or result in an expansion of sewer service outside the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area boundary, unless a finding is made that no cost-effective alternative technologies are feasible, in which case a tightline sewer sized only to meet the needs of the school

bus base.

21.a. Only in conformance with the King County Fairgrounds Site Development Plan (~~(Report, through)~~) Attachment A to Ordinance 14808 ((m)) Modifications to the plan of up to ten percent are allowed for the following:

- a. building square footage;
- b. landscaping;
- c. parking;
- d. building height; or
- e. impervious surface as established in the King County Fairgrounds Site Development Plan

Environmental Checklist, dated September 21, 1999, Attachment B to Ordinance 14808.

22. A special use permit shall be required for any modification or expansion of the King County fairgrounds facility that is not in conformance with the King County Site Development Plan Report or that exceeds the allowed modifications to the plan identified in subsection B.21. of this section.

23. The facility shall be primarily devoted to rural public infrastructure maintenance and is subject to the following conditions:

- a. The minimum site area shall be ten acres, unless:

- (1) the facility is a reuse of a public agency yard; or
  - (2) the site is separated from a county park by a street or utility right-of-way;

b. Type 1 landscaping as provided in K.C.C. chapter 21A.16 shall be provided between any stockpiling or grinding operations and adjacent (~~((residential))~~) R or UR zoned property;

c. Type 2 landscaping as provided in K.C.C. chapter 21A.16 shall be provided between any office and parking lots and adjacent (~~((residential))~~) R or UR zoned property;

d. Access to the site does not use local access streets that abut (~~((residential))~~) R or UR zoned property, unless the facility is a reuse of a public agency yard;



e. Structural setbacks from property lines shall be as follows:

(1) Buildings, structures, and stockpiles used in the processing of materials shall be no closer than:

(a) one hundred feet from any ~~((residential))~~ R or UR zoned properties, except that the setback may be reduced to fifty feet when the grade where the building or structures are proposed is fifty feet or greater below the grade of the ~~((residential))~~ R or UR zoned property;

(b) fifty feet from any other zoned property, except when adjacent to a mineral extraction or materials processing site;

(c) the greater of fifty feet from the edge of any public street or the setback from ~~((residential))~~ R or UR zoned property on the far side of the street; and

(2) Offices, scale facilities, equipment storage buildings, and stockpiles shall not be closer than fifty feet from any property line except when adjacent to M or F zoned property or when a reuse of an existing building. Facilities necessary to control access to the site, when demonstrated to have no practical alternative, may be located closer to the property line;

f. On-site clearing, grading, or excavation, excluding that necessary for required access, roadway, or storm drainage facility construction, shall not be ~~((permitted))~~ allowed within fifty feet of any property line except along any portion of the perimeter adjacent to M or F zoned property. If native vegetation is restored, temporary disturbance resulting from construction of noise attenuation features located closer than fifty feet shall be ~~((permitted))~~ allowed; and

g. Sand and gravel extraction shall be limited to forty thousand yards per year.

24. The following accessory uses to a motor race track operation are allowed if approved as part of the special use permit:

a. motocross;

b. autocross;

c. skidpad;

- d. garage;
- e. driving school; and
- f. fire station.

25. Regional transit authority facilities shall be exempt from setback and height requirements.

26. Transit comfort facility shall:

- a. only be located outside of the urban ((growth)) area ((boundary));
- b. be exempt from street setback requirements; and
- c. be no more than ((200)) two hundred square feet in size.

27.a. Required for all new, modified, or expanded fossil fuel facilities. Modification or expansion includes, but is not limited to:

- (1) new uses or fuel types within existing facilities;
- (2) changes to the type of refining, manufacturing, or processing;
- (3) changes in the methods or volumes of storage or transport of raw materials or processed products;

- (4) changes in the location of the facilities on-site;
- (5) replacement of existing facilities;
- (6) increases in power or water demands; or
- (7) increases in production capacity.

b. Before filing an application with the department, the applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

c. As part of permit application submittal for new, modified, or expanded fossil fuel facilities, the applicant shall submit the following documentation:

- (1) an inventory of similar existing facilities in King County and neighboring counties, including their locations and capacities;

(2) a forecast of the future needs for the facility;

(3) an ~~((analysis of the potential social and economic impacts and benefits to jurisdictions and local communities receiving or surrounding the facility))~~ equity impact review of the proposal using tools developed by the office of equity and racial and social justice. Until the tools have been developed and made publicly available by the office, the equity impact review is not required. The results from the equity impact review shall be used to assess equity impacts and opportunities during county permit review and may be used to inform determinations of project approval;

(4) an analysis of alternatives to the facility, including location, conservation, demand management and other strategies;

(5) an analysis of economic and environmental impacts, including mitigation, of any similar existing facilities and of any new site~~((s))~~ or sites under consideration as an alternative to expansion of an existing facility;

(6) an extensive public involvement strategy that strives to effectively engage a wide range of racial, ethnic, cultural, and socioeconomic groups, including communities that are the most impacted;

(7) considered evaluation of any applicable prior review conducted by a public agency, local government, or ~~((stakeholder group))~~ interested party; and

(8) a greenhouse gas impact analysis prepared by the applicant , the results of which shall be used to identify and mitigate the impacts of such facilities.

d. As part of permit application submittal, the applicant shall demonstrate financial responsibility meeting the requirements of K.C.C. chapter 21A.49. The financial responsibility shall be reviewed as part of the facility's periodic review under K.C.C. 21A.22.050.

e. New, modified or expanded fossil fuel facilities shall:

(1) not be located within one thousand feet from any schools, medical care facilities, or places of assembly that have occupancies of greater than one thousand persons;

(2) not be located within two hundred fifty feet from a regulated wetland or aquatic area, except when a larger buffer is required under K.C.C. chapter 21A.24, the buffer in K.C.C. chapter 21A.24 shall apply;

(3) maintain an interior setback of at least two hundred feet;

(4) store fossil fuels completely within enclosed structures, tanks, or similar facilities;

(5) be accessed directly to and from an arterial roadway; and

(6) comply with all applicable regulations in K.C.C. chapter 21A.22.

f. Proposals shall only be approved when the following conditions are met:

(1) the proposed facility can confine or mitigate all operational impacts;

(2) the facility can adequately mitigate conflicts with adjacent land uses;

(3) the full scope of environmental impacts, including life cycle greenhouse gas emissions and public health, have been evaluated and appropriately conditioned or mitigated as necessary, consistent with the County's substantive State Environmental Policy Act authority;

(4) the applicant can comply with applicable federal and state regulations, including the Clean Water Act, Clean Air Act, and Endangered Species Act;

(5) the applicant has demonstrated early, meaningful, and robust consultation with Indian tribes, the public, and surrounding property owners to assess impacts to Indian tribal treaty-protected cultural and fisheries resources; and

(6) risks to public health and public safety can be mitigated.

28. Limited to uses that will not convert more than two acres of farmland or forestland, or two and one-half percent of the farmland or forestland, whichever is less.

29.a. Before filing an application with the department, the applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

b. As part of permit application submittal for nonhydroelectric generation facilities, the applicant shall submit the following documentation:

- (1) an inventory of similar existing facilities in King County and neighboring counties, including their locations and capacities;
  - (2) a report demonstrating that the facility would serve a significant portion of the county, metropolitan region, or is part of a statewide or national system;
  - (3) a forecast of the future needs for the facility;
  - (4) an ~~((analysis of the potential social and economic impacts and benefits to jurisdictions and local communities receiving or surrounding the facility))~~ equity impact review of the proposal using tools developed by the office of equity and racial and social justice. Until the tools have been developed and made publicly available by the office, the equity impact review is not required. The results from the equity impact review shall be used to assess equity impacts and opportunities during county permit review and may be used to inform determinations of project approval;
  - (5) an analysis of alternatives to the facility, including location, conservation, demand management, and other strategies;
  - (6) an analysis of economic and environmental impacts, including mitigation, of any similar existing facilities and of any new site or sites under consideration as an alternative to expansion of an existing facility;
  - (7) an extensive public involvement strategy ~~((which))~~ that strives to effectively engage a wide range of racial, ethnic, cultural, and socioeconomic groups, including communities that are the most impacted;
  - (8) considered evaluation of any applicable prior review conducted by a public agency, local government, or ~~((stakeholder group))~~ interested party; and
  - (9) a greenhouse gas impact analysis prepared by the applicant, the results of which shall be used to identify and mitigate the impacts of such facilities.
- c. As part of permit application submittal, an applicant shall demonstrate financial responsibility meeting the requirements of K.C.C. chapter 21A.49.

d. Non((-))hydroelectric generation facilities shall be subject to a periodic review meeting the same standards given in K.C.C. 21A.22.050. The financial responsibility required by subsection B.29.c. of this section shall be reviewed as part of the periodic review.

30. Battery energy storage systems, except those defined as an accessory use under K.C.C. 21A.06.015, 21A.06.020, or 21A.06.025, are subject to the applicable permit requirements of subsection A. of this section and the following conditions:

a. A minimum separation of ten feet shall be maintained between rooms or enclosures containing battery energy storage systems and landscaping or other vegetation;

b. As part of building permit application submittal, battery energy storage systems shall demonstrate financial responsibility for public liability and environmental risks in accordance with K.C.C. chapter 21A.49 if the total system capacity is more than two megawatts and all three of the following apply:

(1) the battery technology requires thermal runaway compliance under WAC 51-54A-1207.6;

(2) any individual room, cabinet, container, or other enclosure containing the system has an energy rating greater than two megawatt-hours, or any two enclosures are less than ten feet apart; and

(3) the system does not qualify as a remote installation under IFC 1207.8.1.;

c. As part of building permit application submittal, battery energy storage systems with a total system capacity more than two megawatts shall demonstrate financial responsibility for decommissioning in accordance with K.C.C. chapter 21A.49

d. If financial responsibility is required by subsection B.30.b. or c. of this section, the applicant shall submit verification of financial responsibility to the department every five years, beginning five years from the date of permit issuance;

e. The findings and recommendations of studies, analyses, and testing required by K.C.C. Title 17, WAC 51-54A-1207, and the International Fire Code((;)) should be incorporated into the permit conditions for the facility; and

f. As part of application submittal, the applicant shall submit verification that preliminary fire safety and evacuation plans have been shared with the local fire protection district. The final plans shall be shared with the local fire protection district before final inspection approval.

31.a. For all search and rescue facilities:

(1) the minimum lot size is four and one half acres;

(2) structures and parking areas for search and rescue facilities shall maintain a minimum distance of seventy-five feet from interior lot lines that adjoin (~~((rural area and residential))~~) RA, UR, and R zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62;

(3) use of the search and rescue facility is limited to activities directly relating to the search and rescue organization, except that the facility may be used by law enforcement and other public emergency responders for training and operations related to search and rescue activities; and

(4) the applicant (~~((must))~~) shall demonstrate the absence of existing search and rescue facilities that are adequate to conduct search and rescue operations in the rural area.

b. A special use permit is required when helicopter fueling, maintenance, or storage is proposed.

SECTION 170. The following should constitute a new chapter in K.C.C. Title 21A, to follow K.C.C. chapter 21A.08:

- A. Sections 171, 172, 173, and 174 of this ordinance;
- B. K.C.C. 21A.60.060, as recodified by this ordinance;
- C. Section 177 of this ordinance;
- D. K.C.C. 21A.60.010, as recodified by this ordinance;
- E. K.C.C. 21A.60.040, as recodified by this ordinance;
- F. K.C.C. 21A.60.050, as recodified by this ordinance;
- G. K.C.C. 21A.60.070, as recodified by this ordinance;
- H. K.C.C. 21A.60.080, as recodified by this ordinance;

- I. K.C.C. 21A.60.090, as recodified by this ordinance;
- J. K.C.C. 21A.60.030, as recodified by this ordinance;
- K. K.C.C. 21A.60.100, as recodified by this ordinance; and
- L. K.C.C. 21A.60.110, as recodified by this ordinance.

NEW SECTION. SECTION 171.

- A. This chapter contains regulations for the North Highline subarea geography.
- B. All developments in the North Highline subarea geography are subject to the development standards in this chapter and as supplemented by this title.
- C. Where a conflict exists, the standards in this chapter shall apply except for the following:
  - 1. K.C.C. chapter 21A.24, critical areas;
  - 2. K.C.C. chapter 21A.25, shorelines; and
  - 3. Special district overlays, p-suffix conditions, or demonstration projects.

NEW SECTION. SECTION 172.

- A. The allowed uses in K.C.C. chapter 21A.08 shall apply, except as provided in this section.
- B. Mixed-use development shall be required in the block bounded by SW 100th Street, 15th Avenue SW, SW 102nd Street, and 16th Avenue SW.
- C. The total number of cannabis retailers, as permitted in K.C.C. 21A.08.070, within the North Highline subarea geography shall not exceed two. Any cannabis retailers legally established beyond this limit within North Highline prior to the adoption of Ordinance 19555 shall be considered a legal nonconformance under K.C.C. chapter 21A.32.
- D. In the core street type as identified in K.C.C. 21A.60.040, as recodified by this ordinance:
  - 1. Formula businesses are prohibited.
  - 2. The maximum size for an individual ground floor commercial space is five thousand square feet per tenant.



E. In the Top Hat community business center or I zoned property within North Highline:

1. Legally established commercial or industrial uses that exist as of November 28, 1994, but that are not otherwise allowed by the zoning, shall be considered permitted uses upon only the lots that they occupied as of that date.

2. Permitted uses shall include those of the CB zone and I zone, except that the following are not allowed:

a. any use allowed in the I zone requiring a conditional use permit;

b. auction houses;

c. livestock sales;

d. motor vehicle and boat dealers;

e. SIC Major Group 24-Lumber and Wood Products, Except Furniture, except SIC Industries 2431-Millwork and 2434-Wood Kitchen Cabinets;

f. SIC Major Group 32-Stone, Clay, Glass, and Concrete Products;

g. SIC Industry 7534-Tire Retreading;

h. SIC Major Group 02-Raising Livestock and Small Animals;

i. SIC Industry 2951-Asphalt Paving Mixtures and Blocks;

j. resource accessory uses;

k. outdoor storage of equipment or materials occupying more than twenty-five percent of the site associated with SIC Industry 7312-Outdoor Advertising Services;

l. interim recycling facilities on lots that directly abut R-zoned properties; and

m. formula businesses in the Top Hat community business center.

3. Use limitations of the base zone do not apply to commercial/industrial accessory uses.

#### NEW SECTION. SECTION 173.

A.1. This section establishes the density and dimensional standards for residential zones in North

Highline. Measurement methods are identified in K.C.C. chapter 21A.12.

2. The matrix identifies zones in the vertical columns and corresponding development standards for each zone are in the horizontal rows. The matrix cells contain the minimum dimensional requirements of the zone.

3. The parenthetical numbers in the matrix identify conditions, requirements, notes, or modifiers that correspond to the text in subsection B. of this section. A blank cell indicates that there are no specific requirements. If more than one standard appears in a cell, each standard shall be applicable to any applicable parenthetical number.

North Highline Residential Density and Dimensional Standards							
STANDARD	R-4	R-6	R-8	R-12	R-18	R-24	R-48
Base Density	4 du/ac	6 du/ac	8 du/ac	12 du/ac	18 du/ac	24 du/ac	48 du/ac
Maximum Density (1)	5 du/ac (10) 6 du/ac (2) 12 du/ac (3)	7.5 du/ac (10) 9 du/ac (2) 18 du/ac (3)	10 du/ac (10) 12 du/ac (2) 24 du/ac (3)	15 du/ac (10) 18 du/ac (2) 36 du/ac (3)	22.5 du/ac (10) 27 du/ac (2) 54 du/ac (3)	30 du/ac (10) 36 du/ac (2) 72 du/ac (3)	60 du/ac (10) 72 du/ac (2) 144 du/ac (3)
Maximum Density for Manufacture Home Communities	12 du/ac	12 du/ac	12 du/ac	12 du/ac	18 du/ac	24 du/ac	48 du/ac
Minimum Density (4)	85%	85%	85%	80%	75%	70%	65%
Minimum Lot Width (5)	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft
Minimum Street Setback (5)	10 ft	10 ft	10 ft	10 ft (12)	10 ft (12)	10 ft (12)	10 ft (12)
Minimum Street Setback for Garages, Carports, or Fenced Parking (5) (6)	20 ft	20 ft	20 ft	20 ft (12)	20 ft (12)	20 ft (12)	20 ft (12)
Minimum Interior Setback (5)	5 ft	5 ft	5 ft	5 ft (12)	5 ft (12)	5 ft (12)	5 ft (12)

Nonresidential Minimum Street and Interior Setbacks	(13)	(13)	(13)	(13)	(13)	(13)	(13)
Base Height (11a)	35 ft	35 ft	35 ft	45 ft	60 ft	60 ft	60 ft
Maximum Height (11b)	45 ft (7)	45 ft (7)	45 ft (7)	60 ft (3)	80 ft (3)	80 ft (3)	80 ft (3)
Nonresidential Maximum Height	75 ft (8)	45 ft (7a) 75 ft (8)	45 ft (7a) 75 ft (8)	75 ft (8)	75 ft (8)	75 ft (8)	75 ft (8)
Maximum Impervious Surface (9)	55%	70%	75%	85%	85%	85%	90%
Nonresidential Maximum Impervious Surface (9)	70%	70%	75%	85%	85%	85%	90%

B. Development conditions for the North Highline residential density and dimensional standards.

1. Density applies only to dwelling units and not to sleeping units.
2. This maximum density is allowed in the following circumstances:
  - a. for a duplex through a transfer of development right in accordance with K.C.C. 21A.08.030.B.12.;

or

- b. for a development with nine or fewer units through a transfer of development rights;

3. This maximum is allowed in the following circumstances:

- a. for a development with nine or fewer units on a site located within a half-mile walkshed of a high-capacity or frequent transit stop as mapped by the Metro transit department; or
  - b. through the inclusionary housing program in K.C.C. chapter 21A.48.

4. The minimum density shall be calculated consistent with K.C.C. 21A.12.060 and K.C.C. 21A.12.087.

5. These standards may be modified under the provisions for zero-lot-line and townhouse developments in K.C.C. chapter 21A.14.

6. The setback distance shall be measured along the center line of the driveway from the access point

to such garage, carport, or fenced area to the street property line.

7. This maximum height is allowed in the following circumstances:

- a. for a building on slopes exceeding a fifteen percent finished grade;
- b. through the inclusionary housing regulations in accordance with K.C.C. chapter 21A.48; or
- c. for a structure that provide one additional foot of street and interior setback for each foot above the

base height.

8.a. Portions of a nonresidential structure may exceed the base height if one additional foot of street and interior setback is provided for each foot above the base height.

b. Netting, fencing, and related support structures used to contain golf balls on a golf course or golf driving range are exempt from additional interior setback requirements. In recreation and multiuse parks, golf ball netting, fencing and related support structures shall not exceed one-hundred twenty-five feet, unless a golf ball trajectory study requires a higher fence.

9. The impervious surface maximum applies to each individual lot. Impervious surface does not include access easements serving neighboring property and driveways to the extent that they extend beyond the street setback due to location within an access panhandle or due to the application of King County Code requirements to locate features over which the applicant does not have control. Impervious surface area standards for:

- a. individual lots in the R-4 through R-6 zones that are less than nine thousand seventy-six square feet in area shall be subject to the applicable provisions of the nearest comparable R-6 or R-8 zone;
- b. a lot may be increased beyond the total amount allowed in this chapter subject to approval of a conditional use permit; and
- c. regional uses shall be established at the time of permit review.

10. This maximum density is allowed for developments with child daycares under section 240 of this ordinance.

11. For cottage housing developments only:

- a. the base height is twenty-five feet; and
- b. buildings that have pitched roofs with a minimum slope of six over twelve may achieve a

maximum height of thirty feet at the ridge of the roof.

12. Developments may be subject to the North Highline urban design standards in K.C.C. 21A.60.060, as recodified by this ordinance, K.C.C. 21A.60.010, as recodified by this ordinance, K.C.C. 21A.60.040, as recodified by this ordinance, K.C.C. 21A.60.050, as recodified by this ordinance, K.C.C. 21A.60.070, as recodified by this ordinance, K.C.C. 21A.60.080, as recodified by this ordinance, K.C.C. 21A.60.090, as recodified by this ordinance, K.C.C. 21A.60.030, as recodified by this ordinance, K.C.C. 21A.60.100, as recodified by this ordinance, and K.C.C. 21A.60.110, as recodified by this ordinance, which may modify these standards.

13. The street and interior setbacks for nonresidential development, except for fences and backstops, are as follows:

- a. nonresidential uses with less than two thousand five hundred square feet of floor area shall be subject to the setbacks of the underlying zone;
- b. government and institutional uses shall be thirty feet;
- c. battery energy storage systems not defined as accessory uses under K.C.C. 21A.06.015, 21A.06.020, or 21A.06.025 shall be thirty feet;
- d. regional uses shall be established at the time of permit review;
- e. utility facilities shall be subject to the setbacks of the underlying zone;
- f. where a setback is identified for a specific land use in the applicable zone, that setback shall apply;

and

- g. all other nonresidential development exceeding two thousand five hundred square feet of floor area shall be fifteen feet.

NEW SECTION. SECTION 174.

A.1. This section establishes the density and dimensional standards for commercial and industrial zones in North Highline. Measurement methods are identified in K.C.C. chapter 21A.12.

2. The matrix identifies zones in the vertical columns and corresponding development standards for each zone are in the horizontal rows. The matrix cells contain the minimum dimensional requirements of the zone.

3. The parenthetical numbers in the matrix identify conditions, requirements, notes, or modifiers that correspond to the text in subsection B. of this section. A blank cell indicates that there are no specific requirements. If more than one standard appears in a cell, each standard shall be applicable to any applicable parenthetical number.

<b>North Highline Commercial and Industrial Density and Dimensional Standard</b>					
<b>STANDARD</b>	<b>NB</b>	<b>CB</b>	<b>RB</b>	<b>O</b>	<b>I</b>
Base Density	8 du/ac	48 du/ac	48 du/ac	48 du/ac	
Maximum Density	12 du/ac (2) 24 du/ac (3)	72 du/ac (2) 144 du/ac (3)	72 du/ac (2) 144 du/ac (3)	72 du/ac (2) 144 du/ac (3)	
Minimum Street Setback (4) (1)	0 ft	0 ft	0 ft	0 ft	0 ft
Minimum Interior Setback (12)	0 ft 10 ft (5c) 10 ft (5d)	0 ft 10 ft (5a)	0 ft 10 ft (5a)	0 ft 10 ft (5a)	0 ft 20 ft (5a) 50 ft (5b)
Base Height	35 ft	35 ft	35 ft	45 ft	45 ft
Mixed-Use Maximum Height (11)	45 ft (7) 65 ft (3)	55 ft (16) 60 ft 80 ft (15)	65 ft 85 ft (3)	65 ft 85 ft (3)	
Nonresidential Maximum Height (8) (11)	75 ft	75 ft	75 ft	75 ft	75 ft
Maximum Mixed-Use Floor Area Ratio (6) (10)	2/1	4/1	4.5/1	4.5/1	
Maximum Nonresidential Floor Area Ratio (10)	1/1	3/1	3/1	3/1	3/1
Maximum Impervious Surface (9)	85%	85%	90%	75%	90%

B. Development conditions for the North Highline commercial and industrial density and dimensional standards.

1.a. Density applies only to dwelling units and not to sleeping units.

b. These densities are allowed only:

(1) for mixed-use developments; or

(2) standalone townhouses on property zoned NB and designated commercial outside of center.

2. This maximum density is allowed for a mixed-use development with nine or fewer units through a transfer of development rights.

3. This maximum is allowed in the following circumstances:

a. for a mixed-use development through the inclusionary housing program in K.C.C. chapter 21A.48;

or

b. for a mixed-use development with nine or fewer units on a site located within a half-mile

walkshed of a high-capacity or frequent transit stop as mapped by the Metro transit department.

4. Gasoline service station pump islands shall be placed no closer than twenty-five feet to street property lines.

5.a. Required on property lines adjoining R zones with Type I landscaping consistent with K.C.C. 21A.16.040.

b. Required on property lines adjoining R zones for industrial uses established by conditional use permits.

c. Required on property lines adjoining R zones unless a standalone townhouse development on property designated commercial outside of center is adjacent to a property developed with an existing townhouse development.

d. Required on property lines adjoining R zones only for a social service agency office reusing a residential structure in existence on January 1, 2010.

6. Developments under the inclusionary housing program in K.C.C. chapter 21A.48 shall not be subject to a floor area ratio maximum.

7. This maximum height allowed only for:

- a. mixed-use developments; and
- b. standalone townhouse development in the NB zone on property designated commercial outside of center.

8.a. Portions of a nonresidential structure may exceed the base height if one additional foot of street and interior setback is provided for each foot above the base height.

b. Netting, fencing, and related support structures used to contain golf balls on a golf course or golf driving range are exempt from additional interior setback requirements. In recreation and multiuse parks, golf ball netting, fencing and related support structures shall not exceed one-hundred twenty-five feet, unless a golf ball trajectory study requires a higher fence.

9. The impervious surface area may be increased beyond the total amount allowed in this chapter subject to approval of a conditional use permit.

10. Additional floor area ratio is allowed for developments with child daycares under section 240 of this ordinance.

11. Except for the White Center unincorporated activity center, upper-level step backs are required for any facade facing a pedestrian street for any portion of the structure greater than forty-five feet in height. The upper-level step back shall be at least one foot for every two feet of height above forty-five feet, up to a maximum of ten feet. The first four feet of horizontal projection of decks, balconies with open railings, eaves, cornices, and gutters are allowed in required step backs.

12. Developments may be subject to the North Highline urban design standards in K.C.C. 21A.60.060, as recodified by this ordinance, K.C.C. 21A.60.010, as recodified by this ordinance, K.C.C. 21A.60.040, as recodified by this ordinance, K.C.C. 21A.60.050, as recodified by this ordinance, K.C.C. 21A.60.070, as



recodified by this ordinance, K.C.C. 21A.60.080, as recodified by this ordinance, K.C.C. 21A.60.090, as recodified by this ordinance, K.C.C. 21A.60.030, as recodified by this ordinance, K.C.C. 21A.60.100, as recodified by this ordinance, and K.C.C. 21A.60.110, as recodified by this ordinance, which may modify these standards.

13. Reserved.

14. Reserved.

15. Except for the core street type designated in K.C.C. 21A.60.040, as recodified by this ordinance, this maximum height may be achieved through the inclusionary housing program in K.C.C. chapter 21A.48.

16. Required on the core street type as designated in K.C.C. 21A.60.040, as recodified by this ordinance.

SECTION 175. K.C.C. 21A.60.060, as amended by this ordinance, is hereby recodified as a new section in K.C.C. chapter 21A.xx (the new chapter created in section 170 of this ordinance) to follow section 174 of this ordinance.

SECTION 176. Ordinance 19687, Section 14, and K.C.C. 21A.60.060 is hereby amended to read as follows:

A. Developments shall provide landscaping consistent with K.C.C. chapter 21A.16, except as provided in this chapter and as follows:

1. New and substantially improved developments subject to the North Highline urban design standards ((of this chapter)) in K.C.C. 21A.60.060, as recodified by this ordinance, K.C.C. 21A.60.010, as recodified by this ordinance, K.C.C. 21A.60.040, as recodified by this ordinance, K.C.C. 21A.60.050, as recodified by this ordinance, K.C.C. 21A.60.070, as recodified by this ordinance, K.C.C. 21A.60.080, as recodified by this ordinance, K.C.C. 21A.60.090, as recodified by this ordinance, K.C.C. 21A.60.030, as recodified by this ordinance, K.C.C. 21A.60.100, as recodified by this ordinance, and K.C.C. 21A.60.110, as recodified by this ordinance, are required to meet a minimum GreenCenter score of 0.3. If an applicant

demonstrates to the director that the existing conditions of the site do not allow for a GreenCenter score of 0.3, the director may modify the requirement.

2. In the White Center unincorporated activity center, perimeter landscaping along streets may be waived, provided street trees and other pedestrian-related amenities are provided.

B. The GreenCenter score shall be calculated as follows:

1. For each landscape element, multiply the square feet, or equivalent square footage where applicable, by the multiplier provided for that element in subsection C. of this section, according to the following provisions:

a. If multiple elements listed in subsection C. of this section occupy the same area, such as groundcover under a tree, count the full square footage or equivalent square footage of each element;

b. Landscaping elements in the right-of-way between the property line and the roadway may be counted, but only if they are approved by the manager of the road services division of the department of local services;

c. Elements listed in subsection C. of this section that are provided to satisfy any other requirements of K.C.C. Title 21A may be counted;

d. For vegetated walls, use the square footage of the portion of the wall covered by vegetation. All vegetated wall structures shall be constructed of durable materials, provide adequate planting areas for plant health, provide irrigation for the planting areas, and provide appropriate surfaces or structures that enable plant coverage; and

e. For small shrubs, small plantings, and grass, square footage is determined by the area of the portion of a horizontal plane that lies under the element.

2. Add together all the products calculated under subsection B.1. of this section to determine the GreenCenter numerator; and

3. Divide the GreenCenter numerator by the parcel size to determine the GreenCenter score.

## C. GreenCenter landscape elements and categories:

GreenCenter landscape elements		Multiplier
<b>1. Planted areas</b>		
	a. Planted areas	0.6
	b. Bioretention standards	1.0
<b>2. Small plantings and shrubs</b>		
	a. Ground cover maturity	0.1
	b. Medium shrubs 4 feet tall	0.3
	c. Large shrubs = number	0.3
<b>3. Trees</b>		
	a. Trees less than 4 feet (area)	0.3
	b. Trees 4 to 8 feet (area)	0.5
	c. Trees 8 to 12 feet (trees x 35)	0.7
	d. Preserved trees measured tree diameter	1.0
<b>4. Green roofs</b>		
	a. Planted roofs	0.2
	b. Planted roofs	0.3
	c. Planted roofs	0.4
<b>5. Vegetated walls (maximum 500 square feet)</b>		0.2
<b>6. Bonuses</b>		
	a. Landscape plant species	0.1
	b. Landscape space	0.1
	c. Landscape	0.2
	d. Landscape needs through	0.2
	e. Spaces	0.2
	f. Landscape outreach	0.2

	g. Lands signage, c	0.2
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NEW SECTION. SECTION 177.

A.1. The required number of off-street parking spaces shall be provided in accordance with the table in this section. If a parking standard for a use is not specified in this chapter, the Director shall establish the minimum parking requirement.

2. Off-street parking ratios shall be based on the usable or net floor area, exclusive of nonoccupied areas. For the purposes of calculating parking, "nonoccupied areas" include, but are not limited to, building maintenance areas, storage areas, closets, or restrooms.

3. If the calculation for determining the number of off-street parking spaces results in a fraction, the number of off-street parking spaces shall be rounded to the nearest whole number with fractions of 0.50 or greater rounded up and fractions below 0.50 rounded down.

<b>LAND USE</b>	<b>White Center Unincorporated Activity Center</b>	<b>Within 1/2 Mile Walkshed or High- Capacity of Frequent Transit Stop as Mapped by the Metro Transit Department</b>	<b>Other Areas of North Highline</b>
<b>RESIDENTIAL (K.C.C. 21A.08.030.A.):</b>			
Inclusionary housing development (K.C.C. chapter 21A.48)	No minimum required	0.5 per dwelling unit	0.8 per dwelling unit
Single detached residence	No minimum required	1.0 per dwelling unit	2.0 per dwelling unit
Duplex, houseplex, or townhouse	No minimum required	1.0 per dwelling unit	1.5 per dwelling unit
Apartment:			
Studio units	No minimum required	0.7 per dwelling unit	1.2 per dwelling unit
One or more bedroom units	No minimum required	1.0 per dwelling unit	1.5 per dwelling unit
Manufactured home community	No minimum required	1.0 per dwelling unit	2.0 per dwelling unit
Cottage housing	No minimum required	0.8 per dwelling unit	1 per dwelling unit
Congregate residence	No minimum required	0.3 per dwelling or sleeping units	1 per two bedrooms

Senior assisted housing	No minimum required	1.0 per 4 dwelling or sleeping units	1 per 2 dwelling or sleeping units
<b>RECREATIONAL AND CULTURAL (K.C.C. 21A.08.040.A.):</b>			
Recreation use, if not otherwise specified	(director)	(director)	(director)
Cultural uses, if not otherwise specified	1 per 400 square feet	1 per 300 square feet	1 per 300 square feet
Golf course facility	3 per hole, plus 1 per 400 square feet of club house facilities	3 per hole, plus 1 per 300 square feet of club house facilities	3 per hole, plus 1 per 300 square feet of club house facilities
Golf driving range	.75 per tee	1 per tee	1 per tee
Tennis club	3 per tennis court plus 1 per 500 square feet of clubhouse facility	4 per tennis court plus 1 per 500 square feet of clubhouse facility	4 per tennis court plus 1 per 300 square feet of clubhouse facility
Theater	1 per 5 fixed seats	1 per 4 fixed seats	1 per 3 fixed seats
Bowling center	3 per lane	4 per lane	5 per lane
Paintball range	(director)	(director)	(director)
Conference center	Greater of 1 per 5 fixed seats plus 1 per 75 square feet used for assembly purposes without fixed seats, or 1 per lodging room	Greater of 1 per 3 fixed seats plus 1 per 60 square feet used for assembly purposes without fixed seats, or 1 per lodging room	Greater of 1 per 3 fixed seats plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1 per lodging bedroom, whichever results in the greater number of spaces.
<b>HEALTH CARE SERVICES AND RESIDENTIAL CARE SERVICES (subsection A. of section 162 of this ordinance):</b>			
Health care and residential care services, if not otherwise specified	1 per 400 square feet of office, labs, examination, or patient room	1 per 300 square feet of office, labs, examination, or patient room	1 per 300 square feet of office, labs, examination, or patient room
Hospital	1 per bed	1 per bed	1 per bed
Nursing and personal care facility	1 per 4 beds	1 per 4 beds	1 per 4 beds
Adult family home	2 per home	2 per home	2 per home
Community residential facilities	1 per 3 bedrooms	1 per 2 bedrooms	1 per 2 bedrooms
Permanent supportive housing	1 per 2 employees plus 1 per 20 dwelling units	1 per 2 employees plus 1 per 20 dwelling units	1 per 2 employees plus 1 per 20 dwelling units

Recuperative housing	1 per 2 employees plus 1 per 10 sleeping unit	1 per 2 employees plus 1 per 10 sleeping unit	1 per 2 employees plus 1 per 10 sleeping unit
Emergency supportive housing	1 per 2 employees plus 1 per 20 sleeping unit	1 per 2 employees plus 1 per 20 sleeping unit	1 per 2 employees plus 1 per 20 sleeping unit
Microshelter villages	1 per 2 employees plus 1 per 20 microshelters	1 per 2 employees plus 1 per 20 microshelters	1 per 2 employees plus 1 per 20 microshelters
<b>PERSONAL SERVICE AND TEMPORARY LODGING (K.C.C. 21A.08.050.A.):</b>			
Personal service and temporary lodging uses, if not otherwise specified	No minimum required	1 per 400 square feet	1 per 300 square feet
Specialized instruction Schools	1 per classroom, plus 1 per 3 students	1 per classroom, plus 1 per 2 students	1 per classroom, plus 1 per 2 students
Funeral home/crematory	1 per 65 square feet of chapel area	1 per 50 square feet of chapel area	1 per 50 square feet of chapel area
Daycare I	2 per facility	2 per facility	2 per facility
Daycare II	1.5 per facility, plus 1 space for each 25 children	2 per facility, plus 1 space for each 20 children	2 per facility, plus 1 space for each 20 children
Religious facility	1 per 100 square feet of gross floor area	1 per 75 square feet of gross floor area	1 per 60 square feet of gross floor area
Veterinary clinic	1 per 400 square feet of office, labs, and examination rooms	1 per 300 square feet of office, labs, and examination rooms	1 per 300 square feet of office, labs, and examination rooms
Artist studios	0.7 per 1,000 square feet of area used for studios	0.8 per 1,000 square feet of area used for studios	0.9 per 1,000 square feet of area used for studios
Hotel/motel	0.8 per room	0.9 per room	1 per room
Bed and breakfast guesthouse	1 per guest room	1 per guest room, plus 1 per facility	1 per guest room, plus 2 per facility
Organizational hotel/lodging	0.8 per room	0.9 per room	1 per room
<b>GOVERNMENT AND EDUCATION (subsection A. of section 164 of this ordinance):</b>			
Government uses, if not otherwise specified	1 per 400 square feet	1 per 300 square feet	1 per 300 square feet
Public agency or utility yard	1 per 400 square feet of offices, plus 0.7 per 1,000 square feet of indoor storage or repair areas	1 per 300 square feet of offices, plus 0.9 per 1,000 square feet of indoor storage or repair areas	1 per 300 square feet of offices, plus 0.9 per 1,000 square feet of indoor storage or repair areas

Public agency archives	0.7 per 1,000 square feet of storage area, plus 1 per 60 square feet of waiting/reviewing areas	0.9 per 1,000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas	0.9 per 1,000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas
Court	2 per courtroom, plus 1 per 60 square feet of fixed seat or assembly areas	3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas	3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas
Police facility	(director)	(director)	(director)
Fire facility	(director)	(director)	(director)
Elementary schools	1 per classroom, plus 1 per 60 students	1 per classroom, plus 1 per 50 students	1 per classroom, plus 1 per 50 students
Middle/junior high schools	1 per classroom, plus 1 per 60 students	1 per classroom, plus 1 per 50 students	1 per classroom, plus 1 per 50 students
Secondary or high schools	1 per classroom, plus 1 per 12 students	1 per classroom, plus 1 per 10 students	1 per classroom, plus 1 per 10 students
Secondary or high schools with stadiums	Greater of 1 per classroom plus 1 per 12 students, or 1 per 4 fixed seats in stadium	Greater of 1 per classroom plus 1 per 10 students, or 1 per 3 fixed seats in stadium	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 7 students	1 per classroom, plus 1 per 5 students	1 per classroom, plus 1 per 5 students
<b>BUSINESS SERVICES (K.C.C. 21A.08.060.A.):</b>			
Business services uses, if not otherwise specified	1 per 400 square feet	1 per 350 square feet	1 per 300 square feet
Self-service storage	1 per 5,500 square feet of storage area, plus 1 for any resident manager's unit	1 per 4,500 square feet of storage area, plus 1 for any resident manager's unit	1 per 3,500 square feet of storage area, plus 2 for any resident manager's unit
Outdoor advertising services	1 per 400 square feet of office, plus 0.7 per 1,000 square feet of storage area	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area
Office	1 per 400 square feet	1 per 350 square feet	1 per 300 square feet
Construction and trade	1 per 1,000 square feet of office, plus 1 per 3,000 square feet of storage area	1 per 750 square feet of office, plus 1 per 3,000 square feet of storage area	1 per 500 square feet of office, plus 1 per 3,000 square feet of storage area

Warehousing and wholesale trade	1 per 400 square feet of office, plus 0.5 per 1,000 square feet of storage area	1 per 300 square feet of office, plus 0.6 per 1,000 square feet of storage area	1 per 300 square feet of office, plus 0.7 per 1,000 square feet of storage area
Heavy equipment repair	1 per 400 square feet of office, plus 0.7 per 1,000 square feet of indoor repair areas	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of indoor repair areas	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of indoor repair areas
<b>RETAIL (K.C.C. 21A.08.070.A.):</b>			
Retail uses, if not otherwise specified	No minimum required	1 per 500 square feet	1 per 300 square feet
Food stores (retail area 1,000 sf or larger)	3 plus 1 per 700 square feet	3 plus 1 per 500 square feet	3 plus 1 per 350 square feet
Food stores (retail area less than 1,000 sf)	No minimum required	No minimum required	1 per 100 square feet in dining or lounge areas
Restaurants (dining or lounge areas 1,000 sf or larger)	No minimum required	1 per 300 square feet in dining or lounge areas	1 per 100 square feet in dining or lounge areas
Restaurants (dining or lounge areas less than 1,000 sf)	No minimum required	No minimum required	1 per 100 square feet in dining or lounge areas
Remote tasting rooms	No minimum required	1 per 400 square feet of tasting and retail areas	1 per 300 square feet of tasting and retail areas
Gasoline service stations	3 per facility, plus .75 per service bay	3 per facility, plus 1 per service bay	3 per facility, plus 1 per service bay
<b>MANUFACTURING (K.C.C. 21A.08.080.A.):</b>			
Manufacturing uses, if not specified elsewhere	0.5 per 1,000 square feet	0.7 per 1,000 square feet	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	0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting and retail areas	0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting and retail areas
<b>RESOURCES (K.C.C. 21A.08.090.A.):</b>			
Resource uses	(director)	(director)	(director)
<b>REGIONAL (K.C.C. 21A.08.100.A.):</b>			
Regional uses	(director)	(director)	(director)



B. Off-street parking shall comply with the requirements in K.C.C. chapter 21A.18.

SECTION 178. K.C.C. 21A.60.010, as amended by this ordinance, is hereby recodified as a new section in K.C.C. chapter 21A.xx (the new chapter created in section 170 of this ordinance) to follow section 177 of this ordinance.

SECTION 179. Ordinance 19687, Section 9, and K.C.C. 21A.60.010 is hereby amended to read as follows:

A. The North Highline urban design standards are hereby established. The purpose of the North Highline urban design standards is to implement the vision of North Highline for its future as described in the North Highline community service area subarea plan and ~~((the intent in subsection B. of this section.~~

~~B. The intent of the North Highline urban design standards relating to))~~ creating site design, building design, urban form, and neighborhood character ~~((include))~~ that:

1. ~~((Development i))~~ Is based on an understanding of the physical and cultural context of the neighborhood and the North Highline ~~((community service area))~~ subarea;

2. ~~((Development p))~~ Prioritizes compatibility with the existing scale of the neighborhood, walkability, and generous landscaping;

3. ~~((Development r))~~ Results in a streetscape that is attractive and comfortable for moving through the neighborhood and spending time in it, reflects the character of the neighborhood, and supports neighborhood activities and businesses;

4. ~~((Development k))~~ Keeps the neighborhood's diversity visible and promotes distinctive, unique designs through architectural features, signage, art, landscape, and amenities such as seating, lighting, and ornament; and

5. Utilizes ~~((S))~~ stormwater and landscape design connect the urban environment to the natural systems with designs that are both functional and beautiful.

B. K.C.C. 21A.60.040, as recodified by this ordinance, K.C.C. 21A.60.050, as recodified by this

ordinance, K.C.C. 21A.60.070, as recodified by this ordinance, K.C.C. 21A.60.080, as recodified by this ordinance, K.C.C. 21A.60.090, as recodified by this ordinance, K.C.C. 21A.60.030, as recodified by this ordinance, K.C.C. 21A.60.100, as recodified by this ordinance, and K.C.C. 21A.60.110, as recodified by this ordinance, shall apply to:

1. All new buildings or substantial improvements to developments in the CB, NB, RB, O, R-12, R-18, R-24, and R-48 zones; and

2. Modification to any existing building that affects its exterior appearance in the White Center unincorporated activity center land use designation, except for single detached dwelling units. When only exterior appearance modifications are proposed, only portions of the building being modified shall be subject to the design standards that are applicable to that change.

C. The following are exempt from the North Highline urban design standards:

1. New or substantially improved residential-only development with less than ten dwellings;

2. Developments with a minimum of twenty percent of units affordable to households at or below seventy percent AMI; and

3. Mobile vendors, regardless of the amount of time present on a site.

SECTION 180. K.C.C. 21A.60.040, as amended by this ordinance, is hereby recodified as a new section in K.C.C. chapter 21A.xx (the new chapter created in section 170 of this ordinance) to follow K.C.C. 21A.60.010, as recodified by this ordinance.

SECTION 181. Ordinance 19687, Section 12, and K.C.C. 21A.60.040 is hereby amended to read as follows:

A. ~~((For each street frontage, the street type shall be classified based on the following order:~~

1. Arterial: streets with a classification of principal, minor, or collector arterial, excluding core street as described in subsection A.4. of this section;

2. Local mixed use: two-lane, nonarterial streets adjacent to CB, NB, RB, and O zones;

3. ~~Local residential: nonarterial streets adjacent to R-12, R-18, R-24, and R-48 zones; and~~

4. ~~Core street: both sides of 16th Avenue Southwest in the White Center unincorporated activity~~

~~center from Southwest Roxbury Street at the north to Southwest 100th Street at the south.))~~ All public streets in

North Highline are assigned a street type and building frontage options as follows:

<u>Street Type</u>	<u>Description</u>	<u>Building Frontage</u>
<u>Core street</u>	<u>16th Avenue SW between SW Roxbury Street at the north to SW 100th Street at the south.</u>	<u>Main street or plaza</u>
<u>Arterial</u>	<u>Streets with a classification of principal, minor, or collector arterial, excluding the core street</u>	<u>Forecourt, plaza, or landscape</u>
<u>Local mixed-use</u>	<u>Two-lane, nonarterial streets adjacent to CB, NB, RB, and O zones</u>	<u>Main street, forecourt, plaza, porch-stoop-terrace, or landscape</u>
<u>Local residential</u>	<u>Nonarterial streets adjacent to R-12, R-18, R-24, and R-48 zones</u>	<u>Forecourt, plaza, porch-stoop-terrace, or landscape</u>

B. Where a building or site is located on multiple street frontages:

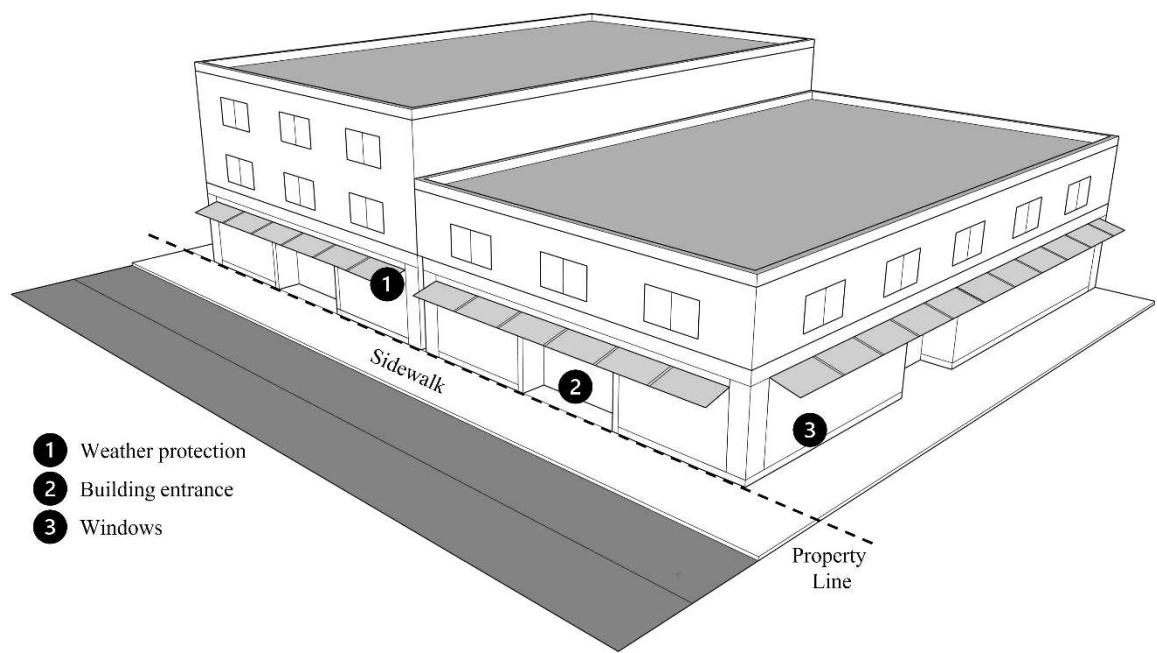
1. The portion of the building facing the higher-order street shall be designated the primary street frontage; and

2. The portion of the building facing the lower-order street or streets shall be designated the secondary street frontage.

C. Based on the street type identified in subsection A. of this section, the following frontage types are allowed:

1.a. Main street building frontage: a main street building frontage, an example of which is shown in the figure in subsection C.1.b. of this section, is characterized by a well-articulated, pedestrian-oriented facade that abuts the sidewalk, multiple at-grade building entrances for businesses, and public features that support sidewalk activation. Main street building frontages have substantial glazing on the ground floor and provide weather protection for pedestrians on the sidewalk.

b. Main street building frontage figure:



c. Buildings with a main street building frontage are subject to the following:

<b>((Allowed street types</b>	<b>Core street, local mixed-use.))</b>
<b>Setback from <u>street</u> property line</b>	0 feet, except as needed to accommodate required amenities.
<b>Weather protection</b>	Weather protection at least 6 feet in depth shall be provided along 75% of the building facade facing a street or pedestrian pathway including building entrances. Weather protection may be in the form of awnings, marquees, canopies, or building overhangs.

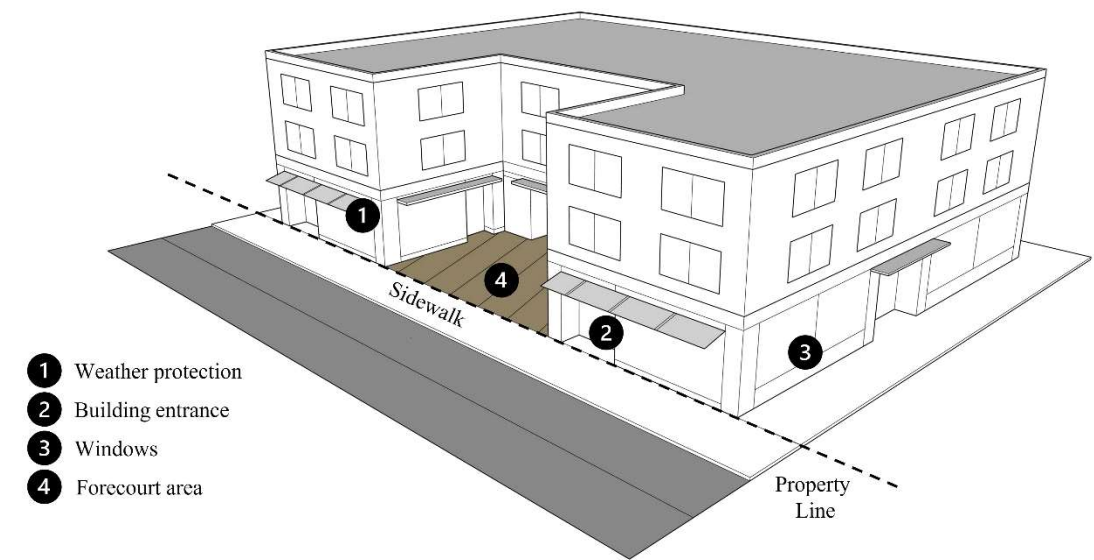
<b>Building entrances</b>	Entrances shall be at sidewalk grade, face the street, be provided every 75 feet(( $\frac{1}{2}$ )) or less, and have a transparency of 40%.
<b>Windows</b>	70% minimum or 60% if ground floor windows are operable. Required window areas shall be transparent and allow views from the building to the street. Reflective, dark, tinted, or textured glass is not permitted.
<b>Surface parking</b>	Not permitted adjacent to a primary or secondary street.

d. New and substantially improved buildings that are the main street building frontage type shall provide at least one of the following amenities near the sidewalk for every fifty linear feet of street frontage:

- (1) seating space;
- (2) supplemental area lighting;
- (3) drinking fountain;
- (4) waste receptacle;
- (5) artwork or decorative landmark;
- (6) kiosk suitable for temporary community-oriented notices;
- (7) raised planter;
- (8) bike rack; or
- (9) other amenities appropriate to the space acceptable to the director;

2.a. Forecourt building frontage: a forecourt building frontage, an example of which is shown in the figure in subsection C.2.b. of this section, is characterized by a well-articulated, pedestrian-oriented façade centered around a plaza or gathering space that includes a garden, outdoor seating, or other pedestrian amenities. A forecourt is created by recessing a portion of the facade for a portion of the building frontage. A forecourt building frontage is suitable for commercial or residential uses.

b. Forecourt building frontage figure:



c. Buildings with a forecourt building frontage are subject to the following:

<b>((Allowed street types</b>	Arterial, local mixed use, local residential.))
<b>Setback from property line</b>	0 feet.
<b>Weather Protection</b>	Weather protection at least 6 feet in depth shall be provided along 75% of the building facade facing a street or pedestrian pathway including building entrances. Weather protection over the forecourt area is encouraged, but not required. Weather protection may be in the form of awnings, marquees, canopies, or building overhangs.

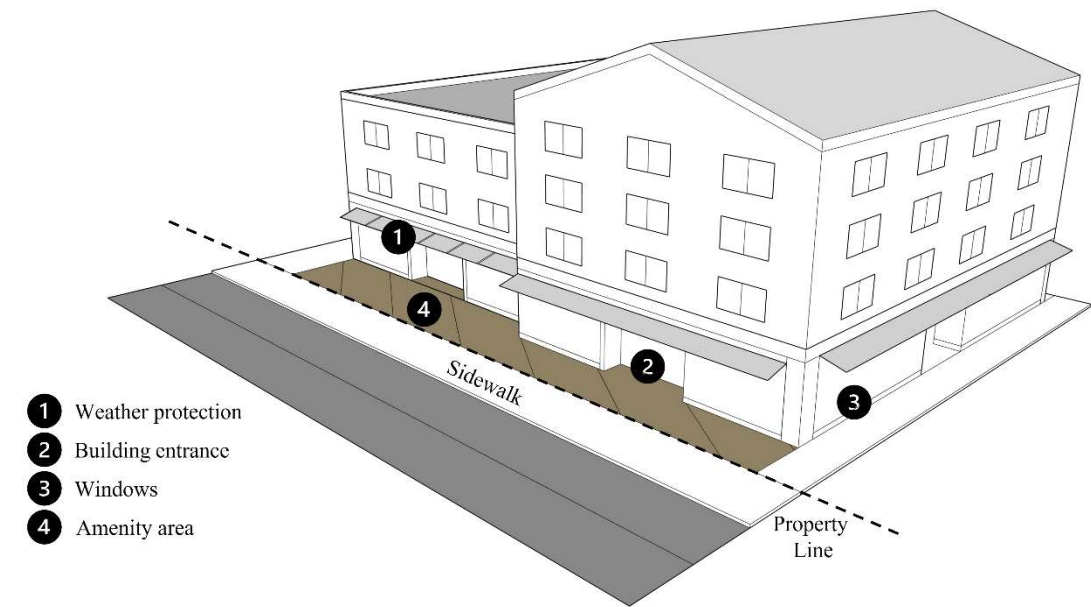
<b>Building entrances</b>	Entrances shall be provided every 75 feet(( $\frac{1}{2}$ )) or less, and have a transparency of 40%. Entrances abutting a sidewalk must face the street and be at sidewalk grade.
<b>Windows</b>	60% minimum or 55% if ground floor windows are operable. Required window areas shall allow views from the building to the street. Reflective, dark, tinted, or textured glass is not permitted.
<b>Forecourt depth from property line</b>	10 feet minimum; 30 feet maximum.
<b>Forecourt width</b>	20 feet minimum; 50 feet maximum.
<b>Fence</b>	No greater than 3 feet in height; minimum 20% transparent.

d. New and substantially improved buildings that are the forecourt building frontage type shall provide at least two of the following amenities in the forecourt area:

- (1) seating space;
- (2) supplemental area lighting;
- (3) water feature or decorative drinking fountain;
- (4) waste receptacle;
- (5) artwork or decorative landmark;
- (6) kiosk suitable for temporary community-oriented notices;
- (7) raised planter;
- (8) bike rack; or
- (9) other item appropriate to the space acceptable to the director;

3.a. Plaza building frontage: The plaza building frontage, an example of which is shown in the figure in subsection C.3.b. of this section, is characterized by public space in the setback area between the building and the property line. The plaza area should support human activity with amenities such as seating, art, and wayfinding. A plaza building frontage is suitable for active ground floor uses such as retail, dining, or civic and cultural uses.

b. Plaza building frontage figure:



c. Buildings with a plaza building frontage are subject to the following:

<b>((Allowed street types</b>	Arterial, core street, local mixed use, local residential.))
<b>Setback from <u>street</u> property line</b>	5 feet minimum; 25 feet maximum.
<b>Weather protection</b>	Weather protection at least 6 feet in depth shall be provided along 75% of the building facade facing a street or pedestrian pathway including building entrances. Weather protection may be in the form of awnings, marquees, canopies, or building overhangs.



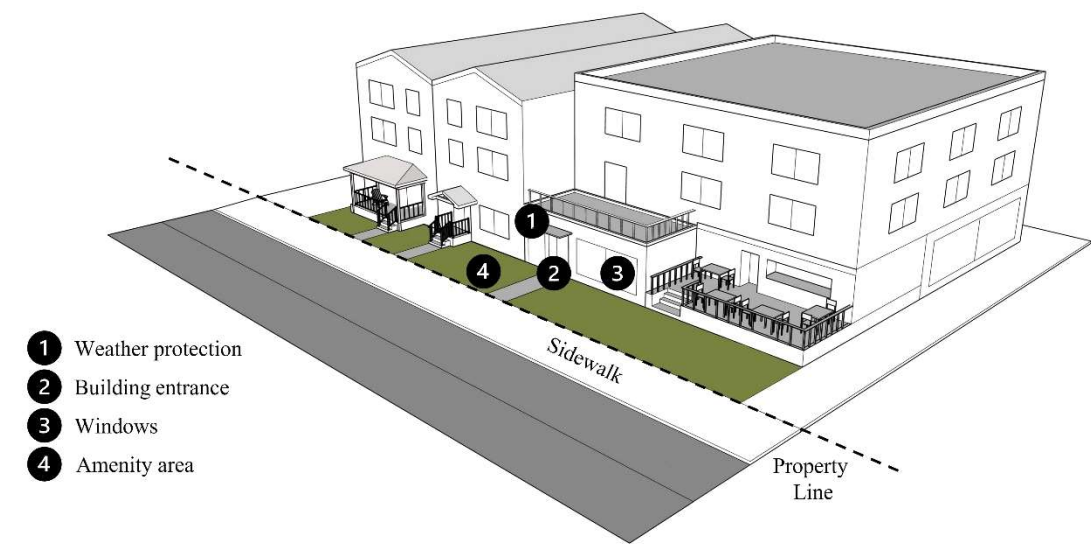
<b>Building entrances</b>	Entrances shall be at sidewalk grade, face the street, be provided every 75 feet((5)) or less, and have a transparency of 40%.
<b>Windows</b>	70% minimum or 60% if ground floor windows are operable. Required window areas shall be transparent and allow views from the building to the street. Reflective, dark, tinted, or textured glass is not permitted.

d. New and substantially improved buildings that are the plaza building frontage type shall provide at least two of the following amenities between the property line and the building for every fifty linear feet of street frontage:

- (1) seating space;
- (2) supplemental area lighting;
- (3) water feature or decorative drinking fountain;
- (4) waste receptacle;
- (5) artwork or decorative landmark;
- (6) kiosk suitable for temporary community-oriented notices;
- (7) raised planter;
- (8) bike rack; or
- (9) other item appropriate to the space acceptable to the director;

4.a. Porch-stoop-terrace building frontage: the porch-stoop-terrace building frontage, an example of which is shown in the figure in subsection C.4.b. of this section, is characterized by buildings that are set back from the street with a series of highly articulated individual entrances and semi-private landings such as porches, stoops, or terraces. Entrances may be elevated above grade. Landscaping is provided in the setback area between the building and the sidewalk. A porch-stoop-terrace building frontage is suitable for residential uses, service, or office uses.

b. Porch-stoop-terrace building frontage figure:



c. Buildings with a porch-stoop-terrace building frontage are subject to the following:

<b>((Allowed street types Local mixed-use, local residential.))</b>	
<b>Setback from <u>street</u> property line</b>	5 feet minimum; 15 feet maximum.
<b>Weather protection</b>	Building entrances shall be either be covered by an awning or canopy or be covered by being recessed behind the front building facade.

<b>Building entrances</b>	Entrances abutting a sidewalk must face the street and be at sidewalk grade or no more than 5 feet above sidewalk grade; and have a transparency of 20%. Between 25 and 150 square feet of porch area shall be provided per building entrance.
<b>Windows</b>	30% minimum on ground floor. Required window areas shall allow views from the building to the street. Reflective, dark, tinted, or textured glass is not permitted.
<b>Fence</b>	No greater than 3 feet in height; minimum 20% transparent.

c. New and substantially improved buildings that are the porch-stoop-terrace building frontage type shall provide at least two of the following amenities between the property line and the building for every fifty linear feet of street frontage:

- (1) seating space;
- (2) supplemental area lighting;
- (3) water feature or decorative drinking fountain;
- (4) waste receptacle;
- (5) artwork or decorative landmark;
- (6) bike rack; or
- (7) type II or type III landscaping consistent with K.C.C. chapter 21A.16; or
- (8) other item appropriate to the space acceptable to the director; and

5.a. Landscape building frontage: a landscape building frontage, an example of which is shown in the figure in subsection C.5.b. of this section, is set back from the property line by a wide landscaped strip between the building and the sidewalk. This frontage type is appropriate along streets where the existing streetscape may not be conducive to pedestrian-oriented ground-floor retail or residential uses, such as where there is no on-street parking or where streets are very wide. Ground floor entries shall still be provided along and connected to the sidewalk.

b. Landscape building frontage figure:



c. Buildings with a landscape building frontage are subject to the following:

<b>((Allowed street types</b>	Arterial, local mixed-use, local residential.))
<b>Setback from <u>street</u> property line</b>	10 feet minimum; 20 feet maximum landscaped setback.
<b>Weather protection</b>	Building entrances shall be either be covered by an awning or canopy or be covered by being recessed behind the front building facade.

<b>Building entrances</b>	At least one building entrance shall be directly connected to a public street with a walkway measuring a minimum of 5 feet wide. A minimum transparency of 40% is required for each primary entry.
<b>Windows</b>	Transparent ground floor windows shall be provided along a minimum of 60% of the ground floor and facades facing public streets. Required window areas shall allow views from the building to the street. Reflective, dark, tinted, or textured glass is not permitted.
<b>Landscaping</b>	10 feet minimum; 20 feet maximum Type II or Type III landscaping consistent with K.C.C. chapter 21A.16.

d. New and substantially improved buildings that are the landscape building frontage type shall provide at least two of the following amenities between the property line and the building for every fifty linear feet of street frontage:

- (1) seating space;
- (2) supplemental area lighting;
- (3) artwork or decorative landmark;
- (4) water feature or rain garden; or
- (5) other item appropriate to the space acceptable to the director.

SECTION 182. K.C.C. 21A.60.050, as amended by this ordinance, is hereby recodified as a new section in K.C.C. chapter 21A.xx (the new chapter created in section 170 of this ordinance) to follow K.C.C. 21A.60.040, as recodified by this ordinance.

SECTION 183. Ordinance 19687, Section 13, and K.C.C. 21A.60.050 are hereby amended to read as follows:

A. Parking shall be accessed from alleys, where an alley exists. If there is no alley, parking entries shall prioritize pedestrians by limiting the maximum width to twenty feet for two-way driveways.

B. Developments with over two hundred linear feet on a single street frontage or two hundred linear feet of total street frontage on properties that abut two parallel streets shall provide a midblock connection. The

route may be through the building interior if the building is open to the public during business hours.

C. Developments on corner lots shall either orient a building façade toward the street corner within fifteen feet of the property line or provide pedestrian-oriented space at the corner leading directly to a building entrance or entrances.

D. Minimum interior setbacks of the underlying zone are waived.

E. Service areas including loading docks, refuse containers, compactors, and mechanical equipment shall be located and screened to avoid negative visual, auditory, olfactory, or physical impacts on the property and adjacent street frontages. Service areas shall be located within buildings or screened with acceptable materials including brick, concrete block, stone, or wood. Chain-link fencing is not permitted as a screening material.

SECTION 184. K.C.C. 21A.60.070 is hereby recodified as a new section in K.C.C. chapter 21A.xx (the new chapter created in section 170 of this ordinance) to follow K.C.C. 21A.60.050, as recodified by this ordinance.

SECTION 185. K.C.C. 21A.60.080, as amended by this ordinance, is hereby recodified as a new section in K.C.C. chapter 21A.xx (the new chapter created in section 170 of this ordinance) to follow K.C.C. 21A.60.070, as recodified by this ordinance.

SECTION 186. Ordinance 19687, Section 16, and K.C.C. 21A.60.080 are hereby amended to read as follows:

A. Façades with street frontage on new and substantially improved buildings shall be modulated approximately every forty feet. Modulation shall have a depth between three and ten feet and shall be accompanied by at least three of the following architectural measures:

1. Change in window patterns at each modulation, such as window size, color, and shape;
2. Use of vertical piers or columns;
3. Change in roofline or roof style, such as stepped roofs, dormers, gables, or shed roofs, with a

vertical modulation of at least twelve inches;

4. Change in color and building material or siding style at each modulation;

5. Vertical elements such as a vegetated wall or art. Vegetated walls shall count toward the GreenCenter score in K.C.C. 21A.60.060, as recodified by this ordinance; and

6. Change in lighting fixtures at each modulation.

B. The director may approve changes to the modulation intervals or other methods that provide architecturally scaled elements not specifically listed in subsection A. of this section. The proposed methods must satisfy the intent of the design standards in K.C.C. 21A.60.010, as recodified by this ordinance.

C. When balconies are part of the modulation and have a minimum depth of six feet and a minimum area of sixty feet, the minimum depth of modulation shall be two feet.

D. The use of stock building plans, typical corporate or franchise designs, regional prototype alternatives, or other designs that are easily identified with a particular chain or corporation, are prohibited. Signs allowed in accordance with K.C.C. chapter 21A.20 may be permitted to use stock plans, except on core street types subject to K.C.C. 21A.60.090, as recodified by this ordinance.

SECTION 187. K.C.C. 21A.60.090, as amended by this ordinance, is hereby recodified as a new section in K.C.C. chapter 21A.xx (the new chapter created in section 170 of this ordinance) to follow K.C.C. 21A.60.080, as recodified by this ordinance.

SECTION 188. Ordinance 19687, Section 17, and K.C.C. 21A.60.090 are hereby amended as follows:

A. New and substantially improved buildings along the core street type as defined in K.C.C. 21A.60.040, as recodified by this ordinance, shall be in scale with the existing historic building stock of the White Center unincorporated activity center. Where the scale of the new or substantially improved building is larger, techniques such as variations in roof height, vertical columns to break up facades, changes in roof or parapet detail, use of smaller repeating window patterns, use of fascia on the facade, facade articulation, and stepping back or modulating of upper stories shall be used to break up the scale of the building to complement

existing patterns.

B. New signs for local businesses along the core street type are subject to the following:

1. The principal sign of any building or establishment shall be unique and custom-designed. Such signs may include logos, colors, or other brand-identifying elements, but the overall sign shall not be generic or identical to an existing sign within five hundred feet of the business;
2. Multi((-))lingual signage is encouraged; and
3. Flashing or moving images are prohibited.

SECTION 189. K.C.C. 21A.60.030, as amended by this ordinance, is hereby recodified as a new section in K.C.C. chapter 21A.xx (the new chapter created in section 170 of this ordinance) to follow K.C.C. 21A.60.080, as recodified by this ordinance.

SECTION 190. Ordinance 19687, Section 11, and K.C.C. 21A.60.030 is hereby amended to read as follows:

A. The provisions of this section shall apply to projects subject to the North Highline urban design standards under K.C.C. 21A.60.010.B.1., as recodified by this ordinance.

B. A preapplication conference, in accordance with K.C.C. 20.20.030, is required ~~((for all projects subject to the North Highline urban design standards))~~. The applicant shall submit the following information to the department with a request to schedule a preapplication conference:

1. Questions for department staff;
2. A project narrative explaining how the preliminary design addresses the intent of the North Highline urban design standards in K.C.C. 21A.60.010, as recodified by this ordinance, responds to the context analysis required in subsection ~~((A.3.))~~ B.3. of this section, and meets the design standard requirements ~~((in this chapter))~~. The department shall provide a template for the project narrative;
3. A context analysis that documents an understanding of the urban form and neighborhood character of the project site. The context analysis shall include:



- a. discussion of neighborhood demographics;
- b. inventory of historic structures, local businesses, artwork, landmarks, and culturally significant elements, including a map of those features within five hundred feet of the site;
- c. analysis of the current uses within five hundred feet of the site, including building footprints, existing businesses, private and public lands, and any public facilities;
- d. location and dimensions of existing public rights-of-way, including streets, sidewalks, and parking areas; landscape features; and drainage elements; and
- e. identification of street type and frontage type as required by K.C.C. 21A.60.040, as recodified by this ordinance.

4. A site plan, which shall include:

- a. location of the property, with a vicinity map showing cross street;
- b. address, if an address has been assigned;
- c. parcel number or numbers;
- d. zoning of parcel or parcels and adjacent parcel or parcels;
- e. north arrow and scaled dimensions;
- f. existing and proposed building footprints, with overhangs and projections;
- g. existing and proposed grade contours;
- h. site area in square feet or acres of the project site;
- i. area of either disturbance or development, or both, including utilities, septic, and internal circulation, as needed;
- j. existing and proposed easements, including ingress, egress, utilities, or drainage; and
- k. critical areas and their buffers;
- l. proposed locations for artwork and neighborhood expression;
- m. proposed pedestrian amenities and bicycle facilities;

- n. proposed barrier-free access;
- o. proposed parking quantity, location, and access point or points;
- p. proposed landscape concept;
- q. proposed stormwater design;
- r. proposed approach to managing waste and recycling;
- s. quantity, location, and quality of an on-site recreation area, or areas, if proposed;
- t. phasing, if proposed; and

5. A building plan, which shall include:

- a. architectural intent and proposed building design including elevations, façade details, colors, and materials; and
- b. proposed building uses.

~~((B-))~~ C. After at least one preapplication conference, and before filing an application with the department, the applicant shall hold at least one community meeting in accordance with K.C.C. 20.20.035. In addition to the requirements of K.C.C. 20.20.035, the applicant shall:

1. Create a web-based community input survey to solicit feedback on the proposed development from the North Highline community for twenty-one days. The applicant shall notify via email a list of parties of interest and notify by mail residents within five hundred feet of the site at least one week before the beginning of the feedback period. The department shall establish a template for the web-based community input survey. The web-based community input survey shall:

- a. present the context analysis, preliminary site plan, and preliminary building plan required in subsection ~~((A-))~~ B. of this section for solicitation of community feedback;
- b. be capable of accepting community feedback within the webpage; and
- c. be accessible for those who are visually impaired and include translations to the top three non-English languages within North Highline as determined by the department; and

2. Provide a list of community meeting attendees and commenters on the community input survey and proof of those who received emailed and mailed notice to the department.

~~((C-))~~ D. Preapplication review shall remain open until the applicant has held the required community meeting and the twenty-one-day community input survey window is closed.

~~((D-))~~ E. As part of a complete permit application, the applicant shall provide, in addition to that which is required under K.C.C. 20.20.040, the following:

1. A memorandum of how the proposal incorporates community feedback. For feedback that was not incorporated into the project, the memorandum shall state why the input was not addressed. The memorandum shall include an appendix that contains all the community input received by the application; and

2. An updated project narrative demonstrating how the proposal addresses the intent of the North Highline urban design standards in K.C.C. 21A.60.010, as recodified by this ordinance, and meets the design standards in ~~((this chapter))~~ K.C.C. 21A.60.060, as recodified by this ordinance, K.C.C. 21A.60.040, as recodified by this ordinance, K.C.C. 21A.60.050, as recodified by this ordinance, K.C.C. 21A.60.070, as recodified by this ordinance, K.C.C. 21A.60.080, as recodified by this ordinance, K.C.C. 21A.60.090, as recodified by this ordinance, K.C.C. 21A.60.030, as recodified by this ordinance, K.C.C. 21A.60.100, as recodified by this ordinance, and K.C.C. 21A.60.110, as recodified by this ordinance.

~~((E-))~~ F. The department shall review the community feedback on the project's design, the project's alignment with the intent of the North Highline urban design standards in K.C.C. 21A.60.010, as recodified by this ordinance, and the project's consistency with the design standards in ~~((this chapter))~~ K.C.C. 21A.60.060, as recodified by this ordinance, K.C.C. 21A.60.040, as recodified by this ordinance, K.C.C. 21A.60.050, as recodified by this ordinance, K.C.C. 21A.60.070, as recodified by this ordinance, K.C.C. 21A.60.080, as recodified by this ordinance, K.C.C. 21A.60.090, as recodified by this ordinance, K.C.C. 21A.60.030, as recodified by this ordinance, K.C.C. 21A.60.100, as recodified by this ordinance, and K.C.C. 21A.60.110, as recodified by this ordinance. The department's design review decision shall be made as part of the final

decision on the underlying development proposal. Where a modification to a structure requires design review under K.C.C. ~~((21A.60.020.A.2.))~~ 21A.60.010, as recodified by this ordinance, but no other permit is required, the department's design decision shall be a Type 1 land use decision.

SECTION 191. K.C.C. 21A.60.100, as amended by this ordinance, is hereby recodified as a new section in K.C.C. chapter 21A.xx (the new chapter created in section 170 of this ordinance) to follow K.C.C. 21A.60.030, as recodified this ordinance.

SECTION 192. Ordinance 19687, Section 18, and K.C.C. 21A.60.100 are hereby amended to read as follows:

A. The director may waive or modify the application of the North Highline standards ~~((of this chapter, ))~~ if, as determined by a notarized letter from a landlord, leasing agreement, affidavit of residency, real estate deed, tax return, or record of filing with the Washington Office of the Secretary of State, the business:

1. Has been located in North Highline for at least five years, excluding a franchise with headquarters outside of North Highline;
2. Is owned by a person who has lived in North Highline for at least five years, excluding a franchise with headquarters outside of North Highline;
3. Is a nonprofit organization that provides community and human services to residents of North Highline; or
4. Is located in a structure listed on the National Register of Historic Places ~~((as a historic site))~~ or designated as a state or King County landmark subject to K.C.C. chapter 21A.32.

B. ~~((The director may waive or modify the application of the standards of this chapter if the development provides affordable dwelling units in accordance with K.C.C. chapter 21A.48 and the director determines that the waiver or modification would result in a development that better meets the intent of the design standards in K.C.C. 21A.60.010.~~

~~C.))~~ The director may waive or modify the application of ~~((a))~~ one or more requirements of the North

Highline design standards ~~((in this chapter to))~~ for a development proposal if the director determines that waiver or modification would result in a development that better meets the intent of the design standards in K.C.C. 21A.60.010, as recodified by this ordinance.

~~((D.))~~ C. A waiver or modification request shall be submitted in writing by the ~~((developer))~~ applicant to the director. The request shall identify the proposed design standard requested to be waived or modified, the rationale for why the waiver or modification should be granted, and how the waiver or modification would result in a development that better meets the intent of the design standards in K.C.C. 21A.60.010, as recodified by this ordinance.

SECTION 193. K.C.C. 21A.60.110, as amended by this ordinance, is hereby recodified as a new section in K.C.C. 21A.xx (the new chapter created in section 170 of this ordinance) to follow K.C.C. 21A.60.100, as recodified by this ordinance.

SECTION 194. Ordinance 19687, Section 19, and K.C.C. 21A.60.110 is hereby amended to read as follows:

The director is authorized to promulgate and adopt administrative rules in accordance with K.C.C. chapter 2.98, to implement and enforce ~~((this chapter))~~ the North Highline design standards.

SECTION 195. Sections 196 through 202 of this ordinance should constitute a new chapter in K.C.C. Title 21A, to follow the chapter established in section 170 of this ordinance.

NEW SECTION. SECTION 196.

- A. This chapter contains regulations for the Skyway-West Hill subarea geography.
- B. All developments in the Skyway-West Hill subarea geography are subject to the development standards in this chapter and as supplemented by this title.
- C. Where a conflict exists, the standards in this chapter shall apply except for the following:
  - 1. K.C.C. chapter 21A.24, critical areas;
  - 2. K.C.C. chapter 21A.25, shorelines; and

3. Special district overlays, p-suffix conditions, or demonstration projects.

NEW SECTION. SECTION 197.

- A. The allowed uses in K.C.C. chapter 21A.08 shall apply, except as provided in this section.

B. The total number of cannabis retailers, as permitted in K.C.C. 21A.08.070, within the Skyway-West Hill subarea geography shall not exceed two. Any cannabis retailers legally established beyond this limit within Skyway-West Hill before the adoption of Ordinance 19555 shall be considered a legal nonconformance under K.C.C. chapter 21A.32.

C. In the CB zone in the Skyway Business District unincorporated activity center, allowed uses shall be those uses allowed in the underlying zone, excluding the following:

1. Motor vehicle and boat dealer;
2. Gasoline service station;
3. Uses with drive-through facilities, except SIC Industry 5812-Eating Places in buildings existing before July 2017;
4. SIC Industry Group 598-Fuel Dealers;
5. Uses with outside storage, such as lumber yards, miscellaneous equipment rental, or machinery sales;
6. Bulk retail;
7. Recreational and cultural uses in K.C.C. 21A.08.040, except parks, sports clubs, theaters, libraries, and museums;
8. SIC Major Group 75-Automotive Repair, Services, and Parking, except SIC Industry 7521-Automobile Parking, but excluding tow-in parking lots;
9. SIC Major Group 76-Miscellaneous repair services, except SIC Industry 7631-Watch, Clock, and Jewelry Repair;
10. SIC Major Group 78-Motion Pictures;

11. SIC Major Group 80-Health Services, except SIC Industry Groups 801 to 804;
12. SIC Industry Group 421-Trucking and Courier Service;
13. Public agency archive;
14. Self-service storage;
15. Manufacturing land uses in K.C.C. 21A.08.080, except SIC Industry 2759-Commercial Printing;
16. Resource land uses in K.C.C. 21A.08.090;
17. Funeral home/crematory;
18. Cemetery, columbarium, or mausoleum;
19. Interim recycling facility;
20. Utility facility, except underground water, gas, or wastewater pipelines; and
21. Vector waste receiving facility.

**D. In the NB zone in the Skyway Business District unincorporated activity center:**

1. Allowed uses shall be those uses allowed in the underlying zone, excluding the following:
  - a. automotive repair;
  - b. automotive service;
  - c. gasoline service stations;
  - d. uses with drive-through facilities;
  - e. vector waste receiving facility;
  - f. self-service storage;
  - g. cemetery, columbarium, or mausoleum;
  - h. automobile parking, unless accessory to a permitted primary use occurring on the property; and
  - i. interim recycling facility; and
2. In addition to the uses permitted in the underlying zone, the following uses shall also be permitted:
  - a. apparel and accessory stores;

- b. furniture and home furnishings stores;
  - c. Used goods: antiques/secondhand shops; and
  - d. Jewelry stores; and
3. The maximum size for an individual ground floor commercial space shall be one thousand square feet per tenant.

#### NEW SECTION. SECTION 198.

A.1. This section establishes the density and dimensional standards for residential zones in Skyway-West Hill. Measurement methods are identified in K.C.C. chapter 21A.12.

2. The matrix identifies zones in the vertical columns and corresponding development standards for each zone are in the horizontal rows. The matrix cells contain the minimum dimensional requirements of the zone.

3. The parenthetical numbers in the matrix identify conditions, requirements, notes, or modifiers that correspond to the text in subsection B. of this section. A blank cell indicates that there are no specific requirements. If more than one standard appears in a cell, each standard shall be applicable to any applicable parenthetical number.

Skyway-West Hill Residential Density and Dimensional Standards							
STANDARD	R-4	R-6	R-8	R-12	R-18	R-24	R-48
Base Density	4 du/ac	6 du/ac	8 du/ac	12 du/ac	18 du/ac	24 du/ac	48 du/ac
Maximum (1)	5 du/ac (10) 6 du/ac (2) 10 du/ac (3)	7.5 du/ac (10) 9 du/ac (2) 15 du/ac (3)	10 du/ac (10) 12 du/ac (2) 24 du/ac (3)	15 du/ac (10) 18 du/ac (2) 30 du/ac (3)	22.5 du/ac (10) 27 du/ac (2) 45 du/ac (3)	30 du/ac (10) 36 du/ac (2) 60 du/ac (3)	60 du/ac (10) 72 du/ac (2) 120 du/ac (3)
Maximum for Manufactured Home Communities	12 du/ac	12 du/ac	12 du/ac	12 du/ac	18 du/ac	24 du/ac	48 du/ac
Minimum (4)	85%	85%	85%	80%	75%	70%	65%
Minimum Width (5)	30 ft	30 ft	30 ft	30 ft	30ft	30 ft	30 ft



Minimum Setback (5)	10 ft	10 ft	10 ft	10 ft	10 ft	10ft	10 ft
Minimum Setback for Garages, Carports, or Fenced Inlets (5)(6)	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft
Minimum Setback (5)	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft
Nonresidential Minimum Setback and Interior Setbacks	(13)	(13)	(13)	(13)	(13)	(13)	(13)
Base Height	35 ft	35 ft	35 ft	60 ft	60 ft	60 ft	60 ft
Maximum Height (11b)	45 ft (7)	45 ft (7)	45 ft (7)	65 ft (3)	80 ft (3)	80 ft (3)	80 ft (3)
Nonresidential Maximum Height	75 ft (8)	45 ft (7a) 75 ft (8)	45 ft (7a) 75 ft (8)	75 ft (8)	75 ft (8)	75 ft (8)	75 ft (8)
Maximum Impervious Surface (9)	55%	70%	75%	85%	85%	85%	90%
Nonresidential Maximum Impervious Surface	70%	80%	80%	85%	85%	85%	90%

B. Development conditions for the Skyway-West Hill residential density and dimensional standards.

1. Density applies only to dwelling units and not to sleeping units.
2. This maximum density is allowed in the following circumstances:
  - a. for a duplex through a transfer of development right in accordance with K.C.C. 21A.08.030.B.12.;
  - b. for a development with nine or fewer units through a transfer of development rights; or
  - c. for a development with nine or fewer units on a site located within a half-mile walkshed of a high-capacity or frequent transit stop as mapped by the Metro transit department.
3. This maximum is allowed through the inclusionary housing program in K.C.C. chapter 21A.48.
4. The minimum density shall be calculated consistent with K.C.C. 21A.12.060 and K.C.C. 21A.12.087.
5. These standards may be modified under the provisions for zero-lot-line and townhouse

developments in K.C.C. chapter 21A.14.

6. The setback distance shall be measured along the center line of the driveway from the access point to such garage, carport, or fenced area to the street property line.

7. This maximum height is allowed in the following circumstances:

- a. for a building on slopes exceeding a fifteen percent finished grade;
- b. through the inclusionary housing regulations in accordance with K.C.C. chapter 21A.48; or
- c. for a structure that provide one additional foot of street and interior setback for each foot above the base height.

8.a. Portions of a nonresidential structure may exceed the base height if one additional foot of street and interior setback is provided for each foot above the base height.

b. Netting, fencing, and related support structures used to contain golf balls on a golf course or golf driving range are exempt from additional interior setback requirements. In recreation and multiuse parks, golf ball netting, fencing and related support structures shall not exceed one-hundred twenty-five feet, unless a golf ball trajectory study requires a higher fence.

9. The impervious surface maximum applies to each individual lot. Impervious surface does not include access easements serving neighboring property and driveways to the extent that they extend beyond the street setback due to location within an access panhandle or due to the application of King County Code requirements to locate features over which the applicant does not have control. Impervious surface area standards for:

- a. individual lots in the R-4 through R-6 zones that are less than nine thousand seventy-six square feet in area shall be subject to the applicable provisions of the nearest comparable R-6 or R-8 zone;
- b. a lot may be increased beyond the total amount allowed in this chapter subject to approval of a conditional use permit; and
- c. regional uses shall be established at the time of permit review.

10. This maximum density is allowed for developments with child daycares under section 240 of this ordinance.

11. For cottage housing developments only:

- a. the base height is twenty-five feet; and
- b. buildings that have pitched roofs with a minimum slope of six over twelve may achieve a maximum height of thirty feet at the ridge of the roof.

12. Reserved.

13. The street and interior setbacks for nonresidential development, except for fences and backstops, are as follows:

- a. nonresidential uses with less than two thousand five hundred square feet of floor area shall be subject to the setbacks of the underlying zone;
  - b. government and institutional uses shall be thirty feet;
  - c. battery energy storage systems not defined as accessory uses under K.C.C. 21A.06.015, 21A.06.020, or 21A.06.025 shall be thirty feet;
  - d. regional uses shall be established at the time of permit review;
  - e. utility facilities shall be subject to the setbacks of the underlying zone;
  - f. where a setback is identified for a specific land use in the applicable zone, that setback shall apply;
- and
- g. all other nonresidential development exceeding two thousand five hundred square feet of floor area shall be fifteen feet.

#### NEW SECTION. SECTION 199.

A.1. This section establishes the density and dimensional standards for commercial and industrial zones in in Skyway-West Hill. Measurement methods are identified in K.C.C. chapter 21A.12.

2. The matrix identifies zones in the vertical columns and corresponding development standards for

each zone are in the horizontal rows. The matrix cells contain the minimum dimensional requirements of the zone.

3. The parenthetical numbers in the matrix identify conditions, requirements, notes, or modifiers that correspond to the text in subsection B. of this section. A blank cell indicates that there are no specific requirements. If more than one standard appears in a cell, each standard shall be applicable to any applicable parenthetical number.

Skyway-West Hill Commercial and Industrial Density and Dimensional Standards					
STANDARD	NB	CB	RB	O	I
Base Density	8 du/ac	48 du/ac	48 du/ac	48 du/ac	
Maximum Density	12 du/ac (2) du/ac (3)	72 du/ac (2) du/ac (3)	72 du/ac (2) 144 du/ac (3)	72 du/ac (2) 144 du/ac (3)	
Minimum Street Setback (4)	10 ft	0 ft	10 ft	10 ft	25 ft
Minimum In-Street Setback	0 ft 10 ft (5d) 20 ft (5c)	0 ft	0 ft 20 ft (5a)	0 ft 20 ft (5a)	0 ft 20 ft (5a) 50 ft (5b)
Base Height	35 ft	35 ft	35 ft	45 ft	45 ft
Mixed-Use Maximum Height (11)	45 ft (7) 65 ft (3)	60 ft 80 ft (3)	65 ft 85 ft (3)	65 ft 85 ft (3)	
Nonresidential Maximum Height (8) (11)	75 ft	75 ft	75 ft	75 ft	75 ft
Maximum Mixed-Use Floor Area Ratio (6)(10)	2/1	4/1	4/1	4/1	
Maximum Nonresidential Floor Area Ratio (10)	1/1	5/1	3/1	3/1	3/1
Maximum Impervious Surface (9)	85%	85%	90%	75%	90%

B. Development conditions for the Skyway-West Hill commercial and industrial density and dimensional standards.

1.a. Density applies only to dwelling units and not to sleeping units.

b. These densities are allowed only:

(1) for mixed-use developments; or

(2) standalone townhouses on property zoned NB and designated commercial outside of center.

2. This maximum density is allowed in the following circumstances:

a. for a mixed-use development with nine or fewer units through a transfer of development rights; or

b. for a mixed-use development with nine or fewer units on a site located within a half-mile

walkshed of a high-capacity or frequent transit stop as mapped by the Metro transit department.

3. This maximum is allowed for a mixed-use development through the inclusionary housing program in K.C.C. chapter 21A.48.

4. Gasoline service station pump islands shall be placed no closer than twenty-five feet to street property lines.

5.a. Required on property lines adjoining RA, UR, and R zones.

b. Required on property lines adjoining R zones for industrial uses established by conditional use permits.

c. Required on property lines adjoining R zones unless a standalone townhouse development on property designated commercial outside of center is adjacent to a property developed with an existing townhouse development.

d. Required on property lines adjoining R zones only for a social service agency office reusing a residential structure in existence on January 1, 2010.

6. Developments under the inclusionary housing program in K.C.C. chapter 21A.48 shall not be subject to a floor area ratio maximum.

7. This maximum height allowed only for:

a. mixed-use developments; and

b. standalone townhouse development in the NB zone on property designated commercial outside of center.

8.a. Portions of a nonresidential structure may exceed the base height if one additional foot of street and interior setback is provided for each foot above the base height.

b. Netting, fencing, and related support structures used to contain golf balls on a golf course or golf driving range are exempt from additional interior setback requirements. In recreation and multiuse parks, golf ball netting, fencing, and related support structures shall not exceed one-hundred twenty-five feet, unless a golf ball trajectory study requires a higher fence.

9. The impervious surface area may be increased beyond the total amount allowed in this chapter subject to approval of a conditional use permit.

10. Additional floor area ratio is allowed for developments with child daycares under section 240 of this ordinance.

11. Upper-level step backs are required for any facade facing a pedestrian street for any portion of the structure greater than forty-five feet in height. The upper-level step back shall be at least one foot for every two feet of height above forty-five feet, up to a maximum of ten feet. The first four feet of horizontal projection of decks, balconies with open railings, eaves, cornices, and gutters are allowed in required step backs.

NEW SECTION. SECTION 200.

A. The landscaping standards in K.C.C. chapter 21A.16 shall apply, except as provided in this section.

B. In the Skyway unincorporated activity center, perimeter landscaping along streets may be waived, if street trees and other pedestrian-related amenities are provided.

NEW SECTION. SECTION 201.

A. The parking standards in K.C.C. chapter 21A.18 shall apply, except as provided in this section.

B. In the CB zone of the Skyway unincorporated activity center, relief from K.C.C. 21A.18.110.A.4. that may be granted by the director shall only allow use of on-street parallel parking in front of or adjacent to the subject parcel for the parking spaces that cannot be accommodated to the rear or sides of buildings.

C. In the NB zone of the Skyway unincorporated activity center:

- a. required off-street parking and access shall be to rear or side of building; and
- b. on-street parking within two hundred and fifty feet of the site may be counted toward the off-street parking requirement for the commercial uses.

NEW SECTION. SECTION 202.

A. In the NB and O zones in Skyway-West Hill, the following design standards apply:

- 1. Main building entrances shall be oriented to public streets;
- 2. Building facades of ground floor retail, general business service, and professional office land uses that front onto a street shall incorporate windows into at least thirty percent of the building facade surface area and overhead protection above all building entryways;
- 3. Building shall comprise at least seventy-five percent of the total street frontage for a property and if applicable, at least seventy-five percent of the total pedestrian route frontage for a property;
- 4. Buildings facades shall not be comprised of uninterrupted glass curtain walls or mirrored glass;
- 5. For developments on Rainier Avenue S, vehicle access shall be limited to the rear access alley or rear access street where such an alley or street exists; and
- 6. For developments on Rainier Avenue S, the ground floor (at grade) of buildings shall be located no more than five feet from the sidewalk or sidewalk improvement, but shall not encroach on the public right-of-way. For buildings existing before August 20, 2020, with setbacks greater than five feet and that have substantial improvements made to them after August 20, 2020, a minimum five-foot-wide pedestrian walkway shall be constructed that connects the main building entrance to the public sidewalk or sidewalk improvement.

B. In the CB zone in the Skyway unincorporated activity center, the following design standards apply:

- 1. Main building entrances shall be oriented to the public street;
- 2. At the ground floor (at grade), buildings shall be located no more than five feet from the sidewalk or sidewalk improvement, but shall not encroach on the public right-of-way. For buildings existing before August 20, 2020, with setbacks greater than five feet and that have substantial improvements made to them

after August 20, 2020, a minimum five-foot-wide pedestrian walkway shall be constructed that connects the main building entrance to the public sidewalk or sidewalk improvement;

3. Building facades shall comprise at least seventy-five percent of the total street frontage for a property and if applicable, at least seventy-five percent of the total pedestrian route frontage for a property;

4. Minimum setbacks of the underlying zoning are waived;

5. Building facades that front onto a street shall incorporate windows into at least thirty percent of the building facade surface area and overhead protection above all building entrances and along at least fifty percent of length of the building facade, which may extend over the sidewalk if it does not impede use of the sidewalk by the public;

6. Ground floor building facades shall include ornamentation such as decorative architectural treatments or finishes, pedestrian scale lighting, and window and door trim;

7. Buildings facades shall not be comprised of uninterrupted glass curtain walls or mirrored glass; and

8. Vehicle access shall be limited to the rear access alley or rear access street where such an alley or street exists.

SECTION 203. Sections 204 through 208 of this ordinance should constitute a new chapter in K.C.C. Title 21A, to follow the chapter established in section 195 of this ordinance.

NEW SECTION. SECTION 204.

A. This chapter contains regulations for the urban area outside of Skyway-West Hill and North Highline subarea geographies.

B. All developments in the urban area are subject to the development standards in this chapter and as supplemented by this title.

C. Where a conflict exists, the standards in this chapter shall apply except for the following:

1. K.C.C. chapter 21A.23, sea level rise risk area;

2. K.C.C. chapter 21A.24, critical areas;



3. K.C.C. chapter 21A.25, shorelines; and
4. Special district overlays, p-suffix conditions, or demonstration projects.

#### NEW SECTION. SECTION 205.

A.1. This section establishes the density and dimensional standards for residential zones in the urban area outside of North Highline and Skyway-West Hill. Measurement methods are identified in K.C.C. chapter 21A.12.

2. The matrix identifies zones in the vertical columns and corresponding development standards for each zone are in the horizontal rows. The matrix cells contain the minimum dimensional requirements of the zone.

3. The parenthetical numbers in the matrix identify conditions, requirements, notes, or modifiers that correspond to the text in subsection B. of this section. A blank cell indicates that there are no specific requirements. If more than one standard appears in a cell, each standard shall be applicable to any applicable parenthetical number.

<b>Urban Area Residential Density and Dimensional Standards</b>									
<b>STANDARD</b>	<b>UR</b>	<b>R-1 (14) (15)</b>	<b>R-4</b>	<b>R-6</b>	<b>R-8</b>	<b>R-12</b>	<b>R-18</b>	<b>R-24</b>	<b>R-48</b>
Base Density (1)	0.2 du/ac (18)	1 du/ac	4 du/ac	6 du/ac	8 du/ac	12 du/ac	18 du/ac	24 du/ac	48 du/ac
Maximum Density (1)		1.25 du/ac (10) 1.5 du/ac (2)	5 du/ac (10) 6 du/ac (2) 12 du/ac (3)	7.5 du/ac (10) 9 du/ac (2) 18 du/ac (3)	10 du/ac (10) 12 du/ac (2) 24 du/ac (3)	15 du/ac (10) 18 du/ac (2) 36 du/ac (3)	22.5 du/ac (10) 27 du/ac (2) 54 du/ac (3)	30 du/ac (10) 36 du/ac (2) 72 du/ac (3)	60 du/ac (10) 72 du/ac (2) 144 du/ac (3)
Maximum Density for Manufactured Home Communities			12 du/ac	12 du/ac	12 du/ac	12 du/ac	18 du/ac	24 du/ac	48 du/ac
Minimum Density (4)			85%	85%	85%	80%	75%	70%	65%
Minimum Width (5)	35 ft (16)	35 ft (16)	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft

Minimum Street Set (5)	30 ft (16)	20 ft (16)	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft
Minimum Street Set for Garage Carport, or Fenced Pa (5)(6)	30 ft (16)	20 ft (16)	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft
Minimum Interior Se (5)	5 ft (16)	5 ft (16)	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft
Nonreside Minimum Street and Interior Setbacks	(13) (16)	(13) (16)	(13)	(13)	(13)	(13)	(13)	(13)	(13)
Base Height (11a)	35 ft	35 ft	35 ft	35 ft	35 ft	60 ft	60 ft	60 ft	60 ft
Maximum Height (1)	35 ft	45 ft (7c)	45 ft (7)	45 ft (7)	45 ft (7)	65 ft (3)	80 ft (3)	80 ft (3)	80 ft (3)
Nonreside Maximum Height	75 ft (8)	75 ft (8)	75 ft (8)	45 ft (7a) 75 ft (8)	45 ft (7a) 75 ft (8)	75 ft (8)	75 ft (8)	75 ft (8)	75 ft (8)
Maximum Impervious Surface (9)	30% (12)	8% (17) 30% (12)	55%	70%	75%	85%	85%	85%	90%
Nonreside Maximum Impervious	70% (12)	8% (17) 70% (12)	70%	80%	80%	85%	85%	85%	90%

B. Development conditions for the urban area residential density and dimensional standards.

1. Density applies only to dwelling units and not to sleeping units.
2. This maximum density is allowed in the following circumstances:
  - a. for a duplex through a transfer of development right in accordance with K.C.C. 21A.08.030.B.12.;
  - b. for a development with nine or fewer units through a transfer of development rights; or
  - c. for a development with nine or fewer units on a site located within a half-mile walkshed of a high-capacity or frequent transit stop as mapped by the Metro transit department.
3. This maximum is allowed through the inclusionary housing program in K.C.C. chapter 21A.48.
4. The minimum density shall be calculated consistent with K.C.C. 21A.12.060 and K.C.C.

21A.12.087.

5. These standards may be modified under the provisions for zero-lot-line and townhouse developments in K.C.C. chapter 21A.14.

6. The setback distance shall be measured along the center line of the driveway from the access point to such garage, carport, or fenced area to the street property line.

7. This maximum height is allowed in the following circumstances:

- a. for a building on slopes exceeding a fifteen percent finished grade;
- b. through the inclusionary housing regulations in accordance with K.C.C. chapter 21A.48; or
- c. for a structure that provide one additional foot of street and interior setback for each foot above the base height.

8.a. Portions of a nonresidential structure may exceed the base height if one additional foot of street and interior setback is provided for each foot above the base height.

b. Netting, fencing, and related support structures used to contain golf balls on a golf course or golf driving range are exempt from additional interior setback requirements. In recreation and multiuse parks, golf ball netting, fencing and related support structures shall not exceed one-hundred twenty-five feet, unless a golf ball trajectory study requires a higher fence.

9. The impervious surface maximum applies to each individual lot. Impervious surface does not include access easements serving neighboring property and driveways to the extent that they extend beyond the street setback due to location within an access panhandle or due to the application of King County Code requirements to locate features over which the applicant does not have control. Impervious surface area standards for:

- a. individual lots in the R-4 through R-6 zones that are less than nine thousand seventy-six square feet in area shall be subject to the applicable provisions of the nearest comparable R-6 or R-8 zone;
- b. a lot may be increased beyond the total amount allowed in this chapter subject to approval of a

conditional use permit; and

c. regional uses shall be established at the time of permit review.

10. This maximum density is allowed for developments with child daycares under section 240 of this ordinance.

11. For cottage housing developments only:

a. the base height is twenty-five feet; and

b. buildings that have pitched roofs with a minimum slope of six over twelve may achieve a maximum height of thirty feet at the ridge of the roof.

12.a. Lots smaller than one-half acre shall comply with the standards of the nearest comparable R-4 through R-8 zone.

b. Lots that are one-half acre or larger shall have a maximum impervious surface area of at least ten thousand square feet.

c. Lots over one acre may have an additional five percent for buildings related to agricultural or forestry practices.

d. Lots between one-half acre and two acres may have an additional ten percent for structures that are determined to be medically necessary consistent with K.C.C. 21A.32.170.

13. The street and interior setbacks for nonresidential development, except for fences and backstops, are as follows:

a. nonresidential uses with less than two thousand five hundred square feet of floor area shall be subject to the setbacks of the underlying zone;

b. government and institutional uses shall be thirty feet;

c. battery energy storage systems not defined as accessory uses under K.C.C. 21A.06.015, 21A.06.020, or 21A.06.025 shall be thirty feet;

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

e. utility facilities shall be subject to the setbacks of the underlying zone;

f. where a setback is identified for a specific land use in the applicable zone, that setback shall apply;

and

g. all other nonresidential development exceeding two thousand five hundred square feet of floor area shall be fifteen feet.

14.a. Clustering in accordance with K.C.C. 21A.14.040 shall be required for subdivisions and short subdivisions in the R-1 zone if the property is located within or contains one or more of the following:

- (1) alluvial fan hazard areas;
- (2) critical aquifer recharge area;
- (3) moderate or severe coal mine hazard areas;
- (4) flood hazard areas;
- (5) landslide hazard areas;
- (6) the riparian area of a type S or F aquatic area;
- (7) steep slope hazard area;
- (8) category I or II wetlands or their buffers;
- (9) existing or planned public parks or trails, or connections to such facilities; or
- (10) an urban separator or wildlife habitat network designated by the Comprehensive Plan.

b. The development shall be clustered away from critical areas or the axis of designated corridors such as urban separators or the wildlife habitat network to the extent possible and the natural area shall be placed in a separate tract. Natural area tracts shall be permanent and shall be dedicated to a homeowners association or other suitable organization, as determined by the director, and meet the requirements in K.C.C. 21A.14.040. On-site critical area and buffers and designated urban separators shall be placed within the natural area tract to the extent possible. Passive recreation, with no development of recreational facilities, and natural-surface pedestrian and equestrian trails are acceptable uses within the natural area tract.

15. Height and setback requirements shall not apply to regional transit authority facilities.

16. Lots smaller than fifteen thousand square feet shall comply with standards of the R-4 zone.

17. Subdivisions and short subdivisions in R-1 and RA zones within the North Fork and Upper Issaquah Creek subbasins of the Issaquah Creek Basin, as identified in the Issaquah Creek Basin and Nonpoint Action Plan, and the portion of the Grand Ridge area of the Snoqualmie Valley/Northeast King County subarea geography that drains to Patterson Creek shall have a maximum impervious surface area of eight percent. The maximum impervious surface area for each lot shall be recorded on the face of the plat. The impervious surface of roads is excluded from the maximum impervious area. Where both lot- and plat-specific impervious surface limits apply, the more restrictive shall apply.

18. Base density may be exceeded if the property is located in a designated Urban Growth Area for Cities in the Rural Area and each proposed lot contains an occupied legal residence that predates 1959.

#### NEW SECTION. SECTION 206.

A.1. This section establishes the density and dimensional standards for commercial and industrial zones in the urban area outside of North Highline and Skyway-West Hill. Measurement methods are identified in K.C.C. chapter 21A.12.

2. The matrix identifies zones in the vertical columns and corresponding development standards for each zone are in the horizontal rows. The matrix cells contain the minimum dimensional requirements of the zone.

3. The parenthetical numbers in the matrix identify conditions, requirements, notes, or modifiers that correspond to the text in subsection B. of this section. A blank cell indicates that there are no specific requirements. If more than one standard appears in a cell, each standard shall be applicable to any applicable parenthetical number.

Urban Area Commercial and Industrial Density and Dimensional Standards					
STANDARD	NB	CB	RB	O	I
Base Density	8 du/ac	48 du/ac	48 du/ac	48 du/ac	

Maximum Density	12 du/ac (2) 24 du/ac (3)	72 du/ac (2) 144 du/ac (3)	72 du/ac (2) 144 du/ac (3)	72 du/ac (2) 144 du/ac (3)	
Minimum Street Setback (4)	10 ft	10 ft	10 ft	10 ft	25 ft
Minimum Interior Setback	0 ft 10 ft (5d) 20 ft (5c)	0 ft 20 ft (5a)	0 ft 20 ft (5a)	0 ft 20 ft (5a)	0 ft 20 ft (5a) 50 ft (5b)
Base Height	35 ft	35 ft	35 ft	45 ft	45 ft
Mixed-Use Maximum Height (11)	45 ft (7) 65 ft (3)	60 ft 80 ft (3)	65 ft 85 ft (3)	65 ft 85 ft (3)	
Nonresidential Maximum Height (8) (11)	75 ft	75 ft	75 ft	75 ft	75 ft
Maximum Mixed-Use Floor Area Ratio (6) (10)	2/1	3.5/1	4/1	4/1	
Maximum Nonresidential Floor Area Ratio (10)	1/1	3/1	3/1	3/1	3/1
Maximum Impervious Surface (9)	85%	85%	90%	75%	90%

B. Development conditions for the urban area commercial and residential density and dimensional standards.

1.a. Density applies only to dwelling units and not to sleeping units.

b. These densities are allowed only:

(1) for mixed-use developments; or

(2) standalone townhouses on property zoned NB and designated commercial outside of center.

2. This maximum density is allowed in the following circumstances:

a. for a mixed-use development with nine or fewer units through a transfer of development rights; or

b. for a mixed-use development with nine or fewer units on a site located within a half-mile

walkshed of a high-capacity or frequent transit stop as mapped by the Metro transit department.

3. This maximum is allowed for a mixed-use development through the inclusionary housing program

in K.C.C. chapter 21A.48.

4. Gasoline service station pump islands shall be placed no closer than twenty-five feet to street property lines.

5.a. Required on property lines adjoining RA, UR, and R zones.

b. Required on property lines adjoining RA, UR, and R zones for industrial uses established by conditional use permits.

c. Required on property lines adjoining R zones unless a standalone townhouse development on property designated commercial outside of center is adjacent to a property developed with an existing townhouse development.

d. Required on property lines adjoining R zones only for a social service agency office reusing a residential structure in existence on January 1, 2010.

6. Developments under the inclusionary housing program in K.C.C. chapter 21A.48 shall not be subject to a floor area ratio maximum.

7. This maximum height allowed only for:

a. mixed-use developments; and

b. standalone townhouse development in the NB zone on property designated commercial outside of center.

8.a. Portions of a nonresidential structure may exceed the base height if one additional foot of street and interior setback is provided for each foot above the base height.

b. Netting, fencing, and related support structures used to contain golf balls on a golf course or golf driving range are exempt from additional interior setback requirements. In recreation and multiuse parks, golf ball netting, fencing, and related support structures shall not exceed one-hundred twenty-five feet, unless a golf ball trajectory study requires a higher fence.

9. The impervious surface area may be increased beyond the total amount allowed in this chapter



subject to approval of a conditional use permit.

10. Additional floor area ratio is allowed for developments with child daycares under section 240 of this ordinance.

11. Upper-level step backs are required for any facade facing a pedestrian street for any portion of the structure greater than forty-five feet in height. The upper-level step back shall be at least one foot for every two feet of height above forty-five feet, up to a maximum of ten feet. The first four feet of horizontal projection of decks, balconies with open railings, eaves, cornices, and gutters are allowed in required step backs.

NEW SECTION. SECTION 207. The landscaping standards in K.C.C. chapter 21A.16 shall apply.

NEW SECTION. SECTION 208. The parking standards in K.C.C. chapter 21A.18 shall apply.

SECTION 209. Sections 210 through 216 of this ordinance should constitute a new chapter in K.C.C. Title 21A, to follow the chapter established in section 203 of this ordinance.

NEW SECTION. SECTION 210.

A. This chapter contains regulations for the Snoqualmie Pass and Vashon Rural Towns.

B. All developments in the Snoqualmie Pass and Vashon Rural Towns are subject to the development standards in this chapter and as supplemented by this title.

C. Where a conflict exists, the standards in this chapter shall apply except for the following:

1. K.C.C. chapter 21A.23, sea level rise risk area;
2. K.C.C. chapter 21A.24, critical areas;
3. K.C.C. chapter 21A.25, shorelines; and
4. Special district overlays, p-suffix conditions, or demonstration projects.

NEW SECTION. SECTION 211.

A. The allowed uses in K.C.C. chapter 21A.08 shall apply, except as provided in this section.

B. Formula businesses are prohibited in the Vashon Rural Town, except that formula businesses

classified as general business service, food stores, or building materials and hardware stores are allowed as noted in this section.

C. In the CB zone of the Vashon Rural Town, the allowed uses in K.C.C. chapter 21A.08 are replaced with the uses in this subsection. Where one or more development conditions is identified in a land use table in K.C.C. chapter 21A.08 for a specific use in the CB zone, they shall also apply to the following uses:

1. Residential land uses:

a. as a permitted use:

- (1) townhouses;
- (2) apartments;
- (3) senior assisted housing; and
- (4) home occupations under K.C.C. chapter 21A.30;

2. Recreational and cultural land uses:

a. as a permitted use:

- (1) park;
- (2) theater;
- (3) bowling center;
- (4) library;
- (5) museum;
- (6) arboretum; and
- (7) conference center;

b. as a conditional use:

- (1) community center;

3. Health care services and residential care services land uses:

a. as a permitted use:

- (1) doctor's office/outpatient clinic;
  - (2) medical or dental lab;
  - (3) social services;
  - (4) nursing and personal care facilities;
  - (5) hospital; and
  - (6) community residential facility I and II;
4. Personal services and temporary lodging land uses:
- a. as a permitted use:
    - (1) beauty and barber shops;
    - (2) shoe repair shops;
    - (3) laundry, cleaning, and garment services;
    - (4) drycleaners and garment pressing;
    - (5) carpet and upholstery cleaning;
    - (6) sports club;
    - (7) specialized instruction school;
    - (8) funeral home/crematory;
    - (9) daycare I;
    - (10) daycare II;
    - (11) automotive repair;
    - (12) miscellaneous repair;
    - (13) religious facility;
    - (14) veterinary clinic;
    - (15) commercial kennel;
    - (16) interim recycling facility;

- (17) hotel/motel;
- (18) bed and breakfast guesthouse;
- (19) industrial launderers;
- (20) drycleaning plants; and
- (21) theatrical production services;

5. Government and education land uses:

a. as a permitted use:

- (1) public agency or utility office;
- (2) police facility;
- (3) utility facility;
- (4) private stormwater management facility;
- (5) commuter parking lot; and
- (6) secondary or high school;

6. Business services land uses:

a. as a permitted use:

- (1) individual transportation and taxi;
- (2) trucking and courier service;
- (3) self-service storage;
- (4) passenger transportation service;
- (5) telegraph and other communications (excluding towers);
- (6) general business service;
- (7) professional office;
- (8) miscellaneous equipment rental;
- (9) automotive parking; and

(10) commercial/industrial accessory uses (administrative offices, employee exercise and food service facilities, storage of agricultural raw materials or products manufactured on-site, owner/caretaker residence, grounds maintenance);

7. Retail land uses:

a. as a permitted use:

- (1) building materials and hardware stores;
- (2) retail nursery, garden center, and farm supply stores;
- (3) department and variety stores;
- (4) food stores;
- (5) farmers market;
- (6) auto supply stores;
- (7) apparel and accessory stores;
- (8) furniture and home furnishings stores;
- (9) eating and drinking places;
- (10) remote tasting rooms;
- (11) drug stores;
- (12) liquor stores;
- (13) used goods: antiques/secondhand shops;
- (14) sporting goods and related stores;
- (15) book, stationery, video, and art supply stores;
- (16) jewelry stores;
- (17) hobby, toy, game shops;
- (18) photographic and electronic shops;
- (19) photographic and electronic shops;

- (20) fabric shops;
- (21) florist shops;
- (22) personal medical supply stores;
- (23) pet shops; and
- (24) cannabis retailer;

8. Manufacturing land uses:

a. as a permitted use:

- (1) cannabis processor I;
- (2) printing and publishing; and
- (3) winery/brewery/distillery; and

9. Regional land uses:

a. as a permitted use:

- (1) wastewater treatment facility.

D. In the I zone of the Vashon Rural Town, the allowed uses in K.C.C. chapter 21A.08 are replaced with the uses in this subsection. Where one or more development conditions is identified in a land use table in K.C.C. chapter 21A.08 for a specific use in the I zone, they shall also apply to the following uses.

1. Recreational and cultural land uses:

a. as a permitted use:

- (1) Park;
- (2) Trails;
- (3) Campgrounds;
- (4) Theater;
- (5) Bowling Center;
- (6) Amusement and recreation services; and

- (7) Museum;
- 2. Health care services and residential care services land uses:
  - a. as a permitted use:
    - (1) doctor's office/outpatient clinic; and
    - (2) medical or dental lab;
- 3. Personal services and temporary lodging land uses:
  - a. as a permitted use:
    - (1) specialized instruction school;
    - (2) beauty and barber shops;
    - (3) shoe repair shops;
    - (4) laundry, cleaning and garment services;
    - (5) drycleaners and garment pressing;
    - (6) carpet and upholstery cleaning;
    - (7) daycare I;
    - (8) daycare II;
    - (9) veterinary clinic, subject to K.C.C. 21A.08.050.B.10.;
    - (10) automotive repair;
    - (11) automotive service;
    - (12) miscellaneous repair;
    - (13) animal specialty services;
    - (14) dog training facilities;
    - (15) artist studios; and
    - (16) interim recycling facility;
- 4. Government and education land uses:

a. as a permitted use:

- (1) public agency or utility office;
- (2) public agency or utility yard;
- (3) public agency archives;
- (4) police facility;
- (5) fire facility;
- (6) utility facility;
- (7) commuter parking lot;
- (8) private stormwater management facility;
- (9) vector waste receiving facility;
- (10) vocational school; and
- (11) school district support facility;

5. Business services land uses:

a. as a permitted use:

- (1) individual transportation and taxi;
- (2) self-service storage;
- (3) farm product warehousing, refrigeration, and storage;
- (4) communication offices;
- (5) telegraph and other communications;
- (6) general business service;
- (7) professional office;
- (8) outdoor advertising service;
- (9) automotive rental and leasing;
- (10) automotive parking;



(11) off-street required parking lot;

(12) construction and trade;

(13) warehousing and wholesale trade;

(14) log storage;

(15) transportation service;

(16) trucking and courier service;

(17) freight and cargo service;

(18) miscellaneous equipment rental;

(19) research, development, and testing;

(20) heavy equipment and truck repair;

(21) commercial/industrial accessory uses (administrative offices, employee exercise and food service facilities, storage of agricultural raw materials or products manufactured on-site, owner/caretaker residence, grounds maintenance); and

(22) helistop, as a conditional use;

6. Retail land uses:

a. as a permitted use:

(1) food stores;

(2) agricultural product sales;

(3) farmers market;

(4) motor vehicles and boat dealers;

(5) auto supply stores;

(6) gasoline service stations;

(7) eating and drinking places;

(8) sporting goods and related stores;

(9) fuel dealers;

(10) auction houses; and

(11) livestock sales;

7. Manufacturing land uses:

a. as a permitted use:

(1) food and kindred products;

(2) winery/brewery/distillery facility II;

(3) winery/brewery/distillery facility III;

(4) materials processing facility;

(5) textile mill products;

(6) apparel and other textile products;

(7) wood products, except furniture;

(8) furniture and fixtures;

(9) paper and allied products, limited to ten thousand square feet;

(10) printing and publishing;

(11) cannabis processor ii;

(12) leather and leather goods, limited to ten thousand square feet;;

(13) stone, clay, glass, and concrete products, limited to ten thousand square feet;

(14) fabricated metal products;

(15) industrial and commercial machinery;

(16) computer and office equipment;

(17) electronic and other electric equipment;

(18) measuring and controlling instruments;

(19) miscellaneous light manufacturing; and

(20) aircraft, ship, and boat building, limited to small boats under 30 feet length;

8. Resource land uses:

a. as a permitted use:

- (1) growing and harvesting crops;
- (b) raising livestock and small animals, excluding feed lots and auctions;
- (c) cannabis producer;
- (d) growing and harvesting forest production;
- (e) forest research;
- (f) hatchery/fish preserve;
- (g) aquaculture; and
- (h) resource accessory uses;

9. Regional land uses:

a. as a permitted use:

- (1) public agency animal control facility;
- (2) public agency training facility;
- (3) renewable energy generation facility;
- (4) communication facility;
- (5) municipal water production;
- (6) airport/heliport, limited to heliports only;
- (7) rural public infrastructure maintenance facility;
- (8) transit bus base;
- (9) transit comfort facility;
- (10) school bus base; and
- (11) fairground.

2. Uses shall not require substantial investments in infrastructure, such as water, sewers, or transportation, or facilities that generate substantial volumes of heavy gross-weight truck trips.

3. Developments shall maintain rural character through site and building design, buffering, and compatible commercial and industrial uses as follows:

a. All uses occurring outside an enclosed building shall be screened from adjoining residential uses in RA zones;

b. The landscaping standards in K.C.C. chapter 21A.16 are modified as follows:

(1) Twenty-foot-wide Type II landscaping shall be provided along exterior streets;

(2) Twenty-foot-wide Type I landscaping shall be provided along property lines adjacent to RA or R zoned areas; and

(3) Fifteen-foot-wide Type II landscaping shall be provided along lines adjacent to nonresidential zoned areas;

c. Outdoor lighting shall be focused downward and configured to minimize intrusion of light into surrounding RA or R-zoned areas;

d. Refuse collection, recycling, and loading or delivery areas shall be located at least one hundred feet from RA, UR, and R zones and screened with a solid view-obscuring barrier;

e. Off-street parking shall be no less than one space for every one thousand square feet of floor area and no greater than one space for every five hundred square feet of floor area;

f. Sign are allowed as follows:

(1) Signs shall not exceed an area of sixty-four square feet per sign;

(2) Pole signs are prohibited; and

(3) Signs shall not be internally illuminated; and

g. The director shall approve building design, materials, and color. Buildings shall be designed and use accent materials such as wood and brick, nonreflective glass, and muted colors to be compatible with rural

character.

### NEW SECTION. SECTION 212.

A.1. This section establishes the density and dimensional standards for residential zones in the Snoqualmie Pass and Vashon Rural Towns. Measurement methods are identified in K.C.C. chapter 21A.12.

2. The matrix identifies zones in the vertical columns and corresponding development standards for each zone are in the horizontal rows. The matrix cells contain the minimum dimensional requirements of the zone.

3. The parenthetical numbers in the matrix identify conditions, requirements, notes, or modifiers that correspond to the text in subsection B. of this section. A blank cell indicates that there are no specific requirements. If more than one standard appears in a cell, each standard shall be applicable to any applicable parenthetical number.

<b>Snoqualmie Pass and Vashon Rural Towns Residential Density and Dimension</b>							
<b>STANDARD</b>	<b>R-1 (14) (15)</b>	<b>R-4</b>	<b>R-6</b>	<b>R-8</b>	<b>R-12</b>	<b>R-18</b>	<b>R-24</b>
Base Density (1)	1 du/ac	4 du/ ac	6 du/ac	8 du/ac	12 du/ac	18 du/ac	24 du/ac
Maximum Density (1)	1.5 du/ac (2)	6 du/ac (2) 8 du/ac (3a) 8 du/ ac (3b)	9 du/ac (2) 12 du/ac (3a) 12 du/ac (3b)	12 du/ac (2) 16 du/ac (3a) 16 du/ac (3b)	18 du/ac (2) 24 du/ac (3a) 24 du/ac (3b)	27 du/ac (2) 36 du/ac (3a) 36 du/ac (3b)	36 du/ac (2) 48 du/ac (3a) 48 du/ac (3b)
Maximum Density for Manufactured Home Communities for Vashon	n/a	6 du/ac	6 du/ac	8 du/ac	12 du/ac	18 du/ac	24 du/ac

Maximum Density for Manufactured Home Communities for Snoqualmie Pass	n/a	12 du/ac	12 du/ac	12 du/ac	12 du/ac	18 du/ac	24 du/ac
Minimum Density (4)		70%	70%	70%	65%	60%	55%
Minimum Width (5) (16)	35 ft	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft
Minimum Street Setback (5) (16)	20 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft
Minimum Street Setback for Garage Carport, or Fenced Parking (5) (6)	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft
Minimum Interior Setback (5)	5 ft (16)	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft
Nonresidential Minimum Street and Interior Setbacks (13) (16)	(13)	(13)	(13)	(13)	(13)	(13)	(13)
Base Height (11a)	35 ft	35 ft	35 ft	35 ft	60 ft	60 ft	60 ft
Maximum Height (11) (7c) (17)	45 ft	45 ft (7)	45 ft (7)	45 ft (7)	65 ft (3b)	80 ft (3b)	80 ft (3b)
Nonresidential Maximum Height (17)	75 ft (8)	75 ft (8)	45 ft (7a) 75 ft (8)	45 ft (7a) 75 ft (8)	75 ft (8)	75 ft (8)	75 ft (8)
Maximum Impervious Surface (9) (12)	30%	55%	70%	75%	85%	85%	85%
Nonresidential Maximum Impervious Surface (9) (12)	70%	70%	75%	85%	85%	85%	90%

B. Development conditions for the Snoqualmie Pass and Vashon Rural Towns residential density and

dimensional standards.

1. Density applies only to dwelling units and not to sleeping units.
2. This maximum density is allowed in the following circumstances only in the Snoqualmie Pass

Rural Town:

- a. for a duplex through a transfer of development right in accordance with K.C.C. 21A.08.030.B.12.;

or

- b. for a development with nine or fewer units through a transfer of development rights.

3.a. This maximum may be achieved through the inclusionary housing program in K.C.C. chapter 21A.48 in the Vashon Rural Town.

b. This maximum may be achieved through the inclusionary housing program in K.C.C. chapter 21A.48 in the Snoqualmie Pass Rural Town.

4. The minimum density shall be calculated consistent with K.C.C. 21A.12.060 and K.C.C. 21A.12.087.

5. These standards may be modified under the provisions for zero-lot-line and townhouse developments in K.C.C. chapter 21A.14.

6. The setback distance shall be measured along the center line of the driveway from the access point to such garage, carport, or fenced area to the street property line.

7. This maximum height is allowed in the following circumstances:

- a. for a building on slopes exceeding a fifteen percent finished grade;
- b. through the inclusionary housing regulations in accordance with K.C.C. chapter 21A.48; or
- c. for a structure that provide one additional foot of street and interior setback for each foot above the

base height.

8.a. Portions of a nonresidential structure may exceed the base height if one additional foot of street and interior setback is provided for each foot above the base height.

b. Netting, fencing, and related support structures used to contain golf balls on a golf course or golf driving range are exempt from additional interior setback requirements. In recreation and multiuse parks, golf ball netting, fencing and related support structures shall not exceed one-hundred twenty-five feet, unless a golf ball trajectory study requires a higher fence.

9. The impervious surface maximum applies to each individual lot. Impervious surface does not include access easements serving neighboring property and driveways to the extent that they extend beyond the street setback due to location within an access panhandle or due to the application of King County Code requirements to locate features over which the applicant does not have control. Impervious surface area standards for:

a. individual lots in the R-4 through R-6 zones that are less than nine thousand seventy-six square feet in area shall be subject to the applicable provisions of the nearest comparable R-6 or R-8 zone;

b. a lot may be increased beyond the total amount allowed in this chapter subject to approval of a conditional use permit; and

c. regional uses shall be established at the time of permit review.

10. Reserved.

11. For cottage housing developments only:

a. the base height is twenty-five feet; and

b. buildings that have pitched roofs with a minimum slope of six over twelve may achieve a maximum height of thirty feet at the ridge of the roof.

12.a. Lots smaller than one-half acre shall comply with the standards of the nearest comparable R-4 through R-8 zone.

b. Lots that are one-half acre or larger shall have a maximum impervious surface area of at least ten thousand square feet.

c. Lots over one acre may have an additional five percent for buildings related to agricultural or



forestry practices.

d. Lots between one-half acre and two acres may have an additional ten percent for structures that are determined to be medically necessary consistent with K.C.C. 21A.32.170.

13. The street and interior setbacks for nonresidential development, except for fences and backstops, are as follows:

a. nonresidential uses with less than two thousand five hundred square feet of floor area shall be subject to the setbacks of the underlying zone;

b. government and institutional uses shall be thirty feet;

c. battery energy storage systems not defined as accessory uses under K.C.C. 21A.06.015, 21A.06.020, or 21A.06.025 shall be thirty feet;

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

e. utility facilities shall be subject to the setbacks of the underlying zone;

f. where a setback is identified for a specific land use in the applicable zone, that setback shall apply; and

g. all other nonresidential development exceeding two thousand five hundred square feet of floor area shall be fifteen feet.

14.a. Clustering in accordance with K.C.C. 21A.14.040 shall be required for subdivisions and short subdivisions in the R-1 zone if the property is located within or contains one or more of the following:

(1) alluvial fan hazard areas;

(2) critical aquifer recharge area;

(3) moderate or severe coal mine hazard areas;

(4) flood hazard areas;

(5) landslide hazard areas;

(6) the riparian area of a type S or F aquatic area;

- (7) steep slope hazard area;
- (8) category I or II wetlands or their buffers;
- (9) existing or planned public parks or trails, or connections to such facilities; or
- (10) an urban separator or wildlife habitat network designated by the Comprehensive Plan.

b. The development shall be clustered away from critical areas or the axis of designated corridors such as urban separators or the wildlife habitat network to the extent possible and the natural area shall be placed in a separate tract. Natural area tracts shall be permanent and shall be dedicated to a homeowners association or other suitable organization, as determined by the director, and meet the requirements in K.C.C.

21A.14.040. On-site critical area and buffers and designated urban separators shall be placed within the natural area tract to the extent possible. Passive recreation, with no development of recreational facilities, and natural-surface pedestrian and equestrian trails are acceptable uses within the natural area tract.

15. Height and setback requirements shall not apply to regional transit authority facilities.

16. Lots smaller than fifteen thousand square feet shall comply with standards of the R-4 zone.

17. Properties in the Vashon Town Core, as adopted in the Vashon-Maury Island Community Service Area Subarea Plan in Attachment H to this ordinance, shall have a maximum height limit of three floors. Floors above the second floor shall be step back an additional ten feet from the street property line in this section.

#### NEW SECTION. SECTION 213.

A.1. This section establishes the density and dimensional standards for commercial and industrial zones in the Snoqualmie Pass and Vashon Rural Towns. Measurement methods are identified in K.C.C. chapter 21A.12.

2. The matrix identifies zones in the vertical columns and corresponding development standards for each zone are in the horizontal rows. The matrix cells contain the minimum dimensional requirements of the zone.

3. The parenthetical numbers in the matrix identify conditions, requirements, notes, or modifiers that correspond to the text in subsection B. of this section. A blank cell indicates that there are no specific requirements. If more than one standard appears in a cell, each standard shall be applicable to any applicable parenthetical number.

<b>Snoqualmie Pass and Vashon Rural Towns Commercial and Industrial D</b>				
<b>STANDARD</b>	<b>B</b>	<b>CB</b>	<b>O</b>	<b>I</b>
Base Density	8 du/ac	12 du/ac (7a) 48 du/ac (7b)	12 du/ac (7a)	
Maximum Density	12 du/ac (2)	72 du/ac (2) 24 du/ac (3a) 96 du/ac (3b)	72 du/ac (2)	
Minimum Street Setback (4)	10 ft	10 ft	10 ft	50 ft
Minimum In-lot Setback	0 ft 10 ft (5b) 20 ft (5a)	0 ft 20 ft (5a)	0 ft 20 ft (5a)	0 ft 50 ft (5a)
Base Height	35 ft	35 ft	45 ft	40 ft
Mixed-Use Maximum Height (11)	45 ft	60 ft 65 ft (3b)	65 ft	
Nonresidential Maximum Height (11)	75 ft	75 ft	75 ft	40 ft
Mixed-Use Maximum Floor Area Ratio	2/1	4/1	4/1	
Nonresidential Maximum Floor Area Ratio	1/1	3/1	3/1	1/1(12)
Maximum Impervious Surface (9)	85%	85%	75%	70% (12)

B. Development conditions for the Snoqualmie Pass and Vashon Rural Towns commercial and industrial density and dimensional standards.

1.a. Density applies only to dwelling units and not to sleeping units.

b. These densities are allowed only for mixed-use developments.

2. This maximum density is allowed for a mixed-use development with nine or fewer units through a transfer of development rights in the Snoqualmie Pass Rural Town.

3.a. This maximum may be achieved through the inclusionary housing program in K.C.C. chapter 21A.48 in the Vashon Rural Town.

b. This maximum may be achieved through the inclusionary housing program in K.C.C. chapter 21A.48 in the Snoqualmie Pass Rural Town.

4. Gasoline service station pump islands shall be placed no closer than twenty-five feet to street property lines.

5.a Required on property lines adjoining RA, UR, and R zones.

b. Required on property lines adjoining R zones only for a social service agency office reusing a residential structure in existence on January 1, 2010.

6. Developments under the inclusionary housing program in K.C.C. chapter 21A.48 shall not be subject to a floor area ratio maximum.

7.a. This base density applies to the Vashon Rural Town.

b. This base density applies to the Snoqualmie Pass Rural Town.

8.a. Portions of a nonresidential structure may exceed the base height if one additional foot of street and interior setback is provided for each foot above the base height.

b. Netting, fencing, and related support structures used to contain golf balls on a golf course or golf driving range are exempt from additional interior setback requirements. In recreation and multiuse parks, golf ball netting, fencing and related support structures shall not exceed one-hundred twenty-five feet, unless a golf ball trajectory study requires a higher fence.

9. The impervious surface area may be increased beyond the total amount allowed in this chapter subject to approval of a conditional use permit.

10. Reserved.

11.a. In the Snoqualmie Pass Rural Town, upper-level step backs are required for any building façade facing a pedestrian street greater than forty-five feet in height. The upper-level step back shall be at least one

foot for every two feet of height above forty-five feet, up to a maximum of ten feet. The first four feet of horizontal projection of decks, balconies with open railings, eaves, cornices, and gutters are allowed in required step backs.

b. In the Vashon Town Core, as adopted in the Vashon-Maury Island Community Service Area Subarea Plan in Attachment H to this ordinance, the maximum height limit is three floors. Upper-level step backs are required for any building façade above the second floor and facing a public street. The upper-level step back shall be at least ten feet from the street property line.

12.a. Developments consisting of multiple lots shall be limited to a floor area ratio of one and maximum impervious surface of seventy percent.

b. Developments on an individual building lot be limited to a floor area of ratio of one and twenty-five and a maximum impervious surface of eighty percent.

NEW SECTION. SECTION 214.

A. The landscaping standards in K.C.C. chapter 21A.16 shall apply, except as provided in this section.

B. On CB-zoned parcels in the Snoqualmie Pass Rural Town, structures greater than twenty-five feet in height shall be buffered with one-hundred feet of Type 1 landscaping, consistent with K.C.C. 21A.16.040 and this subsection, adjacent to the Interstate-90 right-of-way. The landscaping shall be the composition of adjacent mature forest cover, to preserve the quality of landscape views within the Mountains to Sound Greenway. The only exception to the landscaping buffer would be for the development of a regional trail, if approved by the department of natural resources and parks, parks division.

NEW SECTION. SECTION 215.

A. The parking standards in K.C.C. chapter 21A.18 shall apply, except as provided in this section.

B. In the Vashon Rural Town, required parking shall be one space per dwelling unit for houseplexes, townhouses, and apartments.

NEW SECTION. SECTION 216.

A. The following standards apply to the Vashon Town Core, as adopted in the Vashon-Maury Island Community Service Area Subarea Plan in Attachment H to this ordinance:

1. Buildings fronting on streets, parking lots, and pedestrian ways shall meet the following criteria:
  - a. Buildings shall be set back no more than ten feet from property lines, except to provide for landscaping, courtyards, and other pedestrian or seating areas, and outdoor eating areas;
  - b. Building height shall be a maximum of three stories;
  - c. Building facades facing Vashon Highway SW, SW Bank Road, SW 178th Street, 100th Avenue SW, or SW 174th Street shall have openings comprising not less than sixty percent of the width facing the street. No more than twenty feet of continuous width shall be without openings, such as windows and doors;
  - d. Walkways internal to a private development shall connect to public walkways; and
  - e. Building facades which occupy the full width of street frontages are preferred. Where façade continuity is interrupted by a parking lots or driveways, such parking lots or entrances shall not occupy more than the lesser of sixty feet or thirty percent of the lot width in the first sixty feet of street-abutting lot depth. This limitation may be increased by up to fifteen feet to provide sidewalks and entrance landscaping; and
2. New developments or alterations to an existing building which are valued in excess of fifty percent of the prealteration assessed value, shall provide the following public features:
  - a. street trees with planting areas, which are spacing and species consistent with existing street trees, in a manner consistent with road design and construction standards; and
  - b. a roof or awning that extends over any abutting sidewalk or pedestrian walkway a minimum of five feet or the width of the walkway if the walkway is less than five feet wide.

SECTION 217. The following should constitute a new chapter in K.C.C. Title 21A, to follow the chapter established in section 209 of this ordinance:

- A. Section 218 of this ordinance;
- B. K.C.C. 21A.38.260, as recodified by this ordinance; and

C. Sections 221, 222, and 223 of this ordinance.

NEW SECTION. SECTION 218.

A. This chapter contains regulations for the Fall City Rural Town.

B. All developments in the Fall City Rural Town are subject to the development standards in this chapter and as supplemented by this title.

C. Where a conflict exists, the standards in this chapter shall apply except for the following:

1. K.C.C. chapter 21A.24, critical areas;
2. K.C.C. chapter 21A.25, shorelines; and
3. Special district overlays, p-suffix conditions, or demonstration projects.

SECTION 219. K.C.C. 21A.38.260, as amended by this ordinance, is hereby recodified as a new section in the new chapter created in section 217 of this ordinance to follow section 218 of this ordinance.

SECTION 220. Ordinance 17485, Section 43, as amended, and K.C.C. 21A.38.260 are hereby amended to read as follows:

A. ~~((The purpose of the Fall City business district special district overlay is to allow commercial development in Fall City to occur with on-site septic systems until such time as an alternative wastewater system is available. The special district shall only be established in areas of Fall City zoned CB and shall be evaluated to determine if it is applicable to other rural commercial centers))~~. Development using a community on-site sewage system or large on-site sewage system shall comply with the requirements in section 285 of this ordinance.

B. ~~((The standards of this title and other county codes shall be applicable to development within the Fall City business district special district overlay except as follows:))~~ For the R-zoned area of the Fall City Rural Town, the allowed uses in K.C.C. chapter 21A.08 shall apply.

~~((1. The permitted))~~ C. For the CB zone of the Fall City Rural Town, the allowed uses in K.C.C. ((C))c hapter 21A.08 ((do not apply and)) are replaced with the ((following:)) uses in this subsection. Where one or

more development conditions is identified in a land use table in K.C.C. chapter 21A.08 for a specific use in the CB zone, they shall also apply to the following uses:

~~((a.))~~ 1. Residential land uses ((as set forth in K.C.C. 21A.08.030)):

~~((i.))~~ a. ((A))as a permitted use:

~~((A) Multifamily residential units shall only be allowed))~~ (1) mixed-use development provided residential units are limited only to ((en)) the upper floors of a building((s));

(2) senior assisted housing, up to eleven units, and limited only to the upper floors of a building;

and

~~((B))~~ (3) ((H))home occupations under K.C.C. chapter 21A.30;

~~((ii. As a conditional use:~~

~~(A) Bed and Breakfast (five rooms maximum); and~~

~~(B) Hotel/Motel.~~

~~b. )~~ 2. Recreational((/)) and cultural land uses ((as set forth in K.C.C. 21A.08.040)):

~~((i.))~~ a. ((A))as a permitted use:

~~((A))~~ (1) ((L))library;

~~((B))~~ (2) ((M))museum;

~~((C))~~ (3) ((A))arboretum; ((and))

~~((D))~~ (4) ((P))park;

(5) trails; and

(6) theater; and

~~((ii.))~~ b. ((A))as a conditional use:

~~((A) Sports Club((/Fitness Center;~~

~~(B))~~ (1) ((A))amusement((/R)) and recreation ((S))services((/Arcades (Indoor)), indoor only;

~~((C))~~ (2) ((B))bowling ((C))center; and



(3) community center;

3. Health care services and residential care services land uses:

a. as a permitted use:

(1) doctor's office/outpatient clinic;

(2) nursing and personal care facilities;

(3) medical/dental lab;

(4) miscellaneous health;

(5) social services; and

(6) residential care services;

~~((e. General services))~~ 4. Personal services and temporary lodging land uses ((as set forth in K.C.C. 21A.08.050)):

~~((i.))~~ a. ((A))as a permitted use:

~~((A) General Personal Services, except escort services;))~~

(1) beauty and barber shops;

(2) shoe repair shops;

(3) laundry, cleaning, and garment services;

(4) drycleaners and garment pressing;

(5) carpet and upholstery cleaning;

~~((B))~~ (6) ((F))funeral ((H))home/crematory;

~~((C))~~ (7) ((Appliance/Equipment)) miscellaneous ((R))repair;

~~((D))~~ (8) ((Medical or Dental Office/Outpatient Clinic;

~~(E) Medical or Dental Lab;~~

~~(F) Day Care))~~ daycare I;

~~((G) Day Care))~~ (9) daycare II;

~~((H))~~ (10) ~~((V))~~ veterinary ~~((C))~~ clinic;

~~((I) Social Services~~;

~~((J))~~ (11) ~~((A))~~ animal ~~((S))~~ specialty ~~((S))~~ services;

~~((K))~~ (12) ~~((A))~~ artist ~~((S))~~ studios;

~~((L) Nursing and Personal Care Facilities~~);

(13) specialized instruction school; and

(14) religious facilities; and

a. as a conditional use:

(1) sports clubs;

(2) bed and breakfast guesthouse, which a maximum of five rooms;

(3) hotel/motel;

(4) automotive repair; and

~~((A) Theater (Movie or Live Performance)~~;

~~((B) Religious Use)~~ (5) automotive service;

5. Government and education land uses:

a. as a permitted use:

(1) private stormwater management facilities; and

b. as a conditional use:

(1) public agency or utility office;

(2) police facility;

(3) fire facility; and

(4) utility facility;

~~((d. Government/))~~ 6. Business services land uses ~~((as set forth in K.C.C. 21A.08.060))~~;

~~((i.))~~ a. ((A))as a permitted use:

- ((A)) (1) (G)general (B)business (S)service;
- ((B)) (2) (P)professional (O)office(~~(Bank, Credit Union, Insurance Office.))~~);
- (3) passenger transportation service;
- (4) communication offices; and
- (5) off-street required parking lot;
- ((ii.) b. (A))as a conditional use:
- ((A) ~~Public Agency or Utility Office~~;
- (B) ~~Police Substation~~;
- (C) ~~Fire (Station~~;
- (D) ~~Utility Facility~~;
- (E) ~~Self Service Storage~~) (1) farm product warehousing, refrigeration, and storage;
- ((e.) 7. Retail(~~/commercial~~) land uses ((as set forth in K.C.C. 21A.08.070)):
- ((i.) a. (A))as a permitted use on the ground floor:
- ((A)) (1) (F)food (S)stores;
- ((B)) (2) (D)drug (S)stores(~~/Pharmacy~~);
- ((C)Retail Store: ~~includes florist~~) (3) florist shops((;));
- (4) book, stationary, video, and art supply stores((;));
- (5) apparel and ((accessories)) accessory stores((;));
- (6) furniture((/)) and home furnishings stores((;));
- (7) used goods: antiques/~~((recycled goods store))~~secondhand shops((;));
- (8) sporting goods and related stores((;)); (~~(video store, art supply store,))~~
- (9) hobby ((store)), toy, game shops((;));
- (10) jewelry stores((;)); (~~(toy store, game store, photo store, electronic/appliance store,))~~
- (11) photographic and electronic shops;

(12) fabric shops((;));

(13) pet shops((, and other retail stores (excluding adult-only retail)));

~~((D))~~ (14) ((E))eating and ((D))drinking ((P))places((, including coffee shops and bakeries)));

~~((E))~~ (15) ((R))remote tasting rooms((;)); and

(16) auto supply store; and

~~((ii.))~~ b. ((A))as a conditional use:

~~((A))~~ (1) ((L))liquor ((S))store or any ((R))retail ((S))store ((Selling)) otherwise allowed as a permitted use in this section and that sells ((A))alcohol;

~~((B) Hardware/Building Supply))~~ (2) building materials and hardware ((S))stores;

~~((C))~~ (3) retail ((N))nursery((/G))garden ((C))center and farm supply stores;

~~((D))~~ (4) ((D))department and variety ((S))stores; and

~~((E) Auto Dealers (indoor sales rooms only))~~ 5. cannabis retailer;

~~((f. Manufacturing land uses as set forth in K.C.C. 21A.08.080 are not allowed.~~

~~g.))~~ 8. Resource land uses ((as set forth in K.C.C. 21A.08.090)):

~~((i.))~~ a. ((A))as an ((permitted)) accessory use:

~~((A) Solar photovoltaic/solar thermal energy systems;~~

~~(B) Private storm water management facilities;~~

~~((C))~~ (1) ((G))growing and ((H))harvesting ((C))crops (((within rear/internal side yards or roof gardens, and with organic methods only)));

~~((D) Raising Livestock and Small Animals (per the requirements of Section 21A.30 of the Zoning Code)~~

~~ii. As a conditional use: Wind Turbines))~~

~~((h.))~~ 8. Regional land uses ((as set forth in K.C.C. 21A.08.100 with)): as a ((special)) permitted use ((permit)): ((Communication F)) transit comfort facility.

~~((2. The densities and dimensions set forth in K.C.C. chapter 21A.12 apply, except as follows:~~

- ~~a. Residential density is limited to six dwelling units per acre. For any building with more than ten dwelling units, at least ten percent of the dwelling units shall be classified as affordable under 21A.34.040F.1;~~
- ~~b. Buildings are limited to two floors, plus an optional basement;~~
- ~~c. The elevation of the ground floor may be elevated a maximum of six feet above the average grade of the site along the front facade of the building;~~
- ~~d. If the ground floor is designed to accommodate non-residential uses, the elevation of the ground floor should be placed near the elevation of the sidewalk to minimize the need for stairs and ADA ramps;~~
- ~~e. If the ground floor is designed to accommodate non-residential space, the height of the ceiling, as measured from finished floor, shall be no more than eighteen feet;~~
- ~~f. Building height shall not exceed forty feet, as measured from the average grade of the site along the front facade of the building.))~~

NEW SECTION. SECTION 221.

A.1. This section establishes the density and dimensional standards for zones in the Fall City Rural Town. Measurement methods are identified in K.C.C. chapter 21A.12.

2. The matrix identifies zones in the vertical columns and corresponding development standards for each zone are in the horizontal rows. The matrix cells contain the minimum dimensional requirements of the zone.

3. The parenthetical numbers in the matrix identify conditions, requirements, notes, or modifiers that correspond to the text in subsection B. of this section. A blank cell indicates that there are no specific requirements. If more than one standard appears in a cell, each standard shall be applicable to any applicable parenthetical number.

Fall City Residential and Commercial Density and Dimensional Standards		
STANDARDS	R-4	CB
Base Density	4 du/ ac (1a)	4 du/ac (1)

Maximum Density	4 du/ac	8 du/ac (2)
Maximum Density for Home Communities	12 du/ac	
Minimum Density		
Minimum Lot Area	12,500 sf	
Minimum Lot Width	60 ft	n/a
Minimum Street Setback	20 ft (13)	10 ft (4)
Minimum Street Setback Carport, or Fenced Parking	20 ft (13)	
Minimum Interior Setback	10 ft (13)	0 ft 20 ft (5)
Base Height	25 ft	40 ft (7)
Maximum Height	30 (11) 35 ft (8)	40 ft (7)
Mixed-Use Maximum Density		2/1
Nonresidential Maximum Density Ratio		2/1
Maximum Impervious	40% (9)	85% (9b)

B. Development conditions for the Fall City residential and commercial density and dimensional standards.

- 1.a. Density applies only to dwelling units and not to sleeping units.
- b. These densities are allowed only for mixed-use developments.
2. This maximum density may be achieved when at least ten percent of the total dwelling units are affordable to households at or below eighty percent AMI for ownership or sixty percent AMI for rental.
3. Reserved.
4. Gasoline service station pump islands shall be placed no closer than twenty-five feet to street property lines.
5. Required on property lines adjoining R zones.
6. The setback distance shall be measured along the center line of the driveway from the access point to such garage, carport, or fenced area to the street property line.
- 7.a. Buildings are limited to two floors, plus an optional basement;
- b. The elevation of the ground floor may be elevated a maximum of six feet above the average grade

of the site along the front facade of the building;

c. If the ground floor is designed to accommodate nonresidential uses, the elevation of the ground floor should be placed near the elevation of the sidewalk to minimize the need for stairs and ramps; and

d. If the ground floor is designed to accommodate nonresidential space, the height of the ceiling, as measured from finished floor, shall be no more than eighteen feet.

8. This maximum height is only for:

a. buildings with pitched roofs with a minimum slope of six over twelve; or

b. duplexes and houseplexes within two-hundred and fifty feet of the CB zone.

9.a. The impervious surface maximum applies to each individual lot. Impervious surface does not include access easements serving neighboring property and driveways to the extent that they extend beyond the street setback due to location within an access panhandle or due to the application of King County Code requirements to locate features over which the applicant does not have control. Impervious surface area standards for a lot with a detached garage set back further from the street than the footprint of the residence may be increased five percent for driveway access; and

b. A lot may be increased beyond the total amount allowed in this chapter subject to approval of a conditional use permit.

10. Reserved.

11. For cottage housing developments only:

a. the base height is twenty-five feet; and

b. buildings that have pitched roofs with a minimum slope of six over twelve may achieve a maximum height of thirty feet at the ridge of the roof.

12. Reserved.

13. The street and interior setbacks for nonresidential development, except for fences and backstops, shall are as follows:

- a. nonresidential uses shall be thirty feet;
- b. government and institutional uses shall be thirty feet;
- c. battery energy storage systems not defined as accessory uses under K.C.C. 21A.06.015, 21A.06.020, or 21A.06.025 shall be thirty feet;
- d. regional uses shall be established at the time of permit review;
- e. utility facilities shall be subject to the setbacks of the underlying zone; and
- f. where a setback is identified for a specific land use in the applicable zone, that setback shall apply.

NEW SECTION. SECTION 222. The landscaping standards in K.C.C. chapter 21A.16 shall apply.

NEW SECTION. SECTION 223. The parking standards in K.C.C. chapter 21A.18 shall apply.

SECTION 224. The following should constitute a new chapter in K.C.C. Title 21A, to follow the chapter established in section 217 of this ordinance:

- A. Section 225 of this ordinance;
- B. K.C.C. 21A.14.280, as recodified by this ordinance;
- C. Sections 227, 228, 229, and 230 of this ordinance.

NEW SECTION. SECTION 225.

A. This chapter contains regulations for the rural area geography and natural resource lands outside of rural towns.

B. All developments in the rural area geography and natural resource lands outside of rural towns are subject to the development standards in this chapter and as supplemented by this title.

C. Where a conflict exists, the standards in this chapter shall apply except for the following:

- 1. K.C.C. chapter 21A.23, sea level rise risk area;
- 2. K.C.C. chapter 21A.24, critical areas;
- 3. K.C.C. chapter 21A.25, shorelines; and
- 4. Special district overlays, p-suffix conditions, or demonstration projects.



SECTION 226. K.C.C. 21A.14.280 is hereby recodified as a new section in the new chapter created in section 224 of this ordinance to follow section 225 of this ordinance.

NEW SECTION. SECTION 227.

A.1. This section establishes the density and dimensional standards for rural area and natural resource lands outside of rural towns. Measurement methods are identified in K.C.C. chapter 21A.12.

2. The matrix identifies zones in the vertical columns and corresponding development standards for each zone are in the horizontal rows. The matrix cells contain the minimum dimensional requirements of the zone.

3. The parenthetical numbers in the matrix identify conditions, requirements, notes, or modifiers that correspond to the text in subsection B. of this section. A blank cell indicates that there are no specific requirements. If more than one standard appears in a cell, each standard shall be applicable to any applicable parenthetical number.

Rural Area and Natural Resource Lands Density and Dimensional Standards								
STANDARD	RA-2.5	RA-5	RA-10	RA-20	A-10	A-35	F	M
Base Density	0.2 du/ac (2)	0.2 du/ac (2)	0.1 du/ac (2)	0.05 du/ac (2)	0.1 du/ac (2)	.0286 du/ac (2)	.0125 du/ac	
Maximum	0.4 du/ac (3)							
Minimum	1.875 ac (11)	3.75 ac (11)	7.5 ac (11)	15 ac (11)	10 ac	35 ac	80 ac	10 ac
Minimum Depth/Width					4 to 1	4 to 1		
Minimum	135 ft	135 ft	135 ft	135 ft				
Minimum Setback	30 ft (5)	30 ft (5)	30 ft (5)	30 ft (5)	30 ft (6)	30 ft (6)	50 ft (6)	(10)
Minimum Setback	5 ft (5)	10 ft (5)	10 ft (5)	10 ft (5)	10 ft (6)	10 ft (6)	100 ft (6)	(10)
Nonresidential Minimum Setback	30 ft	30 ft	30 ft	30 ft	10 ft (6)	10 ft (6)	100 ft (6)	(10)
Base Height	40 ft	40 ft	40 ft	40 ft	35 ft	35 ft	35 ft	35 ft
Nonresidential Maximum	75 ft	75 ft	75 ft	75 ft	75 ft	75 ft	75 ft	75 ft

Maximum Surface (9	8% (17) 25% (12)	8% (17) 20% (12)	8% (17) 15% (12)	8% (17) 12.5% (12)	15% (14) 35% (14)	10% (14) 35% (14)	10% (14) 35% (14)	
Nonresidential Maximum Surface (9	8% (17) 40% (12)	8% (17) 40% (12)	8% (17) 40% (12)	8% (17) 40% (12)	15% (14) 35% (14)	10% (14) 35% (14)	10% (14) 35% (14)	

B. Development conditions for the rural area and natural resource lands density and dimensional standards

1. Density applies only to dwelling units and not to sleeping units.
2. For sites with a building listed in the National Register of Historic Places or designated as a King County landmark in accordance with K.C.C. 20.62.070, dwelling units in excess of the base density may be allowed if all dwelling units are:
  - a. located within the historic building; and
  - b. limited to a maximum of five, subject to approval by the historic preservation officer and, where required, review and approval by the landmarks commission in accordance with K.C.C. 20.62.080.
3. This density may only be achieved on RA-2.5 zoned parcels receiving density from rural forest focus areas through a transfer of development rights under K.C.C. chapter 21A.37.
4. Reserved.
- 5.a. Residences shall have a setback of at least one hundred feet from any property line adjoining A, M, or F zones or existing extractive operations. However, residences on lots less than one hundred fifty feet in width adjoining A, M, or F zones or existing extractive operations shall have a setback from the rear property line equal to fifty percent of the lot width and a setback from the side property equal to twenty-five percent of the lot width.
- b. Except for residences along a property line adjoining A, M, or F zones or existing extractive operations, lots between one acre and two and one-half acres in size shall conform to the requirements of the R-1 zone and lots under one acre shall conform to the requirements of the R-4 zone.

6.a. For lots between one acre and two and one-half acres in size, the setback requirements of the R-1 zone shall apply.

b. For lots under one acre, the setback requirements of the R-4 zone shall apply.

c. In the F zone, scaling stations shall be located thirty-five feet and residences shall be set back thirty feet from property lines.

7. Reserved.

8.a. Portions of a nonresidential structure may exceed the base height if one additional foot of street and interior setback is provided for each foot above the base height.

b. Netting, fencing, and related support structures used to contain golf balls on a golf course or golf driving range are exempt from additional interior setback requirements. In recreation and multiuse parks, golf ball netting, fencing and related support structures shall not exceed one-hundred twenty-five feet, unless a golf ball trajectory study requires a higher fence.

9. The impervious surface maximum applies to each individual lot. Impervious surface does not include access easements serving neighboring property and driveways to the extent that they extend beyond the street setback due to location within an access panhandle or due to the application of King County Code requirements to locate features over which the applicant does not have control. Impervious surface area standards for:

a. a lot may be increased beyond the total amount allowed in this chapter subject to approval of a conditional use permit; and

b. regional uses shall be established at the time of permit review.

10. Setback requirements in the mineral zone are established in K.C.C. 21A.22.060.

11. The minimum lot area does not apply to lot clustering proposals as provided in K.C.C. chapter 21A.14.

12.a. Lots smaller than one-half acre shall comply with the standards of the nearest comparable R-4

through R-8 zone.

b. Lots that are one-half acre or larger shall have a maximum impervious surface area of at least ten thousand square feet.

c. Lots over one acre may have an additional five percent for buildings related to agricultural or forestry practices.

d. Lots between one-half acre and two acres may have an additional ten percent for structures that are determined to be medically necessary consistent with K.C.C. 21A.32.170.

13. The street and interior setbacks for nonresidential development, except for fences and backstops, are as follows:

a. nonresidential uses shall be thirty feet;

b. government and institutional uses shall be thirty feet;

c. battery energy storage systems not defined as accessory uses under K.C.C. 21A.06.015, 21A.06.020, or 21A.06.025 shall be thirty feet;

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

e. utility facilities shall be subject to the setbacks of the underlying zone; and

f. where a setback is identified for a specific land use in the applicable zone, that setback shall apply.

14. Applicable only to lots containing less than one acre of lot area. Development on lots containing less than fifteen thousand square feet of lot area shall comply with the standards of the nearest comparable R-4 through R-8 zone.

15. Reserved.

16. Reserved.

17. Subdivisions and short subdivisions in R-1 and RA zones within the North Fork and Upper Issaquah Creek subbasins of the Issaquah Creek Basin, as identified in the Issaquah Creek Basin and Nonpoint Action Plan, and the portion of the Grand Ridge area of the Snoqualmie Valley/Northeast King County subarea

geography that drains to Patterson Creek shall have a maximum impervious surface area of eight percent. The maximum impervious surface area for each lot shall be recorded on the face of the plat. The impervious surface of roads is excluded from the maximum impervious area. Where both lot- and plat-specific impervious surface limits apply, the more restrictive shall apply.

#### NEW SECTION. SECTION 228.

A.1. This section establishes the density and dimensional standards for the commercial zones in the rural area geography outside of rural towns. Measurement methods are identified in K.C.C. chapter 21A.12.

2. The matrix identifies zones in the vertical columns and corresponding development standards for each zone are in the horizontal rows. The matrix cells contain the minimum dimensional requirements of the zone.

3. The parenthetical numbers in the matrix identify conditions, requirements, notes, or modifiers that correspond to the text in subsection B. of this section. A blank cell indicates that there are no specific requirements. If more than one standard appears in a cell, each standard shall be applicable to any applicable parenthetical number.

<b>Rural Area Commercial and Industrial Density and Dimensional Standards</b>				
<b>STANDARDS</b>	<b>NB</b>	<b>CB</b>	<b>O</b>	<b>I</b>
Base Density (1)	4 du/ac	4 du/ac	4 du/ac	
Maximum Density	4 du/ac	4 du/ac	4 du/ac	
Minimum Street	10 ft	10 ft	10 ft	(12)
Minimum Interior	0 ft 10 ft (5b) 20 ft (5a)	0 ft 20 ft (5a)	0 ft 20 ft (5a)	(12)
Base Height	35 ft	35 ft	45 ft	(12)
Maximum Height	45 ft	60 ft	65 ft	
Maximum Height Nonresidential S	75 ft (8)	75 ft (8)	75 ft (8)	(12)
Maximum Floor Mixed-Use	2/1	3.5/1	4/1	(12)
Maximum Floor Nonresidential	1/1	1.5/1	2.5/1	(12)
Maximum Impervious (9)	85%	85%	75%	(12)

B. Development conditions for the rural area commercial and residential density and dimensional standards.

1.a. Density applies only to dwelling units and not to sleeping units.

b. This density is allowed for a mixed-use development on a property with a designation of rural neighborhood commercial center.

2. Reserved.

3. Reserved.

4. Gasoline service station pump islands shall be placed no closer than twenty-five feet to street property lines.

5.a. Required on property lines adjoining RA, UR, or R zones.

b. Required on property lines adjoining RA and R zones only for a social service agency office reusing a residential structure in existence on January 1, 2010.

6. Reserved.

7. Reserved.

8.a. Portions of a nonresidential structure may exceed the base height if one additional foot of street and interior setback is provided for each foot above the base height.

b. Netting, fencing, and related support structures used to contain golf balls on a golf course or golf driving range are exempt from additional interior setback requirements. In recreation and multiuse parks, golf ball netting, fencing and related support structures shall not exceed one-hundred twenty-five feet, unless a golf ball trajectory study requires a higher fence.

9. The impervious surface area may be increased beyond the total amount allowed in this chapter subject to approval of a conditional use permit.

10. Reserved.

11. Upper-level step backs are required for any facade facing a pedestrian street for any portion of the

structure greater than forty-five feet in height. The upper-level step back shall be at least one foot for every two feet of height above forty-five feet, up to a maximum of ten feet. The first four feet of horizontal projection of decks, balconies with open railings, eaves, cornices, and gutters are allowed in required step backs.

12. See K.C.C. 21A.14.280, as recodified by this ordinance.

NEW SECTION. SECTION 229. The landscaping standards in K.C.C. chapter 21A.16 shall apply, except as provided in this chapter.

NEW SECTION. SECTION 230. The parking standards in K.C.C. chapter 21A.18 shall apply, except as provided in this chapter.

SECTION 231. Ordinance 10870, Section 343, as amended, and K.C.C. 21A.12.060 are hereby amended to read as follows:

A. Minimum density for residential development (~~((in the urban areas designated by the Comprehensive Plan))~~) shall be (~~((based on the tables in K.C.C. 21A.12.030, adjusted))~~) computed as provided in K.C.C. 21A.12.070 (~~((through 21A.12.080))~~).

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

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

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

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

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

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

~~((C-))~~ B. A proposal to locate a single ~~((residential unit))~~ detached residence on a ~~((lot shall))~~ site may be exempt from the minimum density requirement ~~((provided))~~ if the applicant ~~((either))~~ preplans the site by demonstrating that the proposed single detached residence would be located in a manner that is compatible with and does not preclude a future division of the site ~~((in a manner))~~ that would meet the minimum density requirements~~((, or locates the dwelling within fifteen feet of one or more of the site's interior lot lines))~~.

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

SECTION 232. Ordinance 10870, Section 344, as amended, and K.C.C. 21A.12.070 are hereby amended to read as follows:

~~((Permitted number of units, or lots or floor area shall be determined as follows:))~~

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

B. The maximum ~~((density (unit or lot) limits))~~ number of dwelling units shall be computed by adding the bonus or transfer units authorized by K.C.C. chapters ~~((21A.34,))~~ 21A.37 and 21A.48 to the base ~~((units))~~ number computed under subsection A. of this section~~((;))~~.

C. The minimum number of dwelling units shall be computed by multiplying the net buildable area by:

1. The applicable base density; and
2. The minimum density, as adjusted by K.C.C. 21A.12.087.

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



~~((D.))~~ E. If calculations result in a fraction, the fraction shall be rounded to the nearest whole number as follows, except as provided in subsection ~~((E.))~~ E. of this section and K.C.C. 21A.48.050:

1. Fractions of 0.50 or above shall be rounded up; and
2. Fractions below 0.50 shall be rounded down~~((; and))~~.

~~((E.))~~ F. For subdivisions and short subdivisions in the RA and A zones, rounding up of the number of development units or lots is not allowed.

G. All site areas may be used in the calculation of base and maximum residential density or floor area.

SECTION 233. Ordinance 10870, Section 354, as amended, and K.C.C. 21A.12.170 are hereby amended to read as follows:

If the required setbacks from regional utility corridors of K.C.C. 21A.12.140, the adjoining half-street or designated arterial setbacks of K.C.C. 21A.12.160, and the sight distance requirements of K.C.C. 21A.12.210 are maintained, structures may extend into or be located in required setbacks~~((, including setbacks as required by K.C.C. 21A.12.220.C.,))~~ as follows:

A. Fireplace structures, bay or garden windows, enclosed stair landings, closets, or similar structures may project into any setback~~((, provided s))~~. Such projections ~~((are))~~ shall be:

1. Limited to two per facade;
2. Not wider than ten feet; and
3. Not more than twenty-four inches into an interior setback or thirty inches into a street setback;

B. Uncovered porches and decks that exceed eighteen inches above the finished grade may project:

1. Eighteen inches into interior setbacks; and
2. Five feet into the street setback;

C. Uncovered porches and decks not exceeding eighteen inches above the finished grade may project to the property line;

D. Eaves may not project more than:

1. Eighteen inches into an interior setback;
2. Twenty-four inches into a street setback; or
3. Eighteen inches across a lot line in a zero-lot-line development;

E. Fences with a height of six feet or less may project into or be located in any setback;

F. Rockeries, retaining walls, and curbs may project into or be located in any setback. Except for structures that cross the setback perpendicularly to property lines or that abut a critical area, these structures:

1. Shall not exceed a height of six feet in the R-1 through R-18, UR, RA, and resource zones;
2. Shall not exceed a height of eight feet in the R-24 and R-48 zones; and
3. Shall not exceed the building height for the zone in commercial/industrial zones, measured in

accordance with the standards established in the King County Building Code, K.C.C. Title 16;

G. Fences located on top of rockeries, retaining walls, or berms are subject to the requirements of K.C.C. 21A.14.220;

H. Telephone, power, light, and flag poles;

I. The following may project into or be located within a setback, but may only project into or be located within a five-foot interior setback area if an agreement documenting consent between the owners of record of the abutting properties is recorded with the records and licensing services division prior to the installment or construction of the structure:

1. Sprinkler systems, electrical, and cellular equipment cabinets and other similar utility boxes and vaults, not to include equipment associated with a battery energy storage system;
2. Security system access controls;
3. Structures, except for buildings, associated with trails and on-site recreation spaces and play areas required in K.C.C. 21A.14.180 ((and K.C.C. 21A.14.190)) such as benches, picnic tables, and drinking fountains; and
4. Surface water management facilities as required by K.C.C. chapter 9.04;

J. ~~Freestanding air conditioners and heat pumps ((may project into or be located within a setback abutting a residential property, but may only be located closer than five feet of an abutting residential property if an agreement documenting consent between the owners of record of the abutting properties is recorded with the records and licensing services division prior to permit issuance.))~~;

K. Mailboxes and newspaper boxes may project into or be located within street setbacks;

L. Fire hydrants and associated appendages;

M. ~~((Metro))~~ Transit bus shelters may be located within street setbacks;

N. Unless otherwise allowed in K.C.C. 21A.20.080, free(( ))standing and monument signs four feet or less in height, with a maximum sign area of twenty square feet, may project into or be located within street setbacks;

O. On a parcel in the RA zone, in the interior setback that adjoins a property zoned NB or CB, structures housing refrigeration equipment that extends no more than ten feet into the setback and is no more than sixty feet in length;

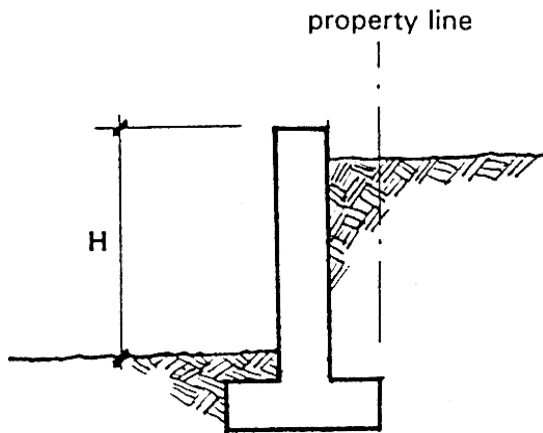
P. Stormwater conveyance and control facilities, both above and below ground~~((, provided such projections))~~ that are:

1. Consistent with setback, easement, and access requirements specified in the Surface Water Design Manual; or

2. In the absence of said specifications, not within five feet of the property line; and

Q. Equipment associated with a battery energy storage system defined as an accessory use under K.C.C. 21A.06.015, 21A.06.020, or 21A.06.025 may be located within a street setback, but only when used solely to supply electricity for electric-vehicle-charging infrastructure also within the setback or within the adjacent right-of-way.

## 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

**SECTION 234.** Ordinance 10870, Section 355, as amended, and K.C.C. 21A.12.180 are hereby amended to read as follows:

The following structures may be erected above the height limits ~~((of K.C.C. 21A.12.030-.050.))~~ for the applicable zone as established by this title:

A. Roof structures housing or screening elevators, stairways, tanks, ventilating fans, or similar equipment required for building operation and maintenance; and

B. Fire or parapet walls~~((;))~~; skylights~~((;))~~; flagpoles~~((;))~~; chimneys~~((;))~~; smokestacks~~((; church))~~; religious facility steeples, crosses, and spires~~((;))~~; communication transmission and receiving structures~~((;))~~; utility line towers and poles~~((;))~~; and similar structures.

**SECTION 235.** Ordinance 10870, Section 357, as amended, and K.C.C. 21A.12.200 are hereby amended to read as follows:

When a lot or site is divided by a zone boundary, the following applies:

A. If a lot or site contains both ~~((rural area or residential))~~ RA, UR, or R zoning and nonresidential zoning, the zone boundary between the ~~((rural area or residential))~~ RA, UR, or R zone and the nonresidential zone shall be considered a lot line for determining ~~((permitted))~~ allowed building height and required setbacks on the site~~((;))~~;

B. If a lot or site contains residential zones of varying density:

1. Any residential density transfer within the lot or site shall be allowed if:

a. the density, as a result of moving dwelling units from one lot to another lot within a site or across zone ~~((lines))~~ boundaries within a single lot, does not exceed one hundred fifty percent of the base density on any of the lots or portions of a lot to which the density is transferred;

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

c. the transfer enhances the efficient use of needed infrastructure;

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

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

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

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

3. Residential density transfers ~~((shall not be allowed))~~ to a lot or portion of a lot zoned R-1 is prohibited; and

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

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

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

SECTION 236. Ordinance 10870, Section 359, as amended, and K.C.C. 21A.12.220 are hereby amended to read as follows:

A. ~~((The requirements of this section apply to all n))~~ Nonresidential uses located in the RA, UR, or R zones, except those listed in subsection B. of this section, are subject to the following requirements:

~~((1. Utility facilities~~

~~2. Uses listed in K.C.C. 21A.08.100, except that the standards in this section shall apply to battery energy storage systems not defined as accessory uses under K.C.C. 21A.06.015, 21A.06.020, or 21A.06.025; and~~

~~3. Nonresidential uses regulated by 21A.12.230.~~

~~B. Impervious surface coverage shall not exceed:~~

~~1. Forty percent of the site in the RA zone.~~

~~2. Seventy percent of the site in the UR and the R-1 through R-8 zones.~~

~~3. Eighty percent of the site in the R-12 through R-48 zones.~~

~~C. Buildings and structures, except fences and wire or mesh backstops, shall not be closer than 30 feet to any property line, except as provided in subsection D.~~

~~D. Single detached dwellings allowed as accessory to a church or school shall conform to the setback requirements of the zone.~~

~~E. Parking areas are permitted within the required setback area from property lines, provided such parking areas are located outside of the required landscape area.~~

~~F.)) 1. Sites shall abut or be accessible from at least one public street functioning at a level consistent with King County Road Design Standards((. New high school sites shall abut or be accessible from a public street functioning as an arterial per the King County Design Standards.~~

~~G. The base height shall conform to the zone in which the use is located.))~~; and

~~((H.)) 2. Building illumination and lighted signs shall be designed so that no direct rays of light are projected into neighboring residences or onto any street right-of-way.~~

B. The following nonresidential uses shall not be subject to the requirements of this section:

1. Sports clubs;

2. Beauty and barber shops;

3. Shoe repair shops;

4. Laundry, cleaning, and garment services;

5. Drycleaners and garment pressing;

6. Carpet and upholstery cleaning;

7. Retail uses in K.C.C. 21A.08.070;

8. Regional land uses in K.C.C. 21A.08.100, except that the standards in this section shall apply to battery energy storage systems not defined as accessory uses under K.C.C. 21A.06.015, 21A.06.020, or 21A.06.025; and

9. Utility facilities.

SECTION 237. Ordinance 16267, Section 29, and K.C.C. 21A.12.240 are hereby amended to read as follows:

A. The minimum width for a joint use driveway and easement on private property shall be sixteen feet, except as otherwise provided in the King County Road Design and Construction Standards.

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

SECTION 238. Ordinance 10870, Section 360, as amended, and K.C.C. 21A.12.230 are hereby amended as follows:

~~((The general))~~ In the R-4 through R-48 zones outside the urban area, personal service uses ~~((f))~~ in SIC ~~((#))~~ Major Group 72 ~~((except 7216, 7218 and 7261))~~ listed in K.C.C. 21A.08.050 and ~~((the))~~ retail uses, except agricultural ~~((crop))~~ product sales, listed in K.C.C. 21A.08.070 ~~((which are located in the R-4 through R-48 zones))~~ shall be subject to the following requirements:

A. Each individual establishment shall not exceed ~~((5,000))~~ five thousand square feet of gross floor area and the combined total of all contiguous commercial establishments shall not exceed ~~((15,000))~~ fifteen thousand square feet of gross floor area;

B. Establishments shall not be located less than one mile from another commercial establishment, unless located with other establishments meeting the criteria in ~~((paragraph A))~~ subsection A. of this section;

C. Establishment sites shall abut an intersection of two public streets, each of which is designated as a neighborhood collector or arterial and which has improved pedestrian facilities for at least ~~((1/4th))~~ one-quarter mile from the site;

D. The maximum on-site parking ratios for establishments and sites shall be ~~((2 per 1000))~~ two per one thousand square feet and required parking shall not be located between the building(s) and the street; and

E. Buildings shall comply with the building facade modulation and roofline variation requirements in K.C.C. ~~((21A.14.080 and .090))~~ 21A.14.070 and at least one facade of the building shall be located within five feet of the sidewalk.

F. If the personal service or retail use is located in a building with ~~((multifamily))~~ residential uses, then the commercial use shall be on the ground floor and shall not exceed ~~((25))~~ twenty-five percent of the total floor area of the building.

G. Sign and landscaping standards for the use apply."

SECTION 239. Ordinance 16267, Section 30, as amended, and K.C.C. 21A.12.250 are hereby amended to read as follows:

~~((The general))~~ In the R-4 through R-48 zones outside the urban area, personal service uses ~~((f))~~ in SIC ~~((#))~~ Major Group 72 ~~((except 7216, 7218 and 7261))~~ and the doctor's office/outpatient clinic use ~~((SIC # 801-04))~~ listed in ~~((K.C.C. 21A.08.050 are allowed as a conditional use,))~~ section 162 of this ordinance shall be subject to the following requirements:

A. ~~((The site shall be zoned R-4 through R-48;~~

B.)) The establishment shall be located within one-quarter mile of a rural town, unincorporated activity center, community business center, or neighborhood business center, and less than one mile from another commercial establishment;

~~((C.))~~ B. The establishment shall be located in either:

1. A legally established single ~~((family dwelling))~~ detached residence in existence on or before January 1, 2008. The structure may not be expanded by more than ten percent as provided in K.C.C.

21A.32.065 for the expansion of legally established nonconforming uses; or

2. A mixed-use development with one hundred percent of the dwelling units affordable to households with incomes at or below sixty percent of area median income and on-site supportive services consistent with the King County Consortium Consolidated Housing and Community Development Plan or successor plan;

~~((D.))~~ C. The maximum on-site parking ratio for establishments and sites shall be two per one thousand square feet and required parking shall not be located between the building and the street; and

~~((E.))~~ D. Sign and landscaping standards for the use apply.

NEW SECTION. SECTION 240. There is hereby added to K.C.C. chapter 21A.12 a new section to read as follows:

A. A development in the urban area shall be eligible to receive additional density or commercial floor area for the provision of improved child daycare facilities. A child daycare facility shall be considered improved when the building core and shell and rough-in utilities are completed.

B. For every six child daycare slots provided, the development shall receive one of the following:

1. One additional bonus dwelling unit, up to an additional twenty-five percent of base density; or
2. One-thousand square feet of nonresidential floor area added to the floor area ratio maximum.

C. At least twenty percent of child daycare slots shall be reserved for households at or below eighty percent AMI. Daycare slots for individuals receiving a childcare assistance or subsidy from a public agency shall be considered to meet this requirement.

D. The child daycare facility shall obtain an operating license from the Washington state Department of Children, Youth, and Families, receive all necessary permits or approvals, and comply with all applicable state and local regulations governing the operation of licensed child daycare providers.

E. Child daycare facilities under this section shall operate for at least eight hours per day, five days per week, and forty-eight weeks per year, except that facilities serving school-aged children may operate for four hours per day.

F. Child daycare facilities under this section shall be dedicated to child daycare use for at least twenty years. Property owners shall include provisions for lease renewal of child daycare providers.

G. Before issuance of the certificate of occupancy for the development, the applicant shall:

1. Record a covenant or deed restriction on the property, in a form and substance acceptable to the prosecuting attorney's office and department of community and human services, reflecting the following:
  - a. a statement that the length of the term of the child daycare facility shall be at least twenty years;



- b. the total number of child daycare slots; and
- c. the number of affordable child daycare slots based on the standards of this chapter; and

2. Provide a signed agreement between the property owner and the licensed child daycare provider who will operate the daycare facility, including provisions for lease renewal.

SECTION 241. Ordinance 15032, Section 18, as amended, and K.C.C. 21A.14.025 are hereby amended to read as follows:

((For cottage housing developments in the R4-R8 zones:))

A. The total area of the common open space ~~((must))~~ in a cottage housing development shall be at least two hundred and fifty square feet per unit and at least fifty percent of the units ~~((must))~~ shall be ~~((clustered))~~ sited around the common space.

B. The total floor area of each cottage housing unit, except for two hundred and fifty square feet ~~((of any))~~ for enclosed parking, is limited to one thousand two hundred square feet. The footprint of each unit, including any enclosed parking, is limited to nine hundred square feet. A front or wraparound porch of up to one hundred square feet is ~~((permitted))~~ allowed and ~~((is not to be included))~~ shall not be counted in the floor area or footprint calculation.

C. Fences within ~~((the))~~ a cottage housing ~~((unit))~~ development are limited to three feet in height. Fences along the perimeter of the cottage housing development are limited to six feet.

D. Individual cottage housing units ~~((must))~~ shall be at least ten feet apart.

E. Each ~~((dwelling))~~ cottage housing unit that abuts common open space shall have either a primary entry or a covered porch, or both, oriented to the common open space.

F. Each ~~((dwelling))~~ cottage housing unit within forty feet of a public right-of-way, not including alleys, shall have a facade oriented to the public right-of-way that includes a porch, an entrance, or a bay window that projects a minimum of six inches and is a minimum of four feet in width. If a ~~((dwelling))~~ cottage housing unit is within forty feet of two or more ~~((than one))~~ public rights-of-way, the department shall

determine which right-of-way ((~~towards which~~)) the facade elements shall be oriented. Materials used on this facade shall wrap the corners of the unit.

SECTION 242. Ordinance 10870, Section 364, as amended, and K.C.C. 21A.14.040 are hereby amended to read as follows:

A. Residential lot clustering is allowed in the R, UR<sub>1</sub> and RA zones. ((~~If residential lot clustering is proposed, the following requirements shall be met:~~

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

B. Tracts created through lot clustering shall be designated as permanent natural area as follows:

1. Tracts shall not be altered or disturbed except as specified on recorded documents creating the natural area;

2. Active recreational facilities are prohibited. Acceptable uses within natural area tracts are passive recreation, natural-surface pedestrian and equestrian foot trails, and passive recreational facilities;

3. Tracts may be retained under ownership by the subdivider or retained in undivided interest by the residents of the development and maintained by a homeowners association. The department may require tracts to be dedicated to an appropriate managing public agency or qualifying private entity such as a nature conservancy; and

4. If access to the natural area is provided, the access shall be located in a separate tract;

C. In the RA zone:

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

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

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

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

5.)) A fifty-foot Type II landscaping screen, as defined in K.C.C. 21A.16.040, shall be provided along the frontage of all public roads when adjoining differing types of development such as commercial and industrial uses, between differing types of residential development and to screen industrial uses from the street. The planting materials shall consist of species that are native to the Puget Sound region. Preservation of existing healthy vegetation is encouraged and may be used to augment new plantings to meet the requirements of this section;

~~((6. Except as provided in subsection B.7. of this section, open space tracts created by clustering in the RA zone shall be designated as permanent open space. Acceptable uses within open space tracts are passive recreation, with no development of active recreational facilities, natural surface pedestrian and equestrian foot trails and passive recreational facilities. A resource tract created under K.C.C. 16.82.152.E. may be considered an open space tract for purposes of this subsection B.6;~~

7.a.)) 5.a. In the RA zone, a resource tract may be created through ~~((a cluster development))~~ clustering in lieu of a ~~((n open space))~~ natural area tract. ~~((A resource tract created under K.C.C. 16.82.152.E. may be considered a resource tract for purposes of this subsection B.7.))~~ The resource tract may be used as a working forest or farm if:

(1) the department determines the resource tract is suitable for forestry or agriculture; and

(2) the applicant submits a forest management plan prepared by a professional forester that has been approved by the King County department of natural resources and parks, or a farm management plan developed by the King Conservation District. The management plan ~~((must))~~ shall:

(a) ensure that forestry or farming will remain as a sustainable use of the resource tract;

(b) set impervious surface and clearing limitations and identify the type of buildings or structures that will be allowed within the resource tract; and

(c) if critical areas are included in the resource tract, clearly distinguish between the primary purpose of the resource portion of the tract and the primary purpose of the critical area portion of the tract as required under K.C.C. 21A.24.180.

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

c. ~~((If the applicant conveys the resource tract to residents of the development, the resource tract shall be retained in undivided interest by the residents of the subdivision or short subdivision.~~

d.)) A homeowners association shall be established to ensure implementation of the forest management plan or farm management plan if the resource tract is retained in undivided interest by the residents of the subdivision or short subdivision.

~~((e.))~~ d. The applicant shall file a notice with the King County department of executive services, records and licensing services division. The required contents and form of the notice shall be ~~((set forth))~~ established in a public rule. The notice shall inform the property owner or owners that the resource tract is designated as a working forest or farm~~((;))~~ that ~~((must))~~ shall be managed in accordance with the ~~((provisions established in the))~~ approved forest management plan or farm management plan.

~~((f.))~~ e. The applicant shall provide to the department proof of the approval of the forest management plan or farm management plan and the filing of the notice required in subsection ~~((B.7.g.))~~ C.5.f. of this section before recording of the final plat or short plat.

~~((g.))~~ f. The notice shall run with the land.

~~((h.))~~ g. Natural-surface pedestrian and equestrian foot trails, passive recreation, and passive recreational facilities, with no development of active recreational facilities, are allowed uses in resource tracts; and

~~((8-))~~ 6. The requirements of subsection ~~((B-))~~ C.1., 2., or 3. of this subsection may be modified or waived by the director if the property is encumbered by critical areas containing habitat for, or there is the presence of, species listed as threatened or endangered under the Endangered Species Act when it is necessary to protect the habitat; and

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

SECTION 243. Ordinance 10870, Section 365, as amended, and K.C.C. 21A.14.050 are hereby amended to read as follows:

Subdivision or short subdivision of UR zoned property of ten or more acres shall ~~((be required to be clustered and))~~ provide a reserve tract ~~((shall be created))~~ for future development ~~((in accordance with the following))~~ as follows:

- A. The reserve tract shall be no less than seventy-five percent of the net developable area of the property to be subdivided~~((-))~~;
- B. The reserve tract shall be configured to contain lands with topography and natural features that allow future conversion of the reserve tract to residential development at urban densities~~((-))~~;
- C. The reserve tract may contain a single dwelling unit, only if:
  1. The unit was included in the overall density calculations for the original subdivision or short

subdivision creating the reserve tract; and

2. The unit was noted on the face of the original ~~((subdivision-))~~ plat or short plat~~((;-))~~;

D. The reserve tract shall not be altered or disturbed except as specified on the face of the original ~~((subdivision-))~~ plat or short plat~~((;-))~~;

E. The reserve tract may be retained under the ownership of the subdivider, conveyed to residents of the ~~((subdivisions))~~ development, or conveyed to a third party. Regardless of ownership of the reserve tract, all restrictions relative to the reserve tract shall apply~~((;-))~~;

F. The reserve tract shall not be used to satisfy the recreation space requirement of the original subdivision~~((;-))~~ or short subdivision;

G. The layout of the lots and roadways created in the original subdivision or short subdivision shall facilitate future development of the reserve tract~~((;-))~~;

H. The reserve tract shall not be eligible for further ~~((sub))~~division until ~~((such time that))~~ reclassification of the reserve tract occurs in accordance with the ~~((community plan))~~ area zoning process ~~((outlined))~~ in K.C.C. 20.08.030~~((;-))~~; and

I. Any proposed subsequent development on the reserve tract shall be governed by the development standards in effect at the time of such development.

SECTION 244. Ordinance 10870, Section 367, as amended, and K.C.C. 21A.14.070 are hereby amended to read as follows:

A. The standards of ~~((K.C.C. 21A.14.080 through 21A.14.090))~~ this section shall apply to ~~((all))~~ new ~~((apartment))~~ developments with more than nine ~~((exceeding four))~~ dwelling or sleeping units ~~((new townhouse development and new group residences except Class I Community Residential Facilities ("CRF-I")))~~. Expansions of existing development that involve ~~((four or))~~ more than nine dwelling or sleeping units shall be subject to compliance with ~~((K.C.C. 21A.14.080 to 21A.14.090))~~ this section.

B.1. On sites abutting an alley constructed to a width of at least twenty feet, parking areas shall be

placed to the rear of buildings with primary vehicular access via the alley, except when waived by the director due to physical site limitations.

2. When alley access is provided, no additional driveway access from the public street shall be allowed except as necessary to access parking under the structure or for fire protection.

3. When the number of uncovered common parking spaces for attached dwellings and group residences exceed thirty spaces and when there is alley access, no more than fifty percent of these uncovered parking spaces shall be allowed between the street property line and any building, except when authorized by the director due to physical site limitations.

C. Developments shall provide building facade modulation on facades exceeding sixty feet and adjoining streets or properties zoned R-1 or R-4. The following standards shall apply:

1. The maximum wall length without modulation shall be thirty feet;

2. The sum of the modulation depth and the modulation width shall be no less than eight feet. Neither the modulation depth nor the modulation width shall be less than two feet; and

3. Any other technique approved by the director that achieves the intent of this section.

NEW SECTION. SECTION 245. There is hereby added to K.C.C. chapter 21A.14 a new section to read as follows:

A. A congregate residence shall include at least one common kitchen facility. In a congregate residence with more than two floors, at least one common kitchen facility is required on each floor with sleeping units. In a congregate residence consisting of more than one building, at least one common kitchen facility is required in each building.

2. A sleeping unit that does not include sanitation facilities in the sleeping unit shall have access to shared sanitation facilities on the same floor as the sleeping unit.

3. Communal areas, such as common kitchen facilities, lounges, recreation rooms, dining rooms, living rooms, laundry rooms, foyers, and lobbies, shall be open to all residents of the congregate residence and

shall meet the following standards:

- a. The total floor area of communal areas shall be at least twelve percent of the total floor area of all sleeping and dwelling units; and
- b. Service areas, including, but not limited to hallways and corridors, supply or janitorial storage areas, operations and maintenance areas, staff areas, and offices may not be counted toward the communal area total floor area requirement.

SECTION 246. Ordinance 10870, Section 376, as amended, and K.C.C. 21A.14.160 are hereby amended to read as follows:

New ~~((mobile))~~ manufactured home ~~((parks))~~ communities shall be developed subject to the following standards:

- A. ~~((A mobile home park))~~ The site shall be at least three acres in area;
- B. ~~((Residential densities in a mobile home park shall be as follows:~~
  1. ~~Six dwellings per acre in R-4 zone;~~
  2. ~~The base density of the zone in which the park is located in all R-6 through R-48 zones; and~~
  3. ~~Mobile home parks shall be eligible to achieve the maximum density permitted in the zone by providing the affordable housing benefit for mobile home parks set forth in K.C.C. 21A.34;~~
- C.)) Both insignia and non-insignia ~~((mobile))~~ manufactured homes may be installed ~~((in mobile home parks, provided that n)).~~ Non-insignia ~~((mobile))~~ manufactured homes shall meet the minimum livability and safety requirements ~~((set forth))~~ in K.C.C. Title 16, Building Code;
- ~~((D. A mobile home park shall be exempt from))~~ C. The impervious surface limits ~~((set forth))~~ in ~~((K.C.C. 21A.12))~~ this title shall not apply;
- ~~((E.))~~ D. At least one of the off-street parking spaces required for each ~~((mobile))~~ manufactured home shall be located on or adjacent to each ~~((mobile))~~ manufactured home pad;
- ~~((F.))~~ E. Internal roads and sidewalks shall provide access to each ~~((mobile))~~ manufactured home space



and shall be constructed in accordance with the adopted King County ~~((f))~~Road Design and Construction ~~((s))~~S standards for residential minor access streets;

~~((G-))~~ F. There shall be a minimum of ten feet of separation maintained between all ~~((mobile))~~ manufactured homes on the site, unless the flexible setback option ~~((set forth))~~ in K.C.C. 21A.14.170 is used.

Accessory structures shall be located no closer than:

1. Ten feet to ~~((mobile))~~ manufactured homes on adjacent spaces, unless constructed of noncombustible materials, in which case the minimum setback shall be five feet;
2. Five feet to accessory structures of ~~((mobile))~~ manufactured homes on adjacent spaces; and
3. Five feet to the ~~((mobile))~~ manufactured home or other accessory structures on the same space, except a carport or garage may be attached to the ~~((mobile))~~ manufactured home, and the separation may be waived when such structures are constructed of noncombustible materials;

~~((H-))~~ G. All ~~((mobile))~~ manufactured homes and ~~((RVs))~~ recreational vehicles supported by piers shall be fully skirted; and

~~((I. A mobile home park may include a storage))~~ H. Storage areas for ~~((RVs))~~ recreational vehicles owned by residents of the park are allowed, ~~((provided))~~ but only if the storage area contains no utility hook-ups and ~~((no RV))~~ recreational vehicle within the storage area ~~((shall be))~~ are not used as living quarters.

SECTION 247. Ordinance 10870, Section 377, as amended, and K.C.C. 21A.14.170 are hereby amended to read as follows:

As an alternative to the building separation and internal street standards of K.C.C. 21A.14.160:

A. Building separation requirements or setbacks between ~~((mobile))~~ manufactured homes and accessory structures on adjacent spaces may be modified, ~~((provided))~~ but only if:

1. The common walls meet the fire protection standards set forth in the International Building Code and the standards set forth in the International Fire Code for duplexes, ~~((multifamily))~~ multiunit and condominium developments, as applicable; and

2. Rental agreement clauses, by-laws, or other legal mechanisms stipulate maintenance responsibilities for structures, fences, and yards;

B. Private streets may be used with a minimum driving surface of ~~((22))~~ twenty-two feet in width, ~~((provided))~~ but only if:

1. The streets comply in all other respects with the King County ~~((§))~~ Road Design and Construction ~~((s))~~ Standards;

2. All required parking is located off-street and as specified in K.C.C. 21A.14.160.E.; and

3. Such streets shall not:

a. directly connect two or more points of vehicular access to the park; or

b. serve over 100 dwelling units within the park.

SECTION 248. Ordinance 10870, Section 378, as amended, and K.C.C. 21A.14.180 are hereby amended to read as follows:

A. ~~((Residential))~~ The standards of this section shall apply to new developments ~~((, other than cottage housing developments, of))~~ with nine or more ~~((than four))~~ dwelling units, except subdivisions in the RA zone. ~~((in the UR and R-4 through R-48 zones, stand-alone townhouse developments in the NB zone on property designated commercial outside of center in the urban area of more than four units, and mixed-use developments of more than four units, shall provide r))~~ Recreation space for leisure, play, and sport activities shall be provided as follows:

1. Residential ~~((subdivision, townhouses and apartments))~~ developments developed at a density of eight units or less per acre: three hundred ninety square feet per unit;

2. ~~((Mobile))~~ Manufactured home ~~((park))~~ community: two hundred sixty square feet per unit;

3. Residential subdivisions developed at a density of greater than eight units per acre: one hundred seventy square feet per unit; and

4. Houseplexes, ~~((A))~~ apartments, and townhouses developed at a density of greater than eight units

per acre and mixed-use:

- a. Studio and one bedroom: ninety square feet per unit;
- b. Two bedrooms: one hundred seventy square feet per unit; and
- c. Three or more bedrooms: one hundred seventy square feet per unit.

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

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

1. Be of a grade and surface suitable for recreation improvements and have a maximum grade of five percent;
2. Be on the site of the proposed development;
3. Be located in an area where the topography, soils, hydrology, and other physical characteristics are of such quality as to create a flat, dry, obstacle-free space in a configuration that allows for passive and active recreation;
4. Be centrally located with good visibility of the site from roads and sidewalks;
5. Have no dimensions less than thirty feet, except trail segments;
6. Be located in one designated area, unless the director determines that residents of large subdivisions, townhouses, and apartment developments would be better served by multiple areas developed with recreation or play facilities;
7. Have a street roadway or parking area frontage along ten percent or more of the recreation space perimeter, except trail segments, if the required outdoor recreation space exceeds five thousand square feet and is located in a single detached or townhouse subdivision;

8. Be accessible and convenient to all residents within the development; and

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

D. Indoor recreation areas may be credited towards the total recreation space requirement, if the director determines that the areas are located, designed, and improved in a manner that provides recreational opportunities functionally equivalent to those recreational opportunities available outdoors. For senior ~~((citizen))~~ assisted housing, indoor recreation areas need not be functionally equivalent ~~((but))~~ and may include social areas, game and craft rooms, and other multipurpose entertainment and education areas.

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

1. ~~((For developments of five dwelling units or more, a))~~ A tot lot or children's play area within the recreation space on-site, that includes age-appropriate play equipment and benches, shall be provided ((consistent with K.C.C. 21A.14.190)), except if the use is either senior assisted housing or located within one quarter mile walking distance of a public park that is accessible without crossing an arterial street. The tot lot or children's play area shall:

- a. provide at least forty-five square feet per dwelling unit, with a minimum size of four hundred square feet;
- b. be adjacent to main pedestrian paths or near building entrances;
- c. meet the requirements of this section; and
- d. provide play equipment that meets, at a minimum, the Consumer Product Safety Standards for equipment, soft surfacing, and spacing;

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

- a. playground equipment;
- b. sport court;
- c. sport field;
- d. tennis court; or
- e. any other recreation facility proposed by the applicant and approved by the director;

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

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

- a. Fractions of 0.50 or above shall be rounded up; and
- b. Fractions below 0.50 shall be rounded down.

F. In subdivisions, recreation areas that are contained within the on-site stormwater tracts, but are located outside of the one hundred year design water surface, may be credited for up to fifty percent of the required square footage of the on-site recreation space requirement on a foot-per-foot basis, subject to the following criteria:

1. The stormwater tract and any on-site recreation tract shall be contiguously located. At final plat recording, contiguous stormwater and recreation tracts shall be recorded as one tract and dedicated to the ((~~homeowner's~~)) homeowners association or other organization as approved by the director;

2. The drainage facility shall be constructed to meet the following conditions:

- a. The side slope of the drainage facility shall not exceed thirty-three percent unless slopes are existing, natural, and covered with vegetation;

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

c. The drainage facility shall be landscaped and developed for passive recreation opportunities such as trails, picnic areas, and aesthetic viewing; and

d. The drainage facility shall be designed so they do not require fencing under the King County Surface Water Design Manual.

G. When the tract is a joint use tract for a drainage facility and recreation space, King County is responsible for maintenance of the drainage facility only and requires a drainage easement for that purpose.

H.1. A recreation space plan shall be submitted to the department and reviewed and approved with engineering plans.

~~((1-))~~ 2. The recreation space plans shall address all portions of the site that will be used to meet recreation space requirements of this section, including drainage facility. The plans shall show dimensions, finished grade, equipment, landscaping, and improvements, as required by the director, to demonstrate that the requirements of the on-site recreation space and play areas in K.C.C. 21A.14.180 ~~((and play areas in K.C.C. 21A.14.190))~~ have been met.

~~((2-))~~ 3. If engineering plans indicate that the on-site drainage facility or stormwater tract ~~((must))~~ is required to be increased in size from that shown in preliminary approvals, the recreation plans ~~((must))~~ shall show how the required minimum recreation space under K.C.C. 21A.14.180.A. will be met.

SECTION 249. Ordinance 14045, Section 35, and K.C.C. 21A.14.195 are hereby amended to read as follows:

Financial guarantees for construction of recreation facilities required under K.C.C. 21A.14.180 ~~((and 21A.14.190))~~ shall be provided consistent with K.C.C. Title 27A.

SECTION 250. Ordinance 10870, Section 381, and K.C.C. 21A.14.210 are hereby amended to read as follows:

Developments shall provide storage space for the collection of recyclables as follows:

A. The storage space shall be provided at the following rates, calculated based on any new dwelling unit in ~~((multiple-dwelling))~~ multiunit developments and any new square feet of building gross floor area in any other developments:

1. One and one-half square feet per dwelling unit in ~~((multiple-dwelling))~~ multiunit developments except where the development is participating in a county-sponsored or approved direct collection program in which individual recycling bins are used for curbside collection;
2. Two square feet per every 1,000 square feet of building gross floor area in office, educational, and institutional developments;
3. Three square feet per every 1,000 square feet of building gross floor area in manufacturing and other nonresidential developments; and
4. Five square feet per every 1,000 square feet of building gross floor area in retail developments.

B. The storage space for residential developments shall be apportioned and located in collection points as follows:

1. The required storage area shall be dispersed in collection points throughout the site when a residential development comprises more than one building.
2. There shall be one collection point for every ~~((30))~~ thirty dwelling units.
3. Collection points may be located within residential buildings, in separate buildings/structures without dwelling units, or outdoors.
4. Collection points located in separate buildings/structures or outdoors shall be no more than ~~((200))~~ two hundred feet from a common entrance of a residential building.
5. Collection points shall be located in a manner so that the swing of any collection point gate does not obstruct pedestrian or vehicle traffic or access to parking or that the gate swing or any hauling truck does not project into any public right-of-way.

C. The storage space for nonresidential developments shall be apportioned and located in collection points as follows:

1. Storage space may be allocated to a centralized collection point.
2. Outdoor collection points shall not be located in any required setback areas.
3. Collection points shall be located in a manner so that the swing of any collection point gate does not obstruct pedestrian or vehicle traffic or access to parking or that the gate swing or any hauling truck does not project into any public right-of-way.
4. Access to collection points may be limited, except during regular business hours and/or specified collection hours.

D. The collection points shall be designed as follows:

1. Dimensions of the collection points shall be of sufficient width and depth to enclose containers for recyclables.
2. Architectural design of any structure enclosing an outdoor collection point or any building primarily used to contain a collection point shall be consistent with the design of the primary structure(s) on the site.
3. Collection points shall be identified by signs not exceeding two square feet.
4. A six-foot wall or fence shall enclose any outdoor collection point, excluding collection points located in industrial developments that are greater than ~~((100))~~ one hundred feet from ~~((residentially))~~ R or UR zoned property.
5. Enclosures for outdoor collection points and buildings used primarily to contain a collection point shall have gate openings at least ~~((12))~~ twelve feet wide for haulers. In addition, the gate opening for any building or other roofed structure used primarily as a collection point shall have a vertical clearance of at least ~~((12))~~ twelve feet.
6. Weather protection of recyclables shall be ensured by using weather-proof containers or by providing a roof over the storage area.



E. Only recyclable materials generated on-site shall be collected and stored at such collection points. Except for initial sorting of recyclables by users, all other processing of such materials shall be conducted off-site.

F. The director may waive or modify specific storage space and collection point requirements set forth in this section if the director finds, in writing, that an alternate recycling program design proposed by the applicant meets the needs of the development and provides an equivalent or better level of storage and collection for recyclables.

SECTION 251. Ordinance 14045, Section 30, and K.C.C. 21A.14.225 are hereby amended to read as follows:

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

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

C. As part of an application for the new, modified, or expanded gas or hazardous liquid transmission pipelines, the applicant shall submit an equity impact review of the proposal using tools developed by the office of equity and racial and social justice. Until the tools have been developed and made publicly available by the office, the equity impact review is not required. The results from the equity impact review shall be used to

assess equity impacts and opportunities during county permit review and may be used to inform determinations of project approval.

SECTION 252. Ordinance 13694, Section 88, and K.C.C. 21A.14.310 are hereby amended to read as follows:

Where railroads abut a proposed ~~((formal))~~ subdivision~~((s))~~, short subdivision~~((s))~~, or binding site plan~~((s))~~, measures to provide a physical separation between the two uses shall be required. These measures may include the use of: grade separations, setbacks, or barriers such as walls and fences.

SECTION 253. Ordinance 14045, Section 43, and K.C.C. 21A.14.330 are hereby amended to read as follows:

In the RA zone, all subdivisions and short subdivisions shall be recorded with a condition prohibiting any covenant that would ~~((preclude the keeping of horses or other large livestock))~~ restrict farming or forestry.

SECTION 254. Ordinance 10870, Section 387, as amended, and K.C.C. 21A.16.020 are hereby amended to read as follows:

~~((Except for communication facilities regulated pursuant to K.C.C. 21A.26,))~~ A. ((a)) All new development listed in K.C.C. 21A.16.030 shall be subject to the landscaping provisions of this chapter, ~~((provided that specific))~~ except that:

1. Communication facilities regulated under K.C.C. chapter 21A.26 are not subject to these provisions; and

2. ~~((4))~~ Landscaping and tree retention provisions for uses ((established through)) requiring a conditional use permit((;)) or a special use permit((, or an urban planned development application)) shall be determined ((during)) through the applicable review process.

B. Where landscaping standards for a specific use or geography are found elsewhere in this title or in property-specific development conditions, those standards shall apply.

SECTION 255. Ordinance 10870, Section 388, as amended, and K.C.C. 21A.16.030 are hereby

amended to read as follows:

To facilitate the application of this chapter, the land uses of K.C.C. chapter 21A.08 have been grouped in the following manner:

~~((A. Residential development refers to those uses listed in K.C.C. 21A.08.030, except those uses listed under Accessory uses, and:~~

~~1. Attached/group residences refers to:~~

~~a. townhouses, except as provided in subsection A.2.a. of this section;~~

~~b. apartments and detached dwelling units developed on common property at a density of twelve or more units per acre;~~

~~c. senior citizen assisted housing;~~

~~d. temporary lodging;~~

~~e. group residences other than Type I community residential facilities;~~

~~f. mobile home parks; and~~

~~2. Single family development refers to:~~

~~a. residential subdivisions and short subdivisions, including attached and detached dwelling units on individually platted or short platted lots;~~

~~b. any detached dwelling units located on a lot including cottage housing units; and~~

~~c. Type I community residential facilities;~~

~~B. Commercial development refers to those uses in:~~

~~1. K.C.C. 21A.08.040 as amusement/entertainment uses, except golf facilities;~~

~~2. K.C.C. 21A.08.050 except recycling centers, health and educational services, daycare I, churches, synagogues and temples, and miscellaneous repair as allowed in the A and RA zones; and~~

~~3. K.C.C. 21A.08.070, except forest product sales and agricultural product sales as allowed in the A, F<sub>1</sub> and RA zones and building, hardware and garden materials as allowed in the A zones;~~

~~C. Industrial development refers to those uses listed in:~~

- ~~1. K.C.C. 21A.08.050 as recycling center;~~
- ~~2. K.C.C. 21A.08.060, except government services and farm product warehousing, refrigeration, and storage as allowed in the A zones;~~
- ~~3. K.C.C. 21A.08.080, except food and kindred products as allowed in the A and F zones; and~~
- ~~4. K.C.C. 21A.08.090 as mineral extraction and processing;~~

~~D. Institutional development refers to those uses listed in:~~

- ~~1. K.C.C. 21A.08.040 as cultural uses, except arboretums;~~
- ~~2. K.C.C. 21A.08.050 as churches, synagogues and temples, health services and education services except specialized instruction schools permitted as an accessory use;~~
- ~~3. K.C.C. 21A.08.060 as government services; and~~
- ~~4. Search and rescue facilities;~~

~~E. Utility development refers to those uses listed in:~~

- ~~1. K.C.C. 21A.08.060 as utility facilities; and~~
- ~~2. K.C.C. 21A.08.100 as battery energy storage systems, except those defined as accessory uses under K.C.C. 21A.06.015, 21A.06.020, or 21A.06.025; and~~

~~F. Uses in K.C.C. chapter 21A.08 that are not listed in subsections A. through E. of this section shall not be subject to landscaping and tree retention requirements except as specified in any applicable review of a conditional use or special use permits, or reviews conducted in accordance with K.C.C. 21A.42.300.))~~

Type	Land Uses in K.C.C. chapter 21A.08
Residential Attached Housing	1. Townhouses 2. Apartments 3. Senior assisted housing 4. Congregate residence 5. Manufactured home communities 6. Residential care services uses in section 162 of this ordinance, except adult family homes, community residential facilities I, microshelter villages, and safe parking uses
Residential Detached Housing	1. Single detached residences, including residential subdivisions and short subdivisions 2. Duplexes 3. Houseplexes 4. Cottage housing 5. Adult family homes 6. Community residential facilities I

Commercial	1. Amusement/entertainment uses in K.C.C. 21A.08.040; 2. Health care services in section 162 of this ordinance, except hospitals; 3. K.C.C. 21A.08.050 except interim recycling centers, daycare I and II, religious facilities, and miscellaneous repair as allowed in the A and RA zones; 4. Professional office; 5. General business service; 6. Retail uses in K.C.C. 21A.08.070, except forest product sales and agricultural product sales as allowed in the A, F, and RA zones and building materials and hardware stores as allowed in the A zones.
Industrial	1. Manufacturing uses in K.C.C. 21A.08.080, except food and kindred products as allowed in the A and F zones; 2. Business services and uses in K.C.C. 21A.060, except farm product warehousing, refrigeration, and storage as allowed in the A zones; 2. Recycling centers; 3. K.C.C. 21A.08.060, except professional office, general business service, and farm product warehousing, refrigeration, and storage as allowed in the A zones; 4. K.C.C. 21A.08.090 as mineral extraction and processing.
Institutional	1. Cultural uses in K.C.C. 21A.08.040, except arboretums; 2. Government and educational uses in section 164 of this ordinance, except utility facility; 3. Religious facilities; 4. Search and rescue facilities; 5. Hospitals.
Utility	1. Utility facilities; 2. Battery energy storage systems in K.C.C. 21A.08.100 as, except those defined as accessory uses under K.C.C. 21A.06.015, 21A.06.020, or 21A.06.025.
Other Uses	Uses in K.C.C. chapter 21A.08 that are not listed in this section shall not be subject to landscaping and tree retention requirements except as determined through the applicable review of a conditional use permit, special use permit, or by the agricultural technical review committee in accordance with K.C.C. 21A.42.300.

SECTION 256. Ordinance 10870, Section 390, as amended, and K.C.C. 21A.16.050 are hereby amended to read as follows:

The average width of perimeter landscaping along street frontages shall be provided as follows:

- A. Twenty feet of Type II landscaping shall be provided for an institutional ((use)) site, excluding playgrounds and playfields;
- B. Ten feet of Type II landscaping shall be provided for an industrial ((development)) site;
- C. Ten feet of Type II landscaping shall be provided for an ((above-ground)) aboveground utility ((development)) site, excluding distribution and transmission corridors, located outside a public right-of-way;
- D. Ten feet of Type III landscaping shall be provided for a commercial or attached((/group-residence))

housing ((development)) site; and

E. For single~~((family))~~ detached residential subdivisions and short subdivisions in the urban ~~((growth))~~ area:

1. Trees shall be planted at the rate of one tree for every forty feet of frontage along all public streets;
2. The trees shall be:
  - a. Located within the street right-of-way if ~~((permitted))~~ allowed by the custodial state or local agency;
  - b. No more than twenty feet from the street right-of-way line if located within a lot;
  - c. Maintained by the adjacent landowner unless part of a county maintenance program; and
  - d. A species approved by the county if located within the street right-of way and compatible with overhead utility lines.
3. The trees may be spaced at irregular intervals to accommodate sight distance requirements for driveways and intersections.

SECTION 257. Ordinance 10870, Section 391, as amended, and K.C.C. 21A.16.060 are hereby amended to read as follows:

The average width of perimeter landscaping along interior lot lines shall be provided as follows:

A. Twenty feet of Type I landscaping shall be ~~((included in))~~ provided for a commercial or industrial ~~((development))~~ site along any portion adjacent to a residential ~~((development))~~ site;

B. Five feet of Type II landscaping shall be ~~((included in))~~ provided for an attached~~((group residence development))~~ housing site, except that along portions of the ~~((development))~~ site adjacent to property developed with single detached residences or vacant property that is zoned RA, UR, R-1, R-4, R-6, or ~~((R-1-8))~~ R-8, the requirement shall be ten feet of Type II landscaping;

C. Ten feet of Type II landscaping shall be ~~((included in))~~ provided for an industrial ~~((development))~~ site along any portion adjacent to a commercial or institutional ~~((development))~~ site; and

D. Ten feet of Type II landscaping shall be included in:

1. An institutional ~~((use))~~ site, excluding playgrounds and playfields; or
2. An above-ground utility ~~((development))~~ site, excluding distribution or transmission corridors,

when located outside a public right-of-way.

SECTION 258. Ordinance 11210, Section 9, as amended, and K.C.C. 21A.16.085 are hereby amended to read as follows:

All new landscape areas ~~((proposed for a development))~~ shall be subject to the following provisions:

A. Berms shall not exceed a slope of two horizontal feet to one vertical foot (2:1).

B. All new turf areas, except all-weather, sand-based athletic fields shall:

1. Be augmented with a two-inch layer of organic material cultivated a minimum of six inches deep;

or

2. Have an organic content of five percent or more to a depth of six inches as shown in a soil sample

analysis. The soil analysis shall include:

- a. determination of soil texture, indicating percentage of organic matter,
- b. an approximated soil infiltration rate either measured or derived from soil/texture/infiltration rate tables. A range of infiltration rates shall be noted where appropriate; and
- c. measure pH value.

C. Except as specifically outlined for turf areas in subsection B. of this section, the organic content of soils in any landscape area shall be as necessary to provide adequate nutrient and moisture-retention levels for the establishment of plantings.

D. Landscape areas, except turf or areas of established groundcover, shall be covered with at least two inches of mulch to minimize evaporation.

E. Plants having similar water use characteristics shall be grouped together in distinct hydrozones.

F. Plants selected shall be natives, or other plants adapted to the climatic, geologic, and topographical

conditions of the site. Preservation of existing noninvasive vegetation is encouraged.

G. Landscape areas ~~((are authorized to be used for bioretention, as long as the landscape areas meet the~~  
~~)) shall incorporate low-impact development best management practices to the maximum extent practical,~~  
~~consistent with the~~ bioretention design standards of the Surface Water Design Manual, including soil mix and  
plant selection, and shall also meet the standards of this chapter for types of plants used and their spacing and  
density.

SECTION 259. Ordinance 10870, Section 395, as amended, and K.C.C. 21A.16.100 are hereby  
amended to read as follows:

The following alternative landscape options may be allowed, subject to county approval, only if they  
accomplish equal or better levels of screening, or when existing conditions on or adjacent to the site, such as  
significant topographic differences, vegetation, structures, or utilities would render application of this chapter  
ineffective or result in scenic view obstruction:

A. The amount of required landscape area may be reduced to ensure that the total area for required  
landscaping, and/or the area remaining undisturbed for the purpose of wildlife habitat or corridors does not  
exceed ~~((15))~~ fifteen percent of the net developable area of the site. For the purpose of this subsection A., the  
net developable area of the site shall not include areas deemed unbuildable due to their location within sensitive  
areas and any associated buffers~~((:))~~;

B. The average width of the perimeter landscape strip may be reduced up to ~~((25))~~ twenty-five percent  
along any portion where:

1. Berms at least three feet in height or architectural barriers at least six feet in height are incorporated  
into the landscape design; or
2. The landscape materials are incorporated elsewhere on-site;

C. ~~((In pedestrian district overlays, street perimeter landscaping may be waived provided a site plan,~~  
~~consistent with the applicable adopted area zoning document, is approved that provides street trees and other~~



~~pedestrian-related amenities;~~

~~D.))~~ Landscaping standards for uses located in a rural town or rural neighborhood ~~((business))~~ commercial centers designated by the ~~((e))~~ Comprehensive ~~((p))~~ Plan may be waived or modified by the director if deemed necessary to maintain the historic character of the area. Where a ~~((local or))~~ subarea plan with design guidelines has been adopted, the director shall base the landscaping modifications on the policies and guidelines of such plan~~((:))~~;

~~((E:))~~ D. When an existing structure precludes installation of the total amount of required site perimeter landscaping, such landscaping material shall be incorporated on another portion of the site~~((:))~~;

~~((F:))~~ E. Single-stemmed deciduous tree species that cannot generally be planted and established in larger sizes may have a caliper of less than 1.5 inches; ~~((and))~~

~~((G:))~~ F. The number of trees and shrubs to be provided in required perimeter and parking area landscaping may be reduced up to ~~((25))~~ twenty-five percent when a development uses landscaping materials consisting of species typically associated with the Puget Sound Basin in the following proportions:

1. Seventy-five percent of groundcover and shrubs~~((:))~~; and
2. Fifty percent of trees~~((:))~~;

~~((H:))~~ G. The department shall, ~~((pursuant to))~~ in accordance with K.C.C. chapter 2.98, develop and maintain an advisory listing of trees recommended for new plantings. Such list shall describe their general characteristics and suitability, and provide guidelines for their inclusion within required landscape areas; and

H. Crops may be planted in place of up to twenty-five percent of required Type II or Type III landscaping in a commercial, residential, or institutional site.

SECTION 260. Ordinance 10870, Section 406, as amended, and K.C.C. 21A.18.020 are hereby amended to read as follows:

A. Before an occupancy permit may be granted for any new or enlarged building or for a change of use in any existing building, the use shall be required to meet the requirements of this chapter. In addition, K.C.C.

21A.18.110.(( ))I. and J. establish residential parking limitations applicable to existing(~~(, as well as)~~) and new((~~, as well as~~)) residential uses.

B. If this chapter does not specify a parking requirement for a land use, the director shall establish the minimum requirement based on a study of anticipated parking demand. Transportation demand management actions taken at the site shall be considered in determining anticipated demand. If the site is located in an unincorporated activity center or community business center, the minimum requirement shall be set at a level less than the anticipated demand, but at no less than seventy-five percent of the anticipated demand. In the study, the applicant shall provide sufficient information to demonstrate that the parking demand for a specific land use will be satisfied. Parking studies shall be prepared by a professional engineer with expertise in traffic and parking analyses, or an equally qualified individual as authorized by the director.

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

D. Upon request from the (~~(proponent of any use subject to the this chapter)~~) applicant, the director may waive or modify the requirements of this chapter for uses located in a rural town, rural neighborhood commercial center, any commercial zone located in ((a)) the rural area geography or natural resource ((~~production district designated by the Comprehensive Plan~~)) lands, or any agricultural product production, processing or sales use allowed in the A or F zones (~~((the director may waive or modify this chapter))~~), in order to protect or enhance the historic character of the area, to reduce the need for pavement or other impervious surfaces, to recognize the seasonal nature of any such activity, or to minimize the conversion of agriculturally productive soils. Where a (~~(neighborhood or)~~) subarea plan with design guidelines that includes the subject

property has been adopted, the director shall base allowable waivers or modifications on the policies and guidelines in such a plan.

SECTION 261. Ordinance 10870, Section 407, as amended, and K.C.C. 21A.18.030 are hereby amended to read as follows:

A.1. ~~((Except as modified in K.C.C. 21A.18.070.B. through D.,))~~ The required number of off-street parking ((areas)) spaces shall ((contain at a minimum the number of parking spaces as stipulated in the following)) be provided in accordance with this title. If a parking ratio is not specified in K.C.C. chapters 21A.xx, 21A.xx, 21A.xx, 21A.xx, 21A.xx, or 21A.xx (the chapters created by sections 170, 195, 203, 209, 217, and 224 of this ordinance), special district overlay, or property-specific development conditions, parking shall be provided using the table in subsection A.4. of this section.

2. Off-street parking ratios ((expressed as number of spaces per square feet means)) shall be based on the usable or net ((square footage of)) floor area, exclusive of ((non-public)) nonoccupied areas. ((Non-public)) For the purposes of this section, "nonoccupied areas" include, but are not limited to, building maintenance areas, storage areas, closets, or restrooms.

3. If the ((formula)) calculation for determining the number of off-street parking spaces results in a fraction, the number of off-street parking spaces shall be rounded to the nearest whole number with fractions of 0.50 or greater ((rounding)) rounded up and fractions below 0.50 ((rounding)) rounded down.

4. Minimum Required Parking Spaces.

LAND USE	MINIMUM PARKING SPACES REQUIRED
<b>RESIDENTIAL (K.C.C. 21A.08.030.A):</b>	
Any residential use within a 1/2 mile walkshed of a high-capacity or frequent transit stop as mapped by the Metro Transit Department	1.2 per dwelling unit or the minimum required for the use, whichever is lower
Inclusionary housing (K.C.C. chapter 21A.48)	Per K.C.C. 21A.48.050
residence	

Duplex or Houseplex	1.5 per dwelling unit
Mobile Manufactured park community citizen housing	
Community residential facilities	1 per two bedrooms
Dormitory, including religious Congregate residence	two bedrooms 2 dwelling or sleeping units
Hotel/Motel including organizational hotel/lodging	1 per bedroom
Bed and breakfast guesthouse	1 per guest room, plus 2 per facility
<b>HEALTH CARE SERVICES AND RESIDENTIAL CARE</b>	
<b>SERVICES (subsection A. of section 162 of this ordinance):</b>	
Health care and residential care services, if not otherwise specified	1 per 300 square feet of office, labs, examination or patient room
Hospital	1 per bed
Nursing and personal care facility	1 per 4 beds
Adult family home	2 per home
Community residential facilities	1 per 2 bedrooms
Permanent supportive housing	1 per 2 employees plus 1 per 20 dwelling units
Recuperative housing	1 per 2 employees plus 1 per 10 sleeping unit
Emergency supportive housing	1 per 2 employees plus 1 per 20 sleeping unit
Microshelter villages	1 per 2 employees plus 1 per 20 microshelters
<b>((RECREATION)) RECREATIONAL AND CULTURAL (K.C.C.)</b>	
<b>21A.08.040(A)</b>	
Recreation/ Recreational and eal ÷, if not otherwise specified	
Exceptions:	



Secondary schools	
Secondary or High	
Secondary or High	g G
	five 5
Specialized instruction Schools	1 per classroom, plus 1 per two students
	0
<del>((GOVERNMENT))BUSINESS SERVICES (K.C.C. 21A.08.060.A):</del>	
Government/ B ÷, if not otherwise specified	
Exceptions:	
Public agency yard	1 per 300 square feet of offices, plus 0.9 per 1,000 square feet of indoor storage or repair areas
Public agency archives	0.9 per 1,000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas
Courts	3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas
Police facility	(director)
Fire facility	(director)
<del>((LAND USE MINIMUM PARKING SPACES REQUIRED))</del>	
<del>RETAIL((WHOLESALE))(K.C.C. 21A.08.070.A):</del>	
trade ÷, if not otherwise specified	
Exceptions:	
without w/o	

w/ with	
Retail and wholesale trade mixed use	1 per 300 square feet
<b>MANUFACTURING (K.C.C. 21A.08.080.A)</b>	
<b>RESOURCES (K.C.C. 21A.08.090.A)</b>	
<b>REGIONAL (K.C.C. 21A.08.100.A)</b>	

B. An applicant may request a modification of the minimum required number of parking spaces by ((providing)) demonstrating that parking demand can be met with a reduced parking requirement. In such cases, the director may approve a reduction of up to fifty percent of the minimum required number of spaces.

C. When the county has received a shell building permit application, off-street parking requirements shall be based on the possible tenant improvements or uses authorized by the zoning classification and compatible with the limitations of the shell permit. When the range of possible uses result in different parking requirements, the director will establish the amount of parking based on a likely range of uses.

D. Where other provisions of this code stipulate maximum parking allowed or reduced minimum parking requirements, those provisions shall apply.

E.1. In any development required to provide six or more parking spaces, bicycle parking shall be provided. Bicycle parking shall be bike racks or locker-type parking facilities unless otherwise specified.

((1.)) 2. ((Off-street parking areas shall contain a)) At least one bicycle parking space for every twelve required parking spaces ((required for motor vehicles)) except as follows:

a. The director may reduce (~~((bike rack))~~) bicycle parking facilities for patrons when it is demonstrated that bicycle activity will not occur at that location.

b. The director may require additional spaces when it is determined that the use or its location will generate a high volume of bicycle activity. Such a determination will include, but not be limited to, the following uses:

(1) Park/playfield(~~((;))~~);

(2) Marina(~~((;))~~);

(3) Library/museum/arboretum(~~((;))~~);

(4) Elementary/secondary school(~~((;))~~);

(5) Sports club(~~((;))~~); or

(6) Retail business (when located along a developed bicycle trail or designated bicycle route).

~~((2.))~~ 3. Bicycle (~~((facilities))~~) parking for patrons shall be located within 100 feet of the building entrance and shall be designed to allow either a bicycle frame or wheels to be locked to a structure attached to the pavement.

~~((3.))~~ 4. All bicycle parking and storage shall be located in safe, visible, and well-lit areas that do not impede pedestrian or vehicle traffic flow(~~((, and shall be well lit for nighttime use))~~).

~~((4.))~~ 5. When more than ten people are employed on-site, enclosed locker-type parking facilities for employees shall be provided. The director shall allocate the required number of parking spaces between bike rack parking and enclosed locker-type parking facilities.

~~((5.))~~ 6. One indoor bicycle storage space shall be provided for every two dwelling units in townhouses and apartments (~~((residential uses))~~), unless individual garages are provided for every unit. The director may reduce the number of (~~((bike rack))~~) bicycle parking spaces if indoor storage facilities are available to all residents.

SECTION 262. Ordinance 10870, Section 410, as amended, and K.C.C. 21A.18.050 are hereby



amended to read as follows:

A. For community residential facilities and senior assisted housing, ~~((F))~~the minimum parking requirement ~~((of one off-street parking space per two bedrooms for CRF's and one off-street parking space per two senior citizen assisted housing units))~~ may be reduced by up to ~~((50))~~ fifty percent, as determined by the director based on the following considerations:

1. Availability of private, convenient transportation services to meet the needs of ~~((the CRF))~~ residents;

2. Accessibility to and frequency of public transportation; and

3. Pedestrian access to health, medical, and shopping facilities;

B. If a ~~((CRF))~~ community residential facility or senior ~~((citizen))~~ assisted housing is no longer used for such purposes, additional off-street parking spaces shall be required in compliance with this chapter ~~((prior to))~~ before the issuance of a new certificate of occupancy.

SECTION 263. Ordinance 10870, Section 413, as amended, and K.C.C. 21A.18.090 are hereby amended to read as follows:

A. All land uses listed in K.C.C. 21A.08.060~~((A. (Government/Business Services)))~~, ~~((and in))~~ K.C.C. 21A.08.080~~((A. (Manufacturing)))~~, hospitals, government services in section 164 of this ordinance, secondary or high schools, vocational schools, college/universities, and specialized instruction schools shall be required to reserve one parking space of every twenty required spaces for rideshare parking as follows:

1. The parking spaces shall be located closer to the primary employee entrance than any other employee parking except ~~((disabled))~~ accessible parking spaces;

2. Reserved areas shall have markings and signs indicating that the space is reserved; and

3. Parking in reserved areas shall be limited to vanpools and carpools established through ride~~(( ))~~share programs by public agencies and to vehicles meeting minimum rideshare qualifications set by the employer.

B. The director may reduce the number of required off-street parking spaces when one or more scheduled transit routes provide service within six hundred sixty feet of the site. The amount of reduction shall be based on the number of scheduled transit runs between 7:00 - 9:00 a.m. and 4:00 - 6:00 p.m. each business day up to a maximum reduction as follows:

1. Four percent for each run serving business services land uses in K.C.C. 21A.08.060(~~(A. (Government/Business Services))~~), government services land uses in section 164 of this ordinance, and manufacturing land uses in K.C.C. 21A.08.080(~~(A. (Manufacturing))~~) up to a maximum of forty percent;
2. Two percent for each run serving recreational and cultural land uses in K.C.C. 21A.08.040(~~(A. (Recreation/Culture))~~), personal and temporary lodging land uses in K.C.C. 21A.08.050(~~(A. (General Services))~~), and retail land uses in K.C.C. 21A.08.060.A. (~~((Retail/Wholesale))~~) up to a maximum of twenty percent; and
3. When served by transit runs scheduled every fifteen minutes or less, cottage housing sites shall have no required parking minimum.

C. All uses which are located on an existing transit route and are required under the computation for required off-street parking spaces in K.C.C. 21A.18.030.A. to provide more than two hundred parking spaces may be required to provide transit shelters, bus turnout lanes or other transit improvements as a condition of permit approval. Uses that reduce required parking under subsection B. of this section shall provide transit shelters if transit routes adjoin the site.

SECTION 264. Ordinance 10870, Section 414, as amended, and K.C.C. 21A.18.100 are hereby amended to read as follows:

A. (~~((Non-residential))~~) Nonresidential uses. All (~~((permitted))~~) nonresidential uses shall provide pedestrian and bicycle (~~((access))~~) facilities within and onto the site(~~((;))~~) as follows:

1. Access points onto the site shall be provided:

(~~((a))~~) a. approximately every (~~((800))~~) eight hundred to (~~((1,000))~~) one thousand feet along existing and proposed perimeter sidewalks and walkways(~~((;))~~); and

~~((b))~~ b. at all arrival points to the site, including abutting street intersections, crosswalks, and transit stops~~((:))~~;

2. ~~((In addition, a))~~ Access points to and from adjacent lots shall be coordinated to provide pedestrian and bicycle circulation patterns between developments; and

3. In the urban area, sidewalks, walkways, and bicycle facilities in commercial developments shall be of a sufficient width and surface material to support anticipated bicyclist volumes and pedestrian access for all ages and abilities.

B. Residential uses~~((:))~~ with ten or more dwelling units shall provide

~~((1. All permitted residential uses of five or more dwelling units shall provide))~~ pedestrian and bicycle ~~((access))~~ facilities within and onto the site~~((:))~~ as follows:

1. Access points onto the site: ~~((shall be provided))~~

~~((a))~~ a. approximately every ~~((800))~~ eight hundred to ~~((1,000))~~ one thousand feet along existing and proposed perimeter sidewalks and walkways~~((:))~~; and

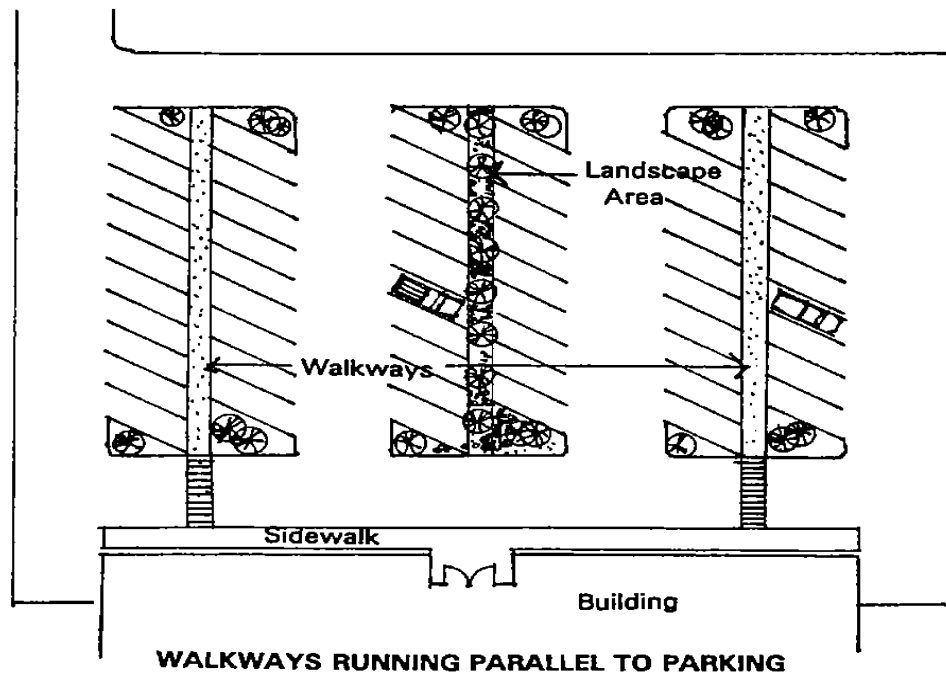
~~((b))~~ b. at all arrival points to the site, including abutting street intersections, crosswalks, and transit and school bus stops~~((:))~~;

2. ~~((In addition, a))~~ Access points ~~((to and from adjacent lots shall be))~~ between sites coordinated with adjacent lots to provide pedestrian and bicycle circulation ~~((patterns))~~ between sites~~((:))~~;

~~((2. Residential uses of five or more dwelling units shall provide for non-motorized))~~ 3. Pedestrian and bicycle circulation between cul-de-sacs or groups of buildings to allow ~~((pedestrian and bicycle))~~ access within and through the development to adjacent activity centers, parks, common tracts, dedicated open space intended for active recreation, schools or other public facilities, transit and school bus stops, and public streets~~((:))~~; and

~~((3.))~~ 4. Access ~~((shall only be required))~~ to school bus stops that are within or adjacent to ~~((a proposed residential use of five or more dwelling units))~~ the development and that are identified by the affected

school district in response to a Notice of Application. In order to allow school districts to identify school bus stops, the department shall send a Notice of Application to affected school districts on all applications for residential uses ~~((of five or more dwelling units))~~ subject to this section.



(( ))

C. Walkways shall form an on-site circulation system that minimizes the conflict between pedestrians and traffic at all points of pedestrian access to ~~((on-site))~~ parking areas and building entrances. Walkways shall

be provided ~~((when the))~~ in the following circumstances:

1. Between pedestrian access points onto the site~~((, or))~~ and the building entrance or principal destination;

2. On properties where any parking space~~((;))~~ is more than ~~((75))~~ seventy-five feet from the building entrance or principal ~~((on-site))~~ destination; ~~((and as follows:))~~

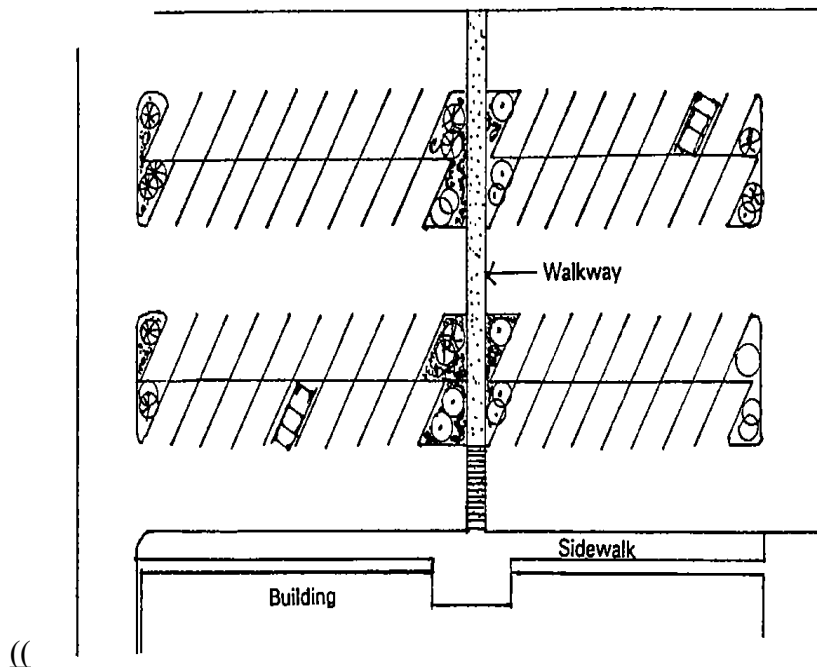
3. ~~((1. All developments which contain more than one building shall provide walkways b))~~ Between the principal building entrances ~~((of the buildings))~~ on sites with multiple buildings; and

~~((2. All non-residential))~~ 4. For nonresidential buildings set back more than ~~((100))~~ one hundred feet from the public right-of-way, ~~((shall provide for direct pedestrian access from))~~ between the building entrances to buildings on adjacent lots~~((; and))~~.

~~((3-))~~ D. Walkways across parking areas shall be located as follows:

~~((a-))~~ 1. Walkways running parallel to the parking rows shall be provided for every six rows. Rows without walkways shall be landscaped or contain barriers or other means to encourage pedestrians to use the walkways; and

~~((b-))~~ 2. Walkways running perpendicular to the parking rows shall be no further than twenty parking spaces. Landscaping, barriers, or other means shall be provided between the parking rows to encourage pedestrians to use the walkways~~((;))~~.



**~~WALKWAYS RUNNING PERPENDICULAR TO PARKING~~**

~~((D.))~~ E. Pedestrian and bicycle access and walkways shall meet the following minimum design standards:

1. Access and walkways shall be well lit and physically separated from driveways and parking spaces by landscaping, berms, barriers, grade separation, or other means to protect pedestrians from vehicular traffic;

2. Access and walkways shall be a minimum of ~~((48))~~ forty-eight inches of unobstructed width and meet the surfacing standards of the King County Road Design and Construction Standards for walkways or sidewalks;

3. The minimum standard for walkways required to be accessible for persons with disabilities shall be designed and constructed to comply with the current State Building Code regulations for barrier-free accessibility; and

4. A crosswalk shall be required when a walkway crosses a driveway or a paved area accessible to vehicles~~((; and))~~.

E. Blocks in excess of ~~((660))~~ six hundred sixty feet shall be provided with a crosswalk at the approximate midpoint of the block.

F.1. The director may waive or modify the requirements of this section when:

~~((1.))~~ a. ~~((E))~~existing or proposed improvements would create an unsafe condition or security concern;

~~((2.))~~ b. ~~((F))~~there are topographical constraints, or existing or required structures effectively block access;

~~((3.))~~ c. ~~((F))~~the site is in ~~((a))~~ the rural area or natural resource lands outside of or not contiguous to an activity center, park, common tract, dedicated open space, school, transit stop, or other public facility;

~~((4.))~~ d. ~~((F))~~the land use would not generate the need for pedestrian or bicycle access; or

~~((5.))~~ e. the public is not allowed access to the subject land use~~((; and~~

2. The director's waiver may not be used to modify or waive the requirements of K.C.C. 21A.18.100 relating to sidewalks and safe walking conditions for students.

G. ~~((The provisions of t))~~This section shall not apply on school district property.

SECTION 265. Ordinance 10870, Section 415, as amended, and K.C.C. 21A.18.110 are hereby amended to read as follows:

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

1. For ~~((all))~~ single detached ~~((dwellings the parking spaces shall be located))~~ residences, duplex, or houseplexes, on the same lot they are required to serve;
2. For all other residential ~~((dwellings))~~ developments, at least a portion ~~((of parking areas shall be located))~~ within one hundred fifty feet ~~((from the building or buildings they are required to serve))~~;
3. For all nonresidential uses ~~((permitted))~~ allowed in ~~((rural area and residential))~~ RA, UR, and R zones, ~~((the parking spaces shall be located))~~ on the same site they are required to serve and at least a portion of ~~((parking areas))~~ shall be ~~((located))~~ within one hundred fifty feet from the nearest building entrance they are required to serve; and
4. For all other uses, within six hundred feet.

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

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

~~((6.))~~ D. Accessible ((P))parking ((for the disabled)) spaces and access shall be provided in accordance with ~~((K.C.C. 21A.18.060))~~ chapter 19.27 RCW and chapter 70.92 RCW.

~~((B.))~~ E. The minimum parking space and aisle dimensions for the most common parking angles are shown on the table in this subsection. For parking angles other than those shown on the chart, the minimum



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

### MINIMUM PARKING STALL AND AISLE DIMENSIONS

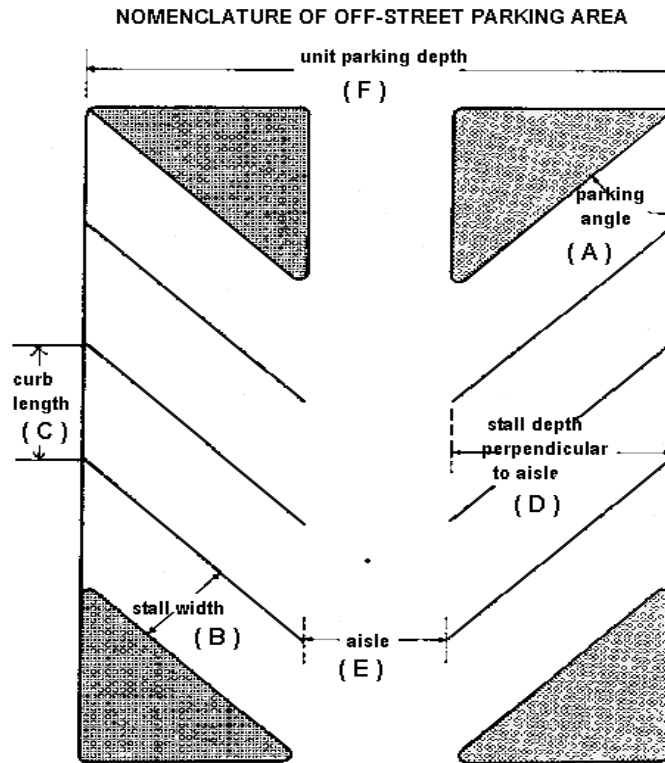
A	B	C	D	E	F
PARKING ANGLE	STALL WIDTH	CURB LENGTH	STALL DEPTH	AISLE WIDTH 1-WAY 2-WAY	UNIT DEPTH 1-WAY 2-WAY
0	8.0* Min Desired 9.0	8.5 20.0* 22.5 22.5	8.0 8.5 9.0	12.0 20.0 12.0 20.0 12.0 20.0	** ** 29.0 37.0 30.0 38.0
30	8.0* Min Desired 9.0	8.5 16.0* 17.0 18.0	15.0 16.5 17.0	10.0 20.0 10.0 20.0 10.0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

Minimum Parking Stall and Aisle Dimensions					
A	B	C	D	E	
PARKING ANGLE	STALL WIDTH	CURB LENGTH	STALL DEPTH	AISLE WIDTH	
				1-WAY	2-WAY
0	Minimum 8.0 feet	20.0 feet	8.0 feet	12.0 feet	20.0 feet
	Standard 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	Minimum 8.0 feet	16.0 feet	15.0 feet	10.0 feet	20.0 feet
	Standard 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
45	Minimum 8.0 feet	11.5 feet	17.0 feet	12.0 feet	20.0 feet
	Standard 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	Minimum 8.0 feet	9.6 feet	18.0 feet	18.0 feet	20.0 feet

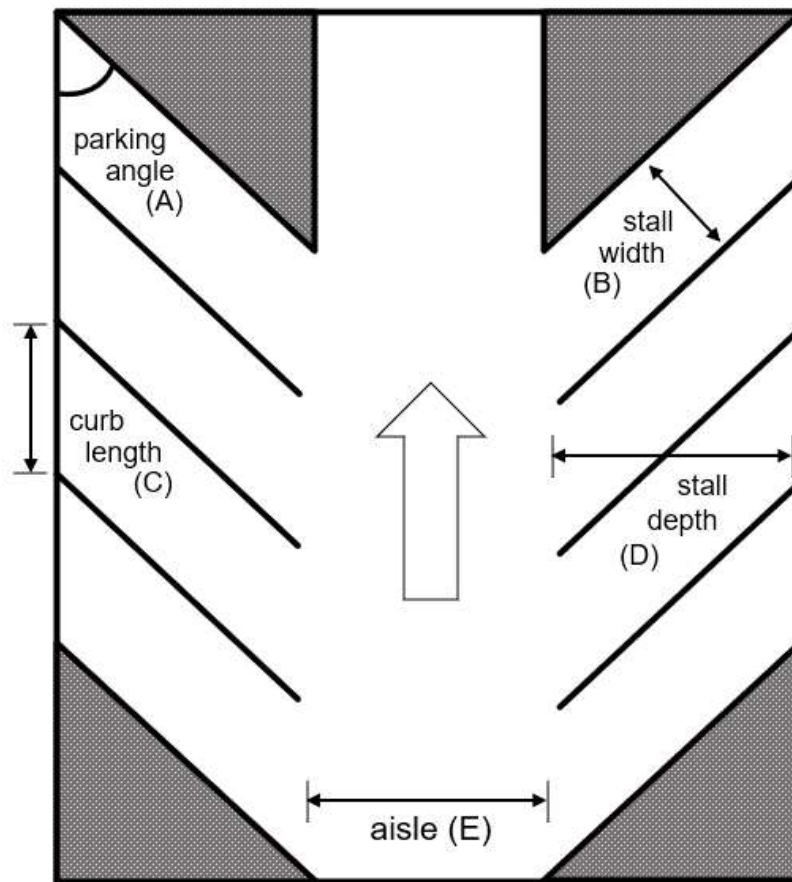
	Standard 8.5 feet	10.0 feet	20.0 feet	18.0 feet	20.0 feet
	Desired 9.0 feet	10.5 feet	21.0 feet	18.0 feet	20.0 feet
90	Minimum 8.0 feet	8.0 feet	16.0 feet	24.0 feet	24.0 feet
	Standard 8.5 feet	8.5 feet	18.0 feet	24.0 feet	24.0 feet
	Desired 9.0 feet	9.0 feet	18.0 feet	24.0 feet	24.0 feet

(\* for compact stalls only

\*\* variable with compact and standard combinations



))



~~((C-))~~ F. The minimum dimensions of a parking space shall be:

1. For residential developments, eight feet wide by eighteen feet in length. Tandem or end-to-end parking is allowed at a rate of one space per every twenty linear feet. Developments shall not combine parking for separate dwelling units in tandem parking areas; and

2. For all other developments, eight feet six inches wide by eighteen feet.

G. Compact parking measuring eight feet wide by sixteen feet in length shall be allowed as follows:

1. Developments containing more than twenty parking spaces may designate up to fifty percent of the total number of parking spaces for compact cars; and

2. Residential developments with less than twenty parking spaces may designate up to forty percent of the total number of parking spaces for compact cars.

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

~~((D-))~~ I. The parking stall depth may be reduced if vehicles overhang a walkway, ~~((or))~~ landscaping, or bioretention planter under the following conditions:

1. Wheelstops, ~~((or))~~ curbs, or other structural barriers are installed to protect plantings and pedestrians;

2. The remaining walkway provides a minimum of forty-eight inches of unimpeded passageway for pedestrians; and

3. The amount of space depth reduction is limited to a maximum of eighteen inches~~((; and~~

~~4. Landscaping is designed in accordance with K.C.C. 21A.16.070.E.~~

~~E. Driveways providing ingress and egress between off-street parking areas and abutting streets shall be designed, located and constructed in accordance with K.C.C. chapter 14.42, Road Standards)).~~

J. Driveways may cross required setbacks or landscaped areas to provide access to the street as follows:

1. ((f)) ~~For single detached ((dwellings, no more than twenty feet in width,)) residences, ((may cross required setbacks or landscaped areas to provide access between the off-street parking areas and the street, provided))~~ if the driveway is no more than twenty feet in width and eliminates no more than fifteen percent of the required landscaping or setback area ((is eliminated by the driveway)). Joint use driveways may be located within required landscaping or setback areas.

2. ((Driveways f)) ~~For all other developments, ((may cross or be located within required setbacks or landscaped areas to provide access between the off-street parking areas and the street,))~~ if no more than ten percent of the required landscaping is displaced by the driveway and the driveway is located no closer than five feet from any property line except where intersecting the street.

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

1. For single detached ((dwelling units)) residences, duplex, or houseplexes, the required parking spaces shall be outside of any required setbacks or landscaping, but driveways crossing setbacks and required landscaping may be used for parking. However, if the driveway is a joint use driveway, ~~((no))~~ a vehicle parked on the driveway shall not obstruct any joint user's access to the driveway or parking spaces;

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

3. For nonresidential uses in ((rural area and residential)) RA, UR, and R zones, parking is ~~((permitted))~~ allowed in setback areas ~~((in accordance with K.C.C. 21A.12.220))~~ if such parking areas are located outside of the required landscape area.

~~((G. Lighting shall be provided for safety of traffic and pedestrian circulation on the site. It shall be~~

~~designed to minimize direct illumination of abutting properties and adjacent streets. The director shall have the authority to waive the requirement to provide lighting.~~

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

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

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

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

1. A minimum vertical clearance of seven feet three inches shall be provided to accommodate van vehicles if designated vanpool and carpool parking spaces are located in a parking structure; and
2. A minimum turning radius of twenty-six feet four inches with a minimum turning diameter, curb to curb, of fifty-two feet five inches shall be provided from parking aisles to adjacent vanpool and carpool parking spaces.

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

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

N. Any parking stalls located in enclosed buildings ~~((must))~~ shall be totally within the enclosed building.

SECTION 266. Ordinance 10870, Section 416, and K.C.C. 21A.18.120 are hereby amended to read as

follows:

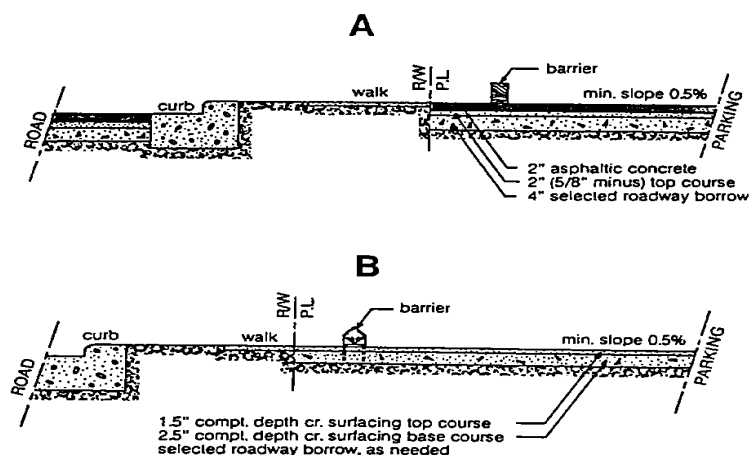
A. Off-street parking areas shall have dust-free, all-weather surfacing. Typical approved sections are illustrated below.

1. Frequently used (at least five days a week) off-street parking areas shall conform to the surfacing standards shown in A below or an approved equivalent.

2. If the parking area is to be used more than ~~((30))~~ thirty days per year but less than five days a week, then the standards to be used shall conform to the standards shown in subsection B, ~~((below))~~ of this section or an approved equivalent. An exception to these surfacing requirements may be made for certain uses that require intermittent use of their parking facilities less than ~~((30))~~ thirty days per year.

3. Any surface treatment other than those graphically illustrated below must be approved by the director.

### MINIMUM SURFACING REQUIREMENTS



B. ~~((Grading work for p))~~ Parking areas shall meet the ~~((requirements of))~~ grading standards in K.C.C. chapter 16.82((-)) and ((D)) drainage and erosion~~((sedimentation control facilities shall be provided in accordance with))~~ control standards in K.C.C. chapter 9.04.

C. Internal access roads and driveways shall be designed and constructed in accordance with the road standards in K.C.C. chapter 14.42.



D. Landscaping shall be provided in accordance with K.C.C. 21A.16.070. Any parking spaces abutting a required landscaped area on the driver or passenger side of the vehicle shall provide an additional eighteen inches above the minimum space width requirement to provide a place to step other than in the landscaped area. The additional width shall be separated from the adjacent parking space by a parking space division stripe.

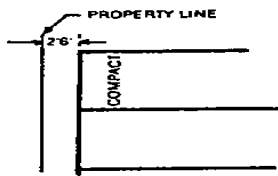
E.1. Asphalt or concrete surfaced parking areas shall have parking spaces marked by surface paint lines or suitable substitute traffic marking material in accordance with the Washington State Department of Transportation Standards.

2. Wheel stops or curbs are required where a parked vehicle would encroach on adjacent property, pedestrian access or circulation areas, right-of-way, or landscaped areas.

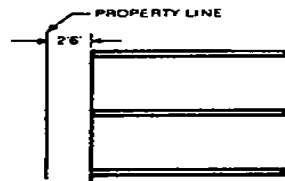
3. Compact car parking space shall be delineated with the word "COMPACT" in capital letters, a minimum of eight inches high, on the pavement at the base of the parking space and centered between the striping.

4. Typically approved markings and wheel stop locations are illustrated below.

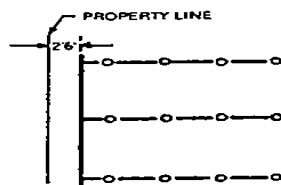
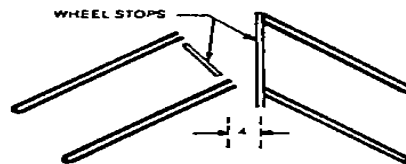
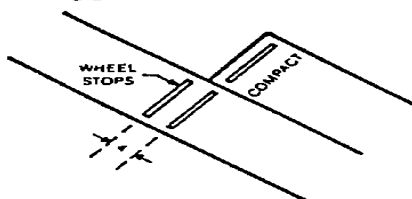
## STALL MARKINGS AND WHEEL STOP LOCATIONS



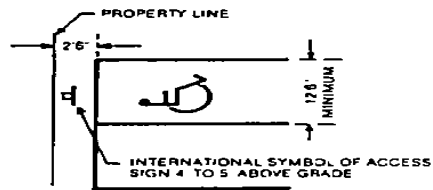
COMPACT MARKING



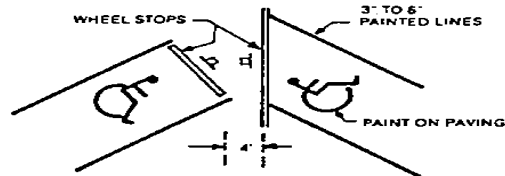
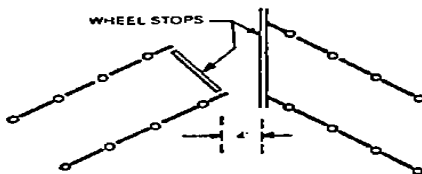
PAINTED HORSESHOE MARKING



METAL OR PLASTIC TRAFFIC MARKING



HANDICAP MARKING



F. Lighting shall be provided for safety of traffic and pedestrian circulation on the site. Lighting shall be designed to minimize direct illumination of abutting properties and adjacent streets. The director may waive the requirements to provide lighting if the director determines it is not necessary for the safety of traffic and pedestrian circulation.

G. A dead-end alley shall not provide access to more than eight off-street parking spaces.

SECTION 267. Ordinance 10870, Section 421, as amended, and K.C.C. 21A.20.030 are hereby amended to read as follows:

The following signs or displays are exempted from the regulations under this chapter:

A. Historic site markers or plaques, gravestones, and address numbers;

B. Signs required by law, including but not limited to:

1. Official or legal notices issued and posted by any public agency or court; or
2. Traffic directional or warning signs;

C. Plaques, tablets, or inscriptions indicating the name of a building, date of erection, or other commemorative information, which are an integral part of the building structure or are attached flat to the face of the building, which are nonilluminated, and which do not exceed four square feet in surface area;

D. Incidental signs, which shall not exceed two square feet in surface area, though the size limitation shall not apply to signs providing directions, warnings, or information when established and maintained by a public agency;

E. State or federal flags;

F. Religious symbols;

G. The flag of a commercial institution, provided no more than one flag is permitted per business premises, and further provided the flag does not exceed twenty square feet in surface area; ~~((and))~~

H. Gateway signs, as adopted by ordinance; and

I. Heritage trail signs located on Vashon-Maury Island.

SECTION 268. Ordinance 13022, Section 26, as amended, and K.C.C. 21A.20.190 are hereby amended to read as follows:

Community identification signs are ~~((permitted))~~ allowed subject to the following ~~((provisions))~~:

A. ~~((Only Unincorporated Activity Center, urban planned development, Rural Town, or designated and delineated by the Comprehensive Plan,))~~ Unincorporated activity centers and rural towns are eligible to be identified with community identification signs~~((-- Identification signs for Unincorporated Activity Centers, urban planned developments or Rural Towns shall be))~~ placed along the boundaries identified by the Comprehensive Plan;

B. Two types of community identification signs are ~~((permitted))~~ allowed. Primary signs are intended to mark the main arterial street entrances to a ~~((designated community, Unincorporated Activity Center, urban planned development, Rural Town))~~ unincorporated activity center or rural town. Auxiliary signs are intended to mark entrances to a ~~((designated community, Unincorporated Activity Center, urban planned development, Rural Town,))~~ unincorporated activity center or rural town along local access streets;

C. Primary signs are subject to the following ~~((provisions))~~:

1. No more than four primary signs shall be allowed per ~~((Unincorporated Activity Center, urban planned development, Rural Town or designated community))~~ unincorporated activity center or rural town;
2. Each primary sign shall be no more than thirty-two square feet in area and no more than six feet in height; and
3. Primary signs shall only be located along arterial streets, outside of the right-of-way;

D. Auxiliary community identification signs are subject to the following ~~((provisions))~~:

1. There shall be no limits on the number of auxiliary community identification signs allowed per ((Unincorporated Activity Center, urban planned development, Rural Town or designated community,)) unincorporated activity center or rural town; and

2. Each auxiliary sign shall be no more than two square feet, and shall be located only outside of the right-of-way; ((and))

E. No commercial advertisement shall be ((permitted)) allowed on either primary or auxiliary signs except as follows:

1. When located on property within the RA, UR, and R-1((~~-8 and R-12~~)) through R-48 zones, signs may have a logo or other symbol of a community service or business group, such as Kiwanis, Chamber of Commerce, or a similar group, sponsoring construction of the sign or signs. Any ((permitted)) allowed logo or symbol shall be limited to an area of no more than two square feet on primary signs and no more than seventy-two square inches on auxiliary signs; or

2. When located on properties within the NB, CB, RB, O, and I zones, signs may have a logo or other symbol of the company, community service, or business group sponsoring construction of the sign or signs. Any ((permitted)) allowed logo or symbol shall be limited to an area of no more than four square feet on primary signs and no more than seventy-two square inches on auxiliary signs; and

F. Community identification signs shall be exempt from the provisions of K.C.C. 21A.20.060.A. that require signs to be ((on-premise)) on the premises.

SECTION 269. Ordinance 10870, Section 444, as amended, and K.C.C. 21A.22.060 are hereby amended to read as follows:

Except as otherwise provided in K.C.C. 21A.22.040, in addition to requirements in this title, all uses regulated under this chapter shall comply with the following standards:

A. The minimum site area shall be ten acres;

B. On sites larger than twenty acres, activities shall occur in phases to minimize environmental impacts.

The size of each phase shall be determined during the review process in accordance with the following:

1. On sites one hundred acres or less, each phase shall not be more than twenty-five acres;

2. On sites more than one hundred acres, each phase shall not be more than fifty acres. Phases that include areas of greater than twenty-five acres shall have setbacks double those specified in subsections E. and F. of this section;

3. A third phase shall not be initiated until reclamation of the first phase is substantially complete.

More than two phases shall not be allowed to operate at a time without previous phases having been reclaimed.

The status of reclamation shall be determined by:

a. the Washington state Department of Natural Resources, unless authority has been ceded to the county under RCW 78.44.390; or

b. the county for sites that are exempt from chapter 78.44 RCW and that are subject to K.C.C. 21A.22.081; and

4. Minor variation from the standards in subsections B.1. through 3. of this section may be requested and approved as part of the permit review process where it is demonstrated to be needed or beneficial for compliant operation of the mineral extraction based on regulations for protection of water quality, environmental conditions, or safety;

C. If the department determines they are necessary to eliminate a safety hazard, fences or alternatives to fences shall be:

1. Provided in a manner that discourages access to areas of the site where:

- a. active extracting, processing, stockpiling, and loading of materials is occurring;
- b. boundaries are in common with residential or commercial zone property or public lands; or
- c. any unstable slope or any slope exceeding a grade of forty percent is present;

2. At least six feet in height above the grade measured at a point five feet outside the fence and the fence material shall have no opening larger than two inches;

3. Installed with lockable gates at all openings or entrances;
4. No more than four inches from the ground to fence bottom; and
5. Maintained in good repair;

D. Warning and trespass signs advising of the use shall be placed on the perimeter of the site adjacent to RA, UR<sub>2</sub> or R zones at intervals no greater than two hundred feet along any unfenced portion of the site where the items noted in subsection C.1. of this section are present;

E. Structural setbacks from property lines shall be as follows:

1. Buildings, structures, and stockpiles used in the processing of materials shall be no closer than:

a. one hundred feet from any (~~residential~~) R or UR zoned properties except that the setback may be reduced to fifty feet when the grade where such building or structures are proposed is fifty feet or greater below the grade of the (~~residential~~) R or UR zoned property;

b. fifty feet from any other zoned property, except when adjacent to another use regulated under this chapter; and

c. the greater of fifty feet from the edge of any public street or the setback from (~~residential~~) R or UR zoned property on the far side of the street; and

2. Offices, scale facilities, equipment storage buildings, and stockpiles, including those for reclamation, shall not be closer than fifty feet from any property line except when adjacent to another use regulated under this chapter or M or F zoned property. Facilities necessary to control access to the site, when demonstrated to have no practical alternative, may be located closer to the property line;

F. On-site clearing, grading, or excavation, excluding that necessary for required access, roadway, or storm drainage facility construction, or activities in accordance with an approved reclamation plan, shall not be (~~permitted~~) allowed within fifty feet of any property line except along any portion of the perimeter adjacent to another use regulated under this chapter or M or F zoned property. If native vegetation is restored, temporary disturbance resulting from construction of noise attenuation features located closer than fifty feet shall be ((

~~permitted~~)) allowed;

G. Landscaping consistent with type 1 screening under K.C.C. chapter 21A.16, except using only plantings native to the surrounding area, shall be provided along any portion of the site perimeter where site disturbances associated with a use regulated under this chapter are performed, except where adjacent to another use regulated under this chapter, forestry operation, or M or F-zoned property;

H. Relevant clearing and grading operating standards from K.C.C. chapter 16.82 shall be applied; (~~and~~ ))

I. Lighting shall:

1. Be limited to that required for security, lighting of structures and equipment, and vehicle operations; and

2. Not directly glare onto surrounding properties; and

J. Uses, buildings, structures, storage of equipment, and stockpile of materials not directly related to an approved mineral extraction use, reclamation plan, materials processing use, or fossil fuel facility, are prohibited.

SECTION 270. Ordinance 11621, Section 53, as amended, and K.C.C. 21A.24.386 are hereby amended to read as follows:

The following standards apply to development proposals and alterations on sites containing wildlife habitat network:

A. Unless allowed as an alteration exception under K.C.C. 21A.24.070, only the alterations identified in K.C.C. 21A.24.045 are allowed in the wildlife habitat network;

B. The wildlife habitat network is sited to meet the following conditions:

1. The network forms one contiguous tract or setback area that enters and exits the property where the network crosses the property boundary;

2. To the maximum extent practical, the network maintains a width of three-hundred feet. The network



width shall not be less than one-hundred-fifty feet at any point; and

3. The network is contiguous with and includes critical areas and their buffers;
4. To the maximum extent practical, the network connects isolated critical areas or habitat; and
5. To the maximum extent practical, the network connects with wildlife habitat network segments,

open space tracts or wooded areas on adjacent properties, if present;

C. The wildlife habitat network tract must be permanently marked in accordance with this chapter;

D. An applicant proposing recreation, forestry or any other use compatible with preserving and enhancing the habitat value of the wildlife habitat network located within the site must have an approved management plan. The applicant shall include and record the approved management plan for a binding site plan or subdivision with the covenants, conditions, and restrictions (CCRs), if any. Clearing within the wildlife habitat network in a tract or tracts is limited to that allowed by an approved management plan;

E. If the wildlife habitat network is contained in a setback area, a management plan is not required. Clearing is not allowed within a wildlife habitat network within a setback area on individual lots, unless the property owner has an approved management plan;

F. In urban planned developments, fully contained communities, binding site plans, subdivisions and short subdivisions a homeowners association or other entity capable of long term maintenance and operation shall monitor and assure compliance with any approved management plan;

G. ~~((Segments of the wildlife habitat network set aside in tracts, conservation easements or setback area must comply with K.C.C. 16.82.150;~~

H.)) The department may credit a permanent open space tract containing the wildlife habitat network toward the other applicable requirements such as surface water management and the recreation space requirement of K.C.C. 21A.14.180, if the proposed uses within the tract are compatible with preserving and enhancing the wildlife habitat value. Restrictions on other uses within the wildlife habitat network tract shall be clearly identified in the management plan; and

((F-)) H. The director may waive or reduce these standards for public facilities such as schools, fire stations, parks and road projects.

SECTION 271. Ordinance 15051, Section 231, as amended, and K.C.C. 21A.24.520 are hereby amended to read as follows:

If a property owner is unable to subdivide an RA(( ))-zoned parcel twenty acres or smaller at the density allowed under ((K.C.C. 21A.12.030)) this title after application of the requirements of this chapter, the director may approve modifications to requirements for critical area buffers if:

A. The applicant demonstrates that after the use of all provisions of this title, including but not limited to, clustering and buffer averaging, reduction in critical area buffers required by this chapter is necessary to achieve the density allowed under ((K.C.C. 21A.12.030)) this title;

B. To the maximum extent practical, the subdivision or short subdivision design has the least adverse impact on the critical area and critical area buffer;

C. The modification does not pose an unreasonable threat to the public health, safety, or welfare on or off the development proposal site and is consistent with the general purposes of this chapter and the public interest; and

D. The applicant provides mitigation to compensate for the adverse impacts to critical areas and buffers resulting from any modification to critical area buffers approved under this section.

SECTION 272. Ordinance 3688, Section 303 and K.C.C. 21A.25.050 are hereby amended to read as follows:

A. The requirements of the shoreline master program apply to all uses and development occurring within the shoreline jurisdiction. The King County shoreline jurisdiction consists of shorelines, shorelines of statewide significance, and shorelands as defined in RCW 90.58.030 and K.C.C. chapter 21A.06, and the one-hundred-year floodplain.

B. The shoreline jurisdiction does not include Indian tribal reservation lands and lands held in trust by

the federal government for tribes. Nothing in the King County shoreline master program or action taken under that program shall affect any treaty right to which the United States is a party.

C. The lakes and segments of rivers and streams constituting the King County shoreline jurisdiction are set forth in Attachment H to Ordinance 19146. The King County shoreline jurisdiction is shown on a map adopted in chapter 6 of the King County Comprehensive Plan. If there is a discrepancy between the map and the criteria established in subsection A. of this section, the criteria shall constitute the official King County shoreline jurisdiction. The county shall update the shoreline master program to reflect the new designation within three years of the discovery of the discrepancy.

NEW SECTION. SECTION 273. There is hereby added to K.C.C. chapter 21A.25 a new section to read as follows:

When a critical area report is required by this chapter, the applicant shall submit a report documenting the presence, type, and function of critical areas. If the development proposal will affect only a part of the development proposal site, the department may limit the scope of the critical area report to include only that part of the site that is affected by the development proposal. The report shall document how the proposal avoids and minimizes impacts to the greatest extent feasible and document measures taken to mitigate unavoidable impacts to ensure the proposal causes no net loss of ecological function. The applicant may combine a critical area report with any studies required by other laws and regulations.

SECTION 274. Ordinance 16958, Section 31, as amended, and K.C.C. 21A.25.100 are hereby amended to read as follows:

A. The shoreline use table in this section determines whether a specific use is allowed within each of the shoreline environments. The shoreline environment is located on the vertical column and the specific use is located on the horizontal row of the table. The specific uses are grouped by the shoreline use categories in WAC 173-26-241. The specific uses are defined by those uses in K.C.C. chapter 21A.08. The table should be interpreted as follows:

1. If the cell is blank in the box at the intersection of the column and the row, the use is prohibited in that shoreline environment;

2. If the letter "P" appears in the box at the intersection of the column and the row, the use may be allowed within the shoreline environment;

3. If the letter "C" appears in the box at the intersection of the column and the row, the use may be allowed within the shoreline environment subject to the shoreline conditional use review procedures specified in K.C.C. 21A.44.100((-));

4. If a number appears in the box at the intersection of the column and the row, the use may be allowed subject to the appropriate review process in this section, the general requirements of this chapter and the specific development conditions indicated with the corresponding number in subsection C. of this section. If more than one number appears after a letter, all numbers apply((-));

5. If more than one letter-number combination appears in the box at the intersection of the column and the row, the use is allowed in accordance with each letter-number combination((-));

6. A shoreline use may be allowed in the aquatic environment only if that shoreline use is allowed in the adjacent shoreland environment((-)); and

7. This section does not authorize a land use that is not allowed by the underlying zoning, but may add additional restrictions or conditions or prohibit specific land uses within the shoreline jurisdiction. When there is a conflict between the ((permitted)) allowed land uses in K.C.C. chapter 21A.08 and shoreline uses in this section, preference for shoreline uses shall first be given to water-dependent uses, then to water related uses, and finally to water enjoyment uses. All uses in the shoreline jurisdiction ((must)) shall comply with all relevant county code provisions and with the King County Shoreline Master Program.

B. Shoreline uses.

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( <del>P</del> <del>Permitted Use</del> <del>C</del> <del>Shoreline</del> <del>Conditional Use</del> <del>Blank</del> <del>Prohibited</del> <del>Shoreline uses are</del> <del>allowed only if the</del> <del>underlying zoning</del> <del>allows the use.</del> <del>Shoreline uses are</del> <del>allowed in the aquatic</del> <del>environment only if</del> <del>the adjacent upland</del> <del>environment allows</del> <del>the use.</del> )		l				y		c
<b>Agriculture</b>								
		P	P	P	P	P		
<b>Aquaculture (fish and wildlife management K.C.C. 21A.08.090)</b>								
<b>Boating Facilities</b>								
<b>Commercial Development</b>								
<b>General</b> <b>Personal</b>								
<b>Temporary Lodging (K.C.C. 21A.08.050)</b>	P23	P27	P27	C27	C27			

Health care services (section 162 of this ordinance)	P4	P5	P5					
SIC Industry No. 1611, 2								
Government Services								
2 (K.C.C. 21A.08.060) (section 164 of this ordinance)								
Forest Practices								
Industry								
In-stream structural uses								
2								
K.C.C. 21A.08.060) Section 164 of this ordinance								

portion of SIC 1611 highway and street construction (K.C.C. 21A.08.060) facilities								
<b>Mining</b>								
<b>Recreational Development</b>								
/ and								C
<b>Residential Development</b>								
dwelling units residences , adult family homes, and community residential facility (section 162 of this ordinance)		P	P	P	P			
Houseplex, T t  mobile manufactured park community		P			P			

Group residences Congregate residence and senior assisted housing community residential facility and permanent supportive housing (section 162 of this ordinance)		P						
Temporary lodging (K.C.C. 21A.08.030)	P23	P27	P27	C27	C27			
Transportation and parking								
(K.C.C. 21A.08.060) section 164 of this ordinance								
Utilities								
(K.C.C. 21A.08.060) (section 164 of this ordinance)								
Regional land uses								

C. Development conditions:



1. In the Natural environment, limited to low intensity agriculture, such as livestock use with an animal unit density of no more than one per two acres in the shoreline jurisdiction, seasonal hay mowing and related activities, and horticulture not to exceed twenty percent of the site area located within the shoreline jurisdiction.

2.a. The supporting infrastructure for aquaculture may be located landward of the aquaculture operation, subject to the limitations of K.C.C. Title 21A.

b. The aquaculture operation (~~((must))~~) shall meet the standards in K.C.C. 21A.25.110.

c. In aquatic areas adjacent to the residential shoreline environment, net pen facilities shall be located no closer than one thousand five hundred feet from the ordinary high water mark of this environment, unless the department allows a specific lesser distance that it determines is appropriate based upon a visual impact analysis. Other types of floating culture facilities may be located within one thousand five hundred feet of the ordinary high water mark if supported by a visual impact analysis.

d. In aquatic areas adjacent to the rural shoreline environment, net pen facilities shall be located no closer than one thousand five hundred feet from the ordinary high water mark of this environment, unless the department allows a specific lesser distance that it determines is appropriate based upon a visual impact analysis.

e. In the natural shoreline environment and aquatic areas adjacent to the natural shoreline environment, commercial net pens are prohibited and other aquaculture activities are limited to activities that do not require structures, facilities, or mechanized harvest practices and that will not alter the natural systems, features, or character of the site.

f. Farm-raised geoduck aquaculture requires a shoreline substantial development permit if a specific project or practice causes substantial interference with normal public use of the surface waters.

g. A conditional use permit is required for new commercial geoduck aquaculture only, consistent with WAC 173-26-241(3)(b). All subsequent cycles of planting and harvest shall not require a new conditional

permit.

3.a. New marinas are not allowed along the east shore of Maury Island, from Piner Point to Point Robinson.

b. Marinas ~~((must))~~ shall meet the standards in K.C.C. 21A.25.120.

4. Water-dependent ~~((general))~~ personal services land uses in K.C.C. 21A.08.050 are allowed. ~~((Non-water))~~ Nonwater-dependent ~~((general))~~ personal services land uses in K.C.C. 21A.08.050 are only allowed on sites that are not contiguous with the ordinary high water mark or on sites that do not have an easement that provides direct access to the water.

5.a. Water-dependent ~~((general))~~ personal services land uses in K.C.C. 21A.08.050 are allowed.

b. ~~((Non-water))~~ Nonwater-dependent ~~((general))~~ personal services land uses in K.C.C. 21A.08.050 are only allowed as part of a shoreline mixed-use development that includes water-dependent uses.

c. ~~((Non-water))~~ Nonwater-oriented ~~((general))~~ personal services land uses ~~((must))~~ shall provide a significant public benefit by helping to achieve one or more of the following shoreline master program goals:

- (1) economic development for water-dependent uses;
- (2) public access;
- (3) water-oriented recreation;
- (4) conservation of critical areas, scenic vistas, aesthetics, or fish and wildlife habitat; and
- (5) protection and restoration of historic properties.

6. Water-dependent business services uses in K.C.C. 21A.08.050 are allowed. Water-related business services uses are only allowed as part of a shoreline mixed-use development and only if they support a water-dependent use. The water-related business services uses ~~((must))~~ shall comprise less than one-half of the square footage of the structures or the portion of the site within the shoreline jurisdiction.

7.a Water-dependent retail uses in K.C.C. 21A.08.050 are allowed.

b. ~~((Non-water))~~ Nonwater-dependent retail uses in K.C.C. 21A.08.050 are only allowed as part of a

shoreline mixed-use development if the ~~((non-water))~~ nonwater-dependent retail use supports a water-dependent use. ~~((Non-water))~~ Nonwater-dependent uses ~~((must))~~ shall comprise less than one-half of the square footage of the structures or the portion of the site within the shoreline jurisdiction.

c. ~~((Non-water))~~ Nonwater-oriented retail uses ~~((must))~~ shall provide a significant public benefit by helping to achieve one or more of the following shoreline master program goals:

- (1) economic development for water-dependent uses;
- (2) public access;
- (3) water-oriented recreation;
- (4) conservation of critical areas, scenic vistas, aesthetics, or fish and wildlife habitat; and
- (5) protection and restoration of historic properties.

8. Water-dependent retail uses in K.C.C. 21A.08.050 are allowed. ~~((Non-water))~~ Nonwater-dependent retail uses in K.C.C. 21A.08.050 are only allowed if the retail use provides a significant public benefit by helping to achieve one or more of the following shoreline master program goals:

- a. economic development for water-dependent uses;
- b. public access;
- c. water-oriented recreation;
- d. conservation of critical areas, scenic vistas, aesthetics, or fish and wildlife habitat; and
- e. protection and restoration of historic properties.

9.a. Water-dependent government services in ~~((K.C.C. 21A.08.060))~~ section 164 of this ordinance are allowed.

b. ~~((Non-water))~~ Nonwater-dependent government services in ~~((K.C.C. 21A.08.060))~~ section 164 of this ordinance are only allowed as part of a shoreline mixed-use development if the ~~((non-water))~~ nonwater-dependent government use supports a water-dependent use. ~~((Non-water))~~ Nonwater-dependent uses ~~((must))~~ shall comprise less than one-half of the square footage of the structures or the portion of the site within the

shoreline jurisdiction. Only low-intensity water-dependent government services are allowed in the Natural environment.

10. The following standards apply to government services uses within the Aquatic environment:

a. Stormwater and sewage outfalls are allowed if upland treatment and infiltration to groundwater, streams, or wetlands is not feasible and there is no impact on critical saltwater habitats, salmon migratory habitat, and the nearshore zone. However, stormwater and sewage outfalls are not allowed in the Maury Island Aquatic Reserve, except from Piner Point to Point Robinson;

b. Water intakes shall not be located near fish spawning, migratory, or rearing areas. Water intakes (~~((must))~~) shall adhere to Washington state Department of Fish and Wildlife fish screening criteria. To the maximum extent practical, intakes should be placed at least thirty feet below the ordinary high water mark;

c. Desalinization facilities shall not be located near fish spawning, migratory, or rearing areas. Intakes should generally be placed deeper than thirty feet below the ordinary high water mark and (~~((must))~~) shall adhere to Washington state Department Fish and Wildlife fish screening criteria. Discharge of desalination wastewater or concentrated mineral is not allowed in the Maury Island Aquatic Reserve, except that outside the Inner and Outer Harbormaster Harbor, discharge may be considered if there is no impact on critical saltwater habitats, salmon migratory habitat, and the nearshore zone;

d. Cable crossings for telecommunications and power lines shall:

(1) be routed around or drilled below aquatic critical habitat or species;

(2) be installed in sites free of vegetation, as determined by physical or video seabed survey;

(3) be buried, preferably using directional drilling, from the uplands to waterward of the deepest documented occurrence of native aquatic vegetation; and

(4) use the best available technology;

e. Oil, gas, water, and other pipelines shall meet the same standards as cable crossings and in addition:

(1) pipelines (~~((must))~~) shall be directionally drilled to depths of seventy feet or one half mile from the ordinary high water mark; and

(2) use the best available technology for operation and maintenance;

f. Breakwaters are not allowed within the Maury Island Aquatic Reserve or within the Aquatic environment adjacent to the Conservancy and Natural shorelines.

11. In the Natural environment, limited to low intensity forest practices that conserve or enhance the health and diversity of the forest ecosystem or ecological and hydrologic functions conducted for the purpose of accomplishing specific ecological enhancement objectives. In all shoreline environments, forest practices (~~((must))~~) shall meet the standards in K.C.C. 21A.25.130.

12. Manufacturing uses in the shoreline environment (~~((must))~~) shall give preference first to water-dependent manufacturing uses and second to water-related manufacturing uses:

a. (~~((Non-water))~~) Nonwater-oriented manufacturing uses are allowed only:

(1) as part of a shoreline mixed-use development that includes a water-dependent use, but only if the water-dependent use comprises over fifty percent of the floor area or portion of the site within the shoreline jurisdiction;

(2) on sites where navigability is severely limited; or

(3) on sites that are not contiguous with the ordinary high water mark or on sites that do not have an easement that provides direct access to the water; and

(4) all (~~((non-water))~~) nonwater-oriented manufacturing uses (~~((must))~~) shall also provide a significant public benefit, such as ecological restoration, environmental clean-up, historic preservation, or water-dependent public education;

b. public access is required for all manufacturing uses unless it would result in a public safety risk or is incompatible with the use;

c. shall be located, designed, and constructed in a manner that ensures that there are no significant

adverse impacts to other shoreline resources and values((:));

d. restoration is required for all new manufacturing uses; and

e. boat repair facilities are not ((permitted)) allowed within the Maury Island Aquatic Reserve,

except as follows:

(1) engine repair or maintenance conducted within the engine space without vessel haul-out;

(2) topside cleaning, detailing, and bright work;

(3) electronics servicing and maintenance;

(4) marine sanitation device servicing and maintenance that does not require haul-out;

(5) vessel rigging; and

(6) minor repairs or modifications to the vessel's superstructure and hull above the waterline that do not exceed twenty-five percent of the vessel's surface area above the waterline.

13. The water-dependent in-stream portion of a hydroelectric generation facility, wastewater treatment facility, and municipal water production are allowed, including the upland supporting infrastructure, and shall provide for the protection and preservation, of ecosystem-wide processes, ecological functions, and cultural resources, including, but not limited to, fish and fish passage, wildlife and water resources, shoreline critical areas, hydrogeological processes, and natural scenic vistas.

14. New in-stream portions of utility facilities may be located within the shoreline jurisdiction if:

a. there is no feasible alternate location;

b. provision is made to protect and preserve ecosystem-wide processes, ecological functions, and cultural resources, including, but not limited to, fish and fish passage, wildlife and water resources, shoreline critical areas, hydrogeological processes, and natural scenic vistas; and

c. the use complies with the standards in K.C.C. 21A.25.260.

15. Limited to in-stream infrastructure, such as bridges, and ((must)) shall consider the priorities of the King County Shoreline Protection and Restoration Plan when designing in-stream transportation facilities.

In-stream structures shall provide for the protection and preservation~~((;))~~ of ecosystem-wide processes, ecological functions, and cultural resources, including, but not limited to, fish and fish passage, wildlife and water resources, shoreline critical areas, hydrogeological processes, and natural scenic vistas.

16. Limited to hatchery and fish preserves.

17. Mineral uses:

a. ~~((must))~~ shall meet the standards in K.C.C. chapter 21A.22;

b. ~~((must))~~ shall be dependent upon a shoreline location;

c. ~~((must))~~ shall avoid and mitigate adverse impacts to the shoreline environment during the course of mining and reclamation to achieve no net loss of shoreline ecological function. In determining whether there will be no net loss of shoreline ecological function, the evaluation may be based on the final reclamation required for the site. Preference shall be given to mining proposals that result in the creation, restoration, or enhancement of habitat for priority species;

d. ~~((must))~~ shall provide for reclamation of disturbed shoreline areas to achieve appropriate ecological functions consistent with the setting;

e. may be allowed within the active channel of a river only as follows:

(1) removal of specified quantities of sand and gravel or other materials at specific locations will not adversely affect the natural processes of gravel transportation for the river system as a whole;

(2) the mining and any associated permitted activities will not have significant adverse impacts to habitat for priority species nor cause a net loss of ecological functions of the shoreline; and

(3) if no review has been previously conducted under this subsection C.17.e., ~~((prior to))~~ before renewing, extending, or reauthorizing gravel bar and other in-channel mining operations in locations where they have previously been conducted, the department shall require compliance with this subsection C.17.e. If there has been prior review, the department shall review previous determinations comparable to the requirements of this section C.17.e. to ensure compliance with this subsection under current site conditions; and

f. ~~((Must))~~ shall comply with K.C.C. 21A.25.190.

18. Only water-dependent recreational uses are allowed, except for public parks and trails, in the High Intensity environment and ~~((must))~~ shall meet the standards in K.C.C. 21A.25.140 for public access and K.C.C. 21A.25.150 for recreation.

19. Water-dependent and water-enjoyment recreational uses are allowed in the Residential, Rural, and Forestry environments and ~~((must))~~ shall meet the standards in K.C.C. 21A.25.140 for public access and K.C.C. 21A.25.150 for recreation.

20. In the Conservancy environment, only the following recreation uses are allowed and ~~((must))~~ shall meet the standards in K.C.C. 21A.25.140 for public access and K.C.C. 21A.25.150 for recreation:

- a. parks; and
- b. trails.

21. In the Natural environment, only passive and low-impact recreational uses are allowed.

22. Single detached ~~((dwelling units must))~~ residences shall be located outside of the aquatic area buffer and set back from the ordinary high water mark to the maximum extent practical.

23. Only allowed as part of a water-dependent shoreline mixed-use development where water-dependent uses comprise more than half of the square footage of the structures on the portion of the site within the shoreline jurisdiction.

24. Residential accessory uses ~~((must))~~ shall meet the following standards:

- a. docks, piers, moorage, buoys, floats, or launching facilities ~~((must meet))~~ shall comply with the standards in K.C.C. 21A.25.180;
- b. residential accessory structures located within the aquatic area buffer shall be limited to a total footprint of one-hundred fifty square feet; and
- c. accessory structures shall be sited to preserve visual access to the shoreline to the maximum extent practical.



25. New highway and street construction is allowed only if there is no feasible alternate location.

Only low-intensity transportation infrastructure is allowed in the Natural environment.

26. Utility facilities are subject to the standards in K.C.C. 21A.25.260.

27. Only bed and breakfast guesthouses.

28. Only in a marina.

29. Transportation facilities are subject to the standards in K.C.C. 21A.25.280.

30. Only solid waste transfer stations and subject to K.C.C. 21A.25.260.

SECTION 275. Ordinance 16985, Section 32, as amended, and K.C.C. 21A.25.110 are hereby amended to read as follows:

An applicant for an aquaculture facility (~~((must))~~) shall use the sequential measures in K.C.C.

21A.25.080. The following standards apply to aquaculture:

A. Unless the applicant demonstrates that the substrate modification will result in an increase in native habitat diversity, aquaculture that involves little or no substrate modification shall be given preference over aquaculture that involves substantial substrate modification and the degree of proposed substrate modification shall be limited to the maximum extent practical.

B. The installation of submerged structures, intertidal structures and floating structures shall be limited to the maximum extent practical.

C. Aquaculture proposals that involve substantial substrate modification or sedimentation through dredging, trenching, digging, mechanical clam harvesting or other similar mechanisms, shall not be (~~((permitted~~)) allowed in areas where the proposal would adversely impact critical saltwater habitats.

D. Aquaculture activities that after implementation of mitigation measures would have a significant adverse impact on natural, dynamic shoreline processes or that would result in a net loss of shoreline ecological functions shall be prohibited.

E. Aquaculture should not be located in areas that will result in significant conflicts with navigation or

other water-dependent uses.

F. Aquaculture facilities shall be designed, located and managed to prevent the spread of diseases to native aquatic life or the spread of new nonnative species.

G. Aquaculture practices shall be designed to minimize use of artificial chemical substances and shall use chemical compounds that are least persistent and have the least impact on plants and animals. Herbicides and pesticides shall be used only in conformance with state and federal standard and to the minimum extent needed for the health of the aquaculture activity.

H. Noncommercial native salmon net pen facilities that involve minimal supplemental feeding and limited use of chemicals or antibiotics as provided in subsection G. of this section may be located in King County marine waters if they are consistent with subsections S. and Y. of this section and are:

1. Native salmon net pens operated by tribes with treaty fishing rights;
2. For the limited penned cultivation of wild salmon stocks during a limited portion of their lifecycle to enhance restoration of native stocks; or
3. For rearing to adulthood in order to harvest eggs as part of a captive brood stock recovery program for endangered species.

I. If uncertainty exists regarding potential impacts of a proposed aquaculture activity and for all experimental aquaculture activities, unless otherwise provided for, the department may require baseline and periodic operational monitoring by a county-approved consultant, at the applicant's expense, and shall continue until adequate information is available to determine the success of the project and the magnitude of any probable significant adverse environmental impacts. Permits for such activities shall include specific performance measures and provisions for adjustment or termination of the project at any time if monitoring indicates significant, adverse environmental impacts that cannot be adequately mitigated.

J. Aquaculture developments approved on an experimental basis shall not exceed five acres in area, except land-based projects and anchorage for floating systems, and three years in duration. The department

may issue a new permit to continue an experimental project as many times as it determines is necessary and appropriate.

K. The department may require aquaculture operations to carry liability insurance in an amount commensurate with the risk of injury or damage to any person or property as a result of the project. Insurance requirements shall not be required to duplicate requirements of other agencies.

L. If aquaculture activities are authorized to use public facilities, such as boat launches or docks, King County may require the applicant to pay a portion of the cost of maintenance and any required improvements commensurate with the use of those facilities.

M. New aquatic species that are not previously cultivated in Washington state shall not be introduced into King County saltwaters or freshwaters without prior written approval of the Director of the Washington state Department of Fish and Wildlife and the Director of the Washington Department of Health. This prohibition does not apply to: Pacific, Olympia, Kumamoto, Belon or *Virginica* oysters; Manila, Butter, or Littleneck clams; or Geoduck clams.

N. Unless otherwise provided in the shoreline permit issued by the department, repeated introduction of an approved organism after harvest in the same location shall require approval by the county only at the time the initial aquaculture use permit is issued. Introduction, for purposes of this section, shall mean the placing of any aquatic organism in any area within the waters of King County regardless of whether it is a native or resident organism within the county and regardless of whether it is being transferred from within or without the waters of King County.

O. For aquaculture projects, ~~((over-water))~~ overwater structures shall be allowed only if necessary for the immediate and regular operation of the facility. ~~((Over-water))~~ Overwater structures shall be limited to the ~~((s))~~ storage of necessary tools and apparatus in containers of not more than three feet in height, as measured from the surface of the raft or dock.

P. Except for the sorting or culling of the cultured organism after harvest and the washing or removal of

surface materials or organisms before or after harvest, no processing of any aquaculture product shall occur in or over the water unless specifically approved by permit. All other processing and processing facilities shall be located landward of the ordinary high water mark.

Q. Aquaculture wastes shall be disposed of in a manner that will ensure strict compliance with all applicable governmental waste disposal standards, including, but not limited to, the Federal Clean Water Act, Section 401, and chapter 90.48 RCW, Water Pollution Control. No garbage, wastes or debris shall be allowed to accumulate at the site of any aquaculture operation.

R. Unless approved in writing by the National Marine Fisheries Service or the U.S. Fish and Wildlife Service, predator control shall not involve the killing or harassment of birds or mammals. Approved controls include, but are not limited to, double netting for seals, overhead netting for birds and three-foot high fencing or netting for otters. The use of other nonlethal, nonabusive predator control measures shall be contingent upon receipt of written approval from the National Marine Fisheries Service or the U.S. Fish and Wildlife Service, as required.

S. Finfish net pens and rafts shall meet the following criteria in addition to the other applicable regulations of this section:

1. Finfish net pens shall not be located in Quartermaster Harbor. For the purposes of this subsection, "Quartermaster Harbor" means the area of Puget Sound north of a straight line drawn from the southwest tip of Vashon-Maury Island, which is Piner Point, to the southeast tip of Vashon-Maury Island, which is Neill Point;

2. Finfish net pens shall meet, at a minimum, state approved administrative guidelines for the management of net pen cultures. In the event there is a conflict in requirements, the more restrictive requirement shall prevail;

3. Finfish net pens shall not occupy more than two surface acres of water area, excluding booming and anchoring requirements. Anchors that minimize disturbance to substrate, such as helical anchors, shall be employed. Such operations shall not use chemicals or antibiotics;

4. Aquaculture proposals that include new or added net pens or rafts shall not be located closer than one nautical mile to any other aquaculture facility that includes net pens or rafts. The department may authorize a lesser distance if the applicant demonstrates to the satisfaction of the department that the proposal will be consistent with the environmental and aesthetic policies and objectives of this chapter and the shoreline master program. The applicant shall demonstrate to the satisfaction of the department that the cumulative impacts of existing and proposed operations would not be contrary to the policies and regulations of the program;

5. Net cleaning activities shall be conducted on a frequent enough basis so as not to violate state water quality standards. When feasible, the cleaning of nets and other apparatus shall be accomplished by air drying, spray washing or hand washing; and

6. In the event of a significant fish kill at the site of a net pen facility, the finfish aquaculture operator shall submit a timely report to public health - Seattle & King County, environmental health division, and the department stating the cause of death and shall detail remedial actions to be implemented to prevent reoccurrence.

T. All floating and submerged aquaculture structures and facilities in navigable waters shall be marked in accordance with United States Coast Guard requirements.

U. The rights of treaty tribes to aquatic resources within their usual and accustomed areas shall be addressed through direct coordination between the applicant and the affected tribes through the permit review process.

V. Aquaculture structures and equipment shall be of sound construction and shall be so maintained. Abandoned or unsafe structures and equipment shall be removed or repaired promptly by the owner. Where any structure might constitute a potential hazard to the public in the future, the department shall require the posting of a bond commensurate with the cost of removal or repair. The department may abate an abandoned or unsafe structure in accordance with K.C.C. Title 23.

W. Aquaculture shall not be approved where it will adversely impact eelgrass and macroalgae.

X. Commercial salmon net pens and nonnative marine finfish aquaculture are prohibited.

Y. Finfish net pens shall be consistent with the applicable aquaculture regulations in this section and shall meet the following criteria and requirements:

1. Each finfish net pen application shall provide a current, peer-reviewed science review of environmental issues related to finfish net pen aquaculture;

2. The department shall only approve a finfish net pen application if the department determines the scientific review demonstrates:

a. that the project construction and activities will achieve no net loss of ecological function in a manner that has no significant adverse short-term impact and no documented adverse long-term impact to applicable elements of the environment, including, but not limited to, habitat for native salmonids, water quality, eel grass beds, other aquaculture, other native species, the benthic community below the net pen or other environmental attributes; and

b. that the finfish net pen does not involve significant risk of cumulative adverse effects, including, but not limited to, risk of interbreeding with wild salmon or reduction of genetic fitness of wild stocks, parasite or disease transmission or other adverse effects on native species or threatened or endangered species and their habitats;

3. The department's review shall:

a. include an assessment of the risk to endangered species, non-endangered species, and other biota that could be affected by the finfish net pen; and

b. evaluate and model water quality impacts utilizing current information, technology, and assessment models. The project proponent shall be financially responsible for this water quality assessment;

4. Finfish net pens shall be designed, constructed and maintained to prevent escapement of fish in all foreseeable circumstances, including, but not limited to, tide, wind and wave events of record, floating and

submerged debris, and tidal action;

5. Finfish net pens shall not be located:

- a. within three hundred feet of an area containing eelgrass or a kelp bed;
- b. within one thousand five hundred feet of an ordinary high water mark; or
- c. in a designated Washington state Department of Natural Resources aquatic reserve;

6. A finfish net pen may not be used to mitigate the impact of a development proposal; and

7. For finfish net pens that are not noncommercial native salmon net pens, the conditional use permit for the net pen (~~((must))~~) shall be renewed every five years. An updated scientific review shall be conducted as part of the renewal and shall include a new risk assessment and evaluation of the impact of the operation of the finfish net pen during the previous five years.

Z. Geoduck aquaculture shall be consistent with WAC 173-26-241(3)(b).

SECTION 276. Ordinance 16985, Section 36, and K.C.C. 21A.25.140 are hereby amended to read as follows:

A. Except as otherwise provided in subsection B. of this section, public access shall be required for:

1. Attached residential developments;
2. New (~~((subdivisions))~~) land divisions of more than four lots;
3. Developments for water enjoyment, water related and (~~((non-water))~~) nonwater-dependent uses;
4. Publicly owned land, including, but not limited to, land owned by public agencies and public

utilities;

5. Marinas; and
6. Publicly financed shoreline stabilization projects.

B. Public access shall:

1. Connect to other public and private public access and recreation facilities on adjacent parcels to the maximum extent practical;

2. Be sited to ensure public safety is considered; and

3. Be open to the general public;

C. Public access is not required if the applicant demonstrates to the satisfaction of the department that public access would be incompatible with the proposed use because of safety or security issues, would result in adverse impacts to the shoreline environment that cannot be mitigated or there are constitutional or other legal limitations that preclude requiring public access;

D. Public pedestrian and bicycle pathways and recreation areas constructed as part of a private development proposal should enhance access and enjoyment of the shoreline and provide features in scale with the development, such as:

1. View points;

2. Places to congregate in proportion to the scale of the development;

3. Benches and picnic tables;

4. Pathways; and

5. Connections to other public and private public access and recreation facilities; and

E. Private access from single detached residences to the shoreline shall:

1. Not exceed three feet in width;

2. Avoid removal of significant trees and other woody vegetation to the maximum extent practical;

and

3. Avoid a location that is parallel to the shoreline to the maximum extent practical.

SECTION 277. Ordinance 16985, Section 39, as amended, and K.C.C. 21A.25.160 are hereby amended to read as follows:

A. The shoreline modification table in this section determines whether a specific shoreline modification is allowed within each of the shoreline environments. The shoreline environment is located on the vertical column and the specific use is located on the horizontal row of the table. The specific modifications are



grouped by the shoreline modification categories in WAC 173-26-231. The table should be interpreted as follows:

1. If the cell is blank in the box at the intersection of the column and the row, the modification is prohibited in that shoreline environment;
2. If the letter "P" appears in the box at the intersection of the column and the row, the modification may be allowed within the shoreline environment;
3. If the letter "C" appears in the box at the intersection of the column and the row, the modification may be allowed within the shoreline environment subject to the shoreline conditional use review procedures specified in K.C.C. 21A.44.100;
4. If a number appears in the box at the intersection of the column and the row, the modification may be allowed subject to the appropriate review process indicated in this section and the specific development conditions indicated with the corresponding number immediately following the table, and only if the underlying zoning allows the modification. If more than one number appears at the intersection of the column and row, both numbers apply;
5. If more than one letter-number combination appears in the box at the intersection of the column and the row, the modification is allowed within that shoreline environment subject to different sets of limitations or conditions depending on the review process indicated by the letter, the specific development conditions indicated in the development condition with the corresponding number immediately following the table;
6. A shoreline modification may be allowed in the aquatic environment only if that shoreline modification is allowed in the adjacent shoreland environment; and
7. This section does not authorize a shoreline modification that is not allowed by the underlying zoning, but may add additional restrictions or conditions or prohibit specific modifications within the shoreline jurisdiction. All shoreline modifications in the shoreline jurisdiction (~~((must))~~) shall comply with all relevant county code provisions and with the King County shoreline master program.

B. Shoreline modifications.

				y				
Shoreline stabilization								
Piers and docks								
Fill								
Breakwaters, jetties, groins, and weirs								
Dredging and dredge material disposal								
Shoreline habitat and natural systems enhancement projects								
Vegetation management								

C. Development conditions.

1. New and replacement shoreline stabilization, including bulkheads, ~~((must))~~ shall meet the standards in K.C.C. 21A.25.170;

2.a. Flood protection facilities ~~((must))~~ shall be consistent with the standards in K.C.C. chapter 21A.24~~((;))~~; the goals, objectives, guiding principles, and policies of the 2024 King County Flood Management

Plan((~~7~~))<sub>2</sub> and the Integrated Stream Protection Guidelines (Washington state departments of Fish and Wildlife, Ecology<sub>2</sub> and Transportation, 2003). New structural flood hazard protection measures are allowed in the shoreline jurisdiction only when the applicant demonstrates by a scientific and engineering analysis that the structural measures are necessary to protect existing development, that nonstructural measures are not feasible and that the impact on ecological functions and priority species and habitats can be successfully mitigated so as to assure no net loss of shoreline ecological functions. New flood protection facilities designed as shoreline stabilization ((~~must meet~~)) shall comply with the standards in K.C.C. 21A.25.170.

b. Relocation, replacement<sub>2</sub> or expansion of existing flood control facilities within the Natural environment are ((~~permitted~~)) allowed, subject to the requirements of the King County Flood Management Plan and consistent with the Washington State Aquatic Guidelines Program's Integrated Streambank Protection Guidelines and bioengineering techniques used to the maximum extent practical. New facilities would only be ((~~permitted~~)) allowed consistent with an approved watershed resources inventory area (WRIA) salmon recovery plan under chapter 77.85 RCW.

3. Docks, piers, moorage, buoys, floats<sub>2</sub> or launching facilities ((~~must meet~~)) shall comply with the standards in K.C.C. 21A.25.180;

4.a. Filling ((~~must meet~~)) shall comply with the standards in K.C.C. 21A.25.190.

b. A shoreline conditional use permit is required to:

(1) Place fill waterward of the ordinary high water mark for any use except ecological restoration or for the maintenance and repair of flood protection facilities; and

(2) Dispose of dredged material within shorelands or wetlands within a channel migration zone;

c. Fill shall not be placed in critical saltwater habitats except when all of the following conditions are met:

(1) the public's need for the proposal is clearly demonstrated and the proposal is consistent with protection of the public trust, as embodied in RCW 90.58.020;

(2) avoidance of impacts to critical saltwater habitats by an alternative alignment or location is not feasible or would result in unreasonable and disproportionate cost to accomplish the same general purpose;

(3) the project including any required mitigation, will result in no net loss of ecological functions associated with critical saltwater habitat; and

(4) the project is consistent with the state's interest in resource protection and species recovery((-));  
and

d. In a channel migration zone, any filling shall protect shoreline ecological functions, including channel migration.

5.a. Breakwaters, jetties, groins, and weirs:

(1) are only allowed where necessary to support water-dependent uses, public access, approved shoreline stabilization, or other public uses, as determined by the director;

(2) are not allowed in the Maury Island Aquatic Reserve except as part of a habitat restoration project or as an alternative to construction of a shoreline stabilization structure;

(3) shall not intrude into or over critical saltwater habitats except when all of the following conditions are met:

(a) the public's need for the structure is clearly demonstrated and the proposal is consistent with protection of the public trust, as embodied in RCW 90.58.020;

(b) avoidance of impacts to critical saltwater habitats by an alternative alignment or location is not feasible or would result in unreasonable and disproportionate cost to accomplish the same general purpose;

(c) the project including any required mitigation, will result in no net loss of ecological functions associated with critical saltwater habitat; and

(d) the project is consistent with the state's interest in resource protection and species recovery.

b. Groins are only allowed as part of a restoration project sponsored or cosponsored by a public agency that has natural resource management as a primary function.

c. A conditional shoreline use permit is required, except for structures installed to protect or restore shoreline ecological functions.

6. Excavation, dredging, and filling ~~((must meet))~~ shall comply with the standards in K.C.C.

21A.25.190. A shoreline conditional use permit is required to dispose of dredged material within shorelands, ~~((~~ wetlands, or side channels ~~))~~ within a channel migration zone.

7.a. If the department determines the primary purpose is restoration of the natural character and ecological functions of the shoreline, a shoreline habitat and natural systems enhancement project may include shoreline modification of vegetation, removal of nonnative or invasive plants, and shoreline stabilization, including the installation of large woody debris, dredging, and filling. Mitigation actions identified through biological assessments required by the National Marine Fisheries Services and applied to flood hazard mitigation projects may include shoreline modifications of vegetation, removal of nonnative or invasive plants, and shoreline stabilization, including the installation of large woody debris, dredging, and filling.

b. Within the ~~((U))~~urban ~~((G))~~growth ~~((A))~~area, the county may grant relief from shoreline master program development standards and use regulations resulting from shoreline restoration projects consistent with criteria and procedures in WAC 173-27-215.

8. Within the critical area and critical area buffer, vegetation removal is subject to K.C.C. chapter 21A.24.

9. Except for forest practices conducted under K.C.C. 21A.25.130, existing native vegetation located outside of the critical area and critical area buffer shall be retained to the maximum extent practical. Within the critical area and critical area buffer, vegetation removal is subject to K.C.C. chapter 21A.24.

SECTION 278. Ordinance 3688, Section 413, as amended, and K.C.C. 21A.25.170 are hereby amended to read as follows:

A. New structural ~~((S))~~shoreline stabilization, including additions that increase or expand existing structural shoreline stabilization, shall not be ~~((considered an outright use and shall be permitted only))~~ allowed

except when determined necessary by the department ((determines that shoreline protection is necessary)) for the protection of ((existing legally established primary)) structures ((, new or existing non-water-dependent development, new or existing water-dependent development or projects restoring ecological functions or remediating hazardous substance discharges. Vegetation, berms, bioengineering techniques and other nonstructural alternatives that preserve the natural character of the shore shall be preferred over riprap, concrete revetments, bulkheads, breakwaters and other structural stabilization. Riprap using rock or other natural materials shall be preferred over concrete revetments, bulkheads, breakwaters and other structural stabilization. Lesser impacting measures should be used before more impacting measures. Structural)) and projects consistent with this section.

B. New development shall be located and designed to avoid the need for future shoreline stabilization measures.

1. Subdivisions and short subdivisions shall not create lots that require shoreline stabilization for reasonable development to occur.

2. New development on steep slopes shall be set back a sufficient distance to ensure that shoreline stabilization is not needed for the life of the development.

C. New or enlarged shoreline stabilization for existing primary structures, including single detached residences, may be ((permitted subject to the standards in this chapter and as follows)) allowed when:

1. ((The applicant provides a))A geotechnical analysis ((that)) demonstrates that the structure is in danger from shoreline erosion ((from)) caused by tidal action, currents, or waves ((or currents is imminently threatening or that, unless the structural shoreline stabilization is constructed, damage is expected to occur within three years)), and not upland drainage, erosion, landslide hazard areas, or unauthorized clearing or grading;

2. ((The erosion is not caused by upland conditions)) On-site drainage is directed away from the shoreline edge;

3. ~~The ((proposed structural shoreline protection will provide greater protection than feasible, nonstructural alternatives such as slope drainage systems, vegetative growth stabilization, gravel berms and beach nourishment;))~~ shoreline stabilization will not result in a net loss of shoreline ecological functions; and

4. ~~((The proposal is the minimum necessary to protect existing legally established primary structures, new or existing non-water dependent development, new or existing water dependent development or projects restoring ecological functions or remediating hazardous substance discharges; and~~

5. ~~Adequate mitigation measures will be provided to maintain existing shoreline processes and critical fish and wildlife habitat and ensure no net loss or function of intertidal or riparian habitat.))~~ The at-risk structure or use cannot be relocated in order to remove the need for shoreline stabilization.

D. New shoreline stabilization for new nonwater-dependent uses, including single detached residences, may be allowed when:

1. A geotechnical analysis documents a need to protect primary structures from shoreline erosion caused by tidal action, currents, or waves, and not upland drainage, erosion, or landslide hazard areas or unauthorized clearing or grading;

2. Nonstructural measures, such as placing the development further from the shoreline, planting vegetation, or installing on-site drainage improvements, are not feasible or not sufficient; and

3. The shoreline stabilization will not result in a net loss of shoreline ecological functions.

E. New shoreline stabilization for water-dependent uses, including single detached residences, may be allowed when:

1. A geotechnical analysis documents a need to protect primary structures from imminent risk of damage of shoreline erosion;

2. Nonstructural measures, such as planting vegetation, or installing on-site drainage improvements, are not feasible or not sufficient; and

3. The shoreline stabilization will not result in a net loss of shoreline ecological functions.

F. New shoreline stabilization for ecological function restoration projects or hazardous substance remediation projects may be allowed when:

1. Nonstructural measures, such as placing the development further from the shoreline, planting vegetation, or installing on-site drainage improvements, are not feasible or not sufficient; and
2. The shoreline stabilization will not result in a net loss of shoreline ecological functions.

G. Existing structural shoreline stabilization may be replaced with a similar structure if the following is met:

1. The existing shoreline stabilization can no longer adequately serve its purpose;
- ~~((C.))~~ 2. The ((S)) shoreline stabilization ~~((to replace existing shoreline stabilization))~~ shall be placed landward of the existing shoreline stabilization ~~((, but may be placed waterward directly abutting the old structure only in cases where removal of the old structure would result in greater impact on ecological functions. In critical saltwater habitats,))~~ and moved as far landward of the ordinary high water mark as possible;
3. The existing shoreline stabilization shall ~~((not))~~ be ~~((allowed to remain in place if the existing shoreline stabilization is resulting in the loss of ecological functions. Adequate mitigation measures that maintain existing shoreline processes and critical fish and wildlife habitat must be provided that ensures no net loss or function of intertidal or riparian habitat.))~~ removed;
4. The replacement structure shall be the minimum size necessary to protect upland development and uses;
5. The replacement structure shall not enlarge or increase the size of the existing shoreline stabilization; and
6. The shoreline stabilization shall not result in a net loss of ecological function.

H. Shoreline stabilization shall:

1. Minimize the adverse impact on the property of others to the maximum extent practical;



2. Use the least impactful shoreline stabilization measure, such as softer or nonstructural measures, unless demonstrated to not be sufficient to protect primary structures. Measures are provided as follows in order from the most preferred to least preferred:

a. nonstructural actions;

b. soft shoreline stabilization; and

c. hard shoreline stabilization;

~~((D. The))~~ 3. Have a maximum height of ~~((the proposed shoreline stabilization shall be))~~ no more than one foot above the elevation of ~~((extreme high water))~~ the highest observed tide on tidal waters, as determined by ~~((the National Ocean Survey published by))~~ the nearest National Oceanic and Atmospheric Administration long-term tidal gauge, or four feet in height on lakes~~((:))~~;

4. Be the minimum width necessary to provide protection against erosion from waves, currents, and tidal action;

~~((E. Shoreline stabilization is))~~ 5. Be prohibited along feeder bluffs and critical saltwater habitat, unless a geotechnical report demonstrates an imminent danger to a legally established structure or public improvement. If allowed, shoreline stabilization along feeder bluffs and critical saltwater habitat ~~((must))~~ shall be designed to have the least impact on these resources and on sediment conveyance systems~~((:))~~;

~~((F. Shoreline stabilization shall minimize the adverse impact on the property of others to the maximum extent practical.~~

~~G. Shoreline stabilization shall n))~~ 6. Not be used to create new lands~~((:))~~;

~~((H. Shoreline stabilization shall n))~~ 7. Not interfere with surface or subsurface drainage into the water body~~((:))~~;

~~((I.))~~ 8. Not use creosote timbers, treated wood, ~~((A))~~ automobile bodies or other ~~((junk or waste))~~ materials that may release ~~((undesirable))~~ toxic substances ~~((material shall not be used for shoreline stabilization.))~~;

~~((J. Shoreline stabilization shall be))~~ 9. Be designed so as not to constitute a hazard to navigation and to not substantially interfere with visual access to the water~~((:))~~;

~~((K. Shoreline stabilization shall be designed so as not to))~~ 10. Not create a need for shoreline stabilization ~~((elsewhere:))~~ on adjacent or down-current properties; and

~~((L. Shoreline stabilization shall comply))~~ 11. Comply with the Marine Shoreline Design Guidelines in marine waters (Washington state Department of Fish and Wildlife 2014) or the Integrated Stream Protection Guidelines (Washington state departments of Fish and Wildlife, Ecology, and Transportation, 2003) ~~((and shall be designed to allow for appropriate public access to the shoreline))~~ in fresh water.

~~((M:))~~ H. The department shall provide a notice to an applicant for new development or redevelopment located within the shoreline jurisdiction on ~~((Vashon and Maury))~~ Vashon-Maury Island that the development may be impacted by sea level rise and recommend that the applicant voluntarily consider setting the development back further than required by this title to allow for future sea level rise.

SECTION 279. Ordinance 3688, Section 409, as amended, and K.C.C. 21A.25.180 are hereby amended to read as follows:

Any dock, pier, moorage pile or buoy, float, or launching facility authorized by this chapter shall be subject to the following conditions:

A. Docks, piers, moorage piles or buoys, floats, or launching facilities are allowed only for water-dependent uses or for public access and shall be limited to the minimize size necessary to support the use. New private boat launch ramps are not allowed;

B. Any dock, pier, moorage pile or buoy, float, or launching facility proposal on marine waters:

1. Must include an evaluation of the nearshore environment and the potential impact of the facility on that environment; and

2. Avoid impacts to critical saltwater habitats unless an alternative alignment or location is not feasible;

C. In the High Intensity, Residential, Rural<sub>1</sub> and Conservancy environments, the following standards apply:

1. Only one dock, pier, moorage pile or buoy, float<sub>1</sub> or launching facility may be allowed for a single detached residential lot and only if the applicant demonstrates there is no feasible practical alternative;
2. For subdivisions or short subdivisions or for multiunit ((~~dwelling unit~~)) development proposals:
  - a. Only one joint use dock, pier, float<sub>1</sub> or launching facility is allowed; and
  - b. One moorage pile or buoy if a dock, pier, float<sub>1</sub> or launching facility is allowed or two moorage piles or buoys if a dock, pier, float<sub>1</sub> or launching facility is not allowed;
3. Only one dock, pier, moorage pile or buoy, float<sub>1</sub> or launching facility is allowed for each commercial or industrial use; and
4. Multiuser recreational boating facilities serving more than four single detached residences shall comply with K.C.C. 21A.25.120;

D. In the Conservancy environment, a dock, pier, moorage pile or buoy, float<sub>1</sub> or launching facility for a commercial or manufacturing use must be located at least two hundred fifty feet from another dock or pier;

E. In the Resource and Forestry Shoreline environments, only one dock, pier, moorage pile or buoy, float<sub>1</sub> or launching facility is permitted and only as an accessory use to a residential use or to support a resource or forestry use;

F. In the Natural environment, a dock, pier, moorage pile or buoy, float<sub>1</sub> or launching facility is prohibited;

G. In freshwater lakes:

1. A new pier, dock<sub>1</sub> or moorage pile for residential uses shall meet the following requirements:

<sub>1</sub> □		
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	<div>2</div>		

[illegible]






2. On Lake Washington and Lake Sammamish, the department may approve the following modifications to a new pier proposal that deviates from the dimensional standards of subsection G.1. of this section if both the U.S. Army Corps of Engineers and Washington state Department of Fish and Wildlife have approved an alternate project design. In addition, the following requirements and all other applicable provisions in this chapter shall be met:

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

3.a. A replacement of an existing pier or dock shall meet the following requirements:

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b. On Lake Washington and Lake Sammamish, the department may approve the following modifications to a pier replacement proposal that deviates from the dimensional standards of subsection G.1. of this section, if both the U.S. Army Corps of Engineers and Washington state Department of Fish and Wildlife have approved an alternate project design. With submittal of a building permit, the applicant shall provide documentation that the U.S. Army Corps of Engineers, and the Washington state Department of Fish and Wildlife have approved the alternative proposal design. In addition, the following requirements and all other applicable provisions in this chapter shall be met;



4. Proposals involving the addition to or enlargement of existing piers or docks must comply with the requirements in the following table. These provisions shall not be used in combination with the provisions for new or replacement piers in subsection G.1. or G.3. of this section.

5.a. Repair proposals that replace only decking or decking substructure and less than fifty percent of the existing pier-support piles must comply with the following regulations:


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b. Other repairs to existing legally established moorage facilities where the nature of the repair is not described in this subsection shall be considered minor repairs and are permitted, consistent with all other applicable codes and regulations. If cumulative repairs of an existing pier or dock would make a proposed repair exceed the threshold for a replacement pier established in subsection G.3. of this section, the repair proposal shall be reviewed under subsection G.1. of this section for a new pier or dock, except as described in subsection G.3.b. of this section for administrative approval of alternative design;

H. Boatlifts, personal watercraft lifts, boatlift canopies, and moorage piles may be permitted as an accessory to piers and docks, subject to the following regulations:

	<sup>1</sup> <input type="checkbox"/>	


I. Moorage buoys shall meet the following conditions:

1. Buoys shall not impede navigation;
2. The use of buoys for moorage of recreational and commercial vessels is preferred over pilings or float structures;
3. Buoys shall be located and managed in a manner that minimizes impacts to eelgrass and other aquatic vegetation;
4. Preference should be given mid-line float or all-rope line systems that have the least impact on marine vegetation;
5. New buoys that would result in a closure of local shellfish beds for future harvest shall be prohibited; and
6. No more than four buoys per acre are allowed;

J.1. A boat lift, dock, pier, moorage pile or buoy, float, launching facility, or other overwater structure

or device shall meet the following setback requirements:

a. All piers, docks, boatlifts, and moorage piles for detached dwelling unit use shall comply with the following location standards:

1 <input type="checkbox"/>		

b. Joint-use structures may abut property lines when the property owners sharing the moorage facility have mutually agreed to the structure location in a contract recorded with the King County division of records and elections to run with the properties. A copy of the contract must accompany an application for a building permit or a shoreline permit.

2. An overwater structure may abut property lines for the common use of adjacent property owners

K. On marine shorelines, a new, repaired, or replaced pier, dock, or float for residential uses shall meet the following requirements:

1 <input type="checkbox"/>			

[illegible]



	<div>1</div>		<div>1</div>
		<div>1</div>	


L. New, expanded, replacement, or repaired piers, docks, floats, boatlifts, boat canopies, and moorage piles or buoys shall comply with the following:

1. Existing habitat features, such as large and small woody debris and substrate material, shall be retained and new or expanded moorage facilities placed to avoid disturbance of such features;
2. Invasive weeds, such as milfoil, may be removed as provided in K.C.C. chapter 21A.24; and
3. In order to mitigate the impacts of new or expanded moorage facilities, the applicant shall plant site-appropriate emergent vegetation and a buffer of vegetation a minimum of ten feet wide along the entire length of the lot immediately landward of ordinary high water mark. Planting shall consist of native shrubs and trees and, when possible, emergent vegetation. At least five native trees will be included in a planting plan containing one or more evergreen trees and two or more trees that like wet roots, such as willow species. Such planting shall be monitored for a period of five years consistent with a monitoring plan approved in accordance with K.C.C. chapter 21A.24. This subsection is not intended to prevent reasonable access through the shoreline critical area buffer to the shoreline, or to prevent beach use of the shoreline critical area;

M. Except as otherwise provided for covered boat lifts under subsection H. of this section, covered docks or piers, covered moorages, and covered floats are not permitted waterward of the ordinary high water mark; and

N. No dwelling unit may be constructed on a dock or pier. A water related or water enjoyment use may be allowed on a dock, pier, or other over-water structure only as part of a mixed-use development and only if accessory to and in support of a water-dependent use.

SECTION 280. Ordinance 16985, Section 47, as amended, and K.C.C. 21A.25.220 are hereby amended to read as follows:

A. The shoreline dimensions table in subsections B. and C. of this section establishes the shoreline standards within each of the shoreline environments. The shoreline environment is located on the vertical column and the density and dimensions standard is located on the horizontal row of the table. The table should be interpreted as follows:

1. If the cell is blank in the box at the intersection of the column and the row, the standards are the same as for the underlying zoning.
2. If the cell has a number in the box at the intersection of the column and the row, that number is the density or dimension standard for that shoreline environment.
3. If the cell has a parenthetical number in the box at the intersection of the column and the row, that parenthetical number identifies specific conditions ~~((immediately following the table))~~ in subsection C. of this section that ((are related)) apply to the density and dimension standard for that environment.

B. The dimensions enumerated in this section apply within the shoreline jurisdiction. If there is a conflict between the dimension standards in this section and ~~((K.C.C. chapter 21A.12))~~ dimensional standards elsewhere in this title, the more restrictive shall apply.

**Shoreline dimensions.**

	HIGH INTENSITY	RESIDENTIAL	RURAL	CONSERVATION	RESOURCE	FORESTRY	NATURAL	AQUATIC
Standards								
dwelling								

## C. Development conditions.

1. This height can be exceeded consistent with the base height for the zone only if the structure will not obstruct the view of a substantial number of residences on areas adjoining the shoreline or if overriding considerations of the public interest will be served, and only for:

- a. agricultural buildings;
- b. water-dependent uses and water related uses; and
- c. regional light rail transit support structures, but no more than is reasonably necessary to address

the engineering, operational, environmental issues at the location of the structure;

2. The minimum lot areas may be reduced as follows:

- a. to no less than ((10,000)) ten thousand square feet or the minimum lot area((s)) for the zone, whichever is greater, through lot averaging; and
- b. when public access is provided and clustering is used, to no less than ((8,000)) eight thousand square feet((s)) or the minimum lot area for the zone, whichever is greater((, through cluster development, as

~~provided in K.C.C. chapter 21A.14)).~~

3. For lots created before the December 10, 2010, if achieving the ten percent maximum impervious surface limit is not feasible, the amount of impervious surface shall be limited to the maximum extent practical but not to exceed the amount of impervious surface allowed for the applicable zone under ~~((K.C.C. 21A.12.030 and 21A.12.040))~~ this title.

4. Except for a mixed-use development, the density of the underlying zoning or ~~((6))~~ six dwelling units per acre, whichever is lower. A mixed-use development may have the density of the underlying zone.

SECTION 281. Ordinance 13129, Section 2, as amended, and K.C.C. 21A.27.010 are hereby amended to read as follows:

A. When a new transmission support structure is proposed, a community meeting shall be convened by the applicant ~~((prior to))~~ before submittal of an application.

~~((A-))~~ B. At least two weeks in advance, notice of the meeting shall be provided as follows:

1. Published in the local paper and mailed to the department, and
2. Mailed notice shall be provided to all property owners within five hundred feet or at least twenty of the nearest property owners, whichever is greater, as required by K.C.C. 21A.26.170 of any potential sites, identified by the applicant for possible development, to be discussed at the community meeting. When the proposed transmission support structure exceeds a height of one hundred twenty feet, the mailed notice shall be provided to all property owners within one thousand feet. The mailed notice shall at a minimum contain a brief description and purpose of the project, the estimated height, approximate location noted on an assessor map with address and parcel number, a photo or sketch of the proposed facility, a statement that alternative sites proposed by ~~((citizens))~~ the public can be presented at the meeting that will be considered by the applicant, a contact name and telephone number to obtain additional information, and other information deemed necessary by King County. Because the purpose of the community meeting is to promote early discussion, applicants are encouraged to note any changes to the conceptual information presented in the mailed notice when they submit

an application.

((B-)) C. At the community meeting at which at least one employee of the department of local services, permitting division, assigned by the permitting division manager or designee, shall be in attendance, the applicant shall provide information relative to existing transmission support structures and other nonresidential structures, such as water towers and electrical transmission lines, within one-quarter mile of potential sites, and shall discuss reasons why those existing structures are unfeasible. Furthermore, any alternative sites within one-quarter mile, identified by community members and provided to the applicant in writing at least five days in advance of the meeting, shall be evaluated by the applicant to the extent possible given the timeframe, and discussed at the meeting. A listing of the sites, identified in writing and provided to the applicant at or before the community meetings, shall be submitted to the department with the proposed application. Applicants shall also provide a list of meeting attendees and those receiving mailed notice and a record of the published meeting notice at the time of application submittal.

SECTION 282. Ordinance 13129, Section 11, as amended, and K.C.C. 21A.27.110 are hereby amended to read as follows:

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

restrictive zoning provisions shall apply.

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

SECTION 283. Ordinance 10870, Section 512, as amended, and K.C.C. 21A.28.020 are hereby amended to read as follows:

A. All new development proposals including any use, activity, or structure allowed by K.C.C. chapter 21A.08 that requires King County approval shall be adequately served by the following facilities and services ~~((prior to the time of))~~ before occupancy, recording, or other land use approval, as further specified in this chapter:

1. ~~((s))~~Sewage disposal;
2. ~~((w))~~Water supply;
3. ~~((s))~~Surface water management;
4. ~~((r))~~Roads and access;
5. ~~((f))~~Fire protection service; and
6. ~~((s))~~Schools.

B. All new development proposals for building permits, plats, short plats, ~~((urban-planned developments, fully contained communities))~~ and binding site plans, that will be served by a sewer or water district, shall include a certificate of water availability and a certificate of sewer availability to demonstrate compliance with this chapter and other provisions of the King County Code, the King County Comprehensive Plan, and the Growth Management Act.

C. Regardless of the number of sequential permits required, ~~((the provisions of))~~ this chapter shall be

applied only once to any single development proposal. If changes and modifications result in impacts not considered when the proposal was first approved, the county shall consider the revised proposal as a new development proposal.

SECTION 284. Ordinance 10870, Section 513, as amended, and K.C.C. 21A.28.030 are hereby amended to read as follows:

All new development shall be served by an adequate public or private sewage disposal system, including both collection and treatment facilities as follows:

A. A public sewage disposal system is adequate for a development proposal (~~((provided that))~~) only if:

1. For the issuance of a building permit, preliminary (~~((plat))~~) subdivision or short (~~((plat))~~) subdivision approval, or other land use approval, the applicant demonstrates that the site of the proposed development is or can be served by an existing disposal system consistent with K.C.C. Title 13, and the disposal system has been approved by the department as being consistent with applicable state and local design and operating guidelines;

2. For the issuance of a certificate of occupancy for a building or change of use permit, the approved public sewage disposal system as (~~((set forth))~~) required in subsection A.1. of this section is installed to serve each building or lot;

3. For recording a final plat, final short plat, or binding site plan, the approved public sewage disposal system (~~((set forth))~~) required in subsection A.1. of this section shall be installed to serve each lot respectively(~~((;~~ )) or a bond or similar security shall be deposited with King County for the future installation of an adequate sewage disposal system. The bond may be assigned to a utility to assure the construction of the facilities within two years of recording; and

4. For a zone reclassification (~~((or urban-planned-development-permit))~~), the timing of installation of required sewerage improvements shall be contained in the approving ordinance as specified in K.C.C. 20.22.250; and

B. A private individual sewage system is adequate, if an on-site sewage disposal system for each



individual building or lot is installed to meet the requirements and standards of ~~((the department of))~~ public health - Seattle & King County as to lot size, soils, and system design ~~((prior to))~~ before issuance of a certificate of occupancy for a building or change of use permit.

NEW SECTION. SECTION 285. There is hereby added to K.C.C. chapter 21A.28 a new section to read as follows:

Developments using a community on-site sewage system or large on-site sewage system may be allowed only in the following circumstances in the rural area and natural resource lands:

- A. Existing on-site systems are failing within an area and public health - Seattle & King County concurs that long-term individual on-site sewage system repairs are not feasible or water quality is threatened by the presence of or potential health hazards resulting from inadequate on-site wastewater disposal methods;
- B. An authorized public agency will manage the system;
- C. The system is designed only to serve existing structures and lots. Modifications to existing structures and lots shall not be allowed if the modification triggers an expansion of sewage capacity above the original approval of the system.
- D. The system shall not be used to exceed base density for the zone, special district overlays, or P-suffix conditions. Substandard vacant lots shall be combined to the extent feasible to meet rural density policies and regulations;
- E. A system serving residentially developed lots cannot be used to:
  - 1. Expand existing nonresidential uses in size or scale;
  - 2. Establish new nonresidential uses; or
  - 3. Serve commercially zoned properties; and
- F. For a system serving commercially developed lots:
  - 1. The system is used only to serve commercially zoned properties;
  - 2. Zoning, special district overlays, or development conditions are imposed that establish a range of

allowed uses that can be adequately served by the system at the time of its construction; and

3. The allowed uses are not more expansive than those allowed in the underlying zone.

SECTION 286. Ordinance 10870, Section 514, as amended, and K.C.C. 21A.28.040 are hereby amended to read as follows:

All new development shall be served by an adequate public or private water supply system as follows:

- A. A public water system is adequate for a development proposal only if:

1. For the issuance of a building permit, preliminary ~~((plat))~~ subdivision or short subdivision approval, or other land use approval, the applicant demonstrates that the site of the proposed development is or can be served by an existing water supply system ~~((available to serve the site))~~ that:

- a. complies with the applicable planning, operating, and design requirements of:

- (1) chapters ~~((WAC))~~ 246-290 and 246-291 WAC;

- (2) K.C.C. chapters 14.42 and 14.44 and K.C.C. Title 17;

- (3) coordinated water system plans;

- (4) K.C.C. Titles 12 and 13 and other applicable rules of the King County board of health;

- (5) applicable rules of the Washington state Board of Health, Department of Health, Utilities and Transportation Commission, and Department of Ecology;

- (6) applicable provisions of King County groundwater management plans and watershed plans;

- (7) applicable provisions of the King County Comprehensive Plan and development regulations;

and

- (8) any limitation or condition imposed by the county-approved comprehensive plan of the water purveyor;

- b. ~~((F))~~the proposed improvements to an existing water system have been reviewed by the department and determined to comply with the design standards and conditions specified in subsection A.1.a. of this section; and

c. ~~((A))~~ a proposed new water supply system has been reviewed by the department and determined to comply with the design standards and conditions specified in subsection A.1.a. of this section;

2. Before issuance of a certificate of occupancy for a building or change of use permit, the approved public water system, and any system improvements required in subsection A.1. of this section are installed to serve each building or lot respectively;

3. For recording a final plat, final short plat, or binding site plan, either the approved public water supply system or system improvements in required subsection A.1. of this section ~~((are))~~ shall be installed to serve each lot or a bond or similar security shall be deposited with King County and may be assigned to a purveyor to assure the construction of required water facilities in Group A systems as defined by board of health regulations, within two years of recording; and

4. For a zone reclassification ~~((or urban-planned development permit))~~, the timing of installation of required water system improvements ~~((is included))~~ shall be contained in the approving ordinance as specified in K.C.C. 20.22.250.

B. An on-site individual water system is adequate and the plat or short plat may receive preliminary and final approval, and a building or change of use permit may be issued as provided in K.C.C. 13.24.138 and 13.24.140.

SECTION 287. Ordinance 10870, Section 515, as amended, and K.C.C. 21A.28.050 are hereby amended to read as follows:

All new development shall be served by an adequate surface water management system as follows:

A. The proposed system is adequate if the development proposal site is served by a surface water management system approved by the department as being consistent with the design, operating, and procedural requirements of the ~~((King County))~~ Surface Water Design Manual and K.C.C. Title 9;

B. For a subdivision~~((;))~~ or zone reclassification ~~((or urban-planned development))~~, the phased installation of required surface water management improvements shall be stated in the approving ordinance as

specified in K.C.C. 20.22.250. Such phasing may require that a bond or similar security be deposited with King County; and

C. A request for an adjustment of the requirements of the Surface Water Design Manual and K.C.C. Title 9 shall be reviewed in accordance with K.C.C. 9.04.050 and does not require a variance from this title unless relief is requested from a ~~((building height, setback, landscaping or other))~~ development standard in K.C.C. Title 21A ~~((chapters 21A.12, 21A.14, 21A.16, 21A.18, 21A.20, 21A.22, 21A.24, 21A.26, 21A.28 and 21A.30))~~.

SECTION 288. Ordinance 10870, Section 523, as amended, and K.C.C. 21A.28.130 are hereby amended to read as follows:

All new development shall be served by adequate fire protection as follows:

A. The site of the development proposed is served by a water supply system that provides at least minimum fire flow and a road system or fire lane system that provides life safety and rescue access, and other fire protection requirements for buildings as required by K.C.C. Titles 16 and 17;

B. For a zone reclassification ~~((or urban planned development))~~, the timing of installation of required fire protection improvements shall be stated in the approving ordinance as specified in K.C.C. 20.22.250, secured with a bond or similar security, and deposited with King County; and

C. A variance request from the requirements established by K.C.C. Title 17, Fire Code, shall be reviewed in accordance with K.C.C. 17.08.090 or chapter 1 of the currently adopted edition of the International Fire Code and does not require a variance from this title unless relief is requested from a building height, setback, landscaping, or other development standard in K.C.C. ~~((chapters 21A.12 through 21A.30))~~ Title 21A.

SECTION 289. Ordinance 10870, Section 524, as amended, and K.C.C. 21A.28.140 are hereby amended to read as follows:

A. The school concurrency standard set out in ~~((Section))~~ K.C.C. 21A.28.160 shall apply to applications for preliminary ~~((plat))~~ subdivisions ~~((or Urban Planned Development (UPD) approval))~~, ~~((mobile~~

~~)) manufactured home ((parks)) communities, ((requests for multifamily zoning;)) and building permits for ((  
multifamily housing projects which)) multiunit developments that have not been previously evaluated for  
compliance with the concurrency standard.~~

B. The county's finding of concurrency shall be made at the time of preliminary ~~((plat or UPD))~~  
subdivision or binding site plan approval~~((, at the time that a request to actualize potential multifamily zoning is  
approved, at the time a mobile home park site plan is approved;))~~ or ~~((prior to))~~ before building permit issuance  
for ~~((multifamily housing projects which))~~ multiunit developments that have not been previously established  
for compliance with the concurrency standard. ~~((Once such a finding has been made, the development shall be  
considered as vested for purposes of the concurrency determination.))~~

C. Excluded from the application of the concurrency standard are:

1. ~~((b))~~ Building permits for individual single ((family dwellings)) detached residences;
2. ~~((any form of housing exclusively for senior citizens, including nursing homes and retirement  
centers))~~ Senior assisted housing;
3. ~~((shelters for temporary placement, relocation facilities and transitional housing facilities.))~~ Uses  
identified in section 162 of this ordinance;
4. Replacement, reconstruction, or remodeling of existing dwelling units;
5. Short subdivisions; and
6. ~~((Building permits for residential units in preliminary planned unit developments which were under  
consideration by King County on January 22, 1991;~~
7. ~~Building permits for residential units in recorded planned unit developments approved pursuant to  
K.C.C. Title 21 that have not yet expired per K.C.C. 21.56.060;~~
8. ~~Building permits applied for by December 31, 1993, related to rezone applications to actualize  
potential zoning which were under consideration by King County on January 22, 1991;~~
9. ~~Building permits applied for by December 31, 1993, related to residential development proposals~~

for site plan review to fulfill P-Suffix requirements of multifamily zoning which were under consideration by King County on January 22, 1991; and

10.)) Any residential building permit for any development proposal for which a concurrency determination has already been made ~~((pursuant to the terms of))~~ in accordance with K.C.C. Title 21A.

D. All of the development activities ~~((which))~~ that are excluded from the application of the concurrency standard are subject to school impact fees imposed ~~((pursuant to))~~ under K.C.C. Title 27.

E. The assessment and payment of impact fees are governed by and shall be subject to the provisions in K.C.C. Title 27 addressing school impact fees.

F. A ~~((certification))~~ finding of concurrency for a school district shall not preclude the county from collecting impact fees for the district. Impact fees may be assessed and collected as long as the fees are used to fund capital and system improvements needed to serve the new development, and as long as the use of such fees is consistent with ~~((the requirements of C))~~ chapter 82.02 RCW and this chapter. ~~((Pursuant to))~~ In accordance with ((C)) chapter 82.02 RCW, impact fees may also be used to recoup capital and system improvement costs previously incurred by a school district to the extent that new growth and development will be served by the previously constructed improvements or incurred costs.

SECTION 290. K.C.C. 21A.28.160, as amended by this ordinance, is hereby recodified as a new section in K.C.C. chapter 21A.28 to follow K.C.C. 21A.28.140.

SECTION 291. Ordinance 10870, Section 526, as amended, and K.C.C. 21A.28.160 are hereby amended to read as follows:

A. Schools shall be considered to have been provided concurrently with the development ~~((which))~~ that will impact the schools if:

1. The permanent and interim improvements necessary to serve the development are planned to be in place at the time the impacts of development are expected to occur; or
2. The necessary financial commitments are in place to assure the completion of the needed

improvements to meet the school district's standard of service within ~~((3))~~ three years of the time that the impacts of development are expected to occur. Necessary improvements are those facilities identified by the school district in its capital facilities plan as reviewed and adopted by King County.

B. Any combination of the following shall constitute the "necessary financial commitments" for the purposes of subsection A. of this section:

1. The school district either has received voter approval of ~~((and/))~~ a bond or has bonding authority, or both;
2. The school district has received approval for federal, state, or other ~~((funds))~~ moneys;
3. The school district has received a secured commitment from an ~~((developer))~~ applicant that the ~~((developer))~~ applicant will construct the needed permanent school facility, and the school district has found such a facility to be acceptable and consistent with its capital facilities plan; ~~((and/))~~ or
4. The school district has other assured funding, including, but not limited to school impact fees ~~((which))~~ that have been paid.

C. Compliance with ~~((this))~~ the concurrency requirement of this section shall be sufficient to satisfy ~~((the provisions of))~~ RCW 58.17.060 and ~~((RCW))~~ 58.17.110.

SECTION 292. K.C.C. 21A.28.150, as amended by this ordinance, is hereby recodified as a new section in K.C.C. chapter 21A.28 to follow K.C.C. 21A.28.160, as recodified by this ordinance.

SECTION 293. Ordinance 10870, Section 525, as amended, and K.C.C. 21A.28.150 are hereby amended to read as follows:

A. In making a SEPA threshold determination ~~((pursuant to SEPA, the director and/or the hearing examiner, in the course of reviewing proposals))~~ for residential development, ~~((including applications for plats or UPD's, mobile home parks, or multi-family zoning, and multifamily building permits,))~~ the county shall consider the school district's capital facilities plan as adopted by the council.

B. Documentation ~~((which))~~ that the school district is required to submit ~~((pursuant to section))~~ under

K.C.C. 21A.28.152 or K.C.C. Title 20~~((:))~~ shall be incorporated into the record in every case without requiring the school district to offer such plans and data into the record. The school district is also authorized to present testimony and documents demonstrating a lack of concurrency in the school district and the inability of the school district to accommodate the students to be generated by a specific development.

C. Based upon a finding that the impacts generated by the ~~((plat, the UPD, mobile home park, or the multi-family))~~ development were generally not anticipated at the time of the last council review and approval of a school district capital plan and were not included in the school district's long-range forecast, the director may require or recommend phasing or provision of the needed facilities and~~((/or))~~ sites as appropriate to address the deficiency or deny or condition approval, consistent with ~~((the provisions of))~~ this chapter, the State Subdivision Act, and ~~((the State Environmental Policy Act))~~ SEPA.

D. Determinations of the examiner or director regarding concurrency can be appealed only ~~((pursuant to))~~ in accordance with the provisions for appeal of the development permit process for which the determination has been made. Where no other administrative appeal process is available, an appeal may be taken to the hearing examiner using the appeal procedures for variances. Any errors in the formula identified as a result of an appeal should be referred to the council for possible modifications.

E. Where the council has not adopted an impact fee ordinance for a particular school district, ~~((the language of))~~ this section shall not affect the authority or duties of the examiner or the director ~~((pursuant to the State Environmental Policy Act))~~ under SEPA or the State Subdivision Act.

SECTION 294. Ordinance 11621, Section 89, and K.C.C. 21A.28.152 are hereby amended to read as follows:

A. On an annual basis, each school district shall electronically submit the following materials to the chair of the ~~((S))~~school ~~((T))~~technical ~~((R))~~review ~~((C))~~committee created ~~((pursuant to section))~~ in accordance with K.C.C. 21A.28.154:

1. The school district's capital facilities plan adopted by the school board ~~((which))~~ that is consistent



with the Growth Management Act((-));

2. The school district's enrollment projections over the next six ~~((6))~~ years, its current enrollment, and ~~((the district's enrollment projections and))~~ actual enrollment from the previous year((-));

3. The school district's standard of service((-)), which may include criteria such as class size, student-teacher ratios, sports field sizes, building requirements, or other criteria established by state statute or school district policy;

4. An inventory and evaluation of school district facilities ~~((which))~~ that address the school district's standard of service((-)); and

5. The school district's overall capacity over the next six ~~((6))~~ years, which shall be a function of the school district's standard of service as measured by the number of students ~~((which))~~ that can be housed in school district facilities.

B. To the extent that the school district's standard of service reveals a deficiency in its current facilities, the school district's capital facilities plan ~~((must))~~ shall demonstrate a plan for achieving the standard of service, and ~~((must))~~ shall identify the sources of funding for building or acquiring the necessary facilities to meet the standard of service.

C. Facilities to meet future demand shall be designed to meet the adopted standards of service. If sufficient funding is not projected to be available to fully fund a school district capital facilities plan ~~((which))~~ that meets the standard of service, the school district's capital plan should document the reason for the funding gap.

D. In accordance with RCW 82.02.070, ((F))if an impact fee ordinance has been adopted on behalf of a school district, the King County finance and business operations division or successor agency, shall send the chair of the committee a report showing the source and amount of all fees collected, interest earned on behalf of each school district, the amount of moneys distributed to each school district, and the system improvements that were financed in whole or in part by impact fees and the amount of moneys expended as reported by the school

district. The chair of the committee shall provide a copy of each report to the respective school district.

E. Each school district shall ~~((also submit an annual))~~ annually report on their use of moneys to the ((School Technical Review)) chair of the ~~((€))~~ committee showing the capital improvements ~~((which))~~ that were financed in whole or in part by the impact fees. The chair of the committee shall use the information to confirm expenditures with the department of executive services, finance and business operations division, and to verify compliance with RCW 82.02.070.

SECTION 295. Ordinance 11621, Section 90, as amended, and K.C.C. 21A.28.154 are hereby amended to read as follows:

A. There is hereby created ~~((a))~~ the school technical review committee ~~((within King County. The committee shall consist of three county staff persons,))~~ consisting of the following representatives:

1. ~~((ø))~~One ~~((each))~~ from the department of local services~~((;))~~;
2. One from the regional planning unit of the office of performance, strategy, and budget; and
3. One from the county council staff, as an ex officio member.

B. The representative from the department of local services shall serve as the chair of the committee.

C. The committee shall be charged with reviewing each school district's: capital facilities plan~~((;))~~; enrollment projections~~((;))~~; standard of service~~((, the district's))~~; overall capacity for the next six years to ensure consistency with the Growth Management Act, King County Comprehensive Plan, and adopted ~~((community))~~ subarea plans~~((;))~~; and ~~((the district's))~~ calculation and rationale for proposed impact fees.

~~((C. Notice of the time and place of the committee meeting where the district's documents will be considered shall be provided to the district.))~~

D. Committee meetings shall be open to the public. The chair of the committee shall post on the county's website a public notice of the time and place of a committee meeting least two weeks in advance of the meeting. Materials submitted under K.C.C. 21A.28.152.A. shall be posted on the county's website at the same time as the meeting notice.

~~E.~~ At the meeting where the committee will review or act upon the school district's documents, ~~((the))~~ school district representatives ~~((shall have the right to))~~ may attend ~~((or to be represented, and shall be permitted to))~~ and present testimony to the committee. ~~((Meetings shall also be open to the public.~~

~~E.))~~ F. In its review, the committee shall consider the following factors:

1. Whether the school district's forecasting system for enrollment projections has been demonstrated to be reliable and reasonable~~((:))~~;
2. The historic levels of funding and voter support for bond issues in the school district;
3. The inability of the school district to obtain the anticipated state funding or to receive voter approval for school district bond issues;
4. An emergency or emergencies in the school district ~~((which))~~ that required the closing of a school facility or facilities resulting in a sudden and unanticipated decline in districtwide capacity; ~~((and))~~
5. The standards of service set by school districts in similar types of communities. While community differences will be ~~((permitted))~~ allowed, the standard established by the school district should be reasonably consistent with the standards set by other school districts in communities of similar socioeconomic profile; and
6. The standards identified by the state concerning the ratios of certificated instructional staff to students.

~~((F.))~~ G. In the event that the school district's standard of service reveals a deficiency in its current facilities, the committee shall review the school district's capital facilities plan to determine whether the school district has identified all sources of funding necessary to achieve the standard of service.

~~((G.))~~ H. The school district in developing the financing plan component of the capital facilities plan shall plan on a six-year horizon and shall ~~((demonstrate its best efforts by taking))~~ document that it took the following steps:

1. Establish a six-year financing plan, and propose the necessary bond issues and levies required by and consistent with that plan and as approved by the school board and consistent with RCW 28A.53.020,

84.52.052 and 84.52.056, as amended; and

2. Apply to the state for funding, and comply with the state requirement for eligibility to the best of the school district's ability.

~~((H-))~~ I. The committee ~~((is authorized to))~~ may request ~~((the))~~ that a school district ~~((to))~~ review and ~~((to))~~ resubmit its capital facilities plan, ~~((or to))~~ establish a different standard of service, or ~~((to))~~ review its capacity for accommodating new students, or any combination thereof, under any of the following circumstances:

1. The standard of service established by the school district is not reasonable in light of the factors ~~((set forth))~~ in subsection ~~((E-))~~ F. of this section~~((-))~~;

2. The committee finds that the school district's standard of service cannot reasonably be achieved in light of the secured financial commitments and the historic levels of support in the school district; or

3. Any other basis that is consistent with this section.

~~((I-))~~ J. If a school district fails to submit its capital facilities plan for review by the committee, King County shall assume the school district has adequate capacity to accommodate growth for the following six years.

~~((J-))~~ K. The chair of the committee shall document the outcome of the committee meeting each school district's capital facility plan and associated proposed impact fees in a report. The report shall include analysis consistent with subsections F. through J. of this section. The chair of ~~((F-))~~ the committee shall submit copies of its ~~((recommendation of concurrency for each school district))~~ report to the director, ~~((to the))~~ hearing examiner, and ~~((to the))~~ school districts and shall post the report on the county's website.

~~((K-))~~ L. In accordance with K.C.C. 20.18.060 and 20.18.070 and based on committee input, ~~((F-))~~ the chair of the committee shall recommend to the executive, and the executive shall transmit to the council, a proposed Comprehensive Plan amendment adopting the school district's capital facilities plan as part of the Comprehensive Plan, for any plan ~~((which))~~ that the committee concludes accurately reflects the school

district's facilities status. The transmittal shall include the report required by subsection K. of this section.

~~((L.))~~ M. In the event that after reviewing ~~((the))~~ a school district's capital facilities plan and other documents, the committee is unable to recommend ~~((certifying concurrency in a))~~ adoption of the school district's capital facilities plan, the chair of the committee shall submit a statement to the council, ~~((the))~~ director, ~~((and the))~~ hearing examiner, and school district stating ~~((that))~~ the committee's ~~((is unable to recommend certifying concurrency in a specific school district))~~ findings. The committee shall then recommend to the executive ~~((that)), and~~ the executive ~~((propose))~~ shall transmit to the council, consistent with the school capital facility plan timelines established in K.C.C. 20.18.060 and 20.18.070, either proposed amendments to the land use element of the King County Comprehensive Plan or proposed amendments to the development regulations implementing the plan, or both, to more closely conform county land use plans and school district capital facilities plans, including, but not limited to, requiring mandatory phasing of plats((; UPDs)) or ((multifamily)) multiunit development located within the school district's boundary. ((The necessary draft amendments shall accompany such recommendations.))

SECTION 296. Ordinance 11621, Section 91, as amended, and K.C.C. 21A.28.156 are hereby amended to read as follows:

A. On at least an annual basis in accordance with K.C.C. 20.18.060 and 20.18.070, the King County council shall ~~((certify))~~ adopt the school district's capital facility plans. ~~((The review may occur in conjunction with any update of the Facilities and Services chapter of the King County Comprehensive Plan proposed by the school technical review committee.))~~

B. The council shall review and consider any proposal or proposals submitted by the school technical review committee for amending the land use policies of the King County Comprehensive Plan, or the development regulations implementing the plan, including but not limited to requiring mandatory phasing of ~~((plats, UPDs))~~ subdivisions or ~~((multifamily))~~ multiunit development when the committee is unable to recommend ~~((a certification of concurrency in))~~ adoption for a specific school district in accordance with

K.C.C. 21A.28.154. Any proposed amendments to the ~~((e))~~Comprehensive ~~((p))~~Plan or development regulations shall be subject to the public hearing and other procedural requirements set out in K.C.C. Title 20 ~~((or 21A, as applicable))~~.

C. The council may ~~((require the committee to submit proposed amendments or may itself))~~ initiate amendments to the land use policies of the King County Comprehensive Plan, or amendments to the development regulations implementing the plan, to more closely conform county land use plans and school district capital facilities plans.

SECTION 297. Ordinance 10870, Section 530, as amended, and K.C.C. 21A.30.020 are hereby amended to read as follows:

The raising, keeping, breeding, or boarding of small animals are subject to K.C.C. chapter 11.04, King County Board of Health Code chapter 8.03 and the following requirements:

A.1. Small animals that are kept as household pets in a dwelling unit in aquariums, terrariums, cages, or similar containers shall not be limited in number, except as otherwise provided in King County Board of Health Code chapter 8.03 or K.C.C. Title 11.

2. Except as otherwise allowed for a facility licensed under King County Board of Health Code chapter 8.03 or permitted under K.C.C. chapter 11.04, other small animals, excluding altered cats, kept as household pets in a dwelling unit shall be limited to five.

3. Altered cats kept as household pets in a dwelling unit shall not be limited in numbers.

B.1. Except as otherwise provided in subsection E. of this section, the number of small animals kept outside a dwelling unit shall be limited as follows:

a. for poultry, chicken, and squab, ten animals per lot on sites less than thirty-five thousand square feet, with one additional animal allowed per additional half acre, up to a maximum of twenty animals. Roosters are not allowed in the urban area; and

b. for all other small animals:

(1) on sites of less than twenty thousand square feet, three per dwelling unit;

((b-)) (2) on sites of between twenty thousand and thirty-five thousand square feet, five per dwelling unit; and

((e-)) (3) on sites greater than thirty-five thousand square feet, one additional small animal per dwelling unit for each one-half acre of site area over thirty-five thousand square feet up to a maximum of twenty.

2. Unaltered animals kept outdoors ((must)) shall be kept on a leash or in a confined area, except as otherwise allowed under K.C.C. chapter 11.04 for a hobby kennel, hobby cattery, or under King County Board of Health Code chapter 8.03 for a commercial kennel or commercial cattery.

C. Unless otherwise allowed for a facility licensed under King County Board of Health Code chapter 8.03 or K.C.C. chapter 11.04, the total number of unaltered adult cats and dogs per dwelling unit shall not exceed three.

D. Small animals considered to be household pets shall be treated as other small animals under subsection E. of this section when they are kept for breeding, boarding or training.

E. Small animals kept outside the dwelling unit for breeding, boarding or training as an accessory use of a resident the dwelling unit are allowed, subject to the following limitations:

1. Birds shall be kept in an aviary or loft that meets the following standards:

a. The aviary or loft shall provide one-half square foot for each parakeet, canary or similarly sized birds, one square foot for each pigeon, small parrot or similarly sized bird and two square feet for each large parrot, macaw, or similarly sized bird;

b. Aviaries or lofts shall not exceed two thousand square feet, ((provided)) except that this limit shall not apply in rural, forestry, or agricultural zones; and

c. The aviary is set back at least ten feet from any property line, and twenty feet from any dwelling unit.

2. Small animals other than birds shall be kept according to the following standards:

a. The minimum site area shall be one-half acre if more than three small animals are being kept;

b. All animals shall be confined within a building, pen, aviary, or similar structure;

c. Any covered structure used to house or contain such animals shall maintain a distance of not less than ten feet to any property line, except structures used to house mink and fox shall be a distance of not less than one hundred fifty feet.

d. Poultry, chicken, squab, and rabbits are limited to a maximum of one animal per one square foot of structure used to house such animals, up to a maximum of two thousand square feet. This maximum structure size limit shall not apply in (~~((rural area, forestry, or agricultural))~~) RA, F, or A zones;

e. Hamsters, nutria, and chinchilla are limited to a maximum of one animal per square foot of structure used to house such animals, up to a maximum of two thousand square feet(~~((;))~~). This maximum structure size limit shall not apply in (~~((rural, forestry or agricultural))~~) the RA, F, and A zones.

f. Mink and fox are (~~((permitted))~~) allowed only on sites having a minimum area of five acres.

g. Beekeeping is limited as follows:

(1) Beehives are limited to fifty on sites less than five acres;

(2) The number of beehives shall not be limited on sites of five acres or greater;

(3) Colonies shall be maintained in movable-frame hives at all times;

(4) Adequate space shall be provided in each hive to prevent overcrowding and swarming;

(5) Colonies shall be requeened following any swarming or aggressive behavior;

(6) All colonies shall be registered with the county extension agent before April 1 of each year, on a state registration form acceptable to the county; and

(7) Abandoned colonies, diseased bees, or bees living in trees, buildings, or any other space except in movable-frame hives shall constitute a public nuisance, and shall be abated as set forth in K.C.C. chapter 21A.50;



3. Hobby kennels and hobby catteries are subject to the following requirements:

a. For hobby kennels located on ~~((resource rural area or residential))~~ A, F, M, RA, UR, or R zoned sites:

(1) The minimum site area shall be five acres; and

(2) Structures housing animals and outdoor animal runs shall be a minimum distance of one hundred feet from property lines abutting ~~((the resource, rural area or residential))~~ A, F, M, RA, UR, or R zones;

b. For hobby kennels located on nonresidential zoned sites, run areas shall be completely surrounded by an eight foot solid wall or fence, and be subject to the requirements in K.C.C. 11.04.060; and

c. Hobby catteries shall be on sites of thirty-five thousand square feet or more, and buildings used to house cats shall be a minimum distance of fifty feet from property lines abutting the ~~((rural area zone or residential))~~ RA, UR, or R zones.

F. Commercial kennels and commercial catteries are subject to the following requirements:

1. For commercial kennels located on ~~((resource, rural area or residential))~~ A, F, M, RA, UR, or R zoned sites:

a. The minimum site area shall be five acres; and

b. Structures housing animals and outdoor animal runs shall be a minimum distance of one hundred feet from property lines abutting ~~((the resource, rural area or residential))~~ A, F, M, RA, UR, or R zones;

2. For commercial kennels located on nonresidential zoned sites, run areas shall be completely surrounded by an eight foot solid wall or fence, and be subject to the requirements in King County Board of Health Code chapter 8.03; and

3. Commercial catteries shall be on sites of thirty-five thousand square feet or more, and buildings used to house cats shall be a minimum distance of fifty feet from property lines abutting ~~((the rural area or residential))~~ RA, UR, or R zones.

G. Home-based animal shelters are subject to the following requirements:

1. Only on properties of four acres or more;
2. All animals must be primarily housed and cared for indoors;
3. Portions of buildings or outdoor areas used to care for animals shall be no less than twenty feet

from property lines;

4. Outdoor areas shall be fenced in a manner sufficient to contain the animals; and

5. There is no limit to the number of cats that may be kept in a home-based animal shelter. The number of dogs allowed shall be limited to the number allowed for hobby kennels as provided in K.C.C.

11.04.060.B.

SECTION 298. Ordinance 11168, Section 14, as amended, and K.C.C. 21A.30.075 are hereby amended to read as follows:

In order to ensure that livestock standards and management plans are customized as much as possible to the stream conditions in each of the various streams, the King County agriculture commission will, in cooperation with ~~((the Washington State Department of Fisheries and))~~ the Muckleshoot Indian Tribe, the Snoqualmie Indian Tribe, ~~((and))~~ other affected Indian tribes, and the Washington state Department of Fisheries, establish a livestock interdisciplinary team consisting of three members, with expertise in fisheries, water quality, and animal husbandry, to make specific recommendations to the Conservation District and livestock owners adjacent to the streams with regard to buffer needs throughout the parts of each stream which have livestock operations adjoining such streams. The team shall take into account ~~((the recommendations of the adopted Basin Plans and))~~ WRIA recommendations~~((;))~~ and shall work with the department of natural resources and parks to develop the recommendations. The findings of the interdisciplinary team shall be reported to the King County agriculture commission, which shall assist in the dissemination of the recommendations to owners in the basin. The team shall work initially on those stream systems in which specific problems have been identified and are believed to be livestock related.

SECTION 299. Ordinance 10870, Section 536, as amended, and K.C.C. 21A.30.080 are hereby amended to read as follows:

In the R, UR, NB, CB<sub>1</sub> and RB zones, residents of a dwelling unit may conduct one or more home occupations as accessory activities, ~~((only if))~~ as follows:

A. The total floor area of the dwelling unit devoted to all home occupations shall not exceed twenty percent of the floor area of the dwelling unit~~((:))~~;

B. Areas within garages and storage buildings shall not be considered part of the dwelling unit and may be used for activities associated with the home occupation;

C. All the activities of the home occupation or occupations shall be conducted indoors, except for those related to growing or storing of plants used by the home occupation or occupations;

D. The dwelling unit shall be the primary residence of the owner of the home occupation business. A home occupation or occupations is not limited in the number of employees that remain off-site. No more than one nonresident employee shall be ~~((permitted))~~ allowed to work on-site for the home occupation or occupations;

E. The following uses, by the nature of their operation or investment, tend to increase beyond the limits ~~((permitted))~~ allowed for home occupations. Therefore, the following shall not be ~~((permitted))~~ allowed as home occupations:

1. Automobile, truck<sub>1</sub> and heavy equipment repair;
2. Auto body work or painting;
3. Parking and storage of heavy equipment;
4. Storage of building materials for use on other properties;
5. Hotels, motels<sub>2</sub> or organizational lodging;
6. Dry cleaning;
7. Towing services;

8. Trucking, storage, or self service, except for parking or storage of one commercial vehicle used in home occupation;

9. Veterinary clinic;

10. Recreational ((~~marijuana~~)) cannabis processor, recreational ((~~marijuana~~)) cannabis producer, or recreational ((~~marijuana~~)) cannabis retailer; and

11. Winery, brewery, distillery facility I, II and III, and remote tasting room, except that home occupation adult beverage businesses operating under an active Washington state Liquor and Cannabis Board production license issued for their current location before December 31, 2019, and where King County did not object to the location during the Washington state Liquor and Cannabis Board license application process, shall be considered legally nonconforming and allowed to remain in their current location subject to K.C.C.

21A.32.020 through 21A.32.075 if the use is in compliance with this section as of December 31, 2019. Such nonconforming businesses shall remain subject to all other requirements of this section and other applicable state and local regulations. The resident operator of a nonconforming winery, brewery or distillery home occupation shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.74;

F. In addition to required parking for the dwelling unit, on-site parking is provided as follows:

1. One stall for each nonresident employed by the home occupations; and
2. One stall for patrons when services are rendered on-site;

G. Sales are limited to:

1. Mail order sales;
2. Telephone, Internet, or other electronic commerce sales with off-site delivery; and
3. Items accessory to a service provided to patrons who receive services on the premises;

H. On-site services to patrons are arranged by appointment;

I. The home occupation or occupations use or store a vehicle for pickup of materials used by the home occupation or occupations or the distribution of products from the site, only if:

1. No more than one such a vehicle is allowed; and
2. The vehicle is not stored within any required setback areas of the lot or on adjacent streets; and
3. The vehicle does not exceed an equivalent licensed gross vehicle weight of one ton;

J. The home occupation or occupations do not:

1. Use electrical or mechanical equipment that results in a change to the occupancy type of the structure or structures used for the home occupation or occupations; or
2. Cause visual or audible interference in radio ~~((or))~~ receivers, television receivers, or electronic equipment located off-premises or cause fluctuations in line voltage off-premises;

K. There shall be no exterior evidence of a home occupation, other than growing or storing of plants under subsection C. of this section or an ~~((permitted))~~ allowed sign, that would cause the premises to differ from its residential character. Exterior evidence includes, but is not limited to, lighting~~((;))~~ and the generation or emission of noise, fumes, or vibrations as determined by using normal senses from any lot line or on average increase vehicular traffic by more than four additional vehicles at any given time;

L. Customer visits and deliveries shall be limited to ~~((the hours of))~~ 8:00 a.m. to 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends; and

M. Uses not allowed as home occupations may be allowed as a home industry under K.C.C.

21A.30.090.

SECTION 300. Ordinance 15606, Section 20, as amended, and K.C.C. 21A.30.085 are hereby amended to read as follows:

In the A, F<sub>2</sub> and RA zones, residents of a dwelling unit may conduct one or more home occupations as accessory activities, ~~((under the following provisions))~~ as follows:

A. The total floor area of the dwelling unit devoted to all home occupations shall not exceed twenty percent of the dwelling unit~~((;))~~;

B. Areas within garages and storage buildings shall not be considered part of the dwelling unit and may

be used for activities associated with the home occupation;

C. Total outdoor area of all home occupations shall be ~~((permitted))~~ as follows:

1. For any lot less than one acre: Four hundred forty square feet; and
2. For lots one acre or greater: One percent of the area of the lot, up to a maximum of five thousand

square feet~~((-))~~;

D. Outdoor storage areas and parking areas related to home occupations shall be:

1. No less than twenty-five feet from any property line; and
2. Screened along the portions of such areas that can be seen from an adjacent parcel or roadway by

the:

- a. planting of Type II landscape buffering; or
- b. use of existing vegetation that meets or can be augmented with additional plantings to meet the

intent of Type II landscaping;

E. The dwelling unit shall be the primary residence of the owner of the home occupation business. A home occupation or occupations is not limited in the number of employees that remain off-site. Regardless of the number of home occupations, the number of nonresident employees is limited to no more than three who work on-site at the same time ~~((and no more than three who report to the site but primarily provide services off-site))~~);

F. In addition to required parking for the dwelling unit, on-site parking is provided as follows:

1. One ~~((stall))~~ space for each nonresident employed on-site; and
2. One ~~((stall))~~ space for patrons when services are rendered on-site;

G. Sales are limited to:

1. Mail order sales;
2. Telephone, Internet, or other electronic commerce sales with off-site delivery;
3. Items accessory to a service provided to patrons who receive services on the premises;

4. Items grown, produced, or fabricated on-site; and

5. On sites five acres or larger, items that support agriculture, equestrian, or forestry uses except for the following:

a. motor vehicles and parts (~~((North American Industrial Classification System ("NAICS" Code 441))~~ SIC Major Group 55);

b. electronics and appliances (~~((NAICS Code 443))~~ SIC Industry Groups and Industries 504, 506, 5731, 5734, 5722, and 5946); and

c. building material and garden equipment(~~((s))~~) and supplies (~~((NAICS Code 444))~~ SIC Major Group 52);

H. The home occupation or occupations do not:

1. Use electrical or mechanical equipment that results in a change to the occupancy type of the structure or structures used for the home occupation or occupations;

2. Cause visual or audible interference in radio or television receivers, or electronic equipment located off-premises or fluctuations in line voltage off-premises; or

3. Increase average vehicular traffic by more than four additional vehicles at any given time;

I. Customer visits and deliveries shall be limited to (~~((the hours of))~~) 8:00 a.m. to 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;

J. The following uses, by the nature of their operation or investment, tend to increase beyond the limits (~~((permitted))~~) allowed for home occupations. Therefore, the following shall not be (~~((permitted))~~) allowed as home occupations:

1. Hotels, motels, or organizational lodging;

2. Dry cleaning;

3. Automotive towing services, automotive wrecking services, and tow-in parking lots;

4. Recreational (~~((marijuana))~~) cannabis processor, recreational (~~((marijuana))~~) cannabis producer, or

recreational ((~~marijuana~~)) cannabis retailer; and

5. Winery, brewery, distillery facility I, II and III, and remote tasting rooms, except that home occupation adult beverage businesses operating under an active Washington state Liquor and Cannabis Board production license issued for their current location before December 31, 2019, and where King County did not object to the location during the Washington state Liquor and Cannabis Board license application process, shall be considered legally nonconforming and allowed to remain in their current location subject to K.C.C.

21A.32.020 through 21A.32.075 if the use is in compliance with this section as of December 31, 2019. Such nonconforming businesses shall remain subject to all other requirements of this section and all applicable state and local regulations. The resident operator of a nonconforming home occupation winery, brewery or distillery shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.74;

K. Uses not allowed as home occupation may be allowed as a home industry under K.C.C. chapter 21A.30; and

L. The home occupation or occupations may use or store vehicles, as follows:

1. The total number of vehicles for all home occupations shall be:

- a. for any lot five acres or less: two;
- b. for lots greater than five acres: three; and
- c. for lots greater than ten acres: four;

2. The vehicles are not stored within any required setback areas of the lot or on adjacent streets; and

3. The parking area for the vehicles shall not be considered part of the outdoor storage area provided for in subsection C. of this section.

SECTION 301. Ordinance 10870, Section 537, as amended, and K.C.C. 21A.30.090 are hereby amended to read as follows:

A resident of a dwelling unit may establish a home industry as an accessory activity, as follows:

A. The site area is one acre or greater;



B. The area of the dwelling unit used for the home industry does not exceed fifty percent of the floor area of the dwelling unit((-));

C. Areas within attached garages and storage buildings shall not be considered part of the dwelling unit for purposes of calculating allowable home industry area but may be used for storage of goods associated with the home industry;

D. The dwelling unit shall be the primary residence of the owner of the home occupation business. No more than six nonresidents who work on-site at the time;

E. In addition to required parking for the dwelling unit, on-site parking is provided as follows:

1. One ((stall)) space for each nonresident employee of the home industry; and
2. One ((stall)) space for customer parking;

F. Additional customer parking shall be calculated for areas devoted to the home industry at the rate of one stall per:

1. One thousand square feet of building floor area; and
2. Two thousand square feet of outdoor work or storage area;

G. Sales are limited to items produced on-site, except for items collected, traded, and occasionally sold by hobbyists, such as coins, stamps, and antiques;

H. Ten feet of Type I landscaping are provided around portions of parking and outside storage areas that are otherwise visible from adjacent properties or public rights-of-way;

I. The department ensures compatibility of the home industry by:

1. Limiting the type and size of equipment used by the home industry to those that are compatible with the surrounding neighborhood;
2. Providing for setbacks or screening as needed to protect adjacent residential properties;
3. Specifying hours of operation;
4. Determining acceptable levels of outdoor lighting; and

5. Requiring sound level tests for activities determined to produce sound levels that may be in excess of those in K.C.C. chapter 12.88;

J. Recreational ((~~marijuana~~)) cannabis processors, recreational ((~~marijuana~~)) cannabis producers, and recreational ((~~marijuana~~)) cannabis retailers shall not be allowed as home industry; and

K. Winery, brewery, distillery facility I, II and III, and remote tasting room shall not be allowed as home industry, except that home industry adult beverage businesses that have, in accordance with K.C.C. 20.20.070, a vested conditional use permit application before December 31, 2019, shall be considered legally nonconforming and allowed to remain in their current location subject to K.C.C. 21A.32.020 through 21A.32.075. Such nonconforming businesses remain subject to all other requirements of this section and all applicable state and local regulations. The resident operator of a nonconforming winery, brewery or distillery home industry shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.74.

SECTION 302. Ordinance 13130, Section 5, as amended, and K.C.C. 21A.32.065 are hereby amended to read as follows:

A nonconforming use, structure, or site improvement may be expanded as follows:

A. The department may review and approve, pursuant to the code compliance process of K.C.C. 21A.42.030, an expansion of a nonconformance only if:

1. The expansion conforms to all other provisions of this title, except that the extent of the project-wide nonconformance in each of the following may be increased up to ten percent:

- a. building square footage,
- b. impervious surface,
- c. parking, or
- d. building height; and

2. No subsequent expansion of the same nonconformance shall be approved under this subsection if the cumulative amount of such expansion exceeds the percentage prescribed in subsection A.1;

B. A special use permit shall be required for expansions of a nonconformance within a development authorized by an existing special use or unclassified use permit if the expansions are not consistent with subsection A. of this section;

C. A conditional use permit shall be required for expansions of a nonconformance(~~(:~~

~~1. Within a development authorized by an existing planned unit development approval; or~~

~~2. N))~~not consistent with the provisions of subsections A. and B. of this section; and

D. No expansion shall be approved that would allow for urban growth outside the ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area boundary, in conflict with King County Comprehensive Plan rural area and natural resource land policies and constitute impermissible urban growth outside an ~~((u))~~Urban ~~((g))~~Growth ~~((a))~~Area.

SECTION 303. Ordinance 10870, Section 555, as amended, and K.C.C. 21A.32.180 are hereby amended to read as follows:

One temporary real estate office may be located on any new residential development~~((, provided that a))~~Activities at the office are limited to the initial sale or rental of property or units within the development. The office use shall be discontinued within one year of recording of a ~~((short-subdivision))~~ final short plat or issuance of a final certificate of occupancy for a~~((n))~~ duplex, houseplex, apartment, or townhouse development, and within two years of the recording of a ~~((formal-subdivision))~~ final plat.

SECTION 304. Ordinance 10870, Section 559, and K.C.C. 21A.32.220 are hereby amended to read as follows:

In order to ~~((insure))~~ ensure that significant features of the property are protected ~~((pursuant to))~~ under K.C.C. chapter 20.62, the following standards shall apply to conversion of historic buildings:

A. Gross floor area of building additions or new buildings required for the conversion shall not exceed ~~((20))~~ twenty percent of the gross floor area of the historic building, unless otherwise allowed by ~~((the zone))~~ this title;

B. Conversions to duplexes, houseplex, apartments, or townhouses shall not exceed one dwelling unit

for each ~~((3,600))~~ three thousand six hundred square feet of lot area, unless allowed by the zone; and

C. Any construction required for the conversion shall require certification of appropriateness from the King County Landmark Commission.

SECTION 305. Ordinance 17710, Section 14, as amended, and K.C.C. 21A.32.250 are hereby amended to read as follows:

For those recreational ~~((marijuana))~~ cannabis production and processing facilities requiring a conditional use permit under this title, as part of the permit review process, the department may require the applicant to submit an odor management plan for any areas of indoor processing or ventilation of any structure used to produce or process ~~((marijuana))~~ cannabis. The purpose of such a plan is to minimize odors and fumes from chemicals or products used in or resulting from either production or processing, or both, of ~~((marijuana))~~ cannabis.

SECTION 306. Ordinance 13274, Section 1, as amended, and K.C.C. 21A.37.010 are hereby amended to read as follows:

A. The purpose of the transfer of development rights ("TDR") program is to transfer residential density from eligible sending sites to eligible receiving sites through a voluntary process that permanently preserves urban, rural, and resource lands that provide a public benefit. The TDR provisions are intended to supplement land use regulations, resource protection efforts, and open space acquisition programs and to encourage increased residential development density or increased commercial square footage, especially inside cities, where it can best be accommodated with the least impacts on the natural environment and public services by:

1. Providing an effective and predictable incentive process for property owners of rural area, natural resource ~~((and))~~, urban separator, and other eligible urban land to preserve lands with a public benefit as described in K.C.C. 21A.37.020; and

2. Providing an efficient and streamlined administrative review system to ensure that transfers of development rights to receiving sites are evaluated in a timely way and balanced with other county goals and

policies, and are adjusted to the specific conditions of each receiving site.

B. The TDR provisions in this chapter shall only apply to TDR receiving site development proposals(~~((S))~~) submitted on or after September 17, 2001, and applications for approval of TDR sending sites submitted on or after September 17, 2001;~~and~~

~~2. For properties within the Skyway West Hill or North Highline community service area subarea geographies, only as provided in K.C.C. chapter 21A.48)).~~

C. For the purposes of this chapter, "conservation easement" includes other similar encumbrances.

SECTION 307. Ordinance 13274, Section 3, as amended, and K.C.C. 21A.37.020 are hereby amended to read as follows:

A. For the purpose of this chapter, sending site means the entire tax lot or lots qualified under this subsection. Sending sites shall:

1. Contain a public benefit such that preservation of that benefit by transferring residential development rights to another site is in the public interest;

2. Meet at least one of the following criteria:

a. designation in the King County Comprehensive Plan or a functional plan as an agricultural production district or zoned A;

b. designation in the King County Comprehensive Plan or a functional plan as forest production district or zoned F;

c. designation in the King County Comprehensive Plan as ~~((R))~~rural ~~((A))~~area, zoned RA-2.5, RA-5<sub>2</sub> or RA-10, and meeting the definition in RCW 84.34.020 of open space or farm and agricultural land;

d. designation in the King County Comprehensive Plan or a functional plan as a proposed ~~((R))~~rural ~~((A))~~area or ~~((N))~~natural ~~((R))~~resource ~~((L))~~land regional trail or ~~((R))~~rural ~~((A))~~area or ~~((N))~~natural ~~((R))~~resource ~~((L))~~land open space site, through either:

(1) designation of a specific site; or

(2) identification of proposed ~~((R))~~rural ~~((A))~~area or ~~((N))~~natural ~~((R))~~resource ~~((L))~~land regional trail or ~~((Rural Area or Natural Resource Land))~~ open space sites which meet adopted standards and criteria, and for ~~((R))~~rural ~~((A))~~area or ~~((N))~~natural ~~((R))~~resource ~~((L))~~land open space sites, meet the definition of open space land, as defined in RCW 84.34.020;

e. identification as habitat for federally listed endangered or threatened species in a written determination by the King County department of natural resources and parks, Washington state Department of Fish and Wildlife, United States Fish and Wildlife Services or a federally recognized tribe that the sending site is appropriate for preservation or acquisition;

f. designation in the King County Comprehensive Plan as urban separator ~~((and))~~ or zoned R-1; or

g.(1) designation in the King County Comprehensive Plan as urban residential medium or urban residential high;

(2) zoned R-4, R-6, R-8, R-12, R-18, R-24, or R-48; and

(3) approved for conservation futures tax funding by the King County council;

3. Consist of one or more contiguous lots that have a combined area that meets or exceeds the minimum lot area for construction requirements in K.C.C. 21A.12.100 for the zone in which the sending site is located. For purposes of this subsection, lots divided by a street are considered contiguous if the lots would share a common lot line if the street was removed. This provision may be waived by the interagency committee if the total acreage of a rural area or natural resource land sending site application exceeds one hundred acres; and

4. Not be in public ownership, except:

a. as provided in K.C.C. 21A.37.110.C.;

b. for lands zoned RA that are managed by the Washington state Department of Natural Resources as state grant or state forest lands; ~~((or))~~

c. for lands that are managed by King County for purposes of residential or commercial development

; or

d. for lands participating in the county's forest carbon program established by K.C.C. chapter 18.35.

B. For the purposes of the TDR program, acquisition means obtaining fee simple rights in real property or a property right in a form that preserves in perpetuity the public benefit supporting the designation or qualification of the property as a sending site. A sending site shall be maintained in a condition that is consistent with the criteria in this section under which the sending was qualified.

C. If a sending site has any outstanding code violations, the person responsible for code compliance should resolve these violations, including any required abatement, restoration, or payment of civil penalties, before a TDR sending site may be qualified by the interagency review committee created under K.C.C.

21A.37.070. However, the interagency may qualify and certify a TDR sending site with outstanding code violations if the person responsible for code compliance has made a good faith effort to resolve the violations and the proposal is in the public interest.

D. For lots on which the entire lot or a portion of the lot has been cleared or graded in accordance with a Class II, III, or IV special forest practice as defined in chapter 76.09 RCW within the six years before application as a TDR sending site, the applicant (~~((must))~~) shall provide an affidavit of compliance with the reforestation requirements of the Forest Practices Act, and any additional reforestation conditions of their forest practice permit. Lots on which the entire lot or a portion of the lot has been cleared or graded without any required forest practices or county authorization, shall be not qualified or certified as a TDR sending site for six years unless the six-year moratorium on development applications has been lifted or waived or the landowner has a reforestation plan approved by the Washington state Department of Natural Resources and King County.

SECTION 308. Ordinance 13274, Section 5, as amended, and K.C.C. 21A.37.030 are hereby amended to read as follows:

A. Receiving sites shall be:

1. King County unincorporated urban sites, except as limited in subsection D. of this section, zoned R-4 through R-48, NB, CB, RB, or O(~~(, or any combination thereof)~~). The sites may also be within potential

annexation areas established under the ~~((e))~~Countywide ~~((p))~~Planning ~~((p))~~Policies; ~~((or))~~

2. Sites in rural towns, when in accordance with the inclusionary housing program in K.C.C. chapter 21A.48, the TDR maximum density standards for the applicable zone as established by this title, or the duplex allowances in K.C.C. 21A.08.030, and except as limited in subsection E. of this section;

3. Cities where new growth is or will be encouraged under the Growth Management Act and the countywide planning policies and where facilities and services exist or where public investments in facilities and services will be made, or

~~((3-))~~ 4. RA-2.5 zoned parcels, except as limited in subsection E. of this section, that meet the criteria listed in this subsection A.~~((3-))~~4. may receive development rights transferred from rural forest focus areas, and accordingly may be subdivided and developed at a maximum density of one dwelling per two and one-half acres. Increased density allowed through the designation of rural area receiving areas shall:

- a. ~~((must))~~ be eligible to be served by domestic Group A public water service;
- b. ~~((must))~~ be located within one-quarter mile of an existing predominant pattern of rural lots smaller than five acres in size;
- c. ~~((must))~~ not adversely impact ~~((regionally or locally significant resource areas or))~~ critical areas;
- d. ~~((must))~~ not require public services and facilities to be extended to create or encourage a new pattern of smaller lots;
- e. ~~((must))~~ not be located within rural forest focus areas; and
- f. ~~((must))~~ not be located on Vashon~~((Island or ))~~-Maury Island.

B. Except as provided in this chapter, development of an unincorporated King County receiving site shall remain subject to all zoning code provisions for the base zone, except TDR receiving site developments shall comply with dimensional standards of the zone with a base density most closely comparable to the total approved density of the TDR receiving site development.

C. Except as otherwise provided in this title, ~~((A))~~an unincorporated King County receiving site may



accept development rights from one or more sending sites, as follows:

1. ~~((For short subdivisions, u))~~ Up to the maximum density ~~((permitted))~~ allowed under ~~((K.C.C. 21A.12.030 and 21A.12.040))~~ this title; and
2. For ~~((format))~~ subdivisions, only ~~((as authorized in a subarea study that includes a comprehensive analysis of the impacts of receiving development rights))~~ if the hearing examiner finds that the additional density from use of TDRs at the proposed subdivision does not create unmitigated impacts beyond those created by development at base density.

D. Property located within the outer boundaries of the Noise Remedy Areas as identified by the Seattle-Tacoma International Airport may not accept development rights.

E. Property located within the shoreline jurisdiction or located on Vashon-Maury Island ~~((or Maury Island may))~~ shall not accept development rights.

SECTION 309. Ordinance 13274, Section 6, as amended, and K.C.C. 21A.37.040 are hereby amended to read as follows:

A. The number of residential development rights that an unincorporated sending site is eligible to send to a receiving site shall be determined by applying the TDR sending site base density established in subsection D. of this section to the area of the sending site, after deducting the area associated with any existing development allowed to remain under the terms of the conservation easement conserving the site, any retained development rights, and any portion of the sending site already in a conservation easement ~~((or other similar encumbrance))~~. For each existing dwelling unit or retained development right, the sending site area shall be reduced by an area equivalent to the base density for that zone ~~((under K.C.C. 21A.12.030))~~.

B. Any fractions of development rights that result from the calculations in subsection A. of this section shall ~~((not be included in the final determination of total development rights available for transfer))~~ be rounded up to the next largest whole number if the calculation results in a fraction of 0.5 or greater, or shall be rounded down to the next smallest whole number if the calculation results in a fraction less than 0.5.

C. For purposes of calculating the amount of development rights a sending site can transfer, the amount of land contained within a sending site shall be determined as follows:

1. If the sending site is an entire tax lot, the square footage or acreage shall be determined by:
  - a. ~~((by))~~ the King County department of assessments records; ~~((or))~~
  - b. ~~((by))~~ geographic information system mapping confirmed by King County; or
  - c. a survey funded by the applicant that has been prepared and stamped by a surveyor licensed in the state of Washington; and
2. If the sending site consists of a lot that is divided by a zoning boundary, the square footage or acreage shall be calculated separately for each zoning classification. The square footage or acreage within each zoning classification shall be determined by the King County record of the action that established the zoning and property lines, such as an approved lot line adjustment. When such records are not available or are not adequate to determine the square footage or acreage within each zoning classification, TDR program staff shall calculate, and the department of local services, permitting division, shall ~~((calculate))~~ confirm, the square footage or acreage through the geographic information system ~~((GIS))~~ mapping system.

D. For the purposes of the ~~((transfer of development rights-))~~TDR~~((s))~~ program only, the following TDR sending site base densities apply:

1. Sending sites designated in the King County Comprehensive Plan as urban separator ~~((and))~~ or zoned R-1 shall have a base density of four dwelling units per acre;
2. Sending sites zoned RA-2.5 shall have a base density of one unit for each two and one-half acres. Sending sites zoned RA-2.5 that are vacant and are smaller than 1.25 acres shall be allocated one additional TDR for each vacant lot that is smaller than 1.25 acres;
3. Sending sites zoned RA-5 or RA-10 shall have a base density of one dwelling unit per five acres. Vacant sending sites that are zone RA-5 and are smaller than two and one-half acres or that are zoned RA-10 and are smaller than five acres shall be allocated one additional TDR for each vacant lot that is smaller than two

and one-half acres or five acres, respectively;

4. Sending sites zoned RA and that have a designation under the ~~((King County))~~ Shoreline Master Program of conservancy or natural shoreline environment shall be allocated one additional TDR per legal lot;

5. Sending sites zoned A-10 and A-35 shall have a base density of one dwelling unit per five acres for transfer purposes only;

6. Sending sites zoned F within the forest production district shall have a base density of one dwelling unit per eighty acres or one dwelling unit per each lot that is between fifteen and eighty acres in size. A TDR sending site zoned F that is awarded certified TDRs under K.C.C. 21A.37.070 may be qualified for one additional TDR for each legal lot that is eligible to create a verified carbon credits under K.C.C. chapter 18.35. Certification of any additional TDRs qualified under this subsection D.6. is contingent upon applicant enrolling in a verified carbon program under K.C.C. chapter 18.35, which shall occur within five years of initial sending site certification, subject to interagency committee review and approval; ~~((or.))~~

7. Vacant marine shoreline sending sites without any hard shoreline stabilization shall be allocated one additional TDR per legal lot; and

8. Sending sites in the urban unincorporated area that meet the criteria in K.C.C. 21A.37.020.A.2.g. shall be allocated TDRs that are equivalent to the ~~((zoning))~~ base density established for the zone in ~~((K.C.C. 21A.12.030))~~ this title for every one acre of gross land area.

E. A sending site zoned RA, A<sub>2</sub> or F may send one development right for every legal lot larger than five thousand square feet that was created on or before September 17, 2001, with no retained development rights, if that number is greater than the number of development rights determined under subsection A. of this section. A sending site zoned R-1 may send one development right for every legal lot larger than two thousand five hundred square feet that was created on or before September 17, 2001, with no retained development rights, if that number is greater than the number of development rights determined under subsection A. of this section.

F. The number of development rights that a ~~((King County unincorporated))~~ rural area or natural

resource((s)) land sending site is eligible to send to a ~~((King County))~~ incorporated urban area receiving site shall be determined through the application of a conversion ratio established by King County and the ~~((incorporated municipal jurisdiction))~~ city or town. The conversion ratio will be applied to the number of available sending site development rights determined under subsection A. or E. of this section.

G. Development rights from one sending site may be allocated to more than one receiving site and one receiving site may accept development rights from more than one sending site.

H. The determination of the number of residential development rights a sending site has available for transfer to a receiving site shall be valid for transfer purposes only, shall be documented in a TDR qualification report prepared by the department of natural resources and parks and sent to the applicant. The qualification report ~~((and))~~ shall be considered a final determination, not to be revised due to changes to the sending site's zoning, and shall be valid unless conditions on the sending site property that would affect the number of development rights the sending site has available for transfer have changed.

I. Each residential ~~((transferable development right))~~ TDR that originates from a sending site zoned RA, A<sub>2</sub> or F shall be designated "Rural" and is equivalent to two additional units above base density in eligible receiving sites located in unincorporated urban King County. Each residential ~~((transferable development right))~~ TDR that originates from a sending site zoned R-1 or designated as urban separator shall be designated "Urban" and is equivalent to one additional unit above base density. Each residential ~~((transferable development right))~~ TDR that originates from a sending site in urban unincorporated area lands meeting the criteria in K.C.C. 21A.37.020.A.2.g. shall be designated "Urban" and is equivalent to one additional unit above the base density.

SECTION 310. Ordinance 14190, Section 7, as amended, and K.C.C. 21A.37.050 are hereby amended to read as follows:

A. Following the transfer of residential development rights, a sending site may subsequently accommodate remaining residential dwelling units, if any, on the buildable portion of the parcel or parcels or be

subdivided, consistent with the ~~((zoned))~~ base density ~~((provisions of the density and dimensions tables in K.C.C. 21A.12.030 and 21A.12.040))~~ for the applicable zone as established by this title, the allowable dwelling unit calculations in K.C.C. 21A.12.070, and other King County development regulations. Any remaining residential dwelling units and associated accessory units shall be located in a single and contiguous reserved residential area that shall be adjacent to any existing development or roadways on the property. The reserved residential area shall ~~((be equal to))~~ not exceed the acreage associated with the minimum lot size of the zone for each remaining residential dwelling unit. For sending sites zoned RA, the subdivision potential remaining after a density transfer may only be actualized through ~~((a clustered subdivision, short subdivision or binding site plan))~~ clustering that creates a permanent preservation tract as large or larger than the portion of the subdivision set aside as lots. Within rural forest focus areas, resource use tracts shall be at least fifteen acres of contiguous forest land.

B. Only those nonresidential uses directly related to, and supportive of the criteria under which the site qualified are allowed on a sending site.

C. The applicable limitations in this section shall be included in the sending site conservation easement.

SECTION 311. Ordinance 14190, Section 8, as amended, and K.C.C. 21A.37.060 are hereby amended to read as follows:

A. ~~((Prior to))~~ Before issuing a certificate for ~~((transferable development rights to))~~ TDRs for a sending site, the department of natural resources and parks~~((;))~~ or its successor, shall record deed restrictions in the form of a conservation easement documenting the development rights that have been removed from the property ~~((and shall place a notice on the title of the sending site))~~. The department of local services, permitting division~~((;))~~ or its successor, shall establish and maintain an internal tracking system that identifies all certified ~~((transfer of developments rights))~~ TDR sending sites.

B. A conservation easement granted to the county or other appropriate land management agency and that meets the requirements of K.C.C. 21A.37.050 shall be required for land contained in the sending site. The

conservation easement shall be documented by a map. The conservation easement shall be placed on the entire lot or lots. The conservation easement shall identify limitations in perpetuity on future residential and nonresidential development consistent with this chapter, as follows:

1. A conservation easement(~~((, which))~~) that contains the easement map(~~((;))~~) shall be recorded on the entire sending site to indicate development limitations on the sending site;
2. For a sending site zoned A-10 or A-35, the conservation easement shall be consistent in form and substance with the purchase agreements used in the agricultural land development rights purchase program. The conservation easement shall preclude subdivision of the subject property but may permit not more than one dwelling per sending site, and shall permit agricultural uses as provided in the A-10 or A-35 zone;
3. For a rural area sending site, the conservation easement shall allow for restoration, maintenance, or enhancement of native vegetation. A present conditions report shall be required to document the location of existing structures and existing native vegetation and the baseline conservation values of protected property at the time the conservation easement is put in place. If residential development will be allowed on the site under the conservation easement, the present conditions report shall be used to guide the location of residential development;
4. For a sending site qualifying as habitat for federal listed endangered or threatened species, the conservation easement shall protect habitat and allow for restoration, maintenance, or enhancement of native vegetation. A present conditions report shall be required to document the location of existing structures. If existing or future residential development will be allowed on the site under the conservation easement, the present conditions report shall be used by the owner to guide the location of residential development; and
- 5.a. For a sending site zoned F, the conservation easement shall encumber the entire sending site. (~~(( Lots between fifteen acres and eighty acres in size are not eligible to participate in the TDR program if they include any existing dwelling units intended to be retained, or if a new dwelling unit is proposed.))~~) For eligible lots between fifteen acres and eighty acres in size, the sending site (~~((must))~~) shall include the entire lot. For lots

greater than eighty acres in size, the sending site shall be a minimum of eighty acres.

b. The conservation easement shall permit forestry uses subject to a forest stewardship plan prepared by the applicant and approved by the county for ongoing forest management practices. The ~~((F))~~forest ~~((S))~~s stewardship ~~((P))~~plan shall serve as a present conditions report documenting the baseline conditions of the property and shall include a description of the site's forest resources and the long term forest management objectives of the property owner~~((, and shall not impose standards that exceed Title 222 WAC))~~.

c. Lots between fifteen acres and eighty acres in size are not eligible to participate in the TDR program if they include any existing dwelling units intended to be retained, or if a new dwelling unit is proposed.

SECTION 312. Ordinance 13274, Section 7, as amended, and K.C.C. 21A.37.070 are hereby amended to read as follows:

~~((A. An interagency review committee, chaired by the department of local services permitting division manager and the director of the department of natural resources and parks, or designees, shall be responsible for qualification of sending sites. Determinations on sending site certifications made by the committee are appealable to the examiner under K.C.C. 20.22.040. The department of natural resources and parks shall be responsible for preparing a TDR qualification report, which shall be signed by the director of the department of natural resources and parks or designee, documenting the review and decision of the committee. The qualification report shall:~~

~~1. Specify all deficiencies of an application, if the decision of the committee is to disqualify the application;~~

~~2. For all qualifying applications, provide a determination as to whether or not additional residential dwelling units and associated accessory units may be accommodated in accordance with K.C.C. 21A.37.050.A.; and~~

~~3. Be issued a TDR certification letter within sixty days of the date of submittal of a completed~~

~~sending site certification application.~~

B.)) Responsibility for preparing a completed application rests exclusively with the applicant.

Application for sending site certification shall include:

~~((1.))~~ A. A legal description of the site;

~~((2.))~~ B. A title report;

~~((3.))~~ C. A brief description of the site resources and public benefit to be preserved;

~~((4.))~~ D. A site plan showing the existing and proposed dwelling units, nonresidential structures, driveways, submerged lands, and any area already subject to a conservation easement ~~((or other similar encumbrance))~~);

~~((5.))~~ E. Assessors map or maps of the lot or lots;

~~((6.))~~ F. A statement of intent indicating whether the property ownership, after TDR certification, will be retained in private ownership or dedicated to King County or another public or private nonprofit agency;

~~((7.))~~ G. Any or all of the following written in conformance with criteria established through a public rule consistent with K.C.C. chapter 2.98, if the site is qualifying as habitat for a threatened or endangered species:

~~((a.))~~ 1. A wildlife habitat conservation plan;

~~((b.))~~ 2. A wildlife habitat restoration plan; or

~~((c.))~~ 3. A wildlife present conditions report;

~~((8.))~~ H. If the site qualifies as an urban unincorporated area sending site meeting the criteria in K.C.C. 21A.37.020.A.2.g.;

~~((9.))~~ I. A forest stewardship plan, written in conformance with criteria established through a public rule consistent with K.C.C. chapter 2.98, if required under K.C.C. 21A.37.060.B.3. and 6.;

~~((10.))~~ J. An affidavit of compliance with the reforestation requirements of the Forest Practices Act and any additional reforestation conditions of the forest practices permit for the site, if required under K.C.C.



21A.37.020.D.;

~~((11.))~~ K. A completed density calculation worksheet for estimating the number of available development rights; and

~~((12.))~~ L. The application fee consistent with K.C.C. 27.10.170.

NEW SECTION. SECTION 313. There is hereby added to K.C.C. chapter 21A.37 a new section to read as follows:

A. An interagency review committee, chaired by the department of local services permitting division manager and the director of the department of natural resources and parks, or designees, shall be responsible for qualification of sending sites. Determinations on sending site certifications made by the committee are appealable to the examiner under K.C.C. 20.22.040. The department of natural resources and parks shall be responsible for preparing a TDR qualification report, which shall be signed by the director of the department of natural resources and parks or designee, documenting the review and decision of the committee. The qualification report shall:

1. Specify all deficiencies of an application, if the decision of the committee is to disqualify the application;
2. For all qualifying applications, provide a determination as to whether additional residential dwelling units and associated accessory units may be accommodated in accordance with K.C.C.

21A.37.050.A.; and

3. Be issued a TDR certification letter within sixty days of the date of submittal of a completed sending site certification application.

SECTION 314. Ordinance 13274, Section 8, as amended, and K.C.C. 21A.37.080 are hereby amended to read as follows:

A. ~~((TDR development rights w))~~ Where both the proposed sending and receiving sites would be within unincorporated King County, development rights shall be transferred using the following process:

1. Following interagency review committee review and approval of the sending site application as described in K.C.C. 21A.37.070, the interagency review committee shall issue a TDR qualification report~~((;))~~ agreeing to issue a TDR certificate in exchange for the proposed sending site conservation easement. After signing and notarizing the conservation easement and receiving the TDR certificate from the county, the sending site owner may market the TDRs ~~((sending site development rights))~~ to potential purchasers. The TDR certificate shall be in the name of the property owner and separate from the land title. If a TDR sending site that has been reviewed and approved by the interagency review committee changes ownership, the TDR qualification report may be transferred to the new owner if requested in writing to the department of natural resources and parks by the person or persons that owned the property when the TDR qualification report was issued, if documents evidencing the transfer of ownership are also provided to the department of natural resources and parks;

2. In applying for receiving site approval, the applicant shall provide the department of local services, permitting division, with one of the following:

- a. a TDR qualification report issued in the name of the applicant~~((;))~~;
- b. a TDR qualification report issued in the name of another person or persons and a copy of a signed option to purchase those TDRs ~~((sending site development rights;))~~;
- c. a TDR certificate issued in the name of the applicant~~((;))~~; or
- d. a TDR certificate issued in the name of another person or persons and a copy of a signed option to purchase those TDRs ~~((sending site development rights;))~~;

3. Following building permit approval, but before building permit issuance by the department of local services, permitting division, or following preliminary ~~((plat))~~ subdivision approval or preliminary short ~~((plat))~~ subdivision approval, but before final plat or short plat recording of a receiving site development proposal ~~((which))~~ that includes the use of TDRs ~~((development rights))~~, the receiving site applicant shall deliver the TDR certificate issued in the applicant's name for the number of TDRs ~~((development rights))~~ being used and the

TDR extinguishment document to the county;

4. When the receiving site development proposal requires a public hearing under this title or K.C.C. Title 19A ~~((or its successor))~~, that public hearing shall also serve as ~~((the))~~ a hearing on the TDR proposal. The reviewing authority shall make a consolidated decision on the proposed development and use of TDRs ~~((development rights))~~ and consider any appeals of the TDR proposal under the same appeal procedures ~~((set forth))~~ for the development proposal; ~~((and))~~

5. When the development proposal does not require a public hearing under this title or K.C.C. Title 19A, the TDR proposal shall be considered along with the development proposal, and any appeals of the TDR proposal shall be considered under the same appeal procedures ~~((set forth))~~ for the development proposal~~((:))~~; and

6. Development rights from a sending site shall be considered transferred to a receiving site when a final decision is made on the TDR receiving area development proposal, the sending site is permanently protected by a completed and recorded ~~((land dedication or))~~ conservation easement, notification has been provided to the King County assessor's office and a TDR extinguishment document has been provided to the department of natural resources and parks~~((:))~~ or its successor.

B. ~~((TDR development rights w))~~Where the proposed receiving site would be within ((an incorporated King County municipal jurisdiction)) a city or town, the development proposal shall be reviewed and transferred using that jurisdiction's development application review process.

SECTION 315. Ordinance 13274, Section 9, as amended, and K.C.C. 21A.37.090 are hereby amended to read as follows:

Public notice consistent with the provisions of K.C.C. 20.20.060 for Type ~~((Four))~~ 4 land use decisions shall be provided for parcels identified as TDR receiving sites.

SECTION 316. Ordinance 13733, Section 8, as amended, and K.C.C. 21A.37.100 are hereby amended to read as follows:

The purpose of the TDR bank is to assist in the implementation of the ~~((transfer of development rights-((TDR(( )))~~ program by bridging the time gap between willing sellers and buyers of development rights by purchasing and selling development rights, purchasing conservation easements, and facilitating interlocal TDR agreements with cities in King County through the provision of amenity funds. The TDR bank may acquire development rights and conservation easements only from sending sites ~~((located in the rural area or in an agricultural or forest land use designation in the King County Comprehensive Plan, or in the urban unincorporated area only from sites meeting the criteria in K.C.C. 21A.37.020.A.2.g))~~ allowed in K.C.C. 21A.37.020. Except for development rights purchased for use in affordable housing developments in accordance with K.C.C. 21A.37.130, ((D))development rights purchased from the TDR bank may only be used for receiving sites in cities, in Snoqualmie Pass Rural Town as provided in this title, or in the urban unincorporated area as designated in the King County Comprehensive Plan.

SECTION 317. Ordinance 13733, Section 10, as amended, and K.C.C. 21A.37.110 are hereby amended to read as follows:

A. The TDR bank may purchase development rights from qualified sending sites at prices not to exceed fair market value and ~~((to))~~ sell development rights at prices not less than fair market value, except as allowed in K.C.C. 21A.37.130. The TDR bank may accept donations of development rights from qualified TDR sending sites.

B. The TDR bank may purchase a conservation easement only if the property subject to the conservation easement is qualified as a sending site as evidenced by a TDR qualification report, the conservation easement restricts development of the sending site in the manner required by K.C.C. 21A.37.060, and the development rights generated by encumbering the sending site with the conservation easement are issued to the TDR bank at no additional cost.

C. Any development rights, generated by encumbering property with a conservation easement, may be issued to the TDR bank if:

1.a. The conservation easement is acquired through a county park, open space, trail, agricultural, forestry, or other natural resource acquisition program for a property that is qualified as a TDR sending site as evidenced by a TDR qualification report; or

b. the property is acquired by the county with the intent of conveying the property encumbered by a reserved conservation easement. The number of development rights generated by this reserved conservation easement shall be determined by the TDR qualification report; and

2. Under either subsection C.1.a. or b. of this section, there will be no additional cost to the county for acquiring the development rights.

D. The TDR bank may use funds to facilitate development rights transfers. These expenditures may include, but are not limited to, establishing and maintaining (~~((internet web pages))~~) websites, marketing TDR receiving sites, procuring title reports and appraisals, and reimbursing the costs incurred by the department of natural resources and parks, water and land resources division(~~((;))~~) or its successor, for administering the TDR bank fund and executing development rights purchases and sales.

E. The TDR bank fund may be used to cover the cost of providing staff support for identifying and qualifying sending and receiving sites, and the costs of providing staff support for the TDR interagency review committee.

F. Upon approval of the TDR executive board, proceeds from the sale of TDR bank development rights shall be available for acquisition of additional development rights and as amenity funds to facilitate interlocal TDR agreements with cities in King County and for projects in receiving areas located in urban unincorporated King County. Amenity funds provided to a city from the sale of TDR bank development rights to that city are limited to one-third of the proceeds from the sale.

SECTION 318. Ordinance 13733, Section 11, as amended, and K.C.C. 21A.37.120 are hereby amended to read as follows:

A. The department of natural resources and parks, water and land resources division(~~((;))~~) or its

successor, shall administer the TDR bank fund and execute purchases of development rights and conservation easements and sales of development rights in a timely manner consistent with policy set by the TDR executive board. These responsibilities include, but are not limited to:

1. Managing the TDR bank fund;
2. Authorizing and monitoring expenditures;
3. Keeping records of the dates, amounts, and locations of development rights purchases and sales, and conservation easement purchases;
4. Executing development rights purchases, sales, and conservation easements; and
5. Providing periodic summary reports of TDR bank activity for TDR executive board consideration.

B. The department of natural resources and parks, water and land resources division((;)) or its successor, in executing purchase and sale agreements for acquisition of development rights and conservation easements shall ensure sufficient values are being obtained and that all transactions((;)) or conservation easements ((~~or fee-simple acquisitions~~)) are consistent with public land acquisition guidelines.

SECTION 319. Ordinance 13733, Section 12, as amended, and K.C.C. 21A.37.130 are hereby amended to read as follows:

A.1. The sale of ((development rights)) TDRs by the TDR bank shall be at a price that equals or exceeds the fair market value of the ((development rights)) TDRs, except as provided in subsection A.2. of this section. The fair market value of the ((development rights)) TDRs shall be established by the department of natural resources and parks and shall be based on the amount the county paid for the development rights and the prevailing market conditions.

2.a. The department of natural resources and parks shall undertake a "TDR for affordable housing" pilot program, in which ((transferrable development rights necessary to construct up to one hundred total units)) TDRs sold to build up to one hundred total units of affordable housing in accordance with K.C.C. 21A.48.020 and K.C.C 21A.08.030 shall be ((sold)) priced at the administrative cost incurred by the county or fifteen

percent of the fair market value of the development rights, whichever is less.

b. In order to qualify for this program, all units built using the development rights ~~((must))~~ shall be either:

(1) rental housing permanently priced to serve households with a total household income at or below sixty percent of AMI. A covenant on the property that specifies the income level being served, rent levels, and requirements for reporting to King County shall be recorded at final approval; or

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

~~c.((1) In areas where the inclusionary housing regulations adopted in K.C.C. chapter apply, development rights to build units through this pilot program shall only be sold for units in accordance with K.C.C. 21A.48.020 or K.C.C. 21.48.030.~~

~~(2) For all other areas in unincorporated King County, in the R-4 through R-48 zones, development rights to build units through this pilot program shall only be sold for units between one hundred fifty percent and two hundred percent of the receiving site's base density as set forth in K.C.C. 21A.12.030.~~

~~d.))~~(1) The department of natural resources and parks shall track the sale of development rights and completion of units constructed through this program. When the one hundred unit threshold is reached, the department shall, within six months of that date, transmit a report to the council that includes, but is not limited to:

(a) the location of the receiving sites where development rights under this pilot program were used;

(b) lessons learned from the pilot program, including feedback from ~~((developers))~~ applicants who

purchased development rights through the program; and

(c) a recommendation on whether to make the pilot program permanent, repeal the program, or modify the program.

(2) the report shall be accompanied by a proposed ordinance effectuating the recommendation in subsection ~~((A.2.d.(1)(e)))~~ A.2.c.(1)(c) of this section.

(3) the report and proposed ordinance shall be electronically filed ~~((in the form of a paper original and an electronic copy))~~ with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff, and the lead staff to the ~~((mobility))~~ transportation, economy, and environment committee or its successor.

B. When selling development rights, the TDR bank may select prospective purchasers based on the price offered for the development rights, the number of development rights offered to be purchased, and the potential for the sale to achieve the purposes of the TDR program.

C. The TDR bank may sell development rights only in whole or half increments ~~((to incorporated receiving sites through an interlocal agreement or, after the county enacts legislation that complies with chapter 365-198 WAC, to incorporated receiving sites in a city that has enacted legislation that complies with chapter 365-198 WAC. The TDR bank may sell development rights only in whole increments to unincorporated King County receiving sites))~~.

D. All offers to purchase ~~((development rights))~~ TDRs from the TDR bank shall be in writing, shall include a certification that the ~~((development rights))~~ TDRs, if used, shall be used only inside an identified city or within the urban unincorporated area, ~~((include a minimum ten percent down payment with purchase option, ))~~ shall include the number of ~~((development rights))~~ TDRs to be purchased, location of the receiving site, proposed purchase price, and the required date or dates for completion of the sale, not later than three years after the date of receipt by King County of the purchase offer.

E. Payment for purchase of ~~((development rights))~~ TDRs from the TDR bank shall be in full at the time



the ~~((development rights))~~ TDRs are transferred unless otherwise authorized by the department of natural resources and parks.

SECTION 320. Ordinance 13733, Section 13, as amended, and K.C.C. 21A.37.140 are hereby amended to read as follows:

A. For development rights sold by the TDR bank to be used in incorporated receiving site areas, the county and the affected city or cities ~~((must))~~ shall either have executed an interlocal agreement and the city or cities ~~((must))~~ shall have enacted appropriate legislation to implement the program for the receiving area or the county and the affected city or cities ~~((must))~~ shall each have enacted legislation that complies with chapter 365-198 WAC.

B.1. At a minimum, each interlocal agreement shall:

a. ~~((shall))~~ describe the legislation that the receiving jurisdiction adopted or will adopt to allow the use of ~~((development rights))~~ TDR;

b. ~~((shall))~~ identify the receiving area;

c. ~~((shall))~~ require the execution of a TDR extinguishment document in conformance with K.C.C. 21A.37.080; and

d. ~~((shall))~~ address the conversion ratio to be used in the receiving site area.

2. If the city is to receive any amenity funds, the interlocal agreement shall ~~((set forth))~~ establish the amount of funding and the amenities to be provided in accordance with K.C.C. 21A.37.150.I. Such an interlocal agreement may also indicate that a priority should be given by the county to acquiring ~~((development rights))~~ TDRs from sending sites in specified geographic areas. If a city has a particular interest in the preservation of land in ~~((a))~~ the rural area or a natural resource ~~((area))~~ land, or in the specific conditions on which it will be preserved, then the interlocal agreement may provide for periodic inspection or special terms in the conservation easement to be recorded against the sending site as a pre~~(( ))~~ acquisition condition to purchases of ~~((development rights))~~ TDRs within specified areas by the TDR bank.

C. A TDR conversion ratio for development rights purchased from a sending site and transferred to an incorporated receiving site area may express the amount of additional ~~((development rights))~~ TDRs in terms of any combination of units, floor area, height, or other applicable development standards that may be modified by the city to provide incentives for the purchase of ~~((development rights))~~ TDRs.

SECTION 321. Ordinance 13733, Section 14, as amended, and K.C.C. 21A.37.150 are hereby amended to read as follows:

A. Expenditures by the county for amenities to facilitate development rights sales in cities shall be authorized by the TDR executive board during review of proposed interlocal agreements, and should be roughly proportionate to the value and number of development rights anticipated to be accepted in an incorporated receiving site pursuant to the controlling interlocal agreement, in accordance with K.C.C. 21A.37.040. Expenditures by the county to fund projects in receiving areas located in urban unincorporated King County shall be authorized by the TDR executive board and should be roughly proportionate to the value and number of development rights accepted in the unincorporated urban area.

B. The county shall not expend funds on TDR amenities in a city before execution of an interlocal agreement, except that:

1. The executive board may authorize up to twelve thousand dollars be spent by the county on TDR amenities before a development rights transfer for use at a receiving site or for the execution of an interlocal agreement if the TDR executive board recommends that the funds be spent based on a finding that the expenditure will expedite a proposed transfer of development rights or facilitate acceptance of a proposed transfer of development rights by the community around a proposed or established receiving site area;

2. King County may distribute the funds directly to a city if a scope of work, schedule, and budget governing the use of the funds is mutually agreed to in writing by King County and the affected city. Such an agreement need not be in the form of an interlocal agreement; and

3. The funds may be used for project design renderings, engineering, or other professional services

performed by persons or entities selected from the King County approved architecture and engineering roster maintained by the department of finance or an affected city's approved architecture and engineering roster, or selected by an affected city through its procurements processes consistent with state law and city ordinances.

C. TDR amenities may include the acquisition, design, or construction of: ~~((P))~~public art~~((;))~~, cultural and community facilities~~((;))~~, parks~~((;))~~, open space~~((;))~~, trails~~((;))~~, roads~~((;))~~, parking~~((;))~~, landscaping~~((;))~~, sidewalks~~((;))~~, other streetscape improvements~~((;))~~, transit-related improvements~~((;))~~, affordable housing for households whose income is at or below area median income, which, for the purposes of this subsection C., is the median household income for the TDR receiving area as established by the United States Department of Housing and Urban Development, adjusted for household size, or other improvements or programs that facilitate increased densities on or near receiving sites.

D. When King County funds amenities in whole or in part, the funding shall not commit the county to funding any additional amenities or improvements to existing or uncompleted amenities.

E. King County funding of amenities shall not exceed appropriations adopted by the council or funding authorized in interlocal agreements, whichever is less.

F. Public transportation amenities shall enhance the transportation system. These amenities may include capital improvements such as passenger and layover facilities, if the improvements are within a designated receiving area or within one thousand five hundred feet of a receiving site. These amenities may also include programs such as the provision of security at passenger and layover facilities and programs that reduce the use of single occupant vehicles, including car sharing and bus pass programs.

G. Road fund amenities shall enhance the transportation system. These amenities may include capital improvements, such as streets, traffic signals, sidewalks, street landscaping, bicycle lanes, and pedestrian overpasses, if the improvements are within a designated receiving site area or within one thousand five hundred feet of a receiving site. These amenities may also include programs that enhance the transportation system.

H. All amenity funding provided by King County to cities, or to urban unincorporated receiving areas

to facilitate the transfer of development rights shall be consistent with federal, state, and local laws.

I. The timing and amounts of funds for amenities paid by King County to each participating city shall be determined in an adopted interlocal agreement. The interlocal agreement shall set forth the amount of funding to be provided by the county, an anticipated scope of work, work schedule, and budget governing the use of the amenity funds. Except for the amount of funding to be provided by the county, these terms may be modified by written agreement between King County and the city. Such an agreement need not be in the form of an interlocal agreement. Such an agreement must be authorized by the TDR executive board. If amenity funds are paid to a city to operate a program, the interlocal agreement shall set the period during which the program is to be funded by King County.

J. A city that receives amenity funds from the county is responsible for using the funds for the purposes and according to the terms of the governing interlocal agreement.

K. To facilitate timely implementation of capital improvements or programs at the lowest possible cost, King County may make amenity payments as authorized in an interlocal agreement to a city before completion of the required improvements or implementation programs, as applicable. If all or part of the required improvements or implementation programs in an interlocal agreement to be paid for from King County funds are not completed by a city within five years from the date of the transfer of amenity funds, then, unless the funds have been used for substitute amenities by agreement of the city and King County, those funds, plus interest, shall be returned to King County and deposited into the originating amenity fund for reallocation to other TDR projects.

L. King County is not responsible for maintenance, operating, and replacement costs associated with amenity capital improvements inside cities, unless expressly agreed to in an interlocal agreement.

SECTION 322. Ordinance 13733, Section 15, as amended, and K.C.C. 21A.37.160 are hereby amended to read as follows:

A. The TDR executive board is hereby established. The TDR executive board shall be composed of the

director of the budget office, the director of the department of natural resources and parks, the director of the department of local services, and the director of finance, or their designees. A representative from the King County council staff, designated by the council chair, may participate as an ex officio, nonvoting member of the TDR executive board. The TDR executive board shall be chaired by the director of the department of natural resources and parks or designee.

B. The issues that may be addressed by the executive board include, but are not limited to, using site evaluation criteria established by administrative rules, ranking and selecting sending sites to be purchased by the TDR bank, recommending interlocal agreements and the provision of TDR amenities, if any, to be forwarded to the executive, identifying future funding for amenities in the annual budget process, enter into other written agreements necessary to facilitate density transfers by the TDR bank, and otherwise oversee the operation of the TDR bank to measure the effectiveness in achieving the policy goals of the TDR program.

C. The department of natural resources and parks shall provide lead staff support to the TDR executive board. Staff duties include, but are not limited to:

1. Making recommendations to the TDR executive board on TDR program and TDR bank issues on which the TDR executive board must take action;
2. Facilitating development rights transfers through marketing and outreach to the public, community organizations, ~~((developers))~~ applicants, and cities;
3. Identifying potential receiving sites;
4. Developing proposed interlocal agreements with cities;
5. Assisting in the implementation of TDR executive board policy in cooperation with other departments;
6. Ranking certified sending sites for consideration by the TDR executive board;
7. Negotiating with cities to establish city receiving areas with the provision of amenities;
8. Preparing agendas for TDR executive board meetings;

9. Recording TDR executive board meeting summaries;

10. Preparing administrative rules in accordance with K.C.C. chapter 2.98 to implement this chapter;

and

11. Preparing periodic reports on the progress of the TDR program to the council with assistance from other departments.

NEW SECTION. SECTION 323. There is hereby added to K.C.C. chapter 21A.37 a new section to read as follows:

A.1. The TDR bank may establish in-lieu fee TDRs by collecting a fee-in-lieu of selling TDRs from the TDR bank when TDR inventory is unavailable.

2. TDR executive board shall determine when in-lieu fee TDRs may be made available by considering the following:

- a. inventory of TDR bank and privately owned TDRs;
- b. type of TDR needed by receiving site;
- c. price of available privately owned TDRs; and
- d. opportunities to obtain new TDRs from eligible sending sites.

3. In-lieu fee TDRs may be designated as rural or urban.

4. The TDR bank shall sell in-lieu fee TDRs in accordance with K.C.C. 21A.37.130 and 21A.37.140.

5. In-lieu fee TDRs shall not be used for rural area receiving sites.

B. The county shall establish and maintain an internal tracking system that identifies all funds collected through the sale of in-lieu fee TDRs, the quantity of in-lieu fee TDRs purchased through the TDR bank, and all TDRs purchased using funds collected from the sale of in-lieu fee TDRs.

C. The TDR bank shall use funds collected from the sale of in-lieu fee TDRs to purchase TDRs from qualified sending sites in a type and amount that is appropriate for the development use and in accordance with K.C.C. 21A.37.110. Funds collected from the sale of in-lieu fee TDRs that were designated as rural shall be

used to purchase TDRs from the rural area or natural resource lands.

NEW SECTION. SECTION 324. There is hereby added to K.C.C. chapter 21A.37 a new section to read as follows:

By May 1, 2026, and every two years thereafter, the executive shall electronically file a TDR program report with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff, and the lead staff for the transportation, economy, and environment committee or its successor. The TDR program report should address the following:

- A. Information on sending site enrollments;
- B. Information on uses of TDRs at receiving sites;
- C. An accounting of revenues received and expenditures made through the TDR bank; and
- D. The status of amenity funding for receiving areas.

SECTION 325. Ordinance 10870, Section 579, as amended, and K.C.C. 21A.38.030 are hereby amended to read as follows:

A. Property-specific development standards, or P-suffix conditions, denoted by the zoning map symbol -P after the zone's map symbol or a notation in the geographic information system data layers, shall be established on individual properties through either reclassifications or area zoning. All property-specific development standards are contained in Appendix ~~((of))~~ A to Ordinance 12824 ~~((as currently in effect or hereinafter amended))~~, as amended, and shall be maintained by the department of local services, permitting division, in the Property Specific Development Conditions notebook. Upon the effective date of reclassification of a property to a zone with a "-P" suffix, the property-specific development standards adopted thereby shall apply to any development proposal on the subject property subject to county review, including, but not limited to, a building permit, grading permit, subdivision, short subdivision, subsequent reclassification to a potential zone, ~~((urban planned development,))~~ conditional use permit, variance, and special use permit.

B. Property-specific development standards shall address problems unique to individual properties or a

limited number of neighboring properties that are not addressed or anticipated by general minimum requirements of this title or other regulations.

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

1. Limiting the range of ~~((permitted))~~ allowed land uses;
2. Requiring special development standards for property with physical constraints ~~((e.g.)), such as~~ environmental hazards~~((;))~~ or view corridors~~((;))~~;
3. Requiring specific site design features ~~((e.g.)), such as~~ building orientation, lot layout, clustering, trails, or access location~~((;))~~;
4. Specifying the phasing of the development of a site;
5. Requiring public facility site dedications or improvements ~~((e.g.)), such as~~ roads, utilities, parks, open space, trails, or school sites~~((;))~~; or
6. Designating sending and receiving sites for transferring density credits as provided in K.C.C. chapter ~~((21A.36))~~ 21A.37.

D. Property-specific development standards shall not be used to expand ~~((permitted))~~ allowed uses or reduce minimum requirements of this title.

SECTION 326. Ordinance 10870, Section 579, as amended, and K.C.C. 21A.38.060 are hereby amended to read as follows:

A. The purpose of the office/research park special district overlay, which is SO-060, is to establish an area for development to occur in a campus setting with integrated building designs, flexible grouping of commercial and industrial uses, generous landscaping and buffering treatment, and coordinated auto and pedestrian circulation plans. Office/research park districts shall only be established in areas designated within a



community plan and zoned RB, O<sub>2</sub> or I zones. Permitted uses shall include all uses permitted in the RB, O<sub>2</sub> and I zones, as set forth in K.C.C. chapter 21A.08, regardless of the classification used as the underlying zone on a particular parcel of land.

B. The following development standards shall apply to uses locating in office/research park overlay districts:

1. All uses shall be conducted inside an entirely enclosed building;
2. An internal circulation plan shall be developed to facilitate pedestrian and vehicular traffic flow between major project phases and individual developments;
3. The standards in this section shall be applied to the development as a unified site, notwithstanding any division of the development site under a binding site plan or subdivision;
4. All buildings shall maintain a fifty-foot setback from perimeter streets and from ~~((rural area and residential))~~ RA, UR, and R zones;
5. The total permitted impervious lot coverage shall be eighty-percent. The remaining twenty-percent shall be devoted to open space. Open space may include all required landscaping, and any unbuildable critical areas and their associated buffers;
6. The landscaping standards in K.C.C. chapter 21A.16 are modified as follows:
  - a. Twenty-foot wide Type II landscaping shall be provided along exterior streets, and twenty-foot wide Type III landscaping shall be provided along interior streets;
  - b. Twenty-foot wide Type I landscaping shall be provided along property lines adjacent to ~~((rural area and residential))~~ RA, UR, and R zones;
  - c. Fifteen-foot wide Type II landscaping shall be provided along lines adjacent to nonresidential zoned areas; and
  - d. Type IV landscaping shall be provided within all surface parking lots as follows:
    - (1) Fifteen percent of the parking area, excluding required perimeter landscaping, shall be

landscaped in parking lots with more than thirty-parking stalls;

(2) At least one tree for every four parking stalls shall be provided, to be reasonably distributed throughout the parking lot; and

(3) No parking stall shall be more than forty-feet from some landscaping;

e. An inventory of existing site vegetation shall be conducted pursuant to the procedures in K.C.C. chapter 21A.16, and

f. An overall landscaping plan that conforms to the requirements of this subsection shall be submitted for the entire district or each major development phase before the issuance of any site development, grading, or building permits;

7. Lighting within an office/industrial park shall shield the light source from the direct view of surrounding residential areas;

8. Refuse collection/recycling areas and loading or delivery areas shall be located at least one hundred feet from residential areas and screened with a solid view-obscuring barrier;

9. Off-street parking standards as in K.C.C. chapter 21A.18 are modified as follows:

a. one space for every three hundred square feet of floor area shall be provided for all uses, except on-site daycare, exercise facilities, eating areas for employees, archive space for tenants, and retail/service uses;

b. parking for on-site daycare, exercise facilities, eating areas for employees, archive space for tenants, and retail/service uses shall be no less than one space for every one thousand square feet of floor area and no greater than one space for every five hundred square feet of floor area; and

c. at least twenty-five percent of required parking shall be located in a parking structure; and

10. Sign standards in K.C.C. chapter 21A.20 are modified as follows:

a. Signs visible from the exterior of the park shall be limited to one monument office/research park identification sign at each entrance. The signs shall not exceed an area of sixty-four square feet per sign;

b. no pole signs shall be permitted; and

c. all other signs shall be visible only from within the park.

SECTION 327. Ordinance 12809, Section 5, as amended, and K.C.C. 21A.38.120 are hereby amended to read as follows:

A. The purpose of the wetland management area special overlay district, which is SO-180, is to provide a means to designate certain unique and outstanding wetlands when necessary to protect their functions and values from the impacts created from geographic and hydrologic isolation and impervious surface.

B. the following development standards shall be applied in addition to all applicable requirements of K.C.C. chapter 21A.24 to development proposals located within a wetland management area district overlay:

1. All subdivisions and short subdivisions on ~~((residentially-zoned properties that are identified in an adopted basin plan for impervious surface limitations,))~~ UR or R zoned lands located within the wetland management area shall have a maximum impervious surface area of eight percent of the gross acreage of the ~~((plat))~~ subdivision. ~~((For areas that are not covered by an adopted basin plan, this limit shall apply to all residentially-zoned lands located within the wetland management area.))~~ Distribution of the allowable impervious area among the ~~((platted))~~ subdivided lots shall be recorded on the face of the plat. Impervious surface of existing roads ~~((need))~~ shall not be counted towards the allowable impervious area. This condition may be modified by the director for the minimum necessary to accommodate unusual site access conditions; and

2. All ~~((subdivisions and short subdivisions on properties identified in an adopted basin plan for clustering and setback requirements))~~ development shall be ~~((required to cluster))~~ sited away from wetlands or the axis of corridors along stream tributaries and identified swales connecting wetlands in order to minimize land disturbance and maximize distance from ~~((these sensitive features))~~ critical areas. At least sixty-five percent of affected portions of RA-zoned properties and at least fifty percent of all other affected portions of the property shall be left in native vegetation, preferably forest, and placed in a permanent ~~((open space))~~ natural area tract. ~~((In the absence of a basin plan, these requirements shall apply to all lands containing or adjacent to~~

~~a wetland, a stream tributary corridor or a swale connecting wetlands; and~~

~~3. Clearing and grading activity from October 1 through March 31 shall meet the provisions of K.C.C. 16.82.150D wherever not already applicable.))~~

SECTION 328. Ordinance 12823, Section 8, as amended, and K.C.C. 21A.38.130 are hereby amended to read as follows:

A. The purpose of the agricultural production buffer special district overlay, which is SO-120, is to provide a buffer between agricultural and upslope residential land uses. An agricultural production buffer special district overlay shall only be established in areas adjacent to an agricultural production district and zoned RA.

B. The following development standard shall apply to residential subdivisions locating in an agricultural production buffer special district overlay: Lots shall be clustered in accordance with K.C.C. 21A.14.040 and at least seventy-five percent of a site shall remain as open space, unless greater lot area is required by ~~((the Seattle King County department of public health))~~ public health - Seattle & King County.

SECTION 329. Ordinance 12823, Section 10, and K.C.C. 21A.38.150 are hereby amended to read as follows:

A. The purpose of the ~~((ground water))~~ groundwater protection special district overlay, which is SO-140, is to limit land uses that have the potential to severely contaminate groundwater supplies and to provide increased areas of permeable surface to allow for infiltration of surface water into ground resources.

B. For all commercial and industrial development proposals, at least ~~((40))~~ forty percent of the site shall remain in natural vegetation or planted with landscaping, which area shall be used to maintain predevelopment infiltration rates for the entire site. For purposes of this special district overlay, the following shall be considered commercial and industrial land uses:

1. ~~((amusement/entertainment))~~ Recreational and cultural land uses as defined by K.C.C. 21A.08.040, except parks, trails, golf facilities, and arboretums;

2. ~~((general))~~ Personal services and temporary lodging land uses as defined by K.C.C. 21A.08.050, except ~~((health and educational services,))~~ daycare ~~((+))~~ I, ~~((churches, synagogues, and temples))~~ and religious facilities;

3. ~~((government/b))~~ Business services land uses as defined by K.C.C. 21A.08.060 ~~((except government services))~~ land uses;

4. ~~((r))~~ Retail~~((/wholesale))~~ land uses as defined by K.C.C. 21A.08.070, except forest product sales and agricultural product sales;

5. ~~((m))~~ Manufacturing land uses as defined by K.C.C. 21A.08.080; and~~((;))~~

6. ~~((mineral extraction and processing))~~ Resource land uses as defined by K.C.C. 21A.08.090, except agriculture land uses, forestry and uses, fish and wildlife management land uses, and accessory uses.

C. ~~((Permitted))~~ Allowed uses within the area of the ~~((ground water))~~ groundwater protection special district overlay shall be those ~~((permitted))~~ allowed in the underlying zone, excluding the following ~~((as defined by Standard Industrial Classification number and type))~~:

1. ~~((SIC 4581, airports, flying fields, and airport terminal services;~~

~~SIC 4953, refuse systems, (including landfills and garbage transfer stations operated by a public agency);~~

~~3. SIC 4952, sewerage systems (including wastewater treatment facilities); and~~

~~4. SIC 7996, amusement parks; SIC 7948, racing, including track operation; or other commercial establishments or enterprises involving large assemblages of people or automobiles except where excluded by section B above;~~

~~5. SIC 0752, animal boarding and kennel services;~~

~~6. SIC 1721, building painting services;~~

~~7. SIC 3260, pottery and related products manufacturing;~~

~~8. SIC 3599, machine shop services;~~

- ~~9. SIC 3732,)) Aircraft, ship, and boat building and repairing;~~
- ~~((10. SIC 3993, electric and neon sign manufacturing;~~
- ~~11. SIC 4226, automobile storage services;~~
- ~~12. SIC 7334, blueprinting and photocopying services;~~
- ~~13.)) 2. Warehousing and wholesale trade;~~
- ~~3. SIC Industry 7534((-t))-Tire ((f))Retreading ((and repair services));~~
- ~~((14. SIC 7542, car washes;~~
- ~~15. SIC 8731, commercial, physical and biological research laboratory services;~~
- ~~16. SIC 02, interim agricultural crop production and livestock quarters or grazing on properties 5 acres or larger in size;~~
- ~~17. SIC 0752, public agency animal control facility;~~
- ~~18. SIC 2230, 2260, textile dyeing;~~
- ~~19. SIC 2269, 2299, textile and textile goods finishing;~~
- ~~20. SIC 2700, printing and publishing industries;~~
- ~~21. SIC 2834, pharmaceuticals manufacturing;~~
- ~~22. SIC 2844, cosmetics, perfumes and toiletries manufacturing;~~
- ~~23. SIC 2893, printing ink manufacturing;~~
- ~~24. SIC 3000, rubber products fabrication;~~
- ~~25. SIC 3111, leather tanning and finishing;~~
- ~~26. SIC 3400, metal products manufacturing and fabrication;~~
- ~~27. SIC 3471, metal electroplating;~~
- ~~28. SIC 3691, 3692, battery rebuilding and manufacturing;~~
- ~~29. SIC 3711, automobile manufacturing; and~~
- ~~30. SIC 4600, petroleum pipeline operations)) 4. SIC Industry Group 754-Automotive Service; and~~

5. SIC Major Group 36 - Electronic and Other Electric Equipment.

SECTION 330. Ordinance 12823, Section 11, and K.C.C. 21A.38.160 are hereby amended to read as follows:

A. The purpose of the aviation facilities special district overlay, which is SO-150, is to protect existing non-commercial airports from encroaching residential development. An aviation facilities special district overlay shall only be established in the area up to 1/4 mile around airports and shall be zoned UR or RA.

B. The following development standards shall apply to uses locating in aviation facilities special overlay districts:

On the title of all properties within pending short subdivisions or subdivisions and binding site plans, the following statement shall be recorded and be shown to all prospective buyers of lots or homes:

"This property is located near the (name of airport) which is recognized as a legitimate land use by King County. Air traffic in this area, whether at current or increased levels, is consistent with King County land use policies provided it conforms to all applicable state and federal laws."

SECTION 331. Ordinance 12823, Section 12, and K.C.C. 21A.38.170 are hereby amended to read as follows:

A. The purpose of the urban aquifer protection area special district overlay, which is SO-160, is to provide additional protection for urban areas that are highly susceptible to ~~((ground-water))~~ groundwater contamination. An urban aquifer protection area special district overlay shall only be established within areas designated in the comprehensive plan as highly susceptible to ground water contamination, including the surrounding area up to 1/2 mile, and zoned UR, R, NB, CB, O, and I.

B. Permitted uses shall be those permitted in the underlying zone, excluding the following as defined by Standard Industrial Classification (SIC) number and type:

1. SIC Industry 4953~~((,r))-Refuse ((s))Systems (((including hazardous waste recycling or treatment and solid waste landfills)))~~);
  2. SIC Industry Group 461~~((,p))-Pipelines, ((e))Except ((n))Natural ((g))Gas (((including petroleum pipelines)))~~); and
  3. businesses maintaining open storage of toxic substances.
- C. New septic tank drainfield systems shall be prohibited.

SECTION 332. Ordinance 12823, Section 15, as amended, and K.C.C. 21A.38.200 are hereby amended to read as follows:

A. The purpose of the erosion hazards near sensitive water bodies special district overlay ~~((district))~~, which is SO-190, is to provide a means to designate sloped areas posing erosion hazards which drain directly to lakes or streams of high resource value which are particularly sensitive to the impacts of increased erosion and the resulting sediment loads from development.

B. The following development standards shall be applied in addition to all applicable requirements of K.C.C. chapter 21A.24 to development proposals located within erosion hazards near a sensitive water bodies special district overlay:

1. A no-disturbance area shall be established on the sloped portion of the special district overlay to prevent damage from erosion. Land clearing or development shall not occur in the no-disturbance area, except for the clearing activities listed in subsection a. Clearing activities listed in subsection a. shall only be permitted if they meet the requirements of subsection b.

- a. Clearing activities may be permitted as follows:

- i. for the construction of single ~~((family))~~ detached residences on pre-existing separate lots;
    - ii. for the construction of utility corridors to service existing development along existing rights-of-way including any vacated portions of otherwise contiguous rights-of-way;
    - iii. for the construction of roads providing sole access to buildable property and associated utility



facilities within those roadways; or

iv. for the construction of development within an isolated no-disturbance area of two acres or less in size. The isolated no-disturbance area is either geologically separated from other no-disturbance areas or lies completely within a separate drainage subbasin and is, therefore, hydrologically isolated from the rest of the no-disturbance area.

b. The clearing activities listed in subsection a. may be permitted only if the following requirements are met:

i. a report which meets the requirements of K.C.C. 21A.24.120 shall show that the clearing activities will not subject the area to risk of landslide or erosion and that the purpose of the no-disturbance area is not compromised in any way;

ii. the clearing activities shall be mitigated, monitored, and bonded consistent with the mitigation requirements applicable to sensitive areas regulated in K.C.C. chapter 21A.24;

iii. the clearing activities are limited to the minimal area and duration necessary for construction; and

iv. the clearing activities are consistent with K.C.C. chapter 21A.24.

2. The upslope boundary of the no-disturbance area lies at the first obvious break in slope from the upland plateau over onto the steep valley walls. The downslope boundary of this zone includes those areas designated as erosion or landslide hazard areas pursuant to K.C.C. 21A.24.220 and K.C.C. 21A.24.280. The sensitive areas folio indicates the general location of these hazard areas, but it cannot be used to specify the areas' precise boundaries. Maps of the approximate boundaries of these no-disturbance zones shall be available at the department. ~~((Single family or multi-family r))~~Residential density from the no-disturbance area may be reallocated onto any buildable portion of the site ~~((pursuant to))~~ consistent with K.C.C. ~~((21A.12.080,))~~ 21A.12.070 or transferred to other sites pursuant to K.C.C. chapter 21A.36;

3. New development proposals for sites which drained predeveloped runoff to the no-disturbance zone

shall evaluate the suitability of onsite soils for infiltration. All runoff from newly constructed impervious surfaces shall be retained on-site unless this requirement precludes the ability to meet applicable minimum density requirements in ~~((K.C.C. 21A.12))~~ this title. When minimum density cannot be met, runoff shall be retained on-site as follows:

a. Infiltration of all site runoff shall be required in granular soils as defined in the ~~((King County))~~ Surface Water Design Manual.

b. Infiltration of downspouts shall be required in granular soils and in soil conditions defined as allowable in the Surface Water Design Manual when feasible to fit the required trench lengths on-site;

c. When infiltration of downspouts is not feasible, downspout dispersion trenches shall be required when minimum flow paths defined in the Surface Water Design Manual can be met onsite or into adjacent open space; and

d. When dispersion of downspouts is not feasible, downspouts shall be connected to the drainage system via perforated pipe.

4. For the portions of proposed subdivisions, short subdivisions, and binding site plans that cannot infiltrate runoff up to the 100-year peak flow, at least ~~((25))~~ twenty-five percent shall remain undisturbed and set aside in an ~~((open space))~~ natural area tract ~~((consistent with K.C.C. 21A.24.150-180))~~; and

5. For the portions of all development proposals that cannot infiltrate runoff up to the 100-year peak flow, no more than ~~((35))~~ thirty-five percent of the gross site area shall be covered by impervious surfaces. For new subdivisions and short subdivisions, maximum lot coverage should be specified for subsequent residential building permits on individual lots.

6. If the application of this section would deny all reasonable use of property, the applicant may apply for a reasonable use exception pursuant to K.C.C. 21A.24.070.B.

7. The director may modify the property-specific development standards required by B.1 through B.5 of this section, when a development proposal complies with the following:

- a. The proposed development is subject to public/private partnerships such as an approved community block grant or other such water quality program designed to improve water quality in the basin,
- b. The proposed development is designated by King County, in consultation with the Lake Sammamish Management Committee, as a demonstration project designed to implement best management practices and state of the art technology that assures the greatest possible improvement to water quality, and
- c. A site-specific study is conducted by the applicant and approved by the director, which demonstrates that the proposed development substantially increases water quality by showing the following:
  - (1) water quality on-site is improved;
  - (2) the development project will not subject downstream channels to increased risk of landslide or erosion;
  - (3) the development project will not subject the nearest sensitive water body to additional erosion hazards; and
  - (4) the project is consistent with element a. and b. above, and provides predictable improvements to the water quality of Lake Sammamish.

SECTION 333. Ordinance 12823, Section 16, as amended, and K.C.C. 21A.38.210 are hereby amended to read as follows:

A. The purpose of the heron habitat protection area special district overlay, which is SO-200, is to provide a means to designate areas that provide essential feeding, nesting, and roosting habitat for identified great blue heron rookeries. A district overlay will usually contain several isolated areas of known heron habitat in the general region surrounding the heron rookery.

B. The following development standards shall be applied in addition to all applicable requirements of K.C.C. chapter 21A.24 and Title 25 to development proposals located within a heron habitat protection area district overlay:

1. The following conditions shall apply to the wetland or along the main channel of the stream riparian

zone containing the heron rookery (tributary streams are excluded):

a. The one-hundred-year floodplain shall be left undisturbed. Development proposals on individual lots shall require the one-hundred-year floodplain to retain the native vegetation and be placed in a county-approved conservation easement or notice shall be placed on the title of the lot. The notice shall be approved by King County and filed with the records and licensing services division. The notice shall inform the public of the presence and location of the floodplain and heron habitat on the property and that limitations on actions in or affecting the area exist. Subdivisions, short subdivisions, and binding site plans shall require the one-hundred-year floodplain to retain the native vegetation and be placed in a critical areas tract, to be dedicated to the homeowner's association or other legal entity that assumes maintenance and protection of the tract. Determination of the floodplain shall be done for each permit application based on actual field survey using county-approved floodplain elevations;

b. There shall be a six-hundred-sixty-foot radius buffer maintained around the periphery of the great blue heron rookery. If the critical areas and buffers are not adequate to provide the radius, then the buffer shall be expanded to meet the requirement. A rookery and its buffer shall be designated as critical area tract, easement, or noticed on title as required in this subsection; and

c. All access shall be restricted under nest trees from February 15 to July 31 and noted on signage at the floodplain or buffer edge, whichever is further from the rookery. Access may be further restricted with fencing or dense plantings with native plant material approved by the county. All developments in R-12 or higher density zones shall restrict access and provide an interpretive sign that provides information about the stream or wetland and its wildlife, biological, and hydrological functions. All signs shall be consistent with critical area signage requirements and subject to review and approval of the county;

2. Subdivisions, short subdivisions, binding site plans, site development permits, or other commercial or ((~~multifamily~~)) multiunit permits adjacent to stream reaches and wetlands designated on the heron habitat protection area district overlay map, shall provide buffers that are fifty feet greater than required pursuant to

K.C.C. chapter 21A.24 along those streams and wetlands to provide habitat for herons. This additional fifty-foot buffer shall be planted with dense native plant material to discourage human intrusion into feeding or nesting and roosting areas. Plantings shall be reviewed and approved by the department. If conformance with the additional buffer requirement results in an unbuildable lot, then the minimum variation necessary to accommodate the proposed development shall be determined in consultation with county biologists and be reviewed and approved by the department;

3. Along the shoreline of lakes and river corridors included in the heron habitat protection area, all subdivisions, short subdivisions, binding site plans, site development permits, or other commercial or ((~~multifamily~~)) multiunit permits shall provide a fifty-foot buffer in addition to required shoreline setbacks of K.C.C. Title 25 and chapter 21A.24. Along the shoreline of the major rivers (Sammamish, Green, Cedar, Snoqualmie, Snohomish, Skykomish, and White rivers), the setback requirement may be waived if a special wildlife study shows no great blue heron nesting, roosting, and feeding areas on the site. These studies shall be done by a wildlife biologist and approved by county biologists. This additional fifty-foot buffer shall be planted with dense native plant material to discourage human intrusion into feeding or nesting and roosting areas. Plantings shall be reviewed and approved by the department; and

4. New docks, piers, bulkheads, and boat ramps constructed within the heron habitat protection area shall mitigate for loss of heron feeding habitat by providing enhanced native vegetation approved by the county adjacent to the development or between the development and the shoreline. Bulkheads shall be buffered from the water's edge by enhanced plantings of native vegetation approved by the county.

SECTION 334. Ordinance 19146, Section 85, as amended, and K.C.C. 21A.38.255 are hereby amended to read as follows:

A. The purpose of the Bear Creek office and retail special district overlay, which is SO-290, is to provide additional commercial opportunities to support area residents and the local economy and to provide retail options for employees of the office zones.

B. Allowed uses within the special district overlay shall be those uses allowed in the office zone in K.C.C. chapter 21A.08 and the following permitted land uses:

1. Building materials and hardware stores;
2. Retail nursery, garden center, and farm supply stores;
3. Department and variety stores;
4. ~~((SIC Major Group 54--))~~ Food stores;
5. ~~((SIC Industry Group 553--))~~ Auto supply stores;
6. ~~((SIC Industry Group 554--))~~ Gasoline service stations;
7. ~~((SIC Major Group 56--))~~ Apparel and accessory stores;
8. Furniture and home furnishings stores;
9. ~~((SIC Major Group 58--Eating and drinking places;~~
- 10.)) Drug store;
- ~~((11. SIC Industry Group 592--))~~ 10. Liquor stores;
- ~~((12. SIC Industry Group 593--))~~ 11. Used goods: antiques/secondhand shops;
- ~~((13.))~~ 12. Sporting goods and related stores;
- ~~((14.))~~ 13. Book, stationary, video, and art supply stores, except adult use facilities;
- ~~((15.))~~ 14. Jewelry stores;
- ~~((16.))~~ 15. Hobby, toy, and games shops;
- ~~((17.))~~ 16. Photographic and electronic shops;
- ~~((18.))~~ 17. Fabric shops;
- ~~((19. Florist shops;))~~
- ~~((20.))~~ 18. Personal medical supply stores; and
- ~~((21.))~~ 20. Pet shops(~~;~~and
22. ~~General services--Daycare II)).~~

SECTION 335. Ordinance 19146, Section 83, and K.C.C. 21A.38.265 are hereby amended to read as follows:

A. The purpose of the Martin Luther King Jr. Way South mixed-use special district overlay, which is SO-280, is to facilitate linkages to the existing Martin Luther King Jr Way South Neighborhood Business Center, incentivize commercial opportunities close to existing high-density housing, incentivize commercial development by allowing more uses than traditionally found in mixed-use developments, and provide flexibility in current square footage limitations.

B. The following development standards shall be applied to all development proposals within the Martin Luther King Jr. Way South mixed-use special district overlay:

1. New buildings shall be limited to mixed-use as defined in K.C.C. 21A.06.753; and
2. A professional office as defined in K.C.C. 21A.06.910 is an allowed use as part of a mixed-use building in subsection B.1. of this section(~~;~~ and
3. ~~Any nonresidential component of the building that is personal services allowed in the zone under K.C.C. 21A.08.050 or retail use allowed in the zone under K.C.C. 21A.08.070 shall comply with K.C.C. 21A.12.230, except that K.C.C. 21A.12.230.A., B. and C. do not apply to the development~~)).

NEW SECTION. SECTION 336. There is hereby added to K.C.C. chapter 21A.38 a new section to read as follows:

A. The purpose of the Green Energy special district overlay, which is SO-340, is to advance the county's climate action goals by reducing barriers to generating renewable energy in King County, on properties whose location within one thousand feet of utility corridors and existing and historical waste management and mineral extraction sites makes them uniquely situated for maximizing green and renewable energy production while reducing transportation costs.

B. The standards of this title and other county codes shall be applicable to development within the special district overlay, except that the permit requirements and conditions for the uses listed below shall

replace those found for these uses in K.C.C. chapter 21A.08:

1. The following uses are allowed as permitted uses:

a. nonhydroelectric generation facility, anaerobic digester, and production of biogas from waste management processes on-site, regardless of whether electricity is generated on-site from the gas; and

b. local distribution gas storage tank, only to support the biogas use in subsection B.1.a. of this section.

2. The following uses are allowed as conditional uses:

a. production of renewable hydrogen through electrolyzing water; and

b. only when the use supports the regional solid waste or recycling system, or the county's diversion efforts:

(1) energy resource recovery facility;

(2) transfer station;

(3) landfill; and

(4) interim recycling facility.

C. Uses and development within the mineral extraction portion of the overlay shall comply with state and county reclamation requirements.

SECTION 337. Ordinance 13130, Section 6, and K.C.C. 21A.42.075 are hereby amended to read as follows:

Modifications or expansions approved by the department shall be based on written findings that the proposed((:

M))modification or expansion of a nonconformance located within a development governed by an existing conditional use permit, special use permit, or unclassified use permit((, ~~or planned unit development~~)) shall provide the same level of protection for and compatibility with adjacent land uses as the original land use permit approval.



SECTION 338. Ordinance 13130, Section 7, and K.C.C. 21A.42.150 are hereby amended to read as follows:

For the purposes of this chapter, a land use permit shall mean a conditional use permit, special use permit, or unclassified use permit~~((, or planned unit development))~~.

SECTION 339. Ordinance 11621, Section 112, as amended, and K.C.C. 21A.43.030 are hereby amended to read as follows:

A. The fee for each district shall be calculated based on the formula set out in Attachment A to Ordinance 11621.

B. Separate fees shall be calculated for single ~~((family))~~ detached and ~~((multi-family))~~ multiunit residential units and separate student generation rates ~~((must))~~ shall be determined by the district for each type of residential unit. For purposes of this chapter, "single ((family)) detached units" ~~((shall))~~ means single detached ((dwelling units)) residences, and ~~((multi-family))~~ "multiunit units" ~~((shall))~~ means duplexes, houseplexes, cottage housing, townhouses, and apartments.

C. The fee shall be calculated on a district-by-district basis using the appropriate factors and data to be supplied by the district, as indicated in Attachment A to Ordinance 11621. The fee calculations shall be made on a district-wide basis to assure maximum utilization of all school facilities in the district used currently or within the last two years for instructional purposes.

D. The formula in Attachment A to Ordinance 11621 also provides a credit for the anticipated tax contributions that would be made by the development based on historical levels of voter support for bond issues in the school district.

E. The formula in Attachment A to Ordinance 11621 also provides for a credit for school facilities or sites actually provided by an ~~((developer which))~~ applicant that the school district finds to be acceptable.

SECTION 340. Ordinance 11621, Section 114, as amended, and K.C.C. 21A.43.050 are hereby amended to read as follows:

A. In school districts where impact fees have been adopted by county ordinance and except as provided in K.C.C. 21A.43.080, the county shall collect impact fees, based on the schedules ~~((set forth))~~ in each ordinance establishing the fee to be collected for the district, from any applicant seeking development approval from the county where such development activity requires final plat~~((, PUD or UPD))~~ approval or the issuance of a residential building permit or a ~~((mobile))~~ manufactured home permit and the fee for the lot or unit has not been previously paid. ~~((No a))~~ Approval shall not be granted and ~~((no))~~ a permit shall not be issued until the required school impact fees ~~((set forth))~~ in the district's impact fee schedule contained in K.C.C. Title 27 have been paid.

B. For a ~~((plat, PUD or UPD))~~ subdivision applied for on or after the effective date of the ordinance adopting the fee for the district in question receiving final approval, fifty percent of the impact fees due on the ~~((plat, PUD or UPD))~~ subdivision shall be assessed and collected from the applicant at the time of final plat approval, using the impact fee schedules in effect when the plat~~((, PUD or UPD))~~ was approved. The balance of the assessed fee shall be allocated to the dwelling units in the project, and shall be collected when the building permits are issued. Residential developments proposed for short ~~((plats))~~ subdivisions shall be governed by subsection D<sub>2</sub> of this section.

C. If<sub>1</sub> on the effective date of an ordinance adopting an impact fee for a district, a ~~((plat, PUD or UPD))~~ subdivision has already received preliminary approval, such ~~((plat, PUD or UPD))~~ subdivision shall not be required to pay fifty percent of the impact fees at the time of final approval, but the impact fees shall be assessed and collected from the lot owner at the time the building permits are issued, using the impact fee schedules in effect at the time of building permit application. If<sub>2</sub> on the effective date of a district's ordinance, an applicant has applied for preliminary ~~((plat, PUD or UPD))~~ subdivision approval, but has not yet received such an approval, the applicant shall follow the procedures ~~((set forth))~~ in subsection B<sub>2</sub> of this section.

D. For existing lots or lots not covered by subsection B<sub>2</sub> of this section, application for ~~((single family))~~ single detached and ~~((multifamily))~~ multiunit residential building permits, ~~((mobile))~~ manufactured home

permits, and site plan approval for ~~((mobile))~~ manufactured home ~~((parks))~~ communities, the total amount of the impact fees shall be assessed and collected from the applicant when the building permit is issued, using the impact fee schedules in effect at the time of permit application.

E. Any application for preliminary ~~((plat, PUD or UPD))~~ subdivision approval or ~~((multifamily zoning which))~~ rezone that has been approved subject to conditions requiring the payment of impact fees established ~~((pursuant to))~~ in accordance with this chapter, shall be required to pay the fee in accordance with the condition of approval.

F. In lieu of impact fee payment ~~((pursuant to))~~ under subsections A. through E. of this section, each applicant for a ~~((single-family))~~ single detached residential construction permit may request deferral of impact fee collection for up to the first twenty ~~((single-family))~~ single detached residential construction building permits per year. Applicants shall be identified by their contractor registration numbers. Deferred payment of impact fees shall occur either at the time of final permit inspection by the department of local services, permitting division, or eighteen months after the building permit is issued, whichever is earlier.

SECTION 341. Ordinance 11621, Section 116, as amended, and K.C.C. 21A.43.070 are hereby amended to read as follows:

A. The following are excluded from the application of the impact fees:

1. ~~((Any form of housing exclusively for the senior citizen, including nursing homes and retirement centers, so long as these uses are maintained))~~ Senior assisted housing;

2. Reconstruction, remodeling, or replacement of existing dwelling units ~~((which))~~ that does not result in additional new dwelling units. In the case of replacement of a dwelling, a complete application for a building permit ~~((must))~~ shall be submitted within three years after it has been removed or destroyed;

3. ~~((Shelters for temporary placement, relocation facilities, transitional housing facilities))~~ Uses identified in section 162 of this ordinance and ~~((C))~~ community ~~((R))~~ residential ~~((F))~~ facilities as defined in K.C.C. 21A.06.220;

4. Any development activity that is exempt from the payment of an impact fee (~~((pursuant to))~~) under RCW 82.02.100, due to mitigation of the same system improvement under (~~((the State Environmental Policy Act))~~) SEPA;

5. Any development activity for which school impacts have been mitigated (~~((pursuant to))~~) in accordance with a condition of (~~((plat, PUD or UPD))~~) subdivision approval to pay fees, dedicate land, or construct or improve school facilities, unless the condition of the (~~((plat, PUD or UPD))~~) subdivision approval provides otherwise; (~~((provided that))~~) but only if the condition of the (~~((plat, PUD or UPD))~~) subdivision approval predates the effective date of a school district's fee implementing ordinance;

6. Any development activity for which school impacts have been mitigated (~~((pursuant to))~~) in accordance with a voluntary agreement entered into with a school district to pay fees, dedicate land, or construct or improve school facilities, unless the terms of the voluntary agreement provide otherwise; (~~((provided that))~~) but only if the agreement predates the effective date of a school district's fee implementing ordinance;

7. Housing units (~~((which))~~) that fully qualify as housing for persons (~~((age 55))~~) aged fifty-five and over meeting the requirements of the Federal Housing Amendments Act of 1988, 42 U.S.C. 3607(b)(2)(c) and (b)(3), as subsequently amended, and (~~((which))~~) that have recorded covenants or other legal arrangements precluding school-aged children as residents in those units;

8. (~~((Mobile))~~) Manufactured homes permitted as temporary dwellings (~~((pursuant to))~~) in accordance with K.C.C. 21A.32.170; and

9. Accessory dwelling units as defined in K.C.C. 21A.06.350 and K.C.C. 21A.08.030.B.7.a.

B. Arrangement may be made for later payment with the approval of the school district only if the district determines that (~~((it))~~) the school district will be unable to use or will not need the payment until a later time(~~((, provided that s))~~). Sufficient security, as defined by the district, (~~((is))~~) shall be provided to assure payment. Security shall be made to and held by the school district, which will be responsible for tracking and

documenting the security interest.

C. The fee amount established in the schedule shall be reduced by the amount of any payment previously made for the lot or development activity in question, either as a condition of approval or ~~((pursuant to))~~ in accordance with a voluntary agreement with a school district entered into after the effective date of a school district's fee implementing ordinance.

D. After the effective date of a school district's fee implementing ordinance, whenever a development is granted approval subject to a condition that the ~~((developer))~~ applicant actually provide school sites, school facilities, or improvements to school facilities acceptable to the district, or whenever the ~~((developer))~~ applicant has agreed, ~~((pursuant to))~~ in accordance with the terms of a voluntary agreement with the school district, to provide land, provide school facilities, or make improvements to existing facilities, the ~~((developer))~~ applicant shall be entitled to a credit for the value of the land or actual cost of construction against the fee that would be chargeable under the formula provided by this chapter. The land value or cost of construction shall be estimated and documented at the time of approval ~~((, but must be documented))~~. If construction costs are estimated, the documentation shall be confirmed after the construction is completed to assure that an accurate credit amount is provided. If the land value or construction costs are less than the calculated fee amount, the difference remaining shall be chargeable as a school impact fee.

E. Impact fees may be adjusted by the county, at the county's discretion, if one of the following circumstances exist, ~~((provided that))~~ but only if the discount ~~((set forth))~~ in the fee formula fails to adjust for the error in the calculation or fails to ameliorate for the unfairness of the fee:

1. The ~~((developer))~~ applicant demonstrates that an impact fee assessment was incorrectly calculated;
- or
2. Unusual circumstances identified by the ~~((developer))~~ applicant demonstrate that if the standard impact fee amount was applied to the development, it would be unfair or unjust.

F. An ~~((developer))~~ applicant may provide studies and data to demonstrate that any particular factor

used by the district may not be appropriately applied to the development proposal, but the district's data shall be presumed valid unless clearly demonstrated to be otherwise by the proponent.

G. Any appeal of the decision of the director or the hearing examiner with regard to imposition of an impact ~~((for))~~ fee or fee amounts shall follow the appeal process for the underlying permit and not be subject to a separate appeal process. Where no other administrative appeal process is available, an appeal may be taken to the hearing examiner using the appeal procedures for variances. Any errors in the formula identified as a result of an appeal should be referred to the council for possible modification.

H. Impact fees may be paid under protest in order to obtain a building permit or other approval of development activity, when an appeal is filed.

SECTION 342. Ordinance 11621, Section 117, and K.C.C. 21A.43.080 are hereby amended to read as follows:

A. Low~~((or moderate))~~-income housing projects ~~((being developed by public housing agencies or private nonprofit housing developers))~~, including permanent supportive housing projects, shall be exempt from the payment of school impact fees. The amount of the school impact fees not collected from low~~((or moderate))~~-income household development shall be paid from public funds other than impact fee accounts. The impact fees for these units shall be considered paid for by the district through its other funding sources, without the district actually transferring funds from its other funding sources into the impact fee account. The ~~((planning and community development))~~ housing, homelessness, and community development division shall review proposed developments of low~~((or moderate))~~-income housing ~~((by such public or nonprofit developers pursuant to))~~ in accordance with criteria and procedures adopted by administrative rule, and shall advise the department of local services, permitting division, as to whether the project qualifies for the exemption.

B. ~~((Private developers))~~ Applicants who dedicate residential units for occupancy by low ~~((or moderate))~~ income-households may apply to the housing, homelessness, and community development division for reductions in school impact fees ~~((pursuant to the criteria established for public housing agencies and private~~

~~non-profit housing developers pursuant to~~) in accordance with subsection A. of this section~~(, and subject to the provisions of subsection A. of this section))~~. The housing, homelessness, and community development division shall review proposed developments of low~~((or moderate))~~-income housing by such private ~~((developers pursuant to))~~ applicants in accordance with criteria and procedures adopted by administrative rule, and shall advise the department of local services, permitting division, as to whether the project qualifies for the exemption. If the housing, homelessness, and community development division recommends the exemption, the department of local services, permitting division, shall reduce the calculated school impact fee for the development by an amount that is proportionate to the number of units in the development that satisfy the adopted criteria.

C. ~~((Individual))~~ Developments for low~~((or moderate))~~-income ~~((home purchasers))~~ homeownership units (as defined pursuant to the King County Comprehensive Housing Affordability Strategy (CHAS)) who are ~~((purchasing))~~ developing homes at prices within the~~((if))~~ eligibility limits based on standard lending criteria and meet other means tests established by rule by the housing, homelessness, and community development division are exempted from payment of the impact fee, ~~((provided))~~ except that at such time as the property in question is transferred to another owner who does not qualify for the exemption, at which time the fee shall be due and payable.

D. The housing, homelessness, and community development division is hereby instructed and authorized to adopt, pursuant to K.C.C. chapter 2.98, administrative rules to implement this section. Such rules shall provide for the administration of this program and shall:

1. Encourage the construction of housing for low~~((or moderate))~~-income households ~~((by public housing agencies or private non-profit housing developers participating in publicly sponsored or subsidized housing programs))~~;

2. Encourage the construction ~~((in private developments))~~ of housing units for low~~((or moderate))~~-income households that are in addition to units required by another housing program or development condition;

3. Ensure that housing that qualifies as low~~((or moderate))~~ cost meets appropriate standards regarding household income, rent levels or sale prices, location, number of units, and development size; and

4. Ensure that ~~((developers))~~ applicants who obtain an exemption from or reduction of school impact fees will in fact build the proposed low ~~((or moderate))~~ cost housing and make it available to low~~((or moderate))~~-income households ~~((for a minimum of fifteen years))~~.

5. Ensure that individual low~~((or moderate))~~-income purchasers meet appropriate eligibility standards based on income and other financial means tests.

E. As a condition of receiving an exemption under subsection B. or C. of this section, the ~~((owner must))~~ applicant shall execute and record a ~~((county-drafted lien,))~~ covenant~~((, and/or other contractual provision))~~ against the property ~~((for a period of ten years for individual owners, and fifteen years for private developers,))~~ guaranteeing that the proposed development will continue to be used for low~~((or moderate))~~-income housing. In the event that ~~((the pattern of development or))~~ the use of the development is no longer for low~~((or moderate))~~-income housing, then the owner shall pay the impact fee amount from which the owner or any prior owner was exempt. The ~~((lien,))~~ covenant~~((, or other contractual provision))~~ shall run with the land and apply to subsequent owners.

F. All school impact fee exemptions, reductions, or waivers shall be approved by the school district that would receive the school impact fee, except for fee exemptions allowed under K.C.C. 21A.43.070 and K.C.C. 21A.43.080, fee reductions based on modifications to permits after issuance, or fee waivers for construction not begun.

SECTION 343. Ordinance 11621, Section 118, and K.C.C. 21A.43.090 are hereby amended to read as follows:

A. Impact fee receipts shall be earmarked specifically and retained in a special interest-bearing account established by the county solely for the district's school impact fees. All interest shall be retained in the account and expended for the purpose or purposes identified in subsection B. of this section. Annually, the county,



based in part on the report submitted by the district under K.C.C. 21A.28.152, shall prepare a report on each impact fee account showing the source and amount of all moneys collected, earned, or received, and capital or system improvements that were financed in whole or in part by impact fees.

B. Impact fees for the district's system improvements shall be expended by the district for capital improvements including but not limited to school planning, land acquisition, site improvements, necessary off-site improvements, construction, engineering, architectural, permitting, financing, and administrative expenses, relocatable facilities, capital equipment pertaining to educational facilities, and any other expenses which could be capitalized, and which are consistent with the school district's capital facilities plan.

C. In the event that bonds or similar debt instruments are issued for the advanced provision of capital facilities for which impact fees may be expended and where consistent with the bond covenants, impact fees may be used to pay debt service on such bonds or similar debt instruments to the extent that the facilities or improvements provided are consistent with the requirements of this section.

D. Impact fees shall be expended or encumbered, which means being committed as part of the funding for a facility for which the publicly funded share has been assured, building permits applied for, or construction contracts let, by the district for a permissible use within ten years of receipt by the county, unless there exists an extraordinary and compelling reason for fees to be held longer than ten years. Such extraordinary or compelling reasons shall be identified to the county by the district. The county must prepare written findings concurring with the district's reasons, and authorizing the later encumbrance or expenditure of the fees prior to the district so encumbering or expending the funds, or directing a refund of the fees.

E. The current owner of property on which an impact fee has been paid may receive a refund of such fees if the impact fees have not been expended or encumbered within ten years of receipt of the funds by the county. In determining whether impact fees have been encumbered, impact fees shall be considered encumbered on a first in, first out basis. The county shall notify potential claimants by first-class mail deposited with the United States Postal Service addressed to the owner of the property as shown in the county

tax records.

F. An owner's request for a refund must be submitted to the permitting division in writing within one year of the date the right to claim the refund arises or the date that notice is given, whichever date is later. Any impact fees that are not expended or encumbered within these time limitations, and for which no application for a refund has been made within this one-year period, shall be retained and expended consistent with this section. Refunds of impact fees shall include any interest earned on the impact fees.

G. Should the county seek to terminate any or all school impact fee requirements, all unexpended or unencumbered funds, including interest earned, shall be refunded to the current owner of the property for which a school impact fee was paid. Upon the finding that any or all fee requirements are to be terminated, the county shall place notice of the termination and the availability of refunds in a newspaper of general circulation at least two times and shall notify all potential claimants by first-class mail addressed to the owner of the property as shown in the county tax records. All funds available for refund shall be retained for a period of one year. At the end of one year, any remaining funds shall be retained by the county, but must be expended for the district, consistent with this section. The notice requirement in this subsection shall not apply if there are no unexpended or unencumbered balances within the account or accounts being terminated.

H. An ~~((developer))~~ applicant may request and shall receive a refund, including interest earned on the impact fees, when:

1. The ~~((developer))~~ applicant does not proceed to finalize the development activity as required by statute or county code; and

2. No impact on the district has resulted. "Impact" shall be deemed to include cases where the district has expended or encumbered the impact fees in good faith prior to the application for a refund. In the event that the district has expended or encumbered the fees in good faith, no refund shall be forthcoming. However, if within a period of three years, the same or subsequent owner of the property proceeds with the same or substantially similar development activity, the owner shall be eligible for a credit. The owner must petition the

county and provide receipts of impact fees paid by the owner for a development of the same or substantially similar nature on the same property or some portion thereof. The county shall determine whether to grant a credit, and such determinations may be appealed by following the procedures set forth in K.C.C. 21A.43.070.

I. Interest due upon the refund of impact fees required by this section shall be calculated according to the average rate received by the county or the district on invested funds throughout the period during which the fees were retained.

SECTION 344. Ordinance 15170, Section 6, and K.C.C. 21A.45.010 are hereby amended to read as follows:

It is the purpose of this chapter to ensure the maintenance of a safe environment within the homeless encampments and temporary microshelter villages and to address the potential impacts to neighborhoods by establishment of such ~~((homeless encampments))~~ sites.

SECTION 345. Ordinance 15170, Section 7, and K.C.C. 21A.45.020 are hereby amended to read as follows:

The definitions in this section apply throughout this chapter and to K.C.C. 20.20.020 unless the context clearly requires otherwise.

A. "Homeless encampment" means a group of homeless persons temporarily residing out of doors on a site with a host and services provided by a sponsor and supervised by a managing agency.

B. "Host" means the owner of the site property that has an agreement with the managing agency to allow the use of property for a homeless encampment or temporary microshelter village. A "host" may be the same entity as the sponsor or the managing agency.

C. "Managing agency" means an organization that has the capacity to organize and manage a homeless encampment or temporary microshelter village. A "managing agency" may be the same entity as the host or the sponsor.

D. "Temporary microshelter village" means a temporary site containing multiple microshelters and may

provide cooking facilities or meals, hygiene facilities, including restrooms and showers, and a shared gathering space.

((D-)) E. "Public health" means ~~((the Seattle-King County department of))~~ public health - Seattle & King County.

((E-)) F. "Sponsor" means a local church or other local, community-based organization that has an agreement with the managing agency to provide basic services and support for the residents of a homeless encampment or temporary microshelter village and liaison with the surrounding community and joins with the managing agency in an application for a county permit. A "sponsor" may be the same entity as the host or the managing agency.

SECTION 346. Ordinance 15170, Section 8, and K.C.C. 21A.45.030 are hereby amended to read as follows:

A temporary microshelter village in the RA zone and the Snoqualmie Pass and Fall City Rural Towns or a homeless encampment may be permitted as a temporary use in accordance with K.C.C. chapter 21A.32 only in compliance with this chapter.

SECTION 347. Ordinance 15170, Section 9, and K.C.C. 21A.45.040 are hereby amended to read as follows:

The following written agreements shall be provided by the applicant:

A. If the applicant is not the sponsor, an agreement to provide or coordinate basic services and support for the homeless encampment or temporary microshelter village residents and to join with the applicant in all applications for relevant permits; and

B. If the applicant is not the host, an agreement granting permission to locate the homeless encampment or temporary microshelter village at the proposed location and to join with the applicant in all applications for relevant permits.

SECTION 348. Ordinance 15170, Section 10, as amended, and K.C.C. 21A.45.050 are hereby

amended to read as follows:

A. An application for a homeless encampment or temporary microshelter village shall be submitted to the department at least thirty days in advance of the desired date to commence the use for a type 1 permit or forty days in advance of the desired date to commence the use for a type 2 permit.

B. In addition to contents otherwise required for ~~((such))~~ applications in subsection A., the application for a homeless encampment shall include:

1. A copy of a written code of conduct adopted by the host or entered into between the host and managing agency addressing the issues identified in the example code of conduct, Attachment A to Ordinance 15170. The written code of conduct must require homeless encampment residents to abide by specific standards of conduct to promote health and safety within the homeless encampment and within the adjoining neighborhoods. The written code of conduct must prohibit the managing agency from preventing homeless encampment residents from calling 9-1-1 and from retaliating against homeless encampment residents who have called 9-1-1. Nothing in this subsection is intended to preclude the host and the managing agency from agreeing, in the written code of conduct, to additional terms or standards of conduct stricter than the example code of conduct;

2. The name of the managing agency and the sponsor including the name and telephone number of the person available to immediately respond to an on-site problem;

3. The host signature;

4. The name of the on-site camp manager, or designee, who is available to immediately respond to an onsite problem and whose telephone number is posted at the encampment entrance and visible from one hundred feet outside the encampment; and

5. The plan through which the managing agency and the sponsor will dispose of garbage and debris prior to vacating the encampment site at the end of the permit period.

C. In addition to contents otherwise required for applications in subsection A. of this section, the

application for a temporary microshelter village shall include:

1. A description of the staffing and operational characteristics, including sanitation and basic safety measures required for the facility;
2. Occupancy policies, including a description of the population to be served and a code of conduct that includes, at a minimum, a prohibition of threatening or unsafe behavior;
3. A plan for managing the exterior appearance of the site, including keeping the site litter free;
4. A plan for addressing reported concerns and making this information publicly available, including a phone number, email, and point of contact at the site of the facility for the community to report concerns;
5. A plan for outreach with surrounding property owners and residents addressing items such as noise, smoking areas, parking, security procedures, and litter; and
6. Plans and narrative documenting compliance with all applicable codes, including:
  - a. an elevation of the building or buildings to be occupied;
  - b. a floor plan that describes the capacities of the buildings for the uses intended, room dimensions, and a designation of the rooms to be used for nonambulatory residents, if any; and
  - c. a site plan showing property lines, buildings, driveways, parking, fences, storage areas, gardens, recreation areas, and site improvements.

NEW SECTION. SECTION 349. There is hereby added to K.C.C. chapter 21A.45 a new section to read as follows:

A temporary microshelter village is subject to the following standards:

- A. A temporary microshelter village shall only be allowed in the RA zone or in the Snoqualmie Pass and Fall City Rural Towns;
- B. The maximum number of microshelters at a temporary microshelter village shall be determined taking into consideration site conditions, but in no case shall be greater than twenty-five at any one time;
- C. The number of residents shall not exceed the number of beds available;

D. The duration of a temporary microshelter village at any specific location shall not exceed one hundred and eighty days at any one time, including setup and dismantling of the temporary microshelter village;

E. A temporary microshelter village shall be collocated on a religious facility property and shall not be located on the same site more than once every twelve months;

F. The managing agency of a temporary microshelter village shall be a social service provider or nonprofit agency;

G. The temporary microshelter village shall be buffered from surrounding properties with a minimum setback of ten feet along property lines and provide:

1. ten feet of Type II landscaping consistent with K.C.C. 21A.16.040; or
2. A six-foot high, view-obscuring fence;

H. No permanent structures shall be erected on the temporary microshelter village;

I. On-site services such as laundry, hygiene, meals, case management, and social programs shall be limited to use by residents;

J. Supervision shall be provided by on-site staff at all times, unless it can be demonstrated that this level of supervision is not warranted for the population being housed;

K. The managing agency shall provide sanitation and basic safety measures;

L. All vehicles on-site shall be licensed and in operational condition.

SECTION 350. Ordinance 15170, Section 13, as amended, and K.C.C. 21A.45.080 are hereby amended to read as follows:

The managing agency, in partnership with the sponsor, shall:

A. At least fourteen days before the anticipated start date of the homeless encampment or temporary microshelter village, provide notification to all residences and businesses within five hundred feet of the boundary of the proposed ~~((homeless encampment))~~ site, but the area shall be expanded as necessary to provide

notices to at least twenty different residences or businesses, as well as any homeowner association representing residents receiving notice. The notice shall contain the following specific information:

1. Name of sponsor;
2. Name of host if different from the sponsor;
3. ~~((Date the homeless encampment will begin))~~ Beginning and ending date;
4. Length of stay;
5. Maximum number of residents allowed;
6. Planned location ~~((of the homeless encampment))~~;
7. Dates, times, and locations of community informational meetings ~~((about the homeless encampment))~~);
8. Contact information including names and phone numbers for the managing agency and the sponsor;  
and
9. A county contact person or agency; and

B. Conduct at least one community informational meeting held on the host site, or nearby, at least ten days before the anticipated start date ~~((of the homeless encampment))~~. The purpose of the meeting is to provide those residences and businesses that are entitled to notice under this section with information regarding the proposed duration and operation ~~((of the homeless encampment))~~, conditions that will be placed on the operation ~~((of the homeless encampment))~~, and requirements of the written code of conduct, and to answer questions ~~((regarding the homeless encampment))~~.

SECTION 351. Ordinance 17950, Section 4, and K.C.C. 21A.45.095 are hereby amended to read as follows:

If a violation of K.C.C. 21A.45.090 is determined to have occurred, the department may issue a notice of violation to the managing agency and the sponsor. Within six days of the notice issuance, the managing agency or the sponsor shall demonstrate to the department that the violation has been cured. If the violation is



not cured within this time period as determined by the department, the department may issue a notice and order as allowed by K.C.C. Title 23 requiring the residents to vacate the ~~((encampment))~~ site. By accepting the permit, and as a condition of the permit, the managing agency and the sponsor are presumed to agree to vacate the encampment site within seventeen days if a notice and order is issued and not appealed.

SECTION 352. Ordinance 15170, Section 15, and K.C.C. 21A.45.100 are hereby amended to read as follows:

A. An applicant for a homeless encampment or temporary microshelter village may apply for a temporary use permit that applies standards that differ from those established by ~~((K.C.C. 21A.45.030, 21A.45.040, 21A.45.050, 21A.45.060, 21A.45.070, 21A.45.080 and 21A.45.090))~~ this chapter. In addition to all other permit application requirements, the applicant shall submit a description of the requirements to be modified and shall demonstrate how the modification will result in a safe ~~((homeless encampment))~~ site under the specific circumstances of the application.

B. The department shall review the proposed modifications and shall either deny or approve the application, with conditions if necessary, to ensure a safe ~~((homeless encampment))~~ site with minimal impacts to the host neighborhood.

C. The department may impose additional conditions to the temporary use permit to address and mitigate for site-specific circumstances.

D. The hearing examiner shall expedite the hearing on an appeal of the department's decision under this section.

SECTION 353. Ordinance 19555, Section 22, and K.C.C. 21A.48.010 are hereby amended to read as follows:

A. The purpose of the inclusionary housing ~~((regulations))~~ program is to provide for the creation of new affordable dwelling units in unincorporated King County, particularly in areas where there is a high risk for displacement and need for affordable housing.

B. ~~((The regulations and incentives in this chapter shall apply only to the Skyway-West Hill and North Highline community service area subarea geographies,))~~ This chapter shall apply to the urban area and rural towns, as follows:

1.a. The mandatory inclusionary housing standards in K.C.C. 21A.48.020 shall apply to ~~((areas with an))~~ the following developments in the Skyway and White Center unincorporated activity center land use designations~~((;))~~:

(1) construction of a new building with residential units; and

(2) alterations, additions, or change of use of an existing building that results in an increase to the total number of dwelling units.

b. The following developments shall not be required to meet the mandatory inclusionary housing standards:

(1) construction or substantial improvement of one or two single detached residences, one duplex, or accessory dwelling units on a single lot; or

(2) manufactured home communities, cottage housing, senior assisted housing, and residential care uses in section 162 of this ordinance; and

2. The voluntary inclusionary housing incentive~~((s))~~ standards in K.C.C. 21A.48.030 shall apply to ~~((areas that do not have an unincorporated activity center land use designation; and~~

~~3. The standards in K.C.C. 21A.48.040, K.C.C. 21A.48.050, K.C.C. 21A.48.060, K.C.C. 21A.48.070, K.C.C. 21A.48.080 and K.C.C. 21A.48.090 shall apply to any inclusionary housing project.))~~ the urban areas and the Vashon and Snoqualmie Pass Rural Towns that are:

a. served by public sewers; and

b. zoned R-4 through R-48, NB, CB, RB, or O.

C. ~~((Development or substantial improvement of one dwelling unit, an accessory dwelling unit, mobile~~

~~home parks, cottage housing or senior citizen assisted housing shall not be subject to this chapter.))~~ Accessory dwelling units shall not be used to meet the requirements of this section.

SECTION 354. Ordinance 19555, Section 23, and K.C.C. 21A.48.020 are hereby amended to read as follows:

~~A. ((This section shall apply to the unincorporated activity center land use designation.~~

~~B. New or substantially improved r))~~Residential or mixed-use developments shall provide affordable dwelling units((, and may exceed the base density allowed in the zoning classification,)) in accordance with the ((standards listed below)) rates identified in the table in this subsection.

<u>Occupancy Type and AMI</u>	<u>Affordable Dwelling Units Required (as Percentage of Total Units)</u>	<u>Maximum Density (As Percentage of Base Density)</u>
<u>Owner Occupied at 80% AMI</u>	10%	150%
<u>Rental at 60% AMI</u>	10%	150%
<u>Rental at 50% AMI</u>	7%	150%

B. If an alteration, addition, or change of use to an existing building results in an increase in the total number of units, only the additional dwelling units are subject to the requirements of this section.

C. In exchange for providing affordable dwelling units, a development may exceed the base density as shown in in the table in this subsection and the dimensional standards in K.C.C. 21A.48.050.

D. The number of required affordable dwelling units shall be calculated by multiplying the total number of dwelling units in a development by the applicable percentages of affordable dwelling units. For the purposes of calculating the number of required affordable dwelling units:

1. Two-bedroom affordable dwelling units shall count as one and one-quarter affordable dwelling units;

2. Three-bedroom affordable dwelling units shall count as one and one-half affordable dwelling units;  
and

3. Four-bedroom affordable dwelling units shall count as one and three-quarters.

E. Developments may earn additional density above one-hundred fifty percent density through the provision of additional affordable dwelling units consistent with the table in K.C.C. 21A.48.030.A. and as follows:

1. The percentage of affordable dwelling units provided in a development shall not be less than those prescribed in this section.

2. The maximum density shall be:

a. two-hundred and twenty-five percent of base density in Skyway-West Hill;

b. two-hundred and seventy-five percent of base density in the urban area; and

c. an additional twenty-five percent of the base density is allowed in the following circumstances:

(1) projects that are developed by a public agency or nonprofit housing agency;

(2) developments that provide child daycare in accordance with section 240 of this ordinance; or

((Additional density is authorized with the use)) (3) for all other developments, through the purchase of ((transfers of development rights)) TDRs in accordance with K.C.C. chapter 21A.37((, as shown in the table in this subsection)). Additional units derived from TDRs shall conform with the percentages at the affordability levels listed. ((Where projects qualify, the TDR for affordable housing pilot program may be utilized in accordance with K.C.C. 21A.37.130.

Mandatory Affordability Requirements			TDR Allowance
Occupancy Type and	Minimum Percentage of Total Units Required to be Affordable	Maximum Density (as percentage of base density)	Additional Maximum Density Allowed with purchase of TDR
Owner Occupied at 80%	100%	200%	None
	30%	150%	Additional 50%, up to 200% density
	15%	125%	Additional 50%, up to 175% density

<b>Any combination of 80% (Owner) and 60% AMI (Rental)</b>	100%	200%	None
	25%	150%	Additional 50%, up to 200% density
	12%	125%	Additional 50%, up to 175% density
<b>Rental at 60% AMI</b>	100%	200%	None
	20%	150%	Additional 50%, up to 200% density
	10%	125%	Additional 50%, up to 175% density
<b>Rental at 50% AMI</b>	100%	200%	None
	15%	150%	Additional 50%, up to 200% density
	7%	125%	Additional 50%, up to 175% density))

SECTION 355. Ordinance 19555, Section 24, and K.C.C. 21A.48.030 are hereby amended to read as follows:

A. ~~((This section shall apply within the Skyway West Hill and North Highline community service area subarea geographies except for areas with an unincorporated activity center land use designation.~~

B. ~~New or substantially improved development may only exceed the base density allowed in the zoning classification in accordance with the standards listed below. Additional density is authorized with the use of transfers of development rights in accordance with K.C.C. chapter 21A.37, as shown in the table in this subsection. Additional units derived from TDRs shall conform with the percentages at the affordability levels listed. The price of the TDR shall be determined in accordance with K.C.C. 21A.37.130.~~

Affordability Requirements			TDR Allowance
Occupancy Type and AMI	Minimum Percent of Total Units Required to be Affordable	Maximum Density (percentage of base density)	Additional Maximum Density Allowed with purchase of TDRs
<b>Developments with 10 or fewer units</b>	0%	100%	Up to 150% base density
<b>Rental at 60% AMI</b>	100%	200%	None
	20%	150%	Additional 50%, up to 200% of base density

	10%	125%	Additional 50%, up to 175% of base density
<b>Rental at 50% AMI</b>	100%	200%	None
	15%	150%	Additional 50%, up to 200% of base density
	7%	125%	Additional 50%, up to 175% of base density
<b>Owner Occupied at 80% AMI</b>	100%	200%	None
	30%	150%	Additional 50%, up to 200% of base density
	15%	125%	Additional 50%, up to 175% of base density
<b>Any combination of 80% AMI (Owner) and 60% AMI (Rental)</b>	100%	200%	None
	25%	150%	Additional 50%, up to 200% of base density
	12%	125%	Additional 50%, up to 175% of base density))

1. Residential or mixed-use development may exceed the base density allowed in the underlying zone when affordable dwelling units are provided at rates identified in the table in subsection, up to a maximum density of:

- a. two-hundred twenty-five percent of base density in Skyway-West Hill;
- b. two-hundred seventy-five percent of base density in the urban area;
- c. one-hundred seventy-five in the Vashon Rural Town; and
- d. two-hundred percent in the Snoqualmie Pass Rural Town.

2. An additional twenty-five percent of base density allowed in the following circumstances:

- a. For a public agency or nonprofit housing agency developing an inclusionary housing project;
- b. Developments providing child daycare in accordance with section 240 of this ordinance; or
- c. Except for the Vashon Rural Town, through the purchase of TDRs in accordance with K.C.C.

chapter 21A.37. Additional density derived from TDRs shall conform with the percentages at the affordability levels listed.

Occupancy Type and AMI	Affordable Dwelling Units				
	Studio	One Bedroom	Two Bedroom	Three Bedroom	Four Bedroom
<b>Rental at 50% AMI</b>	2.4	2.5	3.1	3.7	4.5
	per affordable unit	per affordable unit	per affordable unit	per affordable unit	per affordable unit
<b>Rental at 60% AMI</b>	1.4	1.9	2.4	2.9	3.4
	per affordable unit	per affordable unit	per affordable unit	per affordable unit	per affordable unit
<b>Rental at 70% AMI<sup>1</sup></b>	0.7	0.9	1.1	1.4	1.6
	per affordable unit	per affordable unit	per affordable unit	per affordable unit	per affordable unit
<b>Owner Occupied at 80% AMI</b>	1.3	1.8	2.2	2.7	3.2
	per affordable unit	per affordable unit	per affordable unit	per affordable unit	per affordable unit
<b>Owner Occupied at 100% AMI</b>	0.3	0.4	0.5	0.6	0.7
	per affordable unit	per affordable unit	per affordable unit	per affordable unit	per affordable unit

<sup>1</sup>In Skyway-West Hill, affordable dwelling units provided at 70% AMI shall be three-bedroom

B. Projects may include more than one occupancy type and AMI combination. Bonus dwelling units shall be granted at the ratio identified for each affordable unit based on occupancy type and AMI, up to the maximum density in subsection A. of this section.

C. Developments may exceed other dimensional standards of the underlying zone in accordance with K.C.C. 21A.48.050.

**SECTION 356.** Ordinance 19555, Section 25, and K.C.C. 21A.48.040 are hereby amended to read as follows:

A. ~~((The number of required affordable dwelling units shall be calculated by multiplying the total number of dwelling units to be constructed by the applicable percentages of affordable dwelling units as established in K.C.C. 21A.48.020 or K.C.C. 21A.48.030, and for))~~ The maximum density shall be calculated by

multiplying the base density, as established in this title or a property-specific development standard, by the maximum percentage identified in this chapter. In cases of conflict, the base and maximum densities in a property-specific development standard or special district overlay shall apply.

B. The total number of dwelling units in a development, which is the sum of all market-rate dwelling units, bonus dwelling units, and affordable dwelling units, shall not exceed the density as established in subsection A. of this section.

C. For the purposes of providing an affordable dwelling unit, fractions shall be rounded in accordance with K.C.C. 21A.12.070~~((, except as follows:~~

~~1. F))~~for fractions below 0.50, the applicant shall pay a fee based on the fraction multiplied by the value of an ~~((single))~~ affordable dwelling unit. The fee and affordable dwelling unit value shall be calculated using the same method as required for payment in lieu of providing affordable dwelling units in K.C.C. 21A.48.080. The revenues generated from the fee shall be dedicated to affordable housing projects in the same ~~((community service area))~~ subarea geography where the development is occurring~~((; and~~

~~2. Affordable dwelling units in the development shall be calculated as follows:~~

- ~~a. Studio dwelling units shall be counted as one-half of one affordable dwelling unit;~~
- ~~b. One-bedroom and two-bedroom dwelling units shall be counted as one affordable dwelling unit;~~
- ~~c. Three-bedroom dwelling units shall be counted as one and one-half affordable dwelling units; and~~
- ~~d. Dwelling units with four or more bedrooms shall be counted as two affordable dwelling units.~~

~~B. The total number of market-rate dwelling units and affordable dwelling units shall not exceed the total allowed density as established in this chapter and K.C.C. chapter 21A.12.))~~

SECTION 357. Ordinance 19555, Section 26, and K.C.C. 21A.48.050 are hereby amended to read as follows:

~~((For developments subject to this chapter:~~

~~A. The affordable dwelling units shall:~~



- ~~1. Have a similar or larger unit size and bedroom composition as the market-rate dwelling units in the development;~~
- ~~2. Be integrated throughout the development;~~
- ~~3. Be constructed with materials and finishes of comparable quality to the market-rate dwelling units in the development;~~
- ~~4. Meet accessibility standards at the same ratio as required by the development; and~~
- ~~5. Have access equal to that of the market-rate dwelling units to on-site amenities including, but not limited to, parks, outdoor play areas, pools, exercise facilities and equipment, gathering spaces, bicycle repair facilities, shared work spaces, and similar on-site amenities.~~

~~B.)) A. In exchange for the provision of affordable dwelling units, inclusionary housing developments that provide at least the minimum amount of affordable housing identified in the table in K.C.C. 21A.48.020.A, shall be eligible for the incentive dimensional standards prescribed in this section. All ((the)) other dimensional standards ((of K.C.C. chapter 21A.12)) in this title and any applicable property-specific development standards and special district overlays shall apply((, except as specifically prescribed by this chapter. The following modifications shall only be utilized for developments that provide housing in conformance with K.C.C. 21A.48.020 or K.C.C. 21A.48.030:))~~

~~((1.)) B. The maximum height limits are as follows:~~

~~((a.)) 1. In the R-18, R-24, and R-48 zones((;)) eighty feet;~~

~~((b.)) 2. In the NB zone((;)) sixty-five feet;~~

~~((c.)) 3. In the CB zone((;)) eighty feet;~~

~~((d.)) 4. In the RB and O zones((;)) eighty-five feet; ((and))~~

~~((e. For properties subject to P-Suffix NH-PXX (the p-suffix established in Map Amendment 17 of Attachment D to Ordinance 19555): the height limits set in the P-Suffix))~~ 5. Along the North Highline core street type designated in K.C.C. 21A.60.040, as recodified by this ordinance: fifty-five feet; and

6. In the CB zone in Snoqualmie Pass Rural Town, sixty-five feet.

~~((2. In the R-18, R-24 and R-48 zones, any portion of a building that exceeds the base height for the zone set forth in K.C.C. chapter 21A.12 shall be set back an additional ten feet from the street property line and interior property line;~~

~~3. In the NB, CB, RB and O zones, any portion of a building that exceeds the maximum height allowed for the zone by K.C.C. 21A.12.040.B.6. shall be set back an additional ten feet from the street property line and interior property line;))~~

C. Upper-level step back requirements do not apply.

~~((4.)) D. The percentages of residential uses in mixed-use developments in K.C.C. 21A.14.110 do not apply. ((The percentages are as follows:~~

~~a. a maximum of seventy-five percent of the total built floor area when located in NB zones; and~~

~~b. a maximum of eighty-five percent of the total built floor area when located in CB, RB and O zones;))~~ Developments subject to K.C.C. 21A.14.110 shall instead provide ground floor commercial space with a minimum depth of fifty feet along any public street. Entrances, lobbies, common areas, and other necessary residential appurtenances are allowed on the ground floor. Outside of the unincorporated activity centers, up to seventy-five percent of the ground floor commercial space may be live/work units.

~~((5.)) E. The ((building)) floor area ratios prescribed in ((K.C.C. 21A.14.130)) this title do not apply((- Developments subject to this chapter shall not have a floor area ratio maximum)); and~~

~~((6. The parking and circulation standards of K.C.C. chapter 21A.18 apply, except:~~

~~a.)) F.1. The minimum number of required parking spaces ((for apartments and townhouses shall be one space per dwelling unit;~~

~~b. The minimum required parking spaces for nonresidential uses of the project shall be the minimum required in K.C.C. 21A.18.020, or the minimum required in any applicable property-specific development standard or special district overlay, whichever is less; and))~~ are as follows:

	<u>White Center Unincorporated Activity Center</u>	<u>Skyway Unincorporated Activity Center</u>	<u>Within 1/2 mile Walkshed of a High Capacity or Frequent Transit Stop<sup>1</sup></u>	<u>All other Urban Areas</u>	<u>Snoqualmie Pass Rural Town</u>	<u>Vashon Rural Town</u>
<u>Residential Uses</u>	<u>No minimum required</u>	<u>0.25 spaces per dwelling unit</u>	<u>0.5 spaces per dwelling unit</u>	<u>0.8 spaces per dwelling unit</u>	<u>1.0 space per dwelling unit</u>	<u>1.0 space per dwelling unit</u>
<u>Nonresidential Uses</u>	<u>75% of parking required in K.C.C. 21A.18.030</u>	<u>75% of parking required in K.C.C. 21A.18.030</u>	<u>80% of parking required in K.C.C. 21A.18.030</u>	<u>90% of parking required in K.C.C. 21A.18.030</u>	<u>90% of parking required in K.C.C. 21A.18.030</u>	<u>100% of parking required in K.C.C. 21A.18.030</u>

<sup>1</sup>As Mapped by the Metro transit department.

((e-)) 2. The director may authorize a reduction of up to fifty percent of the minimum required number of spaces for inclusionary housing projects without a required a parking study. The director shall consider proximity to transit, shared parking for two or more uses, bedroom composition, availability of on-street parking, and proposed nonresidential uses when determining the size of the reduction.

G. The required recreational space in K.C.C. 21A.14.180 is reduced by twenty-five percent.

SECTION 358. Ordinance 19555, Section 27, and K.C.C. 21A.48.060 are hereby amended to read as follows:

A.1. Affordable dwelling units constructed under this chapter shall:

- a. have a similar or larger unit size and bedroom composition as the market-rate dwelling units in the development;
- b. be integrated throughout the development;
- c. be constructed with materials and finishes of comparable quality to the market-rate dwelling units in the development;
- d. meet accessibility standards at the same ratio as required by the development; and

e. have access equal to that of the market-rate dwelling units to on-site amenities including, but not limited to, parks, outdoor play areas, pools, exercise facilities and equipment, gathering spaces, bicycle repair facilities, shared work spaces, and similar on-site amenities.

2. The director may modify or waive the standards in subsection A.1.a. for a project developed by a public or nonprofit agency if the director determines that the proposal meets the needs of future residents and provides an equivalent or better quality of development.

B. As a condition of development permit issuance, the department shall approve the calculation of the number of ~~((required))~~ affordable dwelling units and allowed market-rate dwelling units.

~~((B.))~~ C. Before issuance of the certificate of occupancy, the applicant shall record a covenant or deed restriction on the property, in a form and substance acceptable to the prosecuting attorney's office and department of community of human services, reflecting the following:

1. A statement that the length of the term of the affordability shall be for the life of the development project for renter-occupied dwelling units or fifty years from the date of initial occupancy for owner-occupied dwelling units;

2. The total number of units;

3. The number of market-rate dwelling units;

4. The number and affordability of owner-occupied and rental affordable dwelling units based on the standards of this chapter;

5. A statement that for any owner-occupied dwelling units, the covenants or declarations have been reviewed by the director and the terms ensure that the purposes of this chapter are accomplished;

6. Reporting requirements as required by the department of community and human services, including subsequent community preference and affirmative marketing reports after the certificate of occupancy is issued, where applicable under K.C.C. 21A.48.070; and

7. Signatures of the property owner and the director.

SECTION 359. Ordinance 19555, Section 28, and K.C.C. 21A.48.070 are hereby amended to read as follows:

For developments in the Skyway-West Hill and North Highline subarea geographies subject to this chapter:

A. As part of a complete permit application, the applicant shall submit a community preference and affirmative marketing plan. The plan shall include:

1. A tenant selection process for the affordable dwelling units that provides a preference for housing applicants with a current or past connection to the respective subarea geography where the project is located. The plan should provide no more than and aim to provide forty percent of the affordable dwelling units to tenants that meet the requirements for community preference;

2. An advertising and outreach plan designed to provide information to and attract potential housing applicants who would otherwise be less likely to apply, without regard to protected class status as established by federal, state, and local laws. An affirmative advertising and outreach plan should generally help potential housing applicants know about vacancies, feel welcome to apply, and have the opportunity to rent units; and

3. A process for housing applicants to file an appeal regarding the tenant selection process and verification of eligibility for preference.

B. Before issuance of the building permit or subdivision approval, the community preference and affirmative marketing plan shall be reviewed and approved by the department of community and human services.

C.1. At least sixty days before issuance of certificate of occupancy, the applicant shall submit a community preference and affirmative marketing initial report. The initial report shall include:

a. information describing the activities conducted to implement the community preference and affirmative marketing plan; and

b. information regarding the number of housing applicants:

- (1) that requested a preference;
- (2) deemed eligible under the preference criteria;
- (3) eligible for the preference that were selected for housing; and
- (4) that appealed the preference selection process and the outcome of each appeal.

2. Before issuance of the certificate of occupancy, the community preference and affirmative marketing initial report shall be subject to review and approval by the department of community and human services.

D. The department of community and human services shall provide guidance and technical assistance to the applicant to ensure the community preference and affirmative marketing plan and community preference and affirmative marketing report complies with federal, state, and local laws and regulations.

SECTION 360. Ordinance 19555, Section 29, and K.C.C. 21A.48.080 are hereby amended to read as follows:

A. The director may, at their discretion, approve a request for alternative compliance for the inclusionary housing requirements. Requests for such modifications shall clearly ~~((set forth))~~ state the facts upon which the request for relief is sought. Alternative compliance may include:

1. Except for the Vashon Rural Town, ~~((P))~~ providing affordable housing units off-site at another location within the same ~~((community service area))~~ subarea geography where the project is proposed;
2. For developments subject to K.C.C. 21A.48.020, ~~((P))~~ payment to the county in lieu of constructing affordable housing units to be used to create affordable housing units within the same ~~((community services area))~~ subarea geography; or
3. Such other means proposed by the applicant and approved at the discretion of the director, consistent with the following criteria for alternative compliance.

B. Alternative compliance requests may only be approved when all of the following requirements are met:

1. The applicant demonstrates that the proposed alternative compliance method provides the same number and quality affordable housing units as those provided on-site;
2. The affordable housing units provided through the alternative compliance method will provide the same mix of rental or owner-occupied units as would have otherwise been provided on-site; and
3. In no case shall the director approve an alternative compliance request that results in zero affordable housing units being constructed on-site.

C. If an alternative compliance request is approved that includes off-site affordable housing units, any building permits required for off-site affordable housing units shall be submitted before issuance of building permits or final ~~((subdivision))~~ plat approval for the subject property. Certificates of occupancy for off-site affordable housing units shall be issued before issuance of the final certificate of occupancy for the subject property.

D. If an alternative compliance request is approved that includes payment in lieu of constructing affordable ~~((housing))~~ dwelling units, the formula for payments shall be established by department of community and human services through a public rule under K.C.C. chapter 2.98. ~~((The formula should be based on the cost to the county to construct and maintain an affordable dwelling unit.))~~ The payment obligation shall be paid before issuance of any building permits or final subdivision approval for the project.

E. As part of the application review process for an inclusionary housing proposal, the director may authorize modifications to the dimensional standards in K.C.C. Title 21A. Approval of modifications may only be granted if the applicant demonstrates that the subject property cannot otherwise reasonably achieve the minimum density.

F.1. As part of the application review process for an inclusionary housing proposal, the director may modify or waive the requirements for affordable dwelling units under this chapter if the applicant demonstrates that the cost of complying with this chapter would deprive the property owner of all economically beneficial use of the property or would create severe economic impact that unduly burdens the property owner.

2. Requests for such modifications shall clearly ~~((set forth))~~ state the facts upon which the request for relief is sought.

3. Review of a modification or waiver of the requirements of this subsection F. may include the director considering the following factors, at a minimum:

- a. The severity of the economic impact caused by the application of the requirements of this chapter;
- b. A modification under subsection E. of this section is not sufficient to alleviate the severity of economic impact caused by the application of the requirements of this chapter;
- c. The extent to which alternative uses of the property or configurations of the proposed development would alleviate the need for the requested waiver or modification;
- d. The extent to which any economic impact was due to decisions by the applicant or property owner; and
- e. Other factors relevant to whether the burden should be borne by the property owner.

4. The waiver or modification may be approved only to the extent necessary to grant relief from the deprivation of all economically beneficial use of the property or severe economic impact.

5. The following factors, on their own, shall not be a sufficient basis for the director to grant a waiver or modification for the requirements of this chapter:

- a. decrease in property value;
- b. inability for a property owner to fully utilize the increase in residential development capacity through implementation of this chapter; or
- c. the fact that any such increase in residential development capacity, combined with the requirements of this chapter, did not leave the property owner in a better financial position than would have been the case with no increase in residential development capacity and no application of the requirements of this chapter.

SECTION 361. Ordinance 19555, Section 30, and K.C.C. 21A.48.090 are hereby amended to read as



follows:

A. The executive shall track the use of the inclusionary housing regulations in this chapter. The information shall be publicly available on a county website, and shall include, at a minimum, information describing:

1. The number and location of developments that applied to the department for approval and the number and location of developments that were subject to the requirements of this chapter;
2. The number and location of developments that applied for any alternative compliance, the number and location of developments that were granted such alternative compliance, and the terms of each alternative compliance;
3. The number of market rate units and the number of affordable units constructed, including the location of all affordable units; and
4. The amount of revenue collected through in lieu and fractional fees for each subarea geography, and the amount and location those fees were spent in the subarea geography.

B.1. In conjunction with the Comprehensive Plan update required by K.C.C. 20.18.060.B., (~~excluding the 2024 Comprehensive Plan update,~~) the executive shall analyze the inclusionary housing regulations to determine whether the purposes of the Comprehensive Plan and the inclusionary housing regulations are being met, and shall propose code changes to address any recommendations from that analysis as part of the Comprehensive Plan update to improve the efficacy of the regulations.

2. If the executive or council finds that the inclusionary housing regulations are not effective at providing for affordable housing units, nothing in this section shall prevent the executive from transmitting or the council from adopting an ordinance that modifies the regulations outside of the timeline in K.C.C. 20.18.060.

C. The department shall be available to brief the local services and land use committee or its successor at least once per year on the implementation and overall efficacy of the inclusionary housing regulations and

the information required by this section.

SECTION 362. Ordinance 12627, Section 3, as amended, and K.C.C. 21A.55.030 are hereby amended to read as follows:

A. The demonstration projects set forth in this chapter are the only authorized demonstration projects. New or amended demonstration projects to carry out new or different goals or policies shall be adopted as part of this chapter.

B. Demonstration projects must be consistent with the King County Comprehensive Plan. Classification of a demonstration project and its provisions to waive or modify development standards must not require nor result in amendment of the Comprehensive Plan nor the Comprehensive Plan land use map.

C. Unless they are specifically modified or waived pursuant to the provisions of this chapter, the standard requirements of this title and other county ordinances and regulations shall govern all development and land uses within a demonstration project area. Property-specific development standards (P-suffix conditions) as provided in K.C.C. chapter 21A.38 shall supersede any modifications or waivers allowed by the provisions of this chapter.

D. Demonstration project sites should be selected so that any resulting amended development standards or processes can be applied to similar areas or developments. Similar areas could include those with similar mixes of use and zoning. Similar developments could include types of buildings such as commercial or ((~~multifamily~~)) multiunit and types of development such as subdivisions or redevelopment.

SECTION 363. Ordinance 16650, Section 1, as amended, and K.C.C. 21A.55.101 are hereby amended to read as follows:

A.1. The purpose of the sustainable communities and housing demonstration projects is to provide affordable housing and workforce housing integrated into developments containing market rate housing and maximize sustainable development, which includes: bike, pedestrian, and transit connections((;)); a mix of housing types((;)); and the use of recyclable materials. The demonstration projects will provide information on

the application of these techniques to urban infill redevelopment and ~~((urban single family))~~ single detached residential development, some of which may ~~((include mixed use))~~ be mixed-use. The demonstration projects will also assist the county in refining regulations relating to zoning, subdivision, roads, and stormwater as they relate to sustainable development.

2. The demonstration projects will also enable the county to evaluate whether consolidated administrative approval of zoning and subdivision-related modifications or waivers and any subsequent hearings, if required, effectively speeds the development review process while maintaining land use coordination and environmental protection and whether that leads to administrative costs savings for project applicants and King County.

B. The expected benefits from the demonstration projects include: the use of innovative design and development techniques to promote sustainable communities~~((;))~~; reduced impervious surface areas for site infrastructure; a greater use of recycled-content building materials and more efficient use of energy and natural resources; and the opportunity to identify and evaluate potential substantive changes to land use development regulations that support the development of sustainable and affordable housing.

C. A request by the applicant to modify or waive development standards for the development proposals shall be evaluated by the department of local services, permitting division, based on the criteria in subsection J. of this section. A request shall first be either approved or denied administratively and may be further reviewed as described in subsection H.3. of this section. Approval or denial of the proposed modification or waiver shall not be construed as applying to any other development application either within the demonstration project area or elsewhere in the county.

D. A modification or waiver approved by the department of local services, permitting division, in accordance with this section shall be in addition to those modifications or waivers that are currently allowed by this title. The proposed modifications or waivers to development regulations that may be considered regarding sustainable communities and housing demonstration projects shall include only the following chapters and

related public rules:

1. Drainage review requirements: K.C.C. chapter 9.04 and the Surface Water Design Manual;
  2. King County road standards: K.C.C. chapter 14.42 and the King ~~((e))~~County ~~((r))~~Road Design and Construction ~~((s))~~Standards~~((, 2007 update))~~);
  3. Density and dimensions: ~~((K.C.C. chapter 21A.12))~~ sections 173, 174, 198, and 199 of this ordinance;
  4. Design requirements: K.C.C. chapter 21A.14;
  5. Landscaping and water use: K.C.C. chapter 21A.16 and K.C.C. 21A.60.060, a recodified by this ordinance;
  6. Parking and circulation: K.C.C. chapter 21A.18;
  7. Signs: K.C.C. chapter 21A.20;
  8. Critical areas: K.C.C. chapter 21A.24, if the modification results in a net improvement to the functions of the critical area; and
  9. Landscape installation timing: K.C.C. chapters 27A.30 and 27A.40.
- E. A demonstration project authorized by this section may contain residential and limited nonresidential uses subject to the following:
1. The demonstration project may include any residential uses as allowed as a permitted use in the R-12 through R-48 zones, subject to any development conditions in K.C.C. 21A.08.030, without the need to request a modification or waiver as described in subsection H. of this section. The applicant may request a modification or waiver of any of the development conditions for residential uses contained in K.C.C. 21A.08.030, subject to the review process described in subsection H. of this section and the criteria in subsection J. of this section;
  2. The demonstration project may include, as part of a residential project, any nonresidential use allowed as a permitted use in the NB zone under K.C.C. 21A.08.030, 21A.08.040, section 162 of this

ordinance, 21A.08.050, section 164 of this ordinance, 21A.08.060, and 21A.08.070, subject to any development conditions contained in those sections without the need to request a modification or waiver as described in subsection H. of this section, except the following uses are not allowed:

- a. automotive parking;
- b. automotive repair(~~((and))~~);
- c. automotive service(~~((, K.C.C. 21A.08.050))~~);

~~((e.))~~ d. commuter parking lot, (~~((K.C.C. 21A.08.060,))~~) unless as part of a transit-oriented development. For the purposes of this subsection (~~((E.2.e.))~~) E.2.d., "transit-oriented development" means a development that is designated as a transit-oriented development in an agreement with the county and that includes the construction of new housing units at or within one quarter mile of a county transit center or park and ride lot;

- ~~((d.))~~ e. gasoline service stations(~~((as defined in K.C.C. 21A.08.070))~~);
- ~~((e.))~~ f. off-street required parking lot;
- g. commercial and industrial accessory uses;
- ~~((f.))~~ h. private stormwater management facility;
- ~~((g.))~~ i. self-service storage; and
- ~~((h.))~~ j. vector waste receiving facility.

3. The nonresidential uses shall be no greater than three thousand square feet per use, with a total maximum of all nonresidential uses not to exceed ten percent of the area of the demonstration project site or twenty thousand square feet, whichever is smaller. The applicant may request a modification or waiver of the development conditions for nonresidential uses in K.C.C. 21A.08.030, 21A.08.040, section 162 of this ordinance, 21A.08.050, section 164 of this ordinance, 21A.08.060, and 21A.08.070, subject to the review process described in subsection H. of this section and the criteria in subsection J. of this section.

F. A demonstration project authorized by this section allows a residential basics program for townhouse

and apartment building types, consistent with the department of local services public rules chapter 16-04: residential basics program.

G. All related review processes such as subdivision, building permit, inspection, and similar processes for a demonstration project shall be expedited if:

1. Fifty percent or more of all residential units proposed for the demonstration project are affordable to households at eighty percent of area median income, as defined by Department of Housing and Urban Development income guidelines for King County and below; or

2. Seventy percent or more of all residential units for the demonstration project are affordable to households at eighty to one hundred fifteen percent of area median income, as defined by Department of Housing and Urban Development income guidelines for King County.

H.1. Requests for a modification or waiver made in accordance with this section may only be submitted in writing in relation to the following types of applications:

- a. a site development permit;
- b. a binding site plan;
- c. a building permit;
- d. a short subdivision; or
- e. a subdivision.

2. Requests shall be submitted to the department in writing before or in conjunction with an application for one or more of the permits listed in subsection H.1. of this section, together with any supporting documentation. The supporting documentation ~~((must))~~ shall illustrate how the proposed modification meets the criteria in subsection J. of this section.

3. Except for an applicant's request for a modification or waiver submitted in conjunction with an application for a subdivision, the notice of application, review, and approval of a proposed modification or waiver shall be treated as a Type 2 land use decision in accordance with K.C.C. 20.20.020. The request for a

modification or waiver submitted in conjunction with an application for a subdivision shall be treated as a Type 3 land use decision in accordance with K.C.C. 20.20.020.

4. A preapplication meeting with the applicant and the department of local services, permitting division, to determine the need for and the likely scope of a proposed modification or waiver is required before submittal of such a request. If a modification or waiver requires approval of the department of natural resources and parks or the department of local services, road services division, that department or division shall be invited to participate in the preapplication meeting.

5. If the applicant requests an adjustment from the county drainage standards, the director shall refer the request to the department of natural resources and parks for decision under K.C.C. chapter 9.04, with the right to appeal within the department of natural resources and parks as provided in K.C.C. 9.04.050.C.6. The department of natural resources and parks shall consider the purposes of this demonstration ordinance as a factor relative to the public interest requirement for drainage adjustments described in K.C.C.9.04.050.C.

6. If the applicant requests a variance from the county road standards, the director shall refer the request to the county road engineer for decision under K.C.C. 14.42.060, with the right to appeal within the department of local services, road services division, as provided in K.C.C. 14.42.060 and the associated public rule. The department of local services, road services division, shall consider the purposes of this demonstration ordinance as a factor relative to the public interest requirement for road variances described in K.C.C. 14.42.060.

7. Administrative appeals of modifications or waivers approved by the director shall be combined with any appeal of the underlying permit decision, if the underlying permit is subject to appeal.

I. An approved development proposal for any of the applications listed in subsection H.1. of this section, including site plan elements or conditions of approval may be amended or modified at the request of the applicant or the applicant's successor in interest designated by the applicant in writing. The director may administratively approve minor modifications to an approved development proposal. Modifications that result

in major changes as determined by the department or as defined by the approval conditions shall be treated as a new application for purposes of vesting and shall be reviewed as applicable to the underlying application pursuant to K.C.C. 20.20.020. Any increase in the total number of dwelling units above the maximum number set forth in the development proposal permit or approval shall be deemed a major modification. The county, through the applicable development proposal permit or approval conditions, may specify additional criteria for determining whether proposed modifications are major or minor. The modifications allowed under this section supersede other modification or revision provisions of K.C.C. Title 16 and Title 19A and this title.

J.1. To be eligible to use the provisions of this section, a demonstration project (~~((must))~~) shall be located on a demonstration project site identified in (~~((Ordinance 16650, Section 2,))~~) Attachment I to this ordinance, and the applicant has accepted the site as a King County sustainable communities and housing demonstration project.

2. Proposals to modify or waive development regulations for a development application (~~((must))~~) shall be consistent with general health, safety, and public welfare standards, and (~~((must))~~) not violate state or federal law.

3.a. Applications (~~((must))~~) shall demonstrate how the proposed project, when considered as a whole with the proposed modifications or waivers to the code, will meet all of the criteria in this subsection J., as compared to development without the modification or waiver, and:

- (1) achieves higher quality urban development;
- (2) provides quality infill development;
- (3) optimizes site utilization; and
- (4) enhances pedestrian experiences and sense of place and community.

b. Any individual request for a modification or waiver (~~((must))~~) shall meet two or more of the following criteria:

- (1) contributes to the creation of a sustainable community, which includes features such as a



connected street network, a mix of housing types, pedestrian or bike routes throughout the development, direct bus connections, no front garages, and front porches.

(2) uses the natural site characteristics to protect the natural systems;

(3)(a) contributes to achievement of a three-star rating for the project site under the Built Green Communities program administered by the Master Builders Association of King and Snohomish Counties;

(b) contributes to achievement of a four-star or higher rating for the single ~~((family units))~~ detached residences under the Built Green program administered by the Master Builders Association of King and Snohomish Counties or achieve a gold certification under the U.S. Green Building Council, LEED program, or equivalent program; or

(c) contributes to achievement of a four-star or higher rating for ~~((the multifamily units))~~ multiunit developments under the Built Green program administered by the Master Builders Association of King and Snohomish Counties or achieve a gold certification under the U.S. Green Building Council, LEED program, or other equivalent program; and

(4) provides attractive, well-designed development that will assist in improving safety and preventing crime in the development and surrounding area, including: adequate outdoor lighting along walkways~~((/))~~ and trails~~((;))~~; walkways~~((/))~~ and trails ~~((5'))~~ five feet or wider; and low vegetation along walkways~~((/))~~ and trails.

4. The criteria in this subsection supersede other variance, modification, or waiver criteria and provisions of K.C.C. Title 21A.

K. Regulatory modification and waiver applications, or both, authorized by this section shall be filed with the department of local services, permitting division, within three years of the approval of the development proposal, which includes issuance of a building permit or site development permit, recording of a plat, short plat, or binding site plan, or by such a later date as may be specified in the conditions of any development approval for any type of modification or waiver for which the opportunity for future application is expressly

granted in those conditions. Modifications or waivers contained within an approved development proposal are valid as long as the underlying permit or development application approval is valid. If modifications or waivers are approved as separate applications, they ~~((must))~~ shall be incorporated into a valid permit or development application within three years of approval of the development proposal. The director may extend the date for filing the demonstration project permit and development applications for a maximum of twelve months. Any deadline in this subsection shall be adjusted to include the time for appeal of all or any portion of the project approval.

SECTION 364. Ordinance 19119, Section 2, and K.C.C. 21A.55.125 are hereby amended to read as follows:

A.1. The purpose of the alternative housing demonstration project is to:

a. encourage private market development of housing options that are affordable to different segments of the county's population by testing removal of certain regulatory barriers to developing such housing;

b. compare ~~((at least two))~~ alternative housing options and their accessibility for populations who are otherwise unable to find suitable housing, such as lower-income one-person households, low-income seniors, people with disabilities, veterans, and persons experiencing homelessness; and

c. evaluate the public benefit of providing housing options with smaller living spaces and shared facilities~~((; and~~

d. ~~implement Phase I of King County Comprehensive Plan Workplan Action 6, as adopted in Ordinance 18427, and as amended by Ordinances 18427 and 18810)).~~

2. The expected benefits from the alternative housing demonstration project include:

a. the use of innovative design and development techniques to promote alternative housing options;

b. the development of new affordable housing built to modern building standards; and

c. the opportunity to identify and evaluate potential substantive changes to land use and development regulations that support the development of affordable housing while maintaining community character.

B. ~~((For purposes of this section:~~

1. ~~"Congregate residence" means one or more buildings that contain either sleeping units or dwelling units, or both, and where residents share either sanitation facilities or kitchen facilities, or both.~~

2. ~~"Sleeping unit" means a room or space in which people sleep, and can also include permanent provisions for living, eating, and either sanitation or kitchen facilities but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.~~

C.)) The alternative housing demonstration project shall be implemented in ~~((North Highline as described in Attachment A to Ordinance 19119 and in the Vashon Rural Town as described in Attachment B to Ordinance 19119))~~ the Snoqualmie Pass Rural Town as described in Map Amendment 31 in Attachment I to this ordinance.

~~((D.))~~ C. Applications shall demonstrate how the proposed project, when considered as a whole with the proposed modifications or waivers to the code, will meet the criteria in this section and, as compared to development without the modification or waiver, the degree to which the project will:

- a. increase the range of affordable housing options, including providing housing types that meet the needs of the local community;
- b. provide housing options for low- to moderate-income households;
- c. provide for the development of lower rent housing options through construction of buildings with shared facilities;
- d. seek to prevent displacement of the local community's residents;
- e. for projects with public funding, meet or exceed the sustainable development standards adopted by Washington state Department of Commerce under RCW 39.35D.080;
- f. for projects without public funding, meet or exceed Master Builders Association of King and Snohomish Counties 4-star Built Green standard; and
- g. provide attractive and well-designed development.

~~((E-))~~ D. The following apply to a demonstration project development proposal under this section and supersede development regulations under this title that are in conflict~~((÷4))~~. A demonstration project development proposal for a congregate residence in ~~((North Highline identified in Attachment A to Ordinance 19119))~~ the Snoqualmie Pass Rural Town as identified in Map Amendment 31 of Attachment I to this ordinance, is a permitted use under K.C.C. 21A.08.030 and the maximum residential density provisions ~~((and the base height provisions of K.C.C. 21A.12.030 and 21A.12.040))~~ as established by this title do not apply if:

~~((a. the))~~ 1. The proposal is for no more than a combined total of ~~((sixty))~~ forty dwelling units and sleeping units;

~~((b. each))~~ 2. Each sleeping unit or dwelling unit contains no more than two hundred twenty square feet of floor area; ~~((and))~~

~~((c. the))~~ 3. The proposed development does not exceed sixty-five feet in height; and

4. The proposed development does not use the provisions of K.C.C. chapter 21A.48.

~~((2. A demonstration project development proposal for a congregate residence, in Vashon Rural Town as identified in Attachment B to Ordinance 19119 is a permitted use under K.C.C. 21A.08.030 and the maximum residential density provisions of K.C.C. 21A.12.030 do not apply if:~~

~~a. the development proposal is for no more than five buildings with each building containing no more than a combined total of eight dwelling units and sleeping units; and~~

~~b. except for accessibility units designed to house persons with physical disabilities, sleeping units and dwelling units shall not contain more than three hundred fifty square feet of floor area. Sleeping units and dwelling units designed as accessible for persons with physical disabilities shall contain no more than three hundred eight five feet of net floor area.))~~

~~((F-))~~ E. A congregate residence under this section shall meet the following standards:

1. A congregate residence shall include at least one common kitchen facility. In a congregate residence with more than two floors, at least one common kitchen facility is required on each floor with sleeping units. In

a congregate residence consisting of more than one building, at least one common kitchen facility is required in each building.

2. A sleeping unit that does not include sanitation facilities in the sleeping unit shall have access to shared sanitation facilities on the same floor as the sleeping unit.

3. Communal areas, such as common kitchen facilities, lounges, recreation rooms, dining rooms, living rooms, laundry rooms, foyers, and lobbies, shall be open to all residents of the congregate residence and shall meet the following standards:

a. The total floor area of communal areas shall be at least twelve percent of the total floor area of all sleeping and dwelling units; and

b. Service areas, including, but not limited to, hallways and corridors, supply or janitorial storage areas, operations and maintenance areas, staff areas, and offices, may not be counted toward the communal area total floor area requirement.

~~((G-))~~ F.1. An application for a development permit or building permit under this section shall include a proposed agreement with the department of local services, permitting division, that addresses at least the following to be undertaken by the applicant:

a. measures to ensure that rents remain affordable, such as rent and income restrictions or the inherent affordability of smaller units;

b. ~~((measures to reduce displacement of the local community's residents, such as affirmative marketing or maintaining wait lists;~~

c. ~~measures to ensure that residents have available transportation choices to enable them reasonable access to retail and services, such as the Metro transit department Access paratransit services, community service vans, bike storage rooms or carshare services;~~

d. ~~for projects in the Vashon Rural Town, services that will be available to residents of the project, such as case management for vulnerable populations or social connectivity programming;~~

e.)) measures to incorporate housing needs of the local community into the proposed development;

((f.)) c. measures to involve the local community in the proposed development; and

((g.)) d. what information the applicant will collect and when and how it will be reported to the department of local services, permitting division, and the department of community and human services to assist in evaluation of the demonstration project.

2. The department shall not approve a development permit or building permit application under this section until the proposed agreement under this subsection has been approved by the department of local services, permitting division.

((H.)) G.1. A modification or waiver approved by the department of local services, permitting division, in accordance with this section shall be in addition to those modifications or waivers that are currently allowed by this title, K.C.C. Title 9, K.C.C. Title 14, and K.C.C. Title 16.

2. An applicant under this section, in conjunction with an application for a site development permit or a building permit, may request in writing a modification or waiver of the development regulations under the following chapters and titles. Proposals to modify or waive development regulations for a development application ~~((must))~~ shall be consistent with general health, safety, and public welfare standards and ~~((must))~~ shall not violate state or federal law:

- a. drainage review requirements: K.C.C. chapter 9.04 and the Surface Water Design Manual;
- b. King County road standards: K.C.C. chapter 14.42 and the King ~~((e))~~County ~~((r))~~Road Design and Construction ~~((s))~~Standards~~((, 2016 update))~~;
- c. King County building code: K.C.C. Title 16;
- d. permitted uses: K.C.C. chapter 21A.08;
- e. density and dimensions: ~~((K.C.C. chapter 21A.12))~~ section 213 of this ordinance;
- f. design requirements: K.C.C. chapter 21A.14;
- g. landscaping and water use: K.C.C. chapter 21A.16;

- h. parking and circulation: K.C.C. chapter 21A.18; and
- i. school impact fees: K.C.C. chapter 21A.43.

3. Requests for a waiver or modification made in accordance with this section shall be submitted to the department of local services, permitting division, in writing before or in conjunction with a development permit or building permit application together with any supporting documentation. The supporting documentation (~~((must))~~) shall illustrate how the proposed modification meets the criteria in this section.

4. The notice of application, review, and approval of a proposed modification or waiver under this section shall be treated as a Type 2 land use decision in accordance with K.C.C. 20.20.020. Approval or denial of the proposed modification or waiver shall not be construed as applying to any other development application either within a demonstration project area or elsewhere in the county.

5. A preapplication conference with the applicant and the department of local services, permitting division, to determine the need for and the likely scope of a proposed modification or waiver is required before submittal of such a request. If a modification or waiver requires approval of the department of natural resources and parks or the department of local services, roads services division, that department or division shall be invited to participate in the preapplication conference.

6. If the applicant requests an adjustment from the county drainage standards, the director shall refer the request to the department of natural resources and parks for decision under K.C.C. chapter 9.04, with the right to appeal within the department of natural resources and parks as provided in K.C.C. 9.04.050.C.6. The department of natural resources and parks shall consider the purposes of this demonstration project as a factor relative to the public interest requirement for drainage adjustments described in K.C.C. 9.04.050.C.

7. If the applicant requests a variance from the county road standards, the director shall refer the request to the county road engineer for decision under K.C.C. 14.42.060, with the right to appeal to the department of local services, road services division, as provided in K.C.C. 14.42.060 and the associated public rules. The department of local services, road services division, shall consider the purposes of this

demonstration project as a factor relative to the public interest requirement for road variances described in K.C.C. 14.42.060.

8. Administrative appeals of modifications or waivers approved by the director shall be combined with any appeal of the underlying permit decision.

~~((F.))~~ H. An approved development permit or a building permit under this section, including site plan elements or conditions of approval, may be amended or modified at the request of the applicant or the applicant's successor in interest designated by the applicant in writing. The director may administratively approve minor modifications to an approved permit. Modifications that result in major changes as determined by the department of local services, permitting division, or as defined by the approval conditions, shall be treated as a new application for purposes of vesting and shall be reviewed as applicable to the underlying application in accordance with K.C.C. 20.20.020. Any increase in the total number of sleeping units and dwelling units above the maximum number set forth in the development permit or building permit approval shall be deemed a major modification. The county, through the applicable development permit or building permit approval conditions, may specify additional criteria for determining whether proposed modifications are major or minor. The modifications allowed under this section supersede other modification or revision provisions of K.C.C. Title 16 and this title.

~~((J.))~~ I. Demonstration project applications shall be accepted by the department of local services, permitting division, for four years from ~~((July 19, 2020))~~ the effective date of this section. Complete applications submitted before the end of the four years, shall be reviewed and decided on by the department of local services, permitting division.

~~((K.))~~ J.1. The executive shall electronically file the following reports ~~((in the form of a paper original and an electronic copy))~~ with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff, and the lead staff to the local services~~((;))~~ and land use committee or its successor ~~((and the lead staff to the community health and housing services committee or its~~



successor))):

a. A preliminary report within two years of the final certificate of occupancy for the first project completed under the demonstration project in this section , as adopted in either Ordinance 19119 or this ordinance, that describes and evaluates the pertinent preliminary results; and

b. A final report within two years of the final certificate of occupancy for the second project completed under the demonstration project, as adopted in either ordinance 19119 or this ordinance, that describes and evaluates the pertinent results and recommends changes, if appropriate based on evaluation, that should be made to the county processes and development regulations.

2. If only insufficient or inconclusive data are available when the report required under subsection ((~~K.~~) J.1. of this section is due, the executive ((~~must~~)) shall electronically file ((~~in the form of a paper original and an electronic copy~~)) with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff, and the lead staff to the local services and land use committee or its successor ((~~and the lead staff to the community health and housing services committee or its successor~~)) a report on the demonstration projects that indicates the date a subsequent report or reports will be transmitted to fully evaluate outcomes of the demonstration project sites and recommend changes, if appropriate, based on the evaluation, that should be made to the county processes and development regulations.

NEW SECTION. SECTION 365. There is hereby added to K.C.C. 21A.55 a new section to read as follows:

A.1. The purpose of the regenerative development demonstration project is to determine whether innovative permit processing, site development, and building construction techniques can facilitate development that goes beyond sustainability and results in significant community and environmental benefits, including: net-positive energy and water use; improved ecological performance; health and wellness through walkability, social interaction, and elimination of toxic materials; and diverse, equitable, and affordable housing. The demonstration project will provide information on application of these techniques to a project

with a mix of residential and commercial uses within Vashon Rural Town.

2. The demonstration project will also enable the county to evaluate whether consolidated administrative approval of modifications or waivers and any subsequent hearings, if required, effectively speeds the development review process while maintaining land use coordination and environmental protection, and whether that leads to administrative costs savings for project applicants and King County.

B. Expected benefits from the demonstration project include: restoration and enhancement of local ecosystems, particularly ground and surface waters on site and in the watershed; greater use of non-toxic, sustainable building materials; more efficient use of energy and natural resources; improved resident wellbeing; resilience to climate change; diverse, equitable, and affordable housing; and the opportunity to identify and evaluate potential substantive changes to land use development regulations that support these goals.

C. A request by the applicant to modify or waive development standards for the development proposals shall be evaluated by the department of local services, permitting division, based on the criteria in subsection J. of this section. A request shall first be either approved or denied administratively and may be further reviewed as described in subsection H.3. of this section. Approval or denial of the proposed modification or waiver shall not be construed as applying to any other development application either within the demonstration project area or elsewhere in the county.

D. A modification or waiver approved by the department of local services, permitting division, in accordance with this section shall be in addition to those modifications or waivers that are currently allowed by this title. The proposed modifications or waivers to development regulations that may be considered regarding regenerative development demonstration projects shall include only the following chapters and related public rules:

1. Drainage review requirements: K.C.C. chapter 9.04 and the Surface Water Design Manual;
2. King County road standards: K.C.C. chapter 14.42 and the King County Road Design and Construction Standards;

3. Density and dimensions: section 212 and section 213 of this ordinance, except that allowed densities shall not be modified or waived;

4. Design requirements: K.C.C. chapter 21A.14;

5. Landscaping and water use: K.C.C. chapter 21A.16;

6. Parking and circulation: K.C.C. chapter 21A.18;

7. Signs: K.C.C. chapter 21A.20;

8. Critical areas: K.C.C. chapter 21A.24, if the modification results in a net improvement to the functions of the critical area; and

9. Landscape installation timing: K.C.C. chapters 27A.30 and 27A.40.

E. A demonstration project authorized by this section may contain residential and nonresidential uses subject to the following:

1. The R-8 zoned areas of the demonstration project may include any residential uses as allowed as a permitted use in the R-12 through R-48 zones, subject to any development conditions in K.C.C. 21A.08.030, without the need to request a modification or waiver as described in subsection H. of this section. The applicant may request a modification or waiver of any of the development conditions for residential uses contained in K.C.C. 21A.08.030, subject to the review process described in subsection H. of this section and the criteria in subsection J. of this section;

2. For nonresidential uses anywhere within the demonstration project area, the applicant may request a modification or waiver of the development conditions for nonresidential uses in section 211 of this ordinance, subject to the review process described in subsection H. of this section and the criteria in subsection J. of this section.

F. A demonstration project authorized by this section allows a residential basics program for townhouse, apartment, and houseplex building types, consistent with the department of local services public rules chapter 16-04: residential basics program.

G. All related review processes such as subdivision, building permit, inspection, and similar processes for a demonstration project shall be expedited if:

1. Ten percent or more of all for-sale residential units proposed for the demonstration project are placed into a Community Land Trust as affordable to households at eighty percent of area median income; and
2. Either:
  - a. fifteen percent or more of all rental residential units for the demonstration project are affordable to households at eighty percent of area median income; or
  - b. seventy percent or more of all rental residential units for the demonstration project are affordable to households at eighty to one hundred fifteen percent of area median income.

H.1. Requests for a modification or waiver made in accordance with this section may only be submitted in writing in relation to the following types of applications:

- a. a site development permit;
- b. a binding site plan;
- c. a building permit;
- d. a short subdivision;
- e. a subdivision;
- f. a conditional use permit; or
- g. a clearing and grading permit.

2. Requests shall be submitted to the department in writing before or in conjunction with an application for one or more of the permits listed in subsection H.1. of this section, together with any supporting documentation. The supporting documentation must illustrate how the proposed modification meets the criteria in subsection J. of this section.

3. Except for an applicant's request for a modification or waiver submitted in conjunction with an application for a subdivision, the notice of application, review, and approval of a proposed modification or

waiver shall be treated as a Type 2 land use decision in accordance with K.C.C. 20.20.020. The request for a modification or waiver submitted in conjunction with an application for a subdivision shall be treated as a Type 3 land use decision in accordance with K.C.C. 20.20.020.

4. A preapplication meeting with the applicant and the department of local services, permitting division, to determine the need for and the likely scope of a proposed modification or waiver, is required before submittal of such a request. If a modification or waiver requires approval of the department of natural resources and parks or the department of local services, road services division, that department or division shall be invited to participate in the preapplication meeting.

5. If the applicant requests an adjustment from the county drainage standards, the director shall refer the request to the department of natural resources and parks for decision under K.C.C. chapter 9.04, with the right to appeal within the department of natural resources and parks as provided in K.C.C. 9.04.050.C.6. The department of natural resources and parks shall consider the purposes of this demonstration ordinance as a factor relative to the public interest requirement for drainage adjustments described in K.C.C. 9.04.050.C.

6. If the applicant requests a variance from the county road standards, the director shall refer the request to the county road engineer for decision under K.C.C. 14.42.060, with the right to appeal within the department of local services, road services division, as provided in K.C.C. 14.42.060 and the associated public rule. The department of local services, road services division, shall consider the purposes of this demonstration ordinance as a factor relative to the public interest requirement for road variances described in K.C.C. 14.42.060.

7. Administrative appeals of modifications or waivers approved by the director shall be combined with any appeal of the underlying permit decision, if the underlying permit is subject to appeal.

I. An approved development proposal for any of the applications listed in subsection H.1. of this section, including site plan elements or conditions of approval, may be amended or modified at the request of the applicant or the applicant's successor in interest designated by the applicant in writing. The director may

administratively approve minor modifications to an approved development proposal. Modifications that result in major changes as determined by the department or as defined by the approval conditions shall be treated as a new application for purposes of vesting and shall be reviewed as applicable to the underlying application pursuant to K.C.C. 20.20.020. Any increase in the total number of dwelling units above the maximum number set forth in the development proposal permit or approval shall be deemed a major modification. The county, through the applicable development proposal permit or approval conditions, may specify additional criteria for determining whether proposed modifications are major or minor. The modifications allowed under this section supersede other modification or revision provisions of K.C.C. Title 16 and Title 19A and this title.

J.1. To be eligible to use the provisions of this section, a demonstration project must be located on a demonstration project site identified in the regenerative development demonstration project Map Amendment 9 in Attachment I to this ordinance, and the applicant has accepted the site as a King County regenerative development demonstration project.

2. Proposals to modify or waive development regulations for a development application must be consistent with general health, safety, and public welfare standards, and must not violate state or federal law.

3.a. Applications must demonstrate how the proposed project, when considered as a whole with the proposed modifications or waivers to the code, will meet all of the criteria in this subsection J., as compared to development without the modification or waiver, and:

- (1) achieves higher-quality development;
- (2) optimizes site utilization; and
- (4) enhances pedestrian experiences and sense of place and community.

b. Any individual request for a modification or waiver must meet two or more of the following criteria:

(1) contributes to the creation of a walkable community, which includes features such as a connected street and trail network, a mix of housing types, and pedestrian or bike routes throughout the

development.

(2) uses the natural site characteristics to enhance the natural systems, providing a net benefit; and

(3) contributes to achievement of Living Certification through the International Living Future Institute's Living Building Challenge certification program.

4. The criteria in this subsection supersede other variance, modification, or waiver criteria and provisions of K.C.C. Title 21A.

K. Regulatory modification and waiver applications, or both, authorized by this section shall be filed with the department of local services, permitting division, on or before January 1, 2028. Complete applications submitted on or before January 1, 2028, shall be reviewed and decided on by the department of local services, permitting division. Modifications or waivers contained within an approved development proposal are valid as long as the underlying permit or development application approval is valid. If modifications or waivers are approved as separate applications, they must be incorporated into a valid permit or development application on or before January 1, 2028. The director may extend the date for filing the demonstration project permit and development applications for a maximum of twelve months. Any deadline in this subsection shall be adjusted to include the time for appeal of all or any portion of the project approval.

SECTION 366. Ordinance 3269, Section 2, and K.C.C. 24.08.010 are hereby amended to read as follows:

~~((For the purpose of this title, the following terms have the meanings ascribed to them in this chapter.))~~

The definitions in K.C.C. chapter 21A.06 and the definitions in this chapter apply to this title.

NEW SECTION. SECTION 367. There is hereby added to K.C.C. chapter 24.08 a new section to read as follows:

Rotating shelter: an emergency shelter where the hosting organizations host shelter operations on a temporary basis, rotating the shelter operations between its participating host locations.

SECTION 368. Sections 369 through 374 of this ordinance should constitute a new chapter in K.C.C.

Title 24.

NEW SECTION. SECTION 369. The purpose of this chapter is to provide standards for certain residential care uses and to address the potential impacts to neighborhoods.

NEW SECTION. SECTION 370. Recuperative housing is subject to the following criteria:

- A. Prospective residents shall be referred to the facility by off-site providers of housing and services for people experiencing homelessness;
- B. Recuperative housing facilities shall be staffed and in operation twenty-four hours per day;
- C. Specific rooms or units shall be assigned to specific residents for the duration of their stay;
- D. On-site services such as laundry, hygiene, meals, case management, and social programs are limited to residents;
- E. All vehicles on-site shall be licensed and in operational condition; and
- F. A lease agreement for residents is allowed but not required.

NEW SECTION. SECTION 371.

- A. Emergency shelters that operate twenty-four hours per day, seven days per week, are subject to the following criteria:
- 1. Facilities shall be staffed twenty-four hours per day; and
  - 2. Beds or rooms shall be assigned to specific residents for the duration of their stay;
- B. Emergency shelters that operate only overnight and rotating shelters shall provide on-site supervision while in operation; and

C. A lease agreement for residents is allowed but not required.

NEW SECTION. SECTION 372. Emergency supportive housing is subject to the following criteria:

- A. Facilities shall be staffed and in operation twenty-four hours per day;
- B. Specific rooms or units shall be assigned to specific residents for the duration of their stay;
- C. On-site services such as laundry, hygiene, meals, case management, and social programs shall be



limited to residents;

D. All vehicles on-site shall be licensed and in operational condition; and

E. A lease agreement for residents is allowed but not required.

NEW SECTION. SECTION 373. Microshelter villages are subject to the following criteria:

A. On-site services such as laundry, hygiene, meals, case management, and social programs shall be limited to residents;

B. Supervision shall be provided by on-site staff at all times, unless it can be demonstrated that this level of supervision is not warranted for the population being housed;

C. The organization managing and operating the facility shall provide sanitation and basic safety measures;

D. All vehicles on-site shall be licensed and in operational condition; and

E. A lease agreement for residents is allowed but not required.

NEW SECTION. SECTION 374. Safe parking sites are allowed subject to the following criteria:

A. A six-foot clearance shall be provided around each recreational vehicle;

B. All vehicles on-site shall be:

1. Licensed and in operable condition; and
2. Parked within the designated parking area;

C. All personal property shall be stored inside the vehicles;

D. All propane tanks shall be securely fastened to a recreational vehicle's propane tank mounting bracket;

E. The following are prohibited:

1. Tents, tarps, and other temporary structures, such as lean-tos;
2. Vehicles that leak the following:
  - a. domestic sewage or other waste fluids or solids; or

b. gasoline, transmission or radiator fluid, engine oil, or other similar fluids, excluding potable water;

3. Fires; and

4. Audio, video, generator, or other amplified sound that is audible outside the vehicles; and

F. The organization managing or operating the safe parking site shall comply and enforce compliance of applicable state statutes and regulations and local ordinances concerning, but not limited to, drinking water connections, solid waste disposal, human waste, outdoor fire burning, and electrical systems.

SECTION 375. Ordinance 13332, Section 34, as amended, and K.C.C. 27.10.190 are hereby amended to read as follows:

Preliminary subdivision, short subdivision, ~~((urban planned development))~~ or binding site plan applications shall be charged fees for planning, fire flow and access, site engineering, critical area, survey, and state Environmental Policy Act review as follows:

A.	Short <del>((plat))</del> <u>subdivision</u> - urban <del>((2))</del> <u>3</u> to 4 lots, simple	\$34,187.00
B.	Short <del>((plat))</del> <u>subdivision</u> - urban <del>((2))</del> <u>3</u> to 4 lots, complex	\$40,118.00
C.	Short <del>((plat))</del> <u>subdivision</u> - urban 5 to 9 lots	\$50,714.00
D.	Short <del>((plat))</del> <u>subdivision</u> - rural	\$40,118.00
E.	Subdivision <del>((, urban planned development,))</del> or binding site plan - base fee	\$62,839.00
F.	Subdivision - additional fee per lot	\$212.00
G.	<u>Microsubdivision - urban 2 lots</u>	<u>\$15,000.00</u>
H.	Minor plan revisions before or after preliminary approval	
1.	<u>Microsubdivision - urban 2 lots</u>	<u>\$1,800.00</u>
<u>2.</u>	Short <del>((plat))</del> <u>subdivision</u>	\$3,601.00
<del>((2-))</del> <u>3.</u>	Subdivision <del>((, urban planned development))</del> or binding site plan	\$9,217.00
<del>((H-))</del> <u>I.</u>	Extension of <del>((plat))</del> <u>preliminary</u> approval	\$423.00

SECTION 376. Ordinance 13332, Section 35, as amended, and K.C.C. 27.10.200 are hereby amended to read as follows:

Final ~~((subdivision)) plat~~, short ~~((subdivision)) plat~~, ~~((urban-planned development))~~ binding site plan, subdivisional legal description, or title review, approval, and resubmittal shall be charged fees as follows:

A. Final plan review and approval

- |   |                   |
|---|-------------------|
| 1. Short plat - urban <del>((2))</del> <u>3</u> to 4 lots, simple   | \$10,762.00       |
| 2. Short plat - urban <del>((2))</del> <u>3</u> to 4 lots, complex  | \$15,001.00       |
| 3. Short plat - urban 5 to 9 lots   | \$23,052.00       |
| 4. Short plat - rural   | \$15,001.00       |
| 5. <del>((Subdivision,))</del> <u>Final plat or binding site plan</u> <del>((, or urban-planned development))</del> | \$23,052.00       |
| 6. <u>Microplat - urban 2 lots</u>  | <u>\$5,000.00</u> |

B. Final plan resubmittal

- |   |            |
|---|------------|
| 1. Short plat - urban <del>((2))</del> <u>3</u> to 4 lots, simple   | \$1,484.00 |
| 2. Short plat - urban <del>((2))</del> <u>3</u> to 4 lots, complex  | \$2,117.00 |
| 3. Short plat - urban 5 to 9 lots   | \$4,239.00 |
| 4. Short plat - rural   | \$2,117.00 |
| 5. <del>((Subdivision,))</del> <u>Final plat or binding site plan</u> <del>((, or urban-planned development))</del> |            |

\$4,239.00

- |                                    |                 |
|------------------------------------|-----------------|
| 6. <u>Microplat - urban 2 lots</u> | <u>\$700.00</u> |
|------------------------------------|-----------------|

C. Alteration after recordation

- |  |             |
|--|-------------|
| 1. Short plat - urban <del>((2))</del> <u>3</u> to 4 lots, simple  | \$7,204.00  |
| 2. Short plat - urban <del>((2))</del> <u>3</u> to 4 lots, complex | \$10,169.00 |
| 3. Short plat - urban 5 to 9 lots                                  | \$15,466.00 |

4.	Short plat - rural	\$10,160.00
5.	<del>((Subdivision,))</del> <u>Final plat or binding site plan ((or urban planned development))</u>	\$18,434.00
6.	<u>Microplat - urban 2 lots</u>	<u>\$3,500.00</u>
D.	Subdivisional legal description review	
1.	1-50 lots - base fee	\$1,043.00
2.	1-50 lots - per lot	\$250.00
3.	51-100 lots - base fee	\$13,543.00
4.	51-100 lots - per lot	\$101.00
5.	More than 100 lots - base fee	\$18,593.00
6.	More than 100 lots - per lot	\$24.00
7.	Name change	\$770.00

SECTION 377. No later than June 30, 2025, the executive shall transmit the thirty-year forest plan, clean water healthy habitat strategic plan, and wildfire risk reduction strategy to the council, along with motions accepting each document. The documents and motions required by this section shall be filed with the clerk of the council, who shall retain an electronic copy and provide an electronic copy to all councilmembers, the council chief of staff, and the lead staff to the transportation, economy, and environment committee or its successor.

SECTION 378. The following are hereby repealed:

- A. Ordinance 14050, Section 17, and K.C.C. 14.70.300;
- B. Ordinance 9614, Section 103, as amended, and K.C.C. 16.82.150;
- C. Ordinance 16267, Section 6, and K.C.C. 16.82.151;
- D. Ordinance 15053, Section 15, as amended, and K.C.C. 16.82.152;
- E. Ordinance 15053, Section 16, and K.C.C. 16.82.154;

- F. Ordinance 18810, Section 6, and K.C.C. 20.08.175;
- G. Ordinance 1096, Sections 1 and 2, as amended, and K.C.C. 20.12.090;
- H. Ordinance 8279, Section 1, as amended, and K.C.C. 20.12.150;
- I. Ordinance 18623, Section 8, and K.C.C. 20.12.329;
- J. Ordinance 11620, Section 18, and K.C.C. 20.12.433;
- K. Ordinance 11620, Section 19, and K.C.C. 20.12.435;
- L. Ordinance 8380, Section 1, and K.C.C. 20.14.010;
- M. Ordinance 8380, Appendix A;
- N. Ordinance 8380, Appendix B;
- O. Ordinance 10238, Section 1, as amended, and K.C.C. 20.14.020;
- P. Ordinance 10293, Attachment A, as amended;
- Q. Ordinance 10293, Sections 1, 2, 6, 7, and 9, as amended, and K.C.C. 20.14.025;
- R. Ordinance 10293, Attachment A, as amended;
- S. Ordinance 10513, Section 1, as amended, and K.C.C. 20.14.030;
- T. Ordinance 10513, Attachment A, as amended;
- U. Ordinance 11087, Section 1, as amended, and K.C.C. 20.14.040;
- V. Ordinance 11087, Attachment A, as amended;
- W. Ordinance 11111, Section 1, as amended, and K.C.C. 20.14.050;
- X. Ordinance 11111, Attachment A, as amended;
- Y. Ordinance 11886, Sections 1 and 4, as amended, and K.C.C. 20.14.060;
- Z. Ordinance 11886, Attachment A, as amended;
- AA. Ordinance 12809, Section 1, as amended, and K.C.C. 20.14.070;
- BB. Ordinance 12809, Attachment A, as amended;
- CC. Ordinance 14091, Section 1, and K.C.C. 20.14.080;

DD. Ordinance 14091, Attachment A;

EE. Ordinance 13147, Section 28, as amended, and K.C.C. 20.18.120;

FF. Ordinance 8998, Section 6, and K.C.C. 20.44.145;

GG. Ordinance 11210, Section 22, and K.C.C. 21A.06.027;

HH. Ordinance 10870, Section 99, as amended, and K.C.C. 21A.06.295;

II. Ordinance 17191, Section 20, and K.C.C. 21A.06.318;

JJ. Ordinance 10870, Section 106 and K.C.C. 21A.06.330;

KK. Ordinance 17191, Section 22 and K.C.C. 21A.06.450;

LL. Ordinance 12171, Section 3, and K.C.C. 21A.06.533;

MM. Ordinance 10870, Section 192, and K.C.C. 21A.06.760;

NN. Ordinance 10870, Section 196, and K.C.C. 21A.06.780;

OO. Ordinance 14045, Section 6, and K.C.C. 21A.06.819;

PP. Ordinance 10870, Section 208, and K.C.C. 21A.06.840;

QQ. Ordinance 10870, Section 210, and K.C.C. 21A.06.850;

RR. Ordinance 10870, Section 219, and K.C.C. 21A.06.895;

SS. Ordinance 11210, Section 31, and K.C.C. 21A.06.897;

TT. Ordinance 11210, Section 33, and K.C.C. 21A.06.972;

UU. Ordinance 10870, Section 239, and K.C.C. 21A.06.995;

VV. Ordinance 10870, Section 255, and K.C.C. 21A.06.1075;

WW. Ordinance 10870, Section 301, and K.C.C. 21A.06.1305;

XX. Ordinance 10870, Section 308, and K.C.C. 21A.06.1340;

YY. Ordinance 10870, Section 339, and K.C.C. 21A.12.020;

ZZ. Ordinance 10870, Section 340, as amended, and K.C.C. 21A.12.030;

AAA. Ordinance 10870, Section 341, as amended, and K.C.C. 21A.12.040;

BBB. Ordinance 17539, Section 35, and K.C.C. 21A.12.042;

CCC. Ordinance 10870, Section 345, as amended, and K.C.C. 21A.12.080;

DDD. Ordinance 11555, Section 4, as amended, and K.C.C. 21A.12.085;

EEE. Ordinance 10870, Section 368, as amended, and K.C.C. 21A.14.080;

FFF. Ordinance 10870, Section 369, as amended, and K.C.C. 21A.14.090;

GGG. Ordinance 10870, Section 372, and K.C.C. 21A.14.120;

HHH. Ordinance 10870, Section 373, as amended, and K.C.C. 21A.14.130;

III. Ordinance 10870, Section 379, as amended, and K.C.C. 21A.14.190;

JJJ. Ordinance 10870, Section 410, as amended, and K.C.C. 21A.18.060;

KKK. Ordinance 10870, Section 417, and K.C.C. 21A.18.130;

LLL. Ordinance 10870, Section 418, and K.C.C. 21A.18.140;

MMM. Ordinance 15170, Section 18, and K.C.C. 21A.32.145;

NNN. Ordinance 10870, Section 560, and K.C.C. 21A.34.010;

OOO. Ordinance 10870, Section 561, as amended, and K.C.C. 21A.34.020;

PPP. Ordinance 10870, Section 562, as amended, and K.C.C. 21A.34.030;

QQQ. Ordinance 10870, Section 563, as amended, and K.C.C. 21A.34.040;

RRR. Ordinance 10870, Section 564, as amended, and K.C.C. 21A.34.050;

SSS. Ordinance 10870, Section 565, as amended, and K.C.C. 21A.34.060;

TTT. Ordinance 10870, Section 566, and K.C.C. 21A.34.070;

UUU. Ordinance 10870, Section 567, and K.C.C. 21A.34.080;

VVV. Ordinance 16267, Section 68, as amended, and K.C.C. 21A.37.055;

WWW. Ordinance 10870, Section 578, as amended, and K.C.C. 21A.38.050;

XXX. Ordinance 10870, Section 581, as amended, and K.C.C. 21A.38.080;

YYY. Ordinance 11567, Section 1, as amended, and K.C.C. 21A.38.100;

ZZZ. Ordinance 12823, Section 13, and K.C.C. 21A.38.180;

AAAA. Ordinance 18623, Section 9, and K.C.C. 21A.38.270;

BBBB. Ordinance 19555, Section 19, and K.C.C. 21A.38.275;

CCCC. Ordinance 19555, Section 20, and K.C.C. 21A.38.280;

DDDD. Ordinance 10870, Section 582, and K.C.C. 21A.39.010;

EEEE. Ordinance 10870, Section 583, as amended, and K.C.C. 21A.39.020;

FFFF. Ordinance 10870, Section 584, as amended, and K.C.C. 21A.39.030;

GGGG. Ordinance 10870, Section 585, and K.C.C. 21A.39.040;

HHHH. Ordinance 10870, Section 586, as amended, and K.C.C. 21A.39.050;

IIII. Ordinance 10870, Section 587, and K.C.C. 21A.39.060;

JJJJ. Ordinance 10870, Section 588, and K.C.C. 21A.39.070;

KKKK. Ordinance 10870, Section 589, and K.C.C. 21A.39.080;

LLLL. Ordinance 10870, Section 590, and K.C.C. 21A.39.090;

MMMM. Ordinance 10870, Section 591, and K.C.C. 21A.39.100;

NNNN. Ordinance 10870, Section 592, and K.C.C. 21A.39.110;

OOOO. Ordinance 10870, Section 593, and K.C.C. 21A.39.120;

PPPP. Ordinance 10870, Section 594, and K.C.C. 21A.39.130;

QQQQ. Ordinance 12171, Section 8, and K.C.C. 21A.39.200;

RRRR. Ordinance 13130, Section 10, as amended, and K.C.C. 21A.42.180;

SSSS. Ordinance 10870, Section 628, and K.C.C. 21A.44.070;

TTTT. Ordinance 12171, Section 9, and K.C.C. 21A.44.080;

UUUU. Ordinance 13275, Section 1, as amended, and K.C.C. 21A.55.050;

VVVV. Ordinance 14662, Section 1, as amended, and K.C.C. 21A.55.060;

WWWW. Ordinance 19687, Section 10, and K.C.C. 21A.60.020;



XXXX. Ordinance 17877, Section 1;

YYYY. Ordinance 17877, Section 2;

ZZZZ. Ordinance 17877, Section 3;

AAAAA. Ordinance 17878, Section 1;

BBBBB. Ordinance 17878, Section 2;

CCCCC. Ordinance 17878, Section 3;

DDDDD. Ordinance 17950, Section 5;

EEEE. Ordinance 15170, Section 16, as amended;

FFFF. Ordinance 15170, Section 17, as amended;

GGGGG. Attachment A to Ordinance 13875, as amended; and

HHHHH. Ordinance 16650, Attachment B.

SECTION 379. The executive shall submit sections 48, 270, 272, 273, 274, 275, 276, 277, 278, 279, and 280 of this ordinance and amendments to King County Comprehensive Plan chapter six in Attachment A to this ordinance to the state Department of Ecology for its approval, as provided in RCW 90.58.090.

SECTION 380. Sections 48, 270, 272, 273, 274, 275, 276, 277, 278, 279, and 280 of this ordinance and amendments to King County Comprehensive Plan chapter six in Attachment A to this ordinance take effect within the shoreline jurisdiction fourteen days after the state Department of Ecology provides written notice of final action stating that the proposal is approved, in accordance with RCW 90.58.090. The executive shall provide the written notice of final action to the clerk of the council.

SECTION 381. The "Designated Mineral Resource Sites" table shown in Chapter 3 of the King County Comprehensive Plan shall not take effect until the latter of the following:

A. Sixty-one days after the date of publication of notice of adoption for this ordinance; or

B. If a petition for review to the growth management hearings board is timely filed, upon issuance of the board's final order. The executive shall alert the clerk of the council whether a petition is filed, and if a

petition is filed, when a final order is issued.

SECTION 382. The executive is authorized to submit an application to the Growth Management Planning Council to designate the Skyway and White Center Unincorporated Activity Centers as countywide centers, as provided in Appendix 6 to the 2021 King County Countywide Planning Policies.

SECTION 383. **Severability.** If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision