



Signature Report

Ordinance

Proposed No. 2019-0413.1

Sponsors

1 AN ORDINANCE relating to comprehensive planning and
2 development regulations; amending Ordinance 263, Article
3 2, Section 1, as amended, and K.C.C. 20.12.010, Ordinance
4 11575, Section 2, as amended, and K.C.C. 20.12.015,
5 Ordinance 11653, Section 6, as amended, and K.C.C.
6 20.12.017, Ordinance 11166, Section 2, as amended, and
7 K.C.C. 20.12.337, Ordinance 13147, Section 19, as
8 amended, and K.C.C. 20.18.030, Ordinance 13147, Section
9 20, as amended, and K.C.C. 20.18.040, Ordinance 13147,
10 Section 21, as amended, and K.C.C. 20.18.050, Ordinance
11 114047, Section 4, and K.C.C. 20.18.055, Ordinance
12 13147, Section 22, as amended, and K.C.C. 20.18.060,
13 Ordinance 13147, Section 23, as amended, and K.C.C.
14 20.18.070, Ordinance 14017, Section 9, as amended, and
15 K.C.C. 20.18.170, Ordinance 14017, Section 10, as
16 amended, and K.C.C. 20.18.180, Ordinance 13147, Section
17 34, as amended, and K.C.C. 20.22.170, Ordinance 10870,
18 Section 21, and K.C.C. 21A.02.110, Ordinance 11157,
19 Section 29, and K.C.C. 21A.06.150, Ordinance 13319,

20 Section 3, and K.C.C. 21A.06.197, Ordinance 10870,
21 Section 201, and K.C.C. 21A.06.805, Ordinance 10870,
22 Section 310, and K.C.C. 21A.06.1350, Ordinance 10870,
23 Section 315, and K.C.C. 21A.06.1375, Ordinance 10870,
24 Section 330, as amended, and K.C.C. 21A.08.030,
25 Ordinance 10870, Section 333, as amended, and K.C.C.
26 21A.08.060, Ordinance 10870, Section 335, as amended,
27 and K.C.C. 21A.08.080, Ordinance 10870, Section 336, as
28 amended, and K.C.C. 21A.08.090, Ordinance 10870,
29 Section 337, as amended, and K.C.C. 21A.08.100,
30 Ordinance 10870, Section 340, as amended, and K.C.C.
31 21A.12.030, Ordinance 15032, Section 18, and K.C.C.
32 21A.14.025, Ordinance 10870, Section 407, as amended,
33 and K.C.C. 21A.18.030, Ordinance 10870, Section 440, as
34 amended, and K.C.C. 21A.22.020, Ordinance 17539,
35 Section 47, and K.C.C. 21A.24.072, Ordinance 10870,
36 Section 478, as amended, and K.C.C. 21A.24.310,
37 Ordinance 15051, Section 179, as amended, and K.C.C.
38 21A.24.316, Ordinance 3688, Section 303, as amended,
39 and K.C.C. 21A.25.050, Ordinance 3688, Section 413, as
40 amended, and K.C.C. 21A.25.170, Ordinance 13274,
41 Section 1, as amended, and K.C.C. 21A.37.010, Ordinance
42 13274, Section 4, as amended, and K.C.C. 21A.37.020,

43 Ordinance 13274, Section 6, as amended, and K.C.C.
44 21A.37.040, Ordinance 13274, Section 7, as amended, and
45 K.C.C. 21A.37.070, Ordinance 13733, Section 8, as
46 amended, and K.C.C. 21A.37.100, Ordinance 10870,
47 Section 578, as amended, and K.C.C. 21A.38.050 and
48 Ordinance 13332 and Section 33, as amended, and K.C.C.
49 27.10.080, adding new sections to K.C.C. chapter 21A.06,
50 adding new sections to K.C.C. chapter 21A.38, adding a
51 new section to K.C.C. chapter 21A.42, adding a new chapter
52 to K.C.C. Title 16, recodifying K.C.C. 21A.06.150 and
53 repealing Ordinance 12171, Section 7, and K.C.C.
54 21A.38.110, Ordinance 12823, Section 9, and K.C.C.
55 21A.38.140, Ordinance 12823, Section 19, as amended,
56 and K.C.C. 21A.38.240 and Attachments I, II, III, VI and V
57 to Ordinance 11166.

58 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

59 SECTION 1. Findings: For the purposes of effective land use planning and
60 regulation, the King County council makes the following legislative findings:

61 A. The 2012 King County Comprehensive Plan, adopted by King County
62 Ordinance 17485, satisfied the Growth Management Act requirement for the county to
63 update its comprehensive plan by June 30, 2015;

64 B. The Growth Management Act and the King County Code authorize adoption
65 of comprehensive plan updates once per year;

66 C. King County adopted the 2016 King County Comprehensive Plan via
67 Ordinance 18472;

68 D. King County adopted the 2018 amendments to the 2016 King County
69 Comprehensive Plan via Ordinance 18810, which directed a review in 2020 called the
70 2020 midpoint update to the 2016 King County Comprehensive Plan;

71 E. King County adopted the 2020 Scope of Work via Motion 15329, which
72 identified the topics to be considered in the 2020 update to the 2016 King County
73 Comprehensive Plan such as regulations for fossil fuel facilities, regulations to prepare
74 for sea level rise impacts, and new zoning for the Bear Creek Urban Planned
75 Developments;

76 F. In accordance with the Growth Management Act, King County conducted a
77 public engagement process to collect feedback on draft policies and regulations: creating
78 a public webpage devoted to the draft plan components; holding six public meetings; and
79 providing access through an online comment portal;

80 G. The adopted policies and regulations address health, safety and environmental
81 risks from fossil fuel facilities and impacts to air and water quality from mining for fossil
82 fuels such as coal. The policies and regulations also address health and safety risks from
83 already-observed and projected sea level rise and associated impacts to structures and
84 facilities on Vashon-Maury Island;

85 H. The operation of fossil fuel storage and processing facilities carries risks of
86 explosion, leaks, spills and pollution of air and water. Burning of fossil fuels is a major
87 source of environmental pollution and carbon dioxide contributing to climate change in
88 King County. King County has responsibility for upholding the public health, safety, and

89 welfare of all residents while mitigating and preparing for natural and human-caused
90 disasters, protecting and preserving natural systems, and supporting economic
91 development. Health impacts from smoke and air pollution and heat related illnesses can
92 lead to grave health conditions, especially for vulnerable populations including children,
93 elderly, and people with pre-existing health conditions such as asthma;

94 I. The Growth Management Act requires that King County adopt development
95 regulations to be consistent with and implement the Comprehensive Plan; and

96 J. The changes to policies, development regulations, land use designations,
97 zoning classifications, shoreline environment designations and the shoreline jurisdiction
98 contained in this ordinance are needed to maintain conformity with the 2020 update to the
99 2016 King County Comprehensive Plan. They bear a substantial relationship to, are
100 necessary for, the public, health, safety, and general welfare of King County and its
101 residents.

102 SECTION 2. A. Attachments A, B, C, D, E, F, G, H, and I to this ordinance are
103 adopted as amendments to the 2016 King County Comprehensive Plan, as adopted in
104 Ordinance 18472 and its attachments and as amended by Ordinance 18623 and Ordinance
105 18810.

106 B. The elements of the 2016 King County Comprehensive Plan in Attachment A
107 to this ordinance are hereby amended to read as set forth in this ordinance and are
108 incorporated herein by this reference.

109 C. The elements of the King County Shoreline Master Program in sections 42,
110 43, 44, and 45 of this ordinance, in King County Comprehensive Plan chapter six of
111 Attachment A, and in Attachments E and H to this ordinance are hereby amended to read

112 as set forth in this ordinance and are incorporated herein by this reference.

113 D. The Skyway-West Hill Subarea Land Use Plan in Attachment F to this
114 ordinance is hereby adopted as an amendment to and element of the 2016 King County
115 Comprehensive Plan.

116 E. The land use and zoning amendments contained in sections 51, 52, and
117 portions of 56 of this ordinance and Attachments D and G to this ordinance are hereby
118 adopted as amendments to Appendix A of Ordinance 12824, as amended, and as the
119 official land use and zoning controls for those portions of unincorporated King County
120 defined in those sections of this ordinance and attachments to this ordinance.

121 F. King County department of local services, permitting division, shall update the
122 geographic information system data layers accordingly to reflect adoption of this
123 ordinance.

124 SECTION 3. Sections 4 through 6 of this ordinance should constitute a new
125 chapter in K.C.C. Title 16.

126 NEW SECTION. SECTION 4. There is hereby added to the chapter established
127 in section 3 of this ordinance a new section to read as follows:

128 The definitions in K.C.C. chapter 16.03 and the following definitions apply to this
129 chapter, unless the context clearly requires otherwise.

130 A. "Sea level rise protection elevation" means three feet above the base flood
131 elevation of the of the adjacent flood zone.

132 B. "Sea level rise risk area" means lands on Vashon-Maury Island adjacent to a
133 coastal high hazard area that extend landward to an elevation three feet above the base
134 flood elevation of the adjacent flood zone.

135 NEW SECTION. SECTION 5. There is hereby added to the chapter established
136 in section 3 of this ordinance a new section to read as follows:

137 Within the sea level rise risk area the following building standards apply:

138 A. All buildings and substantial improvements to existing buildings shall be
139 elevated on pilings and columns in a manner consistent with applicable floodplain
140 development standards in this title, K.C.C. Title 21A, the Federal Emergency
141 Management Agency Coastal Construction Manual and other relevant requirements, and
142 in a manner that provides the following at a minimum:

143 1. The bottom of the lowest horizontal structural member of the lowest floor,
144 excluding the pilings or columns, is elevated above the sea level rise protection elevation;
145 and

146 2. The pile or column foundation and building attached thereto is anchored to
147 resist flotation, collapse and lateral movement due to the effects of flood water, wind and
148 other loads as prescribed in this title acting simultaneously on all building components.
149 Flood water loading values shall each have a one percent chance of being equaled or
150 exceeded in any given year;

151 B. A registered professional engineer licensed by the state of Washington shall
152 prepare the structural design, specifications and plans for the building, and shall certify
153 that the design and methods of construction to be used are in accordance with accepted
154 standards of practice for meeting the provisions of subsection A. of this section, including
155 applicable floodplain development standards in this title, K.C.C. Title 21A, the Federal
156 Emergency Management Agency Coastal Construction Manual and other relevant
157 requirements;

158 C. The applicant shall provide a Federal Emergency Management Agency
159 elevation certificate completed by a land surveyor licensed by the state of Washington
160 documenting the elevation of the bottom of the lowest structural member of the lowest
161 floor, excluding pilings and columns, of all new and substantially improved buildings and
162 whether or not the buildings contain a basement. The department shall maintain the
163 Federal Emergency Management Agency elevation certificates required by this section
164 for public inspection and for certification under the National Flood Insurance Program;

165 D. All buildings and substantial improvements to existing buildings shall
166 maintain the space below the lowest floor free of obstruction. The space can include
167 nonsupporting open wood lattice-work or insect screening that is intended to collapse
168 under wind and wave loads without causing collapse, displacement or other structural
169 damage to the elevated portion of the building or supporting foundation system. The
170 space below the lowest floor can be used only for parking of vehicles, building access or
171 storage. The space shall not be used for human habitation;

172 E. Fill for structural support of buildings is prohibited; and

173 F. All manufactured homes to be placed or substantially improved within the sea
174 level rise risk area shall meet the standards in subsections A. through E. of this section.

175 NEW SECTION. SECTION 6. There is hereby added to the chapter established
176 in section 3 of this ordinance a new section to read as follows:

177 A. The director may approve variances to this chapter.

178 B. In reviewing and evaluating variance applications, the director shall consider
179 all technical evaluations and relevant factors, including, but not limited to:

180 1. The danger that materials may be swept onto other lands to the injury of

181 others;

182 2. The danger of life and property due to coastal flooding or erosion damage;

183 3. The susceptibility of the proposed building or facility and its contents to flood
184 damage and the effect of the damage on the individual owner;

185 4. The importance of the services provided by the proposed building or facility
186 to the community;

187 5. The necessity to the building or facility of a waterfront location;

188 6. The availability of alternative locations for the proposed use that are not
189 subject to flooding or erosion damage;

190 7. The potential of the proposed development to create an adverse effect on a
191 federally or state protected species or habitat;

192 8. The compatibility of the proposed use with existing and anticipated
193 development;

194 9. The relationship of the proposed use to the Comprehensive Plan, shoreline
195 master program and flood hazard management plan;

196 10. The safety of access to the property in times of flooding for ordinary and
197 emergency vehicles;

198 11. The expected heights, velocity, duration, rate of rise, sediment transport of
199 the floodwaters and effects of wave action expected at the site; and

200 12. The costs of providing governmental services during and after flood
201 conditions, including emergency management services and maintenance and repair of
202 public utilities and facilities such as sewer, gas, electrical, water systems, streets and
203 bridges.

204 C. The director may only approve a variance upon a determination that:

205 1. Failure to grant the variance would result in an exceptional hardship to the
206 applicant;

207 2. The granting of a variance will not result in additional threats to public safety,
208 extraordinary public expense, create nuisances, cause fraud on or victimization of the
209 public or conflict with existing laws or ordinances; and

210 3. The variance is the minimum necessary, considering the flood or erosion
211 hazard, to afford relief.

212 D. When considering potential approval of variances as allowed in subsections B.
213 and C. of this section, the director shall consider current and future risks from sea level
214 rise conditions anticipated to occur over the next fifty years.

215 E. Applicants for variances shall be given a written notice that the approval of a
216 variance to construct a structure below the sea level rise protection elevation established
217 in this chapter in may result in higher future flood insurance premium rates up to amounts
218 as high as twenty-five dollars per one hundred dollars of coverage and that the
219 construction below the sea level rise protection elevation increases risks to life and
220 property.

221 F. The department shall maintain a record of all requests for variances, including
222 justification for their issuance.

223 SECTION 7. Ordinance 263, Article 2, Section 1, as amended, and K.C.C.
224 20.12.010 are hereby amended to read as follows:

225 A. Under the King County Charter, the state Constitution and the Washington state
226 Growth Management Act, chapter 36.70A RCW, King County adopted the 1994 King

227 County Comprehensive Plan via Ordinance 11575 and declared it to be the Comprehensive
228 Plan for King County until amended, repealed or superseded. The Comprehensive Plan has
229 been reviewed and amended multiple times since its adoption in 1994. Amendments to the
230 1994 Comprehensive Plan to-date are currently reflected in the 2016 King County
231 Comprehensive Plan, as adopted in Ordinance 18427 and as amended by Ordinance 18623
232 ~~((and))~~, Ordinance 18810 and this ordinance. The Comprehensive Plan shall be the
233 principal planning document for the orderly physical development of the county and shall
234 be used to guide subarea plans, functional plans, provision of public facilities and services,
235 review of proposed incorporations and annexations, development regulations and land
236 development decisions.

237 SECTION 8. Ordinance 11575, Section 2, as amended, and K.C.C. 20.12.015 are
238 hereby amended to read as follows:

239 The 1994 King County Comprehensive Plan shall relate to previously adopted
240 plans, policies and land use regulations as follows:

241 A. The previously adopted White Center Action Plan ~~((and West Hill
242 Community Plan are))~~ is consistent with the 1994 King County Comprehensive Plan and
243 ~~((are))~~ is adopted as an element~~((s))~~ of the ~~((e))~~Comprehensive ~~((p))~~Plan;

244 B. Where conflicts exist between community plans and the ~~((e))~~Comprehensive
245 ~~((p))~~Plan, the ~~((e))~~Comprehensive ~~((p))~~Plan shall prevail;

246 C. Pending or proposed subarea plans or plan revisions and amendments to
247 adopted land use regulations, that are adopted on or after November 21, 1994, shall
248 conform to all applicable policies and land use designations of the 1994 King County
249 Comprehensive Plan;

250 D. Unclassified use permits and zone reclassifications, that are pending or
251 proposed on or after November 21, 1994, shall conform to the ((e))Comprehensive
252 ((p))Plan and applicable adopted community plans as follows:

253 1. For aspects of proposals where both the ((e))Comprehensive ((p))Plan and a
254 previously adopted community plan have applicable policies or land use plan map
255 designations that do not conflict, both the ((e))Comprehensive ((p))Plan and the
256 community plan shall govern;

257 2. For aspects of proposals where both the ((e))Comprehensive ((p))Plan and a
258 previously adopted community plan have applicable policies or plan map designations
259 that conflict, the ((e))Comprehensive ((p))Plan shall govern; and

260 3. For aspects of proposals where either the ((e))Comprehensive ((p))Plan or a
261 previously adopted community plan, but not both, has applicable policies or plan map
262 designations, the plan with the applicable policies or designations shall govern;

263 E. Vested applications for subdivisions, short subdivisions and conditional uses
264 for which significant adverse environmental impacts have not been identified may rely on
265 existing zoning to govern proposed uses and densities. Subdivisions, short subdivisions
266 and conditional uses also may rely on specific facility improvement standards adopted by
267 ordinance, including but not limited to street improvement, sewage disposal and water
268 supply standards, that conflict with the ((e))Comprehensive ((p))Plan but shall be
269 conditioned to conform to all applicable ((e))Comprehensive ((p))Plan policies on
270 environmental protection, open space, design, site planning and adequacy of on-site and
271 off-site public facilities and services, in cases where specific standards have not been
272 adopted;

273 F. Vested permit applications for proposed buildings and grading and
274 applications for variances, when categorically exempt from the procedural requirements
275 of the state Environmental Policy Act, may rely on existing zoning and specific facility
276 improvement standards adopted by ordinance; and

277 G. Nothing in this section shall limit the county's authority to approve, deny or
278 condition proposals in accordance with the state Environmental Policy Act.

279 SECTION 9. Ordinance 11653, Section 6, as amended, and K.C.C. 20.12.017 are
280 hereby amended to read as follows:

281 The following provisions complete the zoning conversion from K.C.C. Title 21 to
282 Title 21A pursuant to K.C.C. 21A.01.070:

283 A. Ordinance 11653 adopts area zoning to implement the 1994 King County
284 Comprehensive Plan pursuant to the Washington State Growth Management Act RCW
285 36.760A. Ordinance 11653 also converts existing zoning in unincorporated King County
286 to the new zoning classifications in the 1993 Zoning Code, codified in Title 21A,
287 pursuant to the area zoning conversion guidelines in K.C.C. 21A.01.070. The following
288 are adopted as attachments to Ordinance 11653:

289 Appendix A: 1994 Zoning Atlas, dated November 1994, as amended December
290 19, 1994.

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

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

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

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

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

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

297 Appendix H: Amendments to East Sammamish Community Plan P-Suffix

298 Conditions.

299 Appendix I: Amendments to Snoqualmie Valley Community Plan P-Suffix

300 Conditions.

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

302 Appendix K: Amendments to Tahoma/Raven Heights Community Plan P-Suffix

303 Conditions.

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

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

306 Appendix N: Amendments to Resource Lands Community Plan P-Suffix

307 Conditions.

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

309 Appendix P: Amendments considered by the council January 9, 1995.

310 B. Area zoning adopted by Ordinance 11653, including potential zoning, is

311 contained in Appendices A and O. Amendments to area-wide P-suffix conditions

312 adopted as part of community plan area zoning are contained in Appendices B through N.

313 Existing P-suffix conditions whether adopted through reclassifications or community

314 plan area zoning are retained by Ordinance 11653 except as amended in Appendices B

315 through N.

316 C. The department is hereby directed to correct the official zoning map in

317 accordance with Appendices A through P of Ordinance 11653.

318 D. The 1995 area zoning amendments attached to Ordinance 12061 in Appendix

319 A are adopted as the official zoning control for those portions of unincorporated King
320 County defined therein.

321 E. Amendments to the 1994 King County Comprehensive Plan area zoning,
322 Ordinance 11653 Appendices A through P, as contained in Attachment A to Ordinance
323 12170 are hereby adopted to comply with the Decision and Order of the Central Puget
324 Sound Growth Management Hearings Board in Vashon-Maury Island, et. al. v. King
325 County, Case No. 95-3-0008.

326 F. The Vashon Area Zoning adopted in Ordinance 12824, as amended, including
327 as amended by Ordinance 17842 and Ordinance 18427, is adopted as the official zoning
328 control for that portion of unincorporated King County defined therein.

329 G. The 1996 area zoning amendments attached to Ordinance 12531 in Appendix
330 A are adopted as the official zoning control for those portions of unincorporated King
331 County defined therein. Existing p-suffix conditions whether adopted through
332 reclassifications or area zoning are retained by Ordinance 12531.

333 H. The Black Diamond Urban Growth Area Zoning Map attached to Ordinance
334 12533 as Appendix B is adopted as the official zoning control for those portions of
335 unincorporated King County defined therein. Existing p-suffix conditions whether
336 adopted through reclassifications or area zoning are retained by Ordinance 12533.

337 I. The King County Zoning Atlas is amended to include the area shown in
338 Appendix B as UR - Urban Reserve, one DU per 5 acres. Existing p-suffix conditions
339 whether adopted through reclassifications or area zoning are retained by Ordinance
340 12535. The language from Ordinance 12535, Section 1.D., shall be placed on the King
341 County Zoning Atlas page #32 with a reference marker on the area affected by Ordinance

342 12535.

343 J. The Northshore Community Plan Area Zoning is amended to add the Suffix "-
344 DPA, Demonstration Project Area", to the properties identified on Map A attached to
345 Ordinance 12627.

346 K. The special district overlays, as designated on the map attached to Ordinance
347 12809 in Appendix A, are hereby adopted pursuant to K.C.C. 21A.38.020 and
348 21A.38.040.

349 L. The White Center Community Plan Area Zoning, as revised in the
350 Attachments to Ordinance 11568, is the official zoning for those portions of White Center
351 in unincorporated King county defined herein.

352 M. Ordinance 12824 completes the zoning conversion process begun in
353 Ordinance 11653, as set forth in K.C.C. 21A.01.070, by retaining, repealing, replacing or
354 amending previously adopted p-suffix conditions or property-specific development
355 standards pursuant to K.C.C. 21A.38.020 and K.C.C. 21A.38.030 as follows:

356 1. Resolutions 31072, 32219, 33877, 33999, 34493, 34639, 35137, and 37156
357 adopting individual zone reclassifications are hereby repealed and p-suffix conditions are
358 replaced by the property specific development standards as set forth in Appendix A to
359 Ordinance 12824;

360 2. All ordinances adopting individual zone reclassifications effective prior to
361 February 2, 1995, including but not limited to Ordinances 43, 118, 148, 255, 633, 1483,
362 1543, 1582, 1584, 1728, 1788, 2487, 2508, 2548, 2608, 2677, 2701, 2703, 2765, 2781,
363 2840, 2884, 2940, 2958, 2965, 2997, 3239, 3262, 3313, 3360, 3424, 3494, 3496, 3501,
364 3557, 3561, 3641, 3643, 3744, 3779, 3901, 3905, 3953, 3988, 4008, 4043, 4051, 4053,

365 4082, 4094, 4137, 4289, 4290, 4418, 4560, 4589, 4703, 4706, 4764, 4767, 4867, 4812,
366 4885, 4888, 4890, 4915, 4933, 4956, 4970, 4978, 5087, 5114, 5144, 5148, 5171, 5184,
367 5242, 5346, 5353, 5378, 5453, 5663, 5664, 5689, 5744, 5752, 5755, 5765, 5854, 5984,
368 5985, 5986, 6059, 6074, 6113, 6151, 6275, 6468, 6497, 6618, 6671, 6698, 6832, 6885,
369 6916, 6966, 6993, 7008, 7087, 7115, 7207, 7328, 7375, 7382, 7396, 7583, 7653, 7677,
370 7694, 7705, 7757, 7758, 7821, 7831, 7868, 7944, 7972, 8158, 8307, 8361, 8375, 8427,
371 8452, 8465, 8571, 8573, 8603, 8718, 8733, 8786, 8796, 8825, 8858, 8863, 8865, 8866,
372 9030, 9095, 9189, 9276, 9295, 9476, 9622, 9656, 9823, 9991, 10033, 10194, 10287,
373 10419, 10598, 10668, 10781, 10813, 10970, 11024, 11025, 11271((;-)) and 11651, are
374 hereby repealed and p-suffix conditions are replaced by the property specific
375 development standards as set forth in Appendix A to Ordinance 12824;

376 3. All ordinances establishing individual reclassifications effective after
377 February 2, 1995, are hereby amended, as set forth in Appendix C to Ordinance 12824, to
378 retain, repeal or amend the property specific development standards (p-suffix conditions)
379 contained therein;

380 4. All ordinances adopting area zoning pursuant to Resolution 25789 or
381 converted by Ordinance 11653 are repealed as set forth in subsection M.4.a. through n. of
382 this section. All p-suffix conditions contained therein are repealed or replaced by
383 adopting the property specific development standards as set forth in Appendix A to
384 Ordinance 12824, the special district overlays as designated in Appendix B to Ordinance
385 12824 or the special requirements as designated in Appendix A to Ordinance 12822.

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

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

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

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

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

396 f. The Revised Vashon Community Plan Area Zoning, attached to Ordinance
397 7837 as Appendix B, as amended, is hereby repealed.

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

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

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

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

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

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

410 m. The East Sammamish Community Plan Update Area Zoning, as revised in

411 Appendix B attached to Ordinance 10847, as amended, is hereby repealed.

412 n. The West Hill Community Plan Area Zoning adopted in Ordinance

413 ~~((11116))~~ 11166, as amended, is hereby repealed; and

414 5. All ordinances adopting area zoning pursuant to Title 21A and not converted

415 by Ordinance 11653, including community or ~~((e))~~ Comprehensive ~~((p))~~ Plan area zoning

416 and all subsequent amendments thereto, are amended as set forth in subsection M.5.a.

417 through f. All property specific development standards (p-suffix conditions) are retained,

418 repealed, amended or replaced by the property specific development standards as set

419 forth in Appendix A to Ordinance 12824, the special district overlays as designated in

420 Appendix B to Ordinance 12824 or the special requirements as designated in Appendix A

421 to Ordinance 12822.

422 a. The White Center Community Plan Area Zoning, contained in the

423 Attachments to Ordinance 11568, as subsequently amended, is hereby further amended as

424 set forth in Appendix D to Ordinance 12824.

425 b. All property specific development standards established in Ordinance

426 11653, as amended, are hereby amended as set forth in Appendix E to Ordinance 12824.

427 c. All property specific development standards established in Attachment A to

428 Ordinance 11747, as amended, are hereby amended as set forth in Appendix F.

429 d. All property specific development standards established in Ordinance

430 12061, as amended, are hereby amended as set forth in Appendix G to Ordinance 12824.

431 e. All property specific development standards established in Ordinance

432 12065, as amended, are hereby amended as set forth in K.C.C. 20.12.170.

433 f. All property specific development standards established in Attachment A to

434 Ordinance 12170, as amended, are hereby amended as set forth in Appendix H.

435 SECTION 10. Ordinance 11166, Section 2, as amended, and K.C.C. 20.12.337

436 are hereby amended to read as follows:

437 A. The ~~((West Hill Community Plan, a bound and published document, as revised~~
438 ~~in the Attachments to Ordinance 11166))~~ 2020 Skyway West Hill Subarea Land Use Plan,
439 dated September 2019, is adopted as an ~~((amplification and augmentation))~~ element of the
440 King County Comprehensive Plan ~~((for King County))~~ and, as such, constitutes official
441 county policy for the geographic area of unincorporated King County defined ~~((therein))~~ in
442 the plan.

443 SECTION 11. Ordinance 13147, Section 19, as amended, and K.C.C. 20.18.030

444 are hereby amended to read as follows:

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

- 450 1. Emergencies;
- 451 2. An appeal of the plan filed with the Central Puget Sound Growth Management
452 Hearings Board or with the court;
- 453 3. The initial adoption of a subarea plan, which may amend the urban growth area
454 boundary only to redesignate land within a joint planning area;
- 455 4. An amendment of the capital facilities element of the Comprehensive Plan that
456 occurs in conjunction with the adoption of the county budget under K.C.C. 4A.100.010; or

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

459 B. Every year the Comprehensive Plan may be amended to address technical
460 updates and corrections, to adopt community service area subarea plans and to consider
461 amendments that do not require substantive changes to policy language or do not require
462 changes to the urban growth area boundary, except as permitted in subsection B.9. and 11.
463 of this section. The review may be referred to as the annual update. The Comprehensive
464 Plan, including subarea plans, may be amended in the annual update only to consider the
465 following:

- 466 1. Technical amendments to policy, text, maps or shoreline designations;
- 467 2. The annual capital improvement plan;
- 468 3. The transportation needs report;
- 469 4. School capital facility plans;
- 470 5. Changes required by existing Comprehensive Plan policies;
- 471 6. Changes to the technical appendices and any amendments required thereby;
- 472 7. Comprehensive updates of subarea plans initiated by motion;
- 473 8. Changes required by amendments to the Countywide Planning Policies or state
474 law;
- 475 9. Redesignation proposals under the four-to-one program as provided for in this
476 chapter;
- 477 10. Amendments necessary for the conservation of threatened and endangered
478 species;
- 479 11. Site-specific land use map amendments that do not require substantive change

480 to Comprehensive Plan policy language and that do not alter the urban growth area
481 boundary, except to correct mapping errors;

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

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

489 14. Adoption of community service area subarea plans;

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

494 16. Amendments to the Comprehensive Workplan, only as part of the 2018
495 subarea planning restructure adopted by this ordinance.

496 C. Every eighth year beginning in 2023, the county shall complete a
497 comprehensive review of the Comprehensive Plan in order to update it as appropriate and
498 to ensure continued compliance with the GMA. This review may provide for a cumulative
499 analysis of the twenty-year plan based upon official population growth forecasts,
500 benchmarks and other relevant data in order to consider substantive changes to policy
501 language and changes to the urban growth area. The comprehensive review shall begin one
502 year in advance of the transmittal and may be referred to as the eight-year update. The

503 urban growth area boundaries shall be reviewed in the context of the eight-year update and
504 in accordance with countywide planning policy G-1 and RCW 36.70A.130.

505 D.1. If there is a scope of work adopted by motion to perform a limited update to
506 the Comprehensive Plan to address time-sensitive issues prior to the next eight-year update,
507 substantive changes to the Comprehensive Plan and amendments to the urban growth area
508 boundary may also be considered at the midpoint of the eight-year update ~~((eyele))~~
509 schedule. This update can include substantive changes and amendments as authorized by
510 motion may be referred to as the midpoint update.

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

517 3. If the executive proposes a midpoint update, the executive shall transmit to the
518 council by the last business day in June two years before the midpoint year of the eight-
519 year update ~~((eyele))~~ schedule a proposed motion specifying the scope of work for the
520 midpoint update. The council shall have until September 15 of that year, to adopt a motion
521 specifying the scope of work initiating a midpoint update, either as transmitted or amended,
522 or as introduced or amended. If the motion is approved by September 15, the scope shall
523 proceed as established by the approved motion. In the absence of council approval by
524 September 15, the executive shall proceed to implement the scope as transmitted. If such
525 a motion is adopted, the executive shall transmit a midpoint update by the last business day

526 of June of the following year after adoption of the motion. The council shall have until
527 June 30 of the following year after transmittal to adopt a midpoint update.

528 4. Before initiation of the first eight-year update in 2023, substantive changes to
529 the Comprehensive Plan and amendments to the urban growth area boundary may be
530 considered. The amendments shall be considered in the 2020 Comprehensive Plan update
531 and shall be subject to the midpoint update process and requirements. The executive shall
532 transmit to the council by the first business day of January 2019 a proposed motion
533 specifying the scope of work for the proposed amendments consistent with K.C.C.
534 20.18.030.D.1. The council shall have until the last business day of February 2019, to
535 adopt the motion, either as transmitted or amended. In the absence of council approval by
536 the last business day of February 2019, the executive shall proceed to implement the scope
537 as proposed. If the motion is approved the last business day of February 2019, the scope
538 shall proceed as established by the approved motion. The executive shall transmit to the
539 council any proposed amendments for the 2020 Comprehensive Plan update the by the last
540 business day of September 2019. The council shall have until the last business day of June
541 2020 to adopt the 2020 Comprehensive Plan update.

542 E. The executive shall seek public comment on the Comprehensive Plan and any
543 proposed Comprehensive Plan amendments in accordance with the procedures in K.C.C.
544 20.18.160 before making a recommendation, which shall include publishing a public
545 review draft of the proposed Comprehensive Plan (~~(amendments)~~) update, in addition to
546 conducting the public review and comment procedures required by SEPA. The public shall
547 be afforded at least one official opportunity to record public comment before the transmittal
548 of a recommendation by the executive to the council. County-sponsored councils and

549 commissions may submit written position statements that shall be considered by the
550 executive before transmittal and by the council before adoption, if they are received in a
551 timely manner. The executive's recommendations for changes to policies, text and maps
552 shall include the elements listed in Comprehensive Plan policy I-207 and analysis of their
553 financial costs and public benefits, any of which may be included in environmental review
554 documents. Proposed amendments to the Comprehensive Plan shall be accompanied by
555 any development regulations or amendments to development regulations, including area
556 zoning, necessary to implement the proposed amendments.

557 SECTION 12. Ordinance 13147, Section 20, as amended, and K.C.C. 20.18.040
558 are hereby amended to read as follows:

559 A. Site-specific land use map or shoreline master program map amendments may
560 be considered during the annual update, midpoint update or eight-year update, depending
561 on the degree of change proposed.

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

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

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

571 C. The following categories of site-specific land use map and shoreline master

572 program amendments may be initiated by either the county or a property owner for
573 consideration in the eight-year update or midpoint update:

- 574 1. Amendments that could be considered in the annual update;
- 575 2. Amendments that require substantive change to Comprehensive Plan policy
576 language; and
- 577 3. Amendments to the urban growth area boundary.

578 SECTION 13. Ordinance 13147, Section 21, as amended, and K.C.C. 20.18.050
579 are hereby amended to read as follows:

580 A. Site-specific land use map and shoreline master program map amendments are
581 legislative actions that may be initiated by property owner application, by council motion
582 or by executive proposal. All site-specific land use map and shoreline master program map
583 amendments must be evaluated by the hearing examiner before adoption by the council in
584 accordance with this chapter.

- 585 1. If initiated by council motion, the motion shall refer the proposed site-specific
586 land use map or shoreline master program map amendment to the department of local
587 services, permitting division, review for preparation of a recommendation to the hearing
588 examiner. The motion shall also identify the resources and the work program required to
589 provide the same level of review accorded to applicant-initiated amendments. An analysis
590 of the motion's fiscal impact shall be provided to the council before adoption. If the
591 executive determines that additional funds are necessary to complete the work program, the
592 executive may transmit an ordinance requesting the appropriation of supplemental funds.

- 593 2. If initiated by executive proposal, the proposal shall refer the proposed site-
594 specific land use map or shoreline master program map amendment to the department of

595 local services, permitting division, for preparation of a recommendation to the hearing
596 examiner.

597 3. If initiated by property owner application, the property owner shall submit a
598 docket request for a site-specific land use map or shoreline master program map
599 amendment to the department of local services, permitting division, for preparation of a
600 recommendation to the hearing examiner.

601 B. A shoreline redesignation initiated by an applicant must include the following
602 information in addition to the requirements in this section:

- 603 1. Applicant information, including signature, telephone number and address;
- 604 2. The applicant's interest in the property, such as owner, buyer or consultant; and
- 605 3. Property owner concurrence, including signature, telephone number and
606 address.

607 C. All proposed site-specific land use map or shoreline master program map
608 amendments, whether initiated by property owner application, by council motion or by
609 executive proposal shall include the following:

- 610 1. Name and address of the owner or owners of record;
- 611 2. Description of the proposed amendment;
- 612 3. Property description, including parcel number, property street address and
613 nearest cross street;
- 614 4. County assessor's map outlining the subject property; and
- 615 5. Related or previous permit activity.

616 D. Upon initiation of a site-specific land use map or shoreline master program map
617 amendment, an initial review conference shall be scheduled by the department of local

618 services, permitting division. The owner or owners of record of the property shall be
619 notified of and invited to attend the initial review conference. At the initial review
620 conference, the department of local services, permitting division, shall review the proposed
621 amendment's consistency with applicable county policies or regulatory enactments
622 including specific reference to Comprehensive Plan policies, countywide planning policies
623 and state Growth Management Act requirements. The proposed amendment will be
624 classified in accordance with K.C.C. 20.18.040 and the classification shall be provided at
625 the initial review conference or in writing to the owner or owners of record within thirty
626 days after the initial review conference.

627 E. If a proposed site-specific land use map or shoreline master program map
628 amendment is initiated by property owner application, the property owner shall, following
629 the initial review conference, submit the completed application including an application fee
630 and an environmental checklist to the department of local services, permitting division, to
631 proceed with review of the proposed amendment.

632 F. If a proposed site-specific land use map or shoreline master program map
633 amendment is initiated by council motion, following the initial review conference, the
634 council shall submit an environmental checklist to the department of local services,
635 permitting division, to proceed with review of the proposed amendment.

636 G. If a proposed site-specific land use map or shoreline master program map
637 amendment is initiated by executive proposal, following the initial review conference, the
638 executive shall submit an environmental checklist to the department of local services,
639 permitting division, to proceed with review of the proposed amendment.

640 H. Following the submittal of the information required by subsection E., F. or G. of

641 this section, the department of local services, permitting division, shall submit a report
642 including an executive recommendation on the proposed amendment to the hearing
643 examiner within one hundred twenty days. The department of local services, permitting
644 division, shall provide notice of a public hearing and notice of threshold determination in
645 accordance with K.C.C. 20.20.060.F., G. and H. The hearing will be conducted by the
646 hearing examiner in accordance with K.C.C. 20.22.170. Following the public hearing, the
647 hearing examiner shall prepare a report and recommendation on the proposed amendment
648 in accordance with K.C.C. 20.22.170. A compilation of all completed reports will be
649 considered by the council in accordance with K.C.C. 20.18.070.

650 I. A property-owner-initiated docket request for a site-specific land use map or
651 shoreline master program map amendment may be accompanied by an application for a
652 zone reclassification to implement the proposed amendment, in which case administrative
653 review of the two applications shall be consolidated to the extent practical consistent with
654 this chapter and K.C.C. chapter 20.20. The council's consideration of a site-specific land
655 use map or shoreline master program map amendment is a legislative decision that should
656 be determined before and separate from its consideration of a zone reclassification, which
657 is a quasi-judicial decision. If a zone reclassification is not proposed in conjunction with an
658 application for a site-specific land use map or shoreline master program map amendment
659 and the amendment is adopted, the property shall be given potential zoning. A zone
660 reclassification in accordance with K.C.C. 20.20.020 is required in order to implement the
661 potential zoning.

662 J. Site-specific land use map or shoreline master program map amendments for
663 which a completed recommendation by the hearing examiner has been submitted to the

664 council by January 15 will be considered concurrently with the annual amendment to the
665 Comprehensive Plan. Site-specific land use map or shoreline master program map
666 amendments for which a recommendation has not been issued by the hearing examiner by
667 January 15 shall be included in the next ~~((appropriate review cycle))~~ update following
668 issuance of the examiner's recommendation.

669 K.1. An amendment to a land use designation or shoreline environment designation
670 for a property may not be initiated unless at least three years have elapsed since council
671 adoption or review of the current designation for the property. This time limit may be
672 waived by the executive or the council if the proponent establishes that there exists either
673 an obvious technical error or a change in circumstances justifying the need for the
674 amendment.

675 2. A waiver by the executive shall be considered after the proponent has
676 submitted a docket request in accordance with K.C.C. 20.18.140. The executive shall
677 render a waiver decision within forty-five days of receiving a docket request and shall mail
678 a copy of this decision to the proponent.

679 3. A waiver by the council shall be considered by motion.

680 L. A shoreline master program map amendment and redesignation must meet the
681 requirements of K.C.C. 20.18.056, 20.18.057 and 20.18.058 and the Washington state
682 Shoreline Master Program Guidelines, chapter 173-26 WAC. A shoreline master program
683 map amendment and redesignation must be approved by the Washington state Department
684 of Ecology.

685 SECTION 14. Ordinance 114047, Section 4, and K.C.C. 20.18.055 are hereby
686 amended to read as follows:

687 A. All site-specific land use map amendments, whether initiated by property
688 owner application, by council motion, or by executive proposal, shall be reviewed based
689 upon the requirements of Comprehensive Plan policy ((~~RP-307~~) I-207), and must meet
690 the following additional review standards:

691 1. Consistency with the policies, objectives and goals of the Comprehensive Plan,
692 ((~~including any applicable subarea plans~~)), the countywide planning policies and the
693 state Growth Management Act;

694 2. Compatibility with adjacent and nearby existing and permitted land uses; and

695 3. Compatibility with the surrounding development pattern.

696 B. Site-specific land use map amendments for which recommendations have been
697 issued by the hearing examiner by January 15 shall be submitted to the executive and the
698 council by the hearing examiner by January 15. The department will provide for a
699 cumulative analysis of these recommendations and such analysis will be included in the
700 annual March transmittal. All such amendments will be considered concurrently by the
701 council committee charged with the review of the ((~~e~~)Comprehensive ((~~p~~)Plan.

702 Following this review, site-specific land use map amendments which are recommended by
703 this committee will be incorporated as an attachment to the adopting ordinance transmitted
704 by the executive for consideration by the full council. Final action by the council on these
705 amendments will occur concurrently with the annual ((~~amendment~~) update) to the
706 ((~~e~~)Comprehensive ((~~p~~)Plan.

707 SECTION 15. Ordinance 13147, Section 22, as amended, and K.C.C. 20.18.060
708 are hereby amended to read as follows:

709 A. Beginning in 2021, and every eighth year thereafter the executive shall transmit

710 to the council by the last business day of June a proposed motion specifying the scope of
711 work for proposed amendments to the Comprehensive Plan that will occur in the following
712 year, which motion shall include the following:

713 1. Topical areas relating to amendments to policies, the land use map,
714 implementing development regulations, or any combination of those amendments that the
715 executive intends to consider for recommendation to the council; and

716 2. An attachment to the motion advising the council of the work program the
717 executive intends to follow to accomplish state Environmental Policy Act review and
718 public participation.

719 B. The council shall have until September 15 to approve the motion. In the
720 absence of council approval, the executive shall proceed to implement the work program as
721 proposed. If the motion is approved, the work program shall proceed as established by the
722 approved motion.

723 C. Beginning in 2022 and every eighth year thereafter, the executive shall transmit
724 to the council by the last business day of June a proposed ordinance amending the
725 Comprehensive Plan, except that the capital improvement program and the ordinances
726 adopting updates to the transportation needs report and the school capital facility plans
727 shall be transmitted no later than the biennial budget transmittal and shall be adopted in
728 conjunction with the budget. However, in those years when there is only a midbiennium
729 review of the budget, the ordinances adopting the capital improvement plan and the school
730 capital facility plans shall be transmitted by October 1 and adopted no later than the
731 midbiennium review under K.C.C. 4A.100.010. All transmittals shall be accompanied by a
732 public participation note, identifying the methods used by the executive to ensure early and

733 continuous public participation in the preparation of amendments. The council shall have
734 until June 30 of the following year to adopt (~~the amendments~~) an update to the
735 Comprehensive Plan, in accordance with RCW 36.70A.130.

736 SECTION 16. Ordinance 13147, Section 23, as amended, and K.C.C. 20.18.070
737 are hereby amended to read as follows:

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

746 B. All transmittals shall be accompanied by a public participation note, identifying
747 the methods used by the executive to assure early and continuous public participation in the
748 preparation of amendments.

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

753 SECTION 17. Ordinance 14017, Section 9, as amended, and K.C.C. 20.18.170
754 are hereby amended to read as follows:

755 A. The total area added to the urban growth area as a result of (~~this~~) the four-to-

756 one program shall not exceed four thousand acres. The department shall keep a cumulative
757 total for all parcels added under this section. The total shall be updated ~~((annually))~~
758 through the Comprehensive ~~((p))~~Plan amendment process.

759 B. Proposals from a property owner shall be initiated through the docket process
760 under K.C.C. 20.18.140. Proposals shall be processed as land use amendments to the
761 Comprehensive Plan and may be considered in the annual update, midpoint update or
762 eight-year update. As part of the docket review of a proposal, ~~((S))~~site suitability and
763 development conditions for both the urban and rural portions of the proposal shall be
764 established through ~~((the preliminary formal plat approval process))~~ a preapplication
765 conference under K.C.C. 20.20.030.

766 C. A term conservation easement satisfactory to King County shall be ~~((placed))~~
767 recorded on the open space ~~((at the time))~~ portion of the property within twenty-one days of
768 enactment of the ordinance that approves the four-to-one proposal ~~((is approved by the~~
769 ~~council))~~. Upon final plat approval for proposals not adjacent to an incorporated area, or
770 upon annexation of the urban portion of the property to a city for proposals adjacent to an
771 incorporated area, the open space shall be permanently dedicated in fee simple to King
772 County.

773 D. Proposals adjacent to an incorporated area or potential annexation areas shall be
774 referred to the affected city and special purpose districts for recommendations and
775 agreement by the jurisdiction to add the new urban area to the jurisdiction's Potential
776 Annexation Area.

777 E. For proposals adjacent to an incorporated area, the legislation approving the
778 Four-to-One proposal shall include property-specific development conditions requiring:

779 1. Development of the parcels shall only occur after the area is annexed to a city
780 or town; and

781 2. Adoption of an interlocal agreement between King County and the adjacent
782 jurisdiction within ninety days of enactment of the ordinance that approves the proposal.
783 At a minimum, the interlocal agreement shall establish conditions for site development that
784 are consistent with the four-to-one program requirements and goals, such as limiting
785 development to residential uses and requiring minimum densities consistent with R-4
786 zoning, and shall require the development be consistent with the property-specific
787 development conditions adopted in the ordinance that approved the proposal.

788 SECTION 18. Ordinance 14017, Section 10, as amended, and K.C.C. 20.18.180
789 are hereby amended to read as follows:

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

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

794 2. The land shall not be zoned (~~(agriculture)~~) agricultural, forest or mineral;

795 3. The land added to the urban growth area shall:

796 a. be physically contiguous to urban growth area as adopted in 1994, unless the
797 director determines that the land directly adjacent to the urban growth area contains critical
798 areas that would be substantially harmed by development directly adjacent to the urban
799 growth area and that all other criteria can be met; and

800 b. not be in an area where a contiguous band of public open space, parks or
801 watersheds already exists along the urban growth area boundary;

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

804 5. A road serving the land added to the urban area shall not be counted as part of
805 the required open space;

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

809 7. Open space areas shall ~~((retain a rural designation))~~ be given a land use
810 designation and zoning classification consistent with the intended use;

811 8. The open space shall primarily be on the site and shall buffer the surrounding
812 Rural Area or Natural Resource Lands from the new urban development. The ~~((minimum~~
813 ~~depth of the))~~ open space buffer ~~((shall be one half of the property width, unless the~~
814 ~~director determines that a smaller buffer of no less than two hundred feet is warranted due~~
815 ~~to the topography and critical areas on the site,))~~ shall generally parallel the urban growth
816 area boundary and shall be configured in such a way as to connect with open space on
817 adjacent properties;

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

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

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

824 B. A proposal that adds two hundred acres or more to the urban growth area shall

825 also meet the following criteria:

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

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

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

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

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

839 2. Provision of regional open space connections;

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

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

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

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

847 7. The size and configuration of the open space and the county's ability to

848 efficiently manage the property; and

849 8. The potential for public access.

850 E. The open space acquired through this program shall be preserved primarily as
851 natural areas, passive recreation sites or resource lands for farming and forestry. The
852 following additional uses may be allowed only if located on a small portion of the open
853 space and provided that these uses are found to be compatible with the site's natural open
854 space values and functions:

855 1. Trails;

856 2. Compensatory mitigation of wetland losses on the urban designated portion of
857 the project, consistent with the King County Comprehensive Plan and K.C.C. chapter
858 21A.24; and

859 3. Active recreation uses not to exceed five percent of the total open space area.

860 The support services and facilities for the active recreation uses may locate within the
861 active recreation area only, and shall not exceed five percent of the total acreage of the
862 active recreation area. The entire open space area, including any active recreation site, is a
863 regional resource. It shall not be used to satisfy the on-site active recreation space
864 requirements in K.C.C. 21A.14.180 for the urban portion of the four to one property.

865 SECTION 19. Ordinance 13147, Section 34, as amended, and K.C.C. 20.22.170
866 are hereby amended to read as follows:

867 A. Upon initiation of a site-specific land use map amendment to the
868 Comprehensive Plan under K.C.C. 20.18.050, the examiner shall conduct a public hearing
869 to consider the department's written recommendation and to take testimony and receive
870 additional evidence relating to the proposed amendment. The examiner may consolidate

871 hearings in accordance with K.C.C. 20.22.110 to the extent practicable. No later than thirty
872 days after closing the public hearing on the site-specific land use map amendment, the
873 examiner shall prepare a recommendation that contains written findings and conclusions
874 regarding whether:

875 1. Under K.C.C. 20.18.040, a proposed site-specific land use map amendment
876 may be considered as part of an annual (~~review cycle~~) update; and

877 2. A site-specific land use map amendment is consistent with the applicable
878 review criteria.

879 B. The office of the hearing examiner shall compile the written recommendations
880 on all site-specific land use map amendments made in a year into a single report. The
881 report shall be filed by January 15 in the form of a paper original and an electronic copy
882 with the clerk of the council, who shall retain the original and provide an electronic copy to
883 all councilmembers, the council chief of staff and the lead staff for the transportation,
884 economy and environment committee or its successor.

885 SECTION 20. Ordinance 10870, Section 21, and K.C.C. 21A.02.110 are hereby
886 amended to read as follows:

887 A. Except when such areas are specifically designated on the zoning map as being
888 classified in one of the zones provided in this title, land contained in rights-of-way for
889 streets or alleys, or railroads shall be considered unclassified.

890 B. Within street or alley rights-of-way, uses shall be limited to street purposes as
891 defined by law.

892 C. Within railroad rights-of-way, allowed uses shall be limited to tracks, signals or
893 other operating devices, movement of rolling stock, utility lines and equipment, and

894 ((facilities accessory to and used directly for the delivery and distribution of services to
895 abutting property)) freight-rail dependent uses.

896 D. Where such right-of-way is vacated, the vacated area shall have the zone
897 classification of the adjoining property with which it is first merged.

898 SECTION 21. K.C.C. 21A.06.150, as amended by this ordinance, is hereby
899 recodified as a new section in K.C.C. chapter 21A.06.

900 SECTION 22. Ordinance 11157, Section 29, and K.C.C. 21A.06.150 are hereby
901 amended to read as follows:

902 ((Bulk)) Local distribution gas storage tanks: A tank that is not a Fossil Fuel
903 Facility from which illuminating, heating, or liquefied gas is distributed by piping directly
904 to individual users.

905 SECTION 23. Ordinance 13319, Section 3, and K.C.C. 21A.06.197 are hereby
906 amended to read as follows:

907 Coal mine by-products stockpiles: an accumulation, greater than five hundred
908 cubic yards and five feet of vertical depth, of undisturbed waste and/or byproduct materials
909 having greater than fifty percent, as measured by weight, of ((~~mineral~~)) coal or coal shale
910 as a component and which resulted from historic coal mining.

911 NEW SECTION. SECTION 24. There is hereby added to K.C.C. chapter 21A.06
912 a new section to read as follows:

913 Fossil fuels: coal, petroleum products, such as crude oil and gasoline, and gaseous
914 fuels, such as natural gas and propane, that occur naturally beneath the earth's surface and
915 are derived from decayed plants and animals that lived millions of years ago and are used
916 primarily as a source of energy. Fossil fuels do not include:

917 A. Petrochemicals that are used primarily for non-fuel products, such as asphalt,
918 plastics, lubricants, fertilizer, roofing and paints;

919 B. Denatured ethanol and similar fuel additives and biodiesel or renewable diesel
920 with less than five percent fossil fuel content; or

921 C. Methane generated from the waste management process, such as wastewater
922 treatment, anaerobic digesters, landfill waste management, livestock manure and
923 composting processes.

924 NEW SECTION. SECTION 25. There is hereby added to K.C.C. chapter 21A.06
925 a new section to read as follows:

926 Fossil fuel facility: a commercial facility used primarily to receive, store, transfer,
927 wholesale trade or transport of fossil fuels, such as but not limited to bulk terminals, bulk
928 storage facilities, bulk refining and bulk handling facilities. Fossil fuel facilities do not
929 include individual storage facilities of up to thirty thousand gallons and total cumulative
930 facilities per site of sixty thousand gallons for the purposes of retail or direct to consumer
931 sales, facilities or activities for local consumption; non-commercial facilities, such as
932 storage for educational, scientific or governmental use; or uses preempted by federal rule or
933 law.

934 NEW SECTION. SECTION 26. There is hereby added to K.C.C. chapter 21A.06
935 a new section to read as follows:

936 Fossil fuel facility type I: a fossil fuel facility that includes any combination of
937 liquid fossil fuel storage capacity of up to three hundred seventy-eight thousand gallons or
938 dry storage of one thousand four hundred twenty-five cubic yards.

939 NEW SECTION. SECTION 27. There is hereby added to K.C.C. chapter 21A.06

940 a new section to read as follows:

941 Fossil fuel facility type II: a fossil fuel facility that includes any combination of
942 fossil fuel liquid storage capacity of more than three hundred seventy-eight thousand
943 gallons or dry storage of one thousand four hundred twenty-five cubic yards.

944 SECTION 28. Ordinance 10870, Section 201, and K.C.C. 21A.06.805 are hereby
945 amended to read as follows:

946 Nonhydro-electric generation facility: an establishment for the generation of
947 electricity by nuclear reaction, burning fossil fuels((;)) or other electricity generation
948 methods, except for fossil fuels generated as a by-product in the waste management
949 process, such as wastewater treatment, anaerobic digesters, landfill waste management,
950 livestock manure and composting processes.

951 NEW SECTION. SECTION 29. There is hereby added to K.C.C. chapter 21A.06
952 a new section to read as follows:

953 Sea level rise risk area. Lands on Vashon-Maury Island adjacent to a coastal high
954 hazard area that extend landward to an elevation three feet above the base flood elevation
955 of the adjacent flood zone.

956 SECTION 30. Ordinance 10870, Section 310, and K.C.C. 21A.06.1350 are
957 hereby amended to read as follows:

958 Utility facility: a facility for the distribution or transmission of services, including:

- 959 A. Telephone exchanges;
960 B. Water pipelines, pumping or treatment stations;
961 C. Electrical substations;
962 D. Water storage reservoirs or tanks;
-

- 963 E. Municipal groundwater well-fields;
- 964 F. Regional surface water flow control and water quality facilities;
- 965 G. Natural gas pipelines, gate stations and limiting stations limited to local
- 966 distribution service, excluding fossil fuel facilities;
- 967 H. Propane, compressed natural gas and liquefied natural gas storage tanks serving
- 968 multiple lots or uses from which fuel is distributed directly to individual users limited to
- 969 local distribution service, excluding fossil fuel facilities;
- 970 I. Wastewater pipelines, lift stations, pump stations, regulator stations or odor
- 971 control facilities; and
- 972 J. Communication cables, electrical wires and associated structural supports.

973 **SECTION 31.** Ordinance 10870, Section 315, and K.C.C. 21A.06.1375 are
 974 hereby amended to read as follows:

975 Warehousing and wholesale trade: establishments involved in the storage and/or
 976 sale of bulk goods for resale or assembly, excluding establishments offering the sale of
 977 bulk goods to the general public which is classified as a retail use in K.C.C. 21A.08.070
 978 and excluding local distribution gas storage tanks as defined by this chapter. These
 979 establishments shall include only SIC Major Group Nos. 50 and 51 and SIC Industry
 980 Group Nos. 422 and 423, excluding fossil fuels and fossil fuel facilities.

981 **SECTION 32.** Ordinance 10870, Section 330, as amended, and K.C.C.
 982 21A.08.030 are hereby amended to read as follows:

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			R U R A L	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-	NB	CB	RB	O	I

								48				
	DWELLING UNITS, TYPES:											
*	Single Detached	P C12	P2	P C12	P C12	P C12	P C12	P15				
*	Townhouse			C4	C4	P11 C12	P	P3	P3	P3	P3	
*	Apartment			C4	C4	P5 C5	P	P3	P3	P3	P3	
*	Mobile Home Park			S13		C8	P					
*	Cottage Housing					P15						
	GROUP RESIDENCES:											
*	Community Residential Facility-I			C	C	P14.a C	P	P3	P3	P3	P3	
*	Community Residential Facility-II					P14.b	P	P3	P3	P3	P3	
*	Dormitory			C6	C6	C6	P					
*	Senior Citizen Assisted Housing				P4	P4	P	P3	P3	P3	P3	
	ACCESSORY USES:											
*	Residential Accessory Uses	P7	P7	P7	P7	P7	P7	P7	P7	P7	P7	
*	Home Occupation	P18	P18	P18	P18	P18	P18	P18	P18	P18	P18	
*	Home Industry	C		C	C	C						
	TEMPORARY LODGING:											
7011	Hotel/Motel (1)								P	P	P	
*	Bed and Breakfast Guesthouse	P9		P9	P9	P9	P9	P9	P10	P10		
7041	Organization Hotel/Lodging Houses									P		

983

B. Development conditions.

984

1. Except bed and breakfast guesthouses.

- 985 2. In the forest production district, the following conditions apply:
- 986 a. Site disturbance associated with development of any new residence shall be
- 987 limited to three acres. Site disturbance shall mean all land alterations including, but not
- 988 limited to, grading, utility installation, landscaping, clearing for crops, on-site sewage
- 989 disposal systems and driveways. Additional site disturbance for agriculture, including
- 990 raising livestock, up to the smaller of thirty-five percent of the lot or seven acres, may be
- 991 approved only if a farm management plan is prepared in accordance with K.C.C. chapter
- 992 21A.30. Animal densities shall be based on the area devoted to animal care and not the
- 993 total area of the lot;
- 994 b. A forest management plan shall be required for any new residence in the
- 995 forest production district, that shall be reviewed and approved by the King County
- 996 department of natural resources and parks before building permit issuance; and
- 997 c. The forest management plan shall incorporate a fire protection element that
- 998 includes fire safety best management practices developed by the department.
- 999 3. Only as part of a mixed use development subject to the conditions of K.C.C.
- 1000 chapter 21A.14, except that in the NB zone on properties with a land use designation of
- 1001 commercial outside of center (CO) in the urban areas, stand-alone townhouse
- 1002 developments are permitted subject to K.C.C. 21A.12.040, 21A.14.030, 21A.14.060 and
- 1003 21A.14.180.
- 1004 4. Only in a building listed on the National Register as an historic site or
- 1005 designated as a King County landmark subject to K.C.C. chapter 21A.32.
- 1006 5.a. In the R-1 zone, apartment units are permitted, if:
- 1007 (1) At least fifty percent of the site is constrained by unbuildable critical

1008 areas. For purposes of this subsection, unbuildable critical areas includes wetlands,
1009 aquatic areas and slopes forty percent or steeper and associated buffers; and

1010 (2) The density does not exceed a density of eighteen units per acre of net
1011 buildable area.

1012 b. In the R-4 through R-8 zones, apartment units are permitted if the density
1013 does not exceed a density of eighteen units per acre of net buildable area.

1014 c. If the proposal will exceed base density for the zone in which it is proposed,
1015 a conditional use permit is required.

1016 6. Only as accessory to a school, college, university or church.

1017 7.a. Accessory dwelling units:

1018 (1) Only one accessory dwelling per primary single detached dwelling unit;

1019 (2) Only in the same building as the primary dwelling unit on:

1020 (a) an urban lot that is less than ~~((five))~~ three thousand six hundred square
1021 feet in area;

1022 (b) a lot in a rural town that is less than three thousand six hundred square
1023 feet in area;

1024 (c) except as otherwise provided in subsection B.7.a.(5) of this section, a
1025 rural lot outside of a rural town that is less than the minimum lot size; or

1026 ~~((c-))~~(d) a lot containing more than one primary dwelling;

1027 (3) The primary dwelling unit or the accessory dwelling unit shall be owner
1028 occupied;

1029 (4)(a) Except as otherwise provided in subsection B.7.a.(5) of this section,
1030 one of the dwelling units shall not exceed one thousand square feet of heated floor area

1031 except when one of the dwelling units is wholly contained within a basement or attic;

1032 (~~and~~)

1033 (b) When the primary and accessory dwelling units are located in the same
1034 building, or in multiple buildings connected by a breezeway or other structure, only one
1035 entrance may be located on each street; and

1036 (c) Accessory dwelling units shall not exceed the base height as established
1037 in 21A.12.030;

1038 (5) On a site zoned RA:

1039 (a) If one transferable development right is purchased from the Rural Area
1040 or Natural Resource Lands under K.C.C. chapter 21A.37, the smaller of the dwelling
1041 units is permitted a maximum floor area up to one thousand five hundred square feet; and

1042 (b) If one transferable development right is purchased from the Rural Area
1043 or Natural Resource Lands under K.C.C. chapter 21A.37, a detached accessory dwelling
1044 unit is allowed on an RA-5 zoned lot that is at least two and one-half acres and less than
1045 three and three-quarters acres;

1046 (6) One additional off-street parking space shall be provided;

1047 (7) The accessory dwelling unit shall be converted to another permitted use or
1048 shall be removed if one of the dwelling units ceases to be owner occupied; and

1049 (8) An applicant seeking to build an accessory dwelling unit shall file a notice
1050 approved by the department of executive services, records and licensing services
1051 division, that identifies the dwelling unit as accessory. The notice shall run with the land.
1052 The applicant shall submit proof that the notice was filed before the department shall
1053 approve any permit for the construction of the accessory dwelling unit. The required

1054 contents and form of the notice shall be set forth in administrative rules. If an accessory
1055 dwelling unit in a detached building in the rural zone is subsequently converted to a
1056 primary unit on a separate lot, neither the original lot nor the new lot may have an
1057 additional detached accessory dwelling unit constructed unless the lot is at least twice the
1058 minimum lot area required in the zone; and

1059 (9) Accessory dwelling units (~~and accessory living quarters~~) are not allowed
1060 in the F zone.

1061 b. One single or twin engine, noncommercial aircraft shall be permitted only
1062 on lots that abut, or have a legal access that is not a county right-of-way, to a waterbody
1063 or landing field, but only if there are:

1064 (1) no aircraft sales, service, repair, charter or rental; and

1065 (2) no storage of aviation fuel except that contained in the tank or tanks of the
1066 aircraft.

1067 c. Accessory living quarters:

1068 (1) shall not include an area within the building intended for the preparation
1069 and storage of food;

1070 (2) are limited to one per lot;

1071 (3) the minimum lot size for detached accessory living quarters in the urban
1072 area and in rural towns is three thousand six hundred square feet;

1073 (4) shall not exceed the base height in K.C.C. 21A.12.030;

1074 (5) shall not exceed one thousand square feet of heated floor; and

1075 (6) are not allowed in the F zone.

1076 d. Buildings for residential accessory uses in the RA and A zone shall not

1077 exceed five thousand square feet of gross floor area, except for buildings related to
1078 agriculture or forestry.

1079 8. Mobile home parks shall not be permitted in the R-1 zones.

1080 9. Only as accessory to the permanent residence of the operator, and:

1081 a. Serving meals shall be limited to paying guests; and

1082 b. The number of persons accommodated per night shall not exceed five,

1083 except that a structure that satisfies the standards of the International Building Code as

1084 adopted by King County for R-1 occupancies may accommodate up to ten persons per

1085 night.

1086 10. Only if part of a mixed use development, and subject to the conditions of
1087 subsection B.9. of this section.

1088 11. Townhouses are permitted, but shall be subject to a conditional use permit if
1089 exceeding base density.

1090 12. Required before approving more than one dwelling on individual lots,
1091 except on lots in subdivisions, short subdivisions or binding site plans approved for
1092 multiple unit lots, and except as provided for accessory dwelling units in subsection B.7.
1093 of this section.

1094 13. No new mobile home parks are allowed in a rural zone.

1095 14.a. Limited to domestic violence shelter facilities.

1096 b. Limited to domestic violence shelter facilities with no more than eighteen
1097 residents or staff.

1098 15. Only in the R4-R8 zones limited to:

1099 a. ~~((developments no larger than one acre;~~

1100 ~~b. not adjacent to another cottage housing development such that the total~~
 1101 ~~combined land area of the cottage housing developments exceeds one acre;~~

1102 e-)) All units must be cottage housing units with no less than three units (~~and~~
 1103 ~~no more than sixteen units~~), (~~provided that~~) but only if the site contains an existing
 1104 home that is not being demolished, the existing house is not required to comply with the
 1105 height limitation in K.C.C. 21A.12.020.B.25. or the floor area and footprint limits in
 1106 K.C.C. 21A.14.025.B; and

1107 (~~e-~~) b. Before filing an application with the department, the applicant shall
 1108 hold a community meeting in accordance with K.C.C. 20.20.035.

1109 16. The development for a detached single-family residence shall be consistent
 1110 with the following:

- 1111 a. The lot must have legally existed before March 1, 2005;
- 1112 b. The lot has a Comprehensive Plan land use designation of Rural
 1113 Neighborhood Commercial Center or Rural Area; and
- 1114 c. The standards of this title for the RA-5 zone shall apply.

1115 17. Repealed.

1116 18. Allowed if consistent with K.C.C. chapter 21A.30.

1117 SECTION 33. Ordinance 10870, Section 333, as amended, and K.C.C.
 1118 21A.08.060 are hereby amended to read as follows:

1119 A. Government/business services land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			RU RA L	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-	R12	NB	CB	RB	O	I

							8	-48					(30)
	GOVERNMENT SERVICES:												
*	Public agency or utility office				P3 C5	P3 C5	P3 C	P3 C	P	P	P	P	P16
*	Public agency or utility yard				P27	P27	P27	P27			P		P
*	Public agency archives										P	P	P
921	Court									P4	P	P	
9221	Police Facility				P7	P7	P7	P7	P7	P	P	P	P
9224	Fire Facility				C6 and 33	C6	C6	C6	P	P	P	P	P
*	Utility Facility	P29 C2 8	P29 C2 8	P29 C2 8	P29 C28 and 33	P29 C28	P29 C28	P29 C28	P	P	P	P	P
*	Commuter Parking Lot				C 33 P19	C P19	C P19	C 19	P	P	P	P	P35
*	Private Stormwater Management Facility	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8
*	Vactor Waste Receiving Facility	P	P	P	P18	P18	P18	P18	P31	P31	P31	P31	P
	BUSINESS SERVICES:												
*	Construction and Trade				P34						P	P9	P
*	Individual Transportation and Taxi									P25	P	P10	P
421	Trucking and Courier Service									P11	P12	P13	P
*	Warehousing, (1) and Wholesale Trade												P40
*	Self-service Storage							P14	P37	P	P	P	P

Ordinance

4221	Farm Product												P
4222	Warehousing, Refrigeration and Storage (38)												
*	Log Storage (38)		P		P26 and 33								P
47	Transportation Service												P39
473	Freight and Cargo Service									P	P		P
472	Passenger Transportation Service								P	P	P		
48	Communication Offices									P	P		P
482	Telegraph and other Communications								P	P	P		P
*	General Business Service							P	P	P	P		P16
*	Professional Office							P	P	P	P		P16
7312	Outdoor Advertising Service									P	P17		P
735	Miscellaneous Equipment Rental								P17	P	P17		P
751	Automotive Rental and Leasing								P	P			P
752	Automotive Parking							P20a	P20b	P21	P20 a		P
*	Off-Street Required Parking Lot				P32	P32	P32	P32	P32	P32	P32	P32	P32
7941	Professional Sport Teams/Promoters									P	P		
873	Research, Development and Testing									P2	P2		P2
*	Heavy Equipment and Truck Repair												P
	ACCESSORY USES:												
*	Commercial/Industrial		P		P22				P22	P22	P	P	P

	Accessory Uses												
*	Helistop					C23	C23 3	C23	C23	C23	C24	C23	C24

- 1120 B. Development conditions.
- 1121 1. Except self-service storage.
- 1122 2. Except SIC Industry No. 8732-Commercial Economic, Sociological, and
- 1123 Educational Research, see general business service/office.
- 1124 3.a. Only as a reuse of a public school facility or a surplus nonresidential facility
- 1125 subject to K.C.C. chapter 21A.32; or
- 1126 b. only when accessory to a fire facility and the office is no greater than one
- 1127 thousand five hundred square feet of floor area.
- 1128 4. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter
- 1129 21A.32.
- 1130 5. New utility office locations only if there is no commercial/industrial zoning
- 1131 in the utility district, and not in the RA-10 or RA-20 zones unless it is demonstrated that
- 1132 no feasible alternative location is possible, and provided further that this condition
- 1133 applies to the UR zone only if the property is located within a designated unincorporated
- 1134 Rural Town.
- 1135 6.a. All buildings and structures shall maintain a minimum distance of twenty
- 1136 feet from property lines adjoining rural area and residential zones;
- 1137 b. Any buildings from which fire-fighting equipment emerges onto a street
- 1138 shall maintain a distance of thirty-five feet from such street;
- 1139 c. No outdoor storage; and
- 1140 d. Excluded from the RA-10 and RA-20 zones unless it is demonstrated that no

1141 feasible alternative location is possible.

1142 7. Limited to storefront police offices. Such offices shall not have:

1143 a. holding cells;

1144 b. suspect interview rooms (except in the NB zone); or

1145 c. long-term storage of stolen properties.

1146 8. Private stormwater management facilities serving development proposals

1147 located on commercial/industrial zoned lands shall also be located on

1148 commercial/industrial lands, unless participating in an approved shared facility drainage

1149 plan. Such facilities serving development within an area designated urban in the King

1150 County Comprehensive Plan shall only be located in the urban area.

1151 9. No outdoor storage of materials.

1152 10. Limited to office uses.

1153 11. Limited to self-service household moving truck or trailer rental accessory to

1154 a gasoline service station.

1155 12. Limited to self-service household moving truck or trailer rental accessory to

1156 a gasoline service station and SIC Industry No. 4215-Courier Services, except by air.

1157 13. Limited to SIC Industry No. 4215-Courier Services, except by air.

1158 14. Accessory to an apartment development of at least twelve units provided:

1159 a. The gross floor area in self service storage shall not exceed the total gross

1160 floor area of the apartment dwellings on the site;

1161 b. All outdoor lights shall be deflected, shaded and focused away from all

1162 adjoining property;

1163 c. The use of the facility shall be limited to dead storage of household goods;

1164 d. No servicing or repair of motor vehicles, boats, trailers, lawn mowers or
1165 similar equipment;

1166 e. No outdoor storage or storage of flammable liquids, highly combustible or
1167 explosive materials or hazardous chemicals;

1168 f. No residential occupancy of the storage units;

1169 g. No business activity other than the rental of storage units; and

1170 h. A resident director shall be required on the site and shall be responsible for
1171 maintaining the operation of the facility in conformance with the conditions of approval.

1172 i. Before filing an application with the department, the applicant shall hold a
1173 community meeting in accordance with K.C.C. 20.20.035.

1174 15. Repealed.

1175 16. Only as an accessory use to another permitted use.

1176 17. No outdoor storage.

1177 18. Only as an accessory use to a public agency or utility yard, or to a transfer
1178 station.

1179 19. Limited to new commuter parking lots designed for thirty or fewer parking
1180 spaces or commuter parking lots located on existing parking lots for churches, schools, or
1181 other permitted nonresidential uses that have excess capacity available during
1182 commuting; provided that the new or existing lot is adjacent to a designated arterial that
1183 has been improved to a standard acceptable to the department of local services;

1184 20.a. No tow-in lots for damaged, abandoned or otherwise impounded vehicles,
1185 and

1186 b. Tow-in lots for damaged, abandoned or otherwise impounded vehicles shall

1187 be:

1188 (1) permitted only on parcels located within Vashon Town Center;

1189 (2) accessory to a gas or automotive service use; and

1190 (3) limited to no more than ten vehicles.

1191 21. No dismantling or salvage of damaged, abandoned or otherwise impounded

1192 vehicles.

1193 22. Storage limited to accessory storage of commodities sold at retail on the

1194 premises or materials used in the fabrication of commodities sold on the premises.

1195 23. Limited to emergency medical evacuation sites in conjunction with police,

1196 fire or health service facility. Helistops are prohibited from the UR zone only if the

1197 property is located within a designated unincorporated Rural Town.

1198 24. Allowed as accessory to an allowed use.

1199 25. Limited to private road ambulance services with no outside storage of

1200 vehicles.

1201 26. Limited to two acres or less.

1202 27a. Utility yards only on sites with utility district offices; or

1203 b. Public agency yards are limited to material storage for road maintenance

1204 facilities.

1205 28. Limited to ~~((bulk))~~ local distribution gas storage tanks that pipe to individual

1206 residences but excluding liquefied natural gas storage tanks.

1207 29. Excluding ~~((bulk))~~ local distribution gas storage tanks.

1208 30. For I-zoned sites located outside the urban growth area designated by the

1209 King County Comprehensive Plan, uses shall be subject to the provisions for rural

1210 industrial uses in K.C.C. chapter 21A.12.

1211 31. Vactor waste treatment, storage and disposal shall be limited to liquid
1212 materials. Materials shall be disposed of directly into a sewer system, or shall be stored
1213 in tanks (or other covered structures), as well as enclosed buildings.

1214 32. Provided:

1215 a. Off-street required parking for a land use located in the urban area must be
1216 located in the urban area;

1217 b. Off-street required parking for a land use located in the rural area must be
1218 located in the rural area; and

1219 c.(1) Except as provided in subsection B.32.c.(2) of this section, off-street
1220 required parking must be located on a lot that would permit, either outright or through a
1221 land use permit approval process, the land use the off-street parking will serve.

1222 (2) For a social service agency allowed under K.C.C. 21A.08.050B.13.b. to
1223 be located on a site in the NB zone, off-street required parking may be located on a site
1224 within three hundred feet of the social service agency, regardless of zoning classification
1225 of the site on which the parking is located.

1226 33. Subject to review and approval of conditions to comply with trail corridor
1227 provisions of K.C.C. chapter 21A.14 when located in an RA zone.

1228 34. Limited to landscape and horticultural services (SIC 078) that are accessory
1229 to a retail nursery, garden center and farm supply store. Construction equipment for the
1230 accessory use shall not be stored on the premises.

1231 35. Allowed as a primary or accessory use to an allowed industrial-zoned land
1232 use.

- 1233 36. Repealed.
- 1234 37. Use shall be limited to the NB zone on parcels outside of the Urban Growth
 1235 Area, Rural Towns and Rural Neighborhoods and the building floor area devoted to such
 1236 use shall not exceed ten thousand square feet.
- 1237 38. If the farm product warehousing, refrigeration and storage, or log storage, is
 1238 associated with agriculture activities it will be reviewed in accordance with K.C.C.
- 1239 21A.08.090.
- 1240 39. Excluding fossil fuel facilities.
- 1241 40. Excluding fossil fuels and fossil fuel facilities.
- 1242 SECTION 34. Ordinance 10870, Section 335, as amended, and K.C.C.
- 1243 21A.08.080 are hereby amended to read as follows:
- 1244 A. Manufacturing land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1- 8	R12- 48	NB	CB	RB	O	I (11)
20	Food and Kindred Products (28)								P2	P2	P2 C		P2 C
*/2082 /2085	Winery/Brewery /Distillery	P3 C12			P3 C12	P3			P17	P17	P		P
*	Materials Processing Facility		P13 C	P14 C15	P16 C								P
22	Textile Mill Products												C
23	Apparel and other Textile Products										C		P
24	Wood Products, except furniture	P4 P18	P4 P18 C5		P4 P18 C5	P4					C6		P

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25	Furniture and Fixtures		P19		P19						C		P
26	Paper and Allied Products												C
27	Printing and Publishing							P7	P7	P7C	P7C		P
*	Marijuana Processor I	P20			P27				P21 C22	P21 C22			
*	Marijuana Processor II								P23 C24	P23 C24			P25 C26
28	Chemicals and Allied Products												C
2911	Petroleum Refining and Related Industries												C29
30	Rubber and Misc. Plastics Products												C
31	Leather and Leather Goods									C			P
32	Stone, Clay, Glass and Concrete Products								P6	P9			P
33	Primary Metal Industries												C
34	Fabricated Metal Products												P
35	Industrial and Commercial Machinery												P
351-55	Heavy Machinery and Equipment												C
357	Computer and Office Equipment									C	C		P
36	Electronic and other Electric Equipment									C			P
374	Railroad Equipment												C
376	Guided Missile and Space Vehicle Parts												C
379	Miscellaneous												C

	Transportation Vehicles												
38	Measuring and Controlling Instruments										C	C	P
39	Miscellaneous Light Manufacturing										C		P
*	Motor Vehicle and Bicycle Manufacturing												C
*	Aircraft, Ship and Boat Building												P10C
7534	Tire Retreading										C		P
781-82	Movie Production/Distribution										P		P

1245 B. Development conditions.

1246 1. Repealed.

1247 2. Except slaughterhouses.

1248 3.a. Limited to wineries, SIC Industry No. 2082-Malt Beverages and SIC

1249 Industry No. 2085-Distilled and Blended Liquors;

1250 b. In the A zone, only allowed on sites where the primary use is SIC Industry

1251 Group No. 01-Growing and Harvesting Crops or No. 02-Raising Livestock and Small

1252 Animals;

1253 c. In the RA and UR zones, only allowed on lots of at least four and one-half

1254 acres;

1255 d. The floor area devoted to all processing shall not exceed three thousand five

1256 hundred square feet, unless located in a building designated as historic resource under

1257 K.C.C. chapter 20.62;

1258 e. Structures and areas used for processing shall maintain a minimum distance

1259 of seventy-five feet from property lines adjoining rural area and residential zones, unless

1260 located in a building designated as historic resource under K.C.C. chapter 20.62;

1261 f. Sixty percent or more of the products processed must be grown in the Puget
1262 Sound counties. At the time of the initial application, the applicant shall submit a
1263 projection of the source of products to be produced; and

1264 g. Tasting of products produced on site may be provided in accordance with
1265 state law. The area devoted to tasting shall be included in the floor area limitation in
1266 subsection B.3.c. of this section.

1267 4. Limited to rough milling and planing of products grown on-site with portable
1268 equipment.

1269 5. Limited to SIC Industry Group No. 242-Sawmills and SIC Industry No.
1270 2431-Millwork. For RA zoned sites, if using lumber or timber grown off-site, the
1271 minimum site area is four and one-half acres.

1272 6. Limited to uses found in SIC Industry No. 2434-Wood Kitchen Cabinets and
1273 No. 2431-Millwork, (excluding planing mills).

1274 7. Limited to photocopying and printing services offered to the general public.

1275 8. Only within enclosed buildings, and as an accessory use to retail sales.

1276 9. Only within enclosed buildings.

1277 10. Limited to boat building of craft not exceeding forty-eight feet in length.

1278 11. For I-zoned sites located outside the urban growth area designated by the
1279 King County Comprehensive Plan, uses shown as a conditional use in the table of K.C.C.
1280 21A.08.080.A. shall be prohibited, and all other uses shall be subject to the provisions for
1281 rural industrial uses as set forth in K.C.C. chapter 21A.12.

1282 12.a. Limited to wineries, SIC Industry No. 2082-Malt Beverages and SIC

1283 Industry No. 2085-Distilled and Blended Liquors;

1284 b.(1) Except as provided in subsection B.12.b.(2) of this section, the floor area
1285 of structures for wineries, breweries and distilleries and any accessory uses shall not
1286 exceed a total of eight thousand square feet. The floor area may be increased by up to an
1287 additional eight thousand square feet of underground storage that is constructed
1288 completely below natural grade, not including required exits and access points, if the
1289 underground storage is at least one foot below the surface and is not visible above
1290 ground; and

1291 (2) On Vashon-Maury Island, the total floor area of structures for wineries,
1292 breweries and distilleries and any accessory uses may not exceed six thousand square
1293 feet, including underground storage;

1294 c. Wineries, breweries and distilleries shall comply with Washington state
1295 Department of Ecology and King County board of health regulations for water usage and
1296 wastewater disposal. Wineries, breweries and distilleries using water from exempt wells
1297 shall install a water meter;

1298 d. Off-street parking is limited to one hundred and fifty percent of the
1299 minimum requirement for wineries, breweries or distilleries specified in K.C.C.
1300 21A.18.030;

1301 e. Structures and areas used for processing shall be set back a minimum
1302 distance of seventy-five feet from property lines adjacent to rural area and residential
1303 zones, unless the processing is located in a building designated as historic resource under
1304 K.C.C. chapter 20.62;

1305 f. The minimum site area is four and one-half acres. If the total floor area of

1306 structures for wineries, breweries and distilleries and any accessory uses exceed six
1307 thousand square feet, including underground storage:

1308 (1) the minimum site area is ten acres; and

1309 (2) a minimum of two and one-half acres of the site shall be used for the
1310 growing of agricultural products;

1311 g. The facility shall be limited to processing agricultural products and sixty
1312 percent or more of the products processed must be grown in the Puget Sound counties.

1313 At the time of the initial application, the applicant shall submit a projection of the source
1314 of products to be processed; and

1315 h. Tasting of products produced on site may be provided in accordance with
1316 state law. The area devoted to tasting shall be included in the floor area limitation in
1317 subsection B.12.b. of this section.

1318 13. Only on the same lot or same group of lots under common ownership or
1319 documented legal control, which includes, but is not limited to, fee simple ownership, a
1320 long-term lease or an easement:

1321 a. as accessory to a primary forestry use and at a scale appropriate to process
1322 the organic waste generated on the site; or

1323 b. as a continuation of a sawmill or lumber manufacturing use only for that
1324 period to complete delivery of products or projects under contract at the end of the
1325 sawmill or lumber manufacturing activity.

1326 14. Only on the same lot or same group of lots under common ownership or
1327 documented legal control, which includes, but is not limited to, fee simple ownership, a
1328 long-term lease or an easement:

1329 a. as accessory to a primary mineral use; or
1330 b. as a continuation of a mineral processing use only for that period to
1331 complete delivery of products or projects under contract at the end of mineral extraction.

1332 15. Continuation of a materials processing facility after reclamation in
1333 accordance with an approved reclamation plan.

1334 16. Only a site that is ten acres or greater and that does not use local access
1335 streets that abut lots developed for residential use.

1336 17.a. Limited to wineries, SIC Industry No. 2082-Malt Beverages and SIC
1337 Industry No. 2085-Distilled and Blended Liquors;

1338 b. The floor area devoted to all processing shall not exceed three thousand five
1339 hundred square feet, unless located in a building designated as historic resource under
1340 K.C.C. chapter 20.62;

1341 c. Structures and areas used for processing shall maintain a minimum distance
1342 of seventy-five feet from property lines adjoining rural area and residential zones, unless
1343 located in a building designated as historic resource under K.C.C. chapter 20.62; and

1344 d. Tasting of products produced on site may be provided in accordance with
1345 state law. The area devoted to tasting shall be included in the floor area limitation in
1346 subsection B.18.b. of this section.

1347 18. Limited to:

1348 a. SIC Industry Group No. 242-Sawmills and SIC Industry No. 2431-
1349 Millwork, as follows:

1350 (1) If using lumber or timber grown off-site, the minimum site area is four
1351 and one-half acres;

1352 (2) The facility shall be limited to an annual production of no more than one
1353 hundred fifty thousand board feet;

1354 (3) Structures housing equipment used in the operation shall be located at
1355 least one-hundred feet from adjacent properties with residential or rural area zoning;

1356 (4) Deliveries and customer visits shall be limited to the hours of 8:00 a.m. to
1357 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;

1358 (5) In the RA zone, the facility's driveway shall have adequate entering sight
1359 distance required by the 2007 King County Road Design and Construction Standards. An
1360 adequate turn around shall be provided on-site to prevent vehicles from backing out on to
1361 the roadway that the driveway accesses; and

1362 (6) Outside lighting is limited to avoid off-site glare; and

1363 b. SIC Industry No. 2411-Logging.

1364 19. Limited to manufacture of custom made wood furniture or cabinets.

1365 20.a. Only allowed on lots of at least four and one-half acres;

1366 b. Only as an accessory use to a Washington state Liquor Control Board

1367 licensed marijuana production facility on the same lot;

1368 c. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

1369 d. Only with documentation that the operator has applied for a Puget Sound

1370 Clean Air Agency Notice of Construction Permit. All department permits issued to either

1371 marijuana producers or marijuana processors, or both, shall require that a Puget Sound

1372 Clean Air Agency Notice of Construction Permit be approved before marijuana products

1373 are imported onto the site; and

1374 e. Accessory marijuana processing uses allowed under this section are subject

1375 to all limitations applicable to marijuana production uses under K.C.C. 21A.08.090.

1376 21.a. Only in the CB and RB zones located outside the urban growth area;

1377 b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

1378 c. Only with documentation that the operator has applied for a Puget Sound

1379 Clean Air Agency Notice of Construction Permit. All department permits issued to either

1380 marijuana producers or marijuana processors, or both, shall require that a Puget Sound

1381 Clean Air Agency Notice of Construction Permit be approved before marijuana products

1382 are imported onto the site;

1383 d. Per lot, the aggregated total gross floor area devoted to the use of, and in

1384 support of, processing marijuana together with any separately authorized production of

1385 marijuana shall be limited to a maximum of two thousand square feet; and

1386 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and

1387 every marijuana-related entity occupying space in addition to the two-thousand-square-

1388 foot threshold area on that lot shall obtain a conditional use permit as set forth in

1389 subsection B.22. of this section.

1390 22.a. Only in the CB and RB zones located outside the urban growth area;

1391 b. Per lot, the aggregated total gross floor area devoted to the use of, and in

1392 support of, processing marijuana together with any separately authorized production of

1393 marijuana shall be limited to a maximum of thirty thousand square feet;

1394 c. With a lighting plan, only if required by K.C.C. 21A.12.220.G.; and

1395 d. Only with documentation that the operator has applied for a Puget Sound

1396 Clean Air Agency Notice of Construction Permit. All department permits issued to either

1397 marijuana producers or marijuana processors, or both, shall require that a Puget Sound

1398 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1399 are imported onto the site.

1400 23.a. Only in the CB and RB zones located inside the urban growth area;

1401 b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

1402 c. Only with documentation that the operator has applied for a Puget Sound

1403 Clean Air Agency Notice of Construction Permit. All department permits issued to either

1404 marijuana producers or marijuana processors, or both, shall require that a Puget Sound

1405 Clean Air Agency Notice of Construction Permit be approved before marijuana products

1406 are imported onto the site;

1407 d. Per lot, the aggregated total gross floor area devoted to the use of, and in

1408 support of, processing marijuana together with any separately authorized production of

1409 marijuana shall be limited to a maximum of two thousand square feet; and

1410 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and

1411 every marijuana-related entity occupying space in addition to the two-thousand-square-

1412 foot threshold area on that lot shall obtain a conditional use permit as set forth in

1413 subsection B.24. of this section.

1414 24.a. Only in the CB and RB zones located inside the urban growth area;

1415 b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

1416 c. Only with documentation that the operator has applied for a Puget Sound

1417 Clean Air Agency Notice of Construction Permit. All department permits issued to either

1418 marijuana producers or marijuana processors, or both, shall require that a Puget Sound

1419 Clean Air Agency Notice of Construction Permit be approved before marijuana products

1420 are imported onto the site; and

1421 d. Per lot, the aggregated total gross floor area devoted to the use of, and in
1422 support of, processing marijuana together with any separately authorized production of
1423 marijuana shall be limited to a maximum of thirty thousand square feet.

1424 25.a. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

1425 b. Only with documentation that the operator has applied for a Puget Sound
1426 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1427 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1428 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1429 are imported onto the site; and

1430 c. Per lot, limited to a maximum aggregate total of two thousand square feet of
1431 gross floor area devoted to, and in support of, the processing of marijuana together with
1432 any separately authorized production of marijuana.

1433 26.a. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

1434 b. Only with documentation that the operator has applied for a Puget Sound
1435 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1436 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1437 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1438 are imported onto the site; and

1439 c. Per lot, limited to a maximum aggregate total of thirty thousand square feet of
1440 gross floor area devoted to, and in support of, the processing of marijuana together with
1441 any separately authorized production of marijuana.

1442 27.a. Marijuana processors in all RA zoned areas except for Vashon-Maury
1443 Island, that do not require a conditional use permit issued by King County, that receive a

1444 Washington state Liquor and Cannabis Board license business prior to October 1, 2016,
1445 and that King County did not object to within the Washington state Liquor and Cannabis
1446 Board marijuana license application process, shall be considered nonconforming as to
1447 subsection B.27.e. of this section, subject to the provisions of K.C.C. 21A.32.020 through
1448 21A.32.075 for nonconforming uses;

1449 b. Only with a lighting plan that complies with K.C.C. 21A.12.220.G.;

1450 c. Only with documentation that the operator has applied for a Puget Sound
1451 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1452 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1453 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1454 are imported onto the site;

1455 d. Only allowed on lots of at least four and on-half acres on Vashon-Maury
1456 Island;

1457 e. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,
1458 except on Vashon-Maury Island;

1459 f. Only as an accessory use to a Washington state Liquor Cannabis Board
1460 licensed marijuana production facility on the same lot; and

1461 g. Accessory marijuana processing uses allowed under this section are subject to
1462 all limitations applicable to marijuana production uses under K.C.C. 21A.08.090.

1463 28. If the food and kindred products manufacturing or processing is associated
1464 with agricultural activities it will be reviewed in accordance with K.C.C. 21A.08.090.

1465 29. Excluding fossil fuel facilities.

1466 SECTION 35. Ordinance 10870, Section 336,as amended, and K.C.C.

1467 21A.08.090 are hereby amended to read as follows:

1468 A. Resource land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			RU RAL	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1- 8	R12- 48	NB	CB	RB	O	I
	AGRICULTURE:												
01	Growing and Harvesting Crops	P	P		P	P	P						P
02	Raising Livestock and Small Animals (6)	P	P		P	P							P
*	Agricultural Activities	P24 C	P24 C		P24 C	P24 C							
*	Agricultural Support Services	P25 C	P25 C		P26 C	P26 C	P26 C		P27 C28	P27 C28			
*	Marijuana producer	P15 C22			P16 C17					P18 C19	P18 C19		P20 C21
*	Agriculture Training Facility	C10											
*	Agriculture-related special needs camp	P12											
*	Agricultural Anaerobic Digester	P13											
	FORESTRY:												
08	Growing & Harvesting Forest Production	P	P	P7	P	P	P						P
*	Forest Research		P		P	P						P2	P
	FISH AND WILDLIFE MANAGEMENT:												
0921	Hatchery/Fish Preserve	P	P		P	P	C						P

	(1)												
0273	Aquaculture (1)	P	P		P	P	C						P
*	Wildlife Shelters	P	P		P	P							
	MINERAL:												
10,((12,)) 14	Mineral Extraction and Processing		P9 C	P C1 1									
2951, 3271, 3273	Asphalt/Concrete Mixtures and Block		P8 C1 1	P8 C1 1									P
	ACCESSORY USES:												
*	Resource Accessory Uses	P3 P23	P4	P5	P3	P3							P4
*	Farm Worker Housing	P14			P14								

1469

B. Development conditions.

1470

1. May be further subject to K.C.C. chapter 21A.25.

1471

2. Only forest research conducted within an enclosed building.

1472

3. Farm residences in accordance with K.C.C. 21A.08.030.

1473

4. Excluding housing for agricultural workers.

1474

5. Limited to either maintenance or storage facilities, or both, in conjunction

1475

with mineral extraction or processing operation.

1476

6. Allowed in accordance with K.C.C. chapter 21A.30.

1477

7. Only in conjunction with a mineral extraction site plan approved in

1478

accordance with K.C.C. chapter 21A.22.

1479

8. Only on the same lot or same group of lots under common ownership or

1480

documented legal control, which includes, but is not limited to, fee simple ownership, a

1481

long-term lease or an easement:

- 1482 a. as accessory to a primary mineral extraction use;
- 1483 b. as a continuation of a mineral processing only for that period to complete
- 1484 delivery of products or projects under contract at the end of a mineral extraction; or
- 1485 c. for a public works project under a temporary grading permit issued in
- 1486 accordance with K.C.C. 16.82.152.
- 1487 9. Limited to mineral extraction and processing:
- 1488 a. on a lot or group of lots under common ownership or documented legal
- 1489 control, which includes but is not limited to, fee simple ownership, a long-term lease or
- 1490 an easement;
- 1491 b. that are located greater than one-quarter mile from an established residence;
- 1492 and
- 1493 c. that do not use local access streets that abut lots developed for residential
- 1494 use.
- 1495 10. Agriculture training facilities are allowed only as an accessory to existing
- 1496 agricultural uses and are subject to the following conditions:
- 1497 a. The impervious surface associated with the agriculture training facilities
- 1498 shall comprise not more than ten percent of the allowable impervious surface permitted
- 1499 under K.C.C. 21A.12.040;
- 1500 b. New or the expansion of existing structures, or other site improvements,
- 1501 shall not be located on class 1, 2 or 3 soils;
- 1502 c. The director may require reuse of surplus structures to the maximum extent
- 1503 practical;
- 1504 d. The director may require the clustering of new structures with existing

1505 structures;

1506 e. New structures or other site improvements shall be set back a minimum
1507 distance of seventy-five feet from property lines adjoining rural area and residential
1508 zones;

1509 f. Bulk and design of structures shall be compatible with the architectural style
1510 of the surrounding agricultural community;

1511 g. New sewers shall not be extended to the site;

1512 h. Traffic generated shall not impede the safe and efficient movement of
1513 agricultural vehicles, nor shall it require capacity improvements to rural roads;

1514 i. Agriculture training facilities may be used to provide educational services to
1515 the surrounding rural/agricultural community or for community events. Property owners
1516 may be required to obtain a temporary use permit for community events in accordance
1517 with K.C.C. chapter 21A.32;

1518 j. Use of lodging and food service facilities shall be limited only to activities
1519 conducted in conjunction with training and education programs or community events
1520 held on site;

1521 k. Incidental uses, such as office and storage, shall be limited to those that
1522 directly support education and training activities or farm operations; and

1523 l. The King County agriculture commission shall be notified of and have an
1524 opportunity to comment upon all proposed agriculture training facilities during the permit
1525 process in accordance with K.C.C. chapter 21A.40.

1526 11. Continuation of mineral processing and asphalt/concrete mixtures and block
1527 uses after reclamation in accordance with an approved reclamation plan.

1528 12.a. Activities at the camp shall be limited to agriculture and agriculture-
1529 oriented activities. In addition, activities that place minimal stress on the site's
1530 agricultural resources or activities that are compatible with agriculture are permitted.

- 1531 (1) passive recreation;
- 1532 (2) training of individuals who will work at the camp;
- 1533 (3) special events for families of the campers; and
- 1534 (4) agriculture education for youth.

1535 b. Outside the camp center, as provided for in subsection B.12.e. of this
1536 section, camp activities shall not preclude the use of the site for agriculture and
1537 agricultural related activities, such as the processing of local food to create value-added
1538 products and the refrigeration and storage of local agricultural products. The camp shall
1539 be managed to coexist with agriculture and agricultural activities both onsite and in the
1540 surrounding area.

1541 c. A farm plan shall be required for commercial agricultural production to
1542 ensure adherence to best management practices and soil conservation.

1543 d.(1) The minimum site area shall be five hundred acres. Unless the property
1544 owner has sold or transferred the development rights as provided in subsection B.12.c.(3)
1545 of this section, a minimum of five hundred acres of the site must be owned by a single
1546 individual, corporation, partnership or other legal entity and must remain under the
1547 ownership of a single individual, corporation, partnership or other legal entity for the
1548 duration of the operation of the camp.

1549 (2) Nothing in subsection B.12.d.(1) of this section prohibits the property
1550 owner from selling or transferring the development rights for a portion or all of the site to

1551 the King County farmland preservation program or, if the development rights are
1552 extinguished as part of the sale or transfer, to a nonprofit entity approved by the director;

1553 e. The impervious surface associated with the camp shall comprise not more
1554 than ten percent of the allowable impervious surface permitted under K.C.C. 21A.12.040;

1555 f. Structures for living quarters, dining facilities, medical facilities and other
1556 nonagricultural camp activities shall be located in a camp center. The camp center shall
1557 be no more than fifty acres and shall depicted on a site plan. New structures for
1558 nonagricultural camp activities shall be clustered with existing structures;

1559 g. To the extent practicable, existing structures shall be reused. The applicant
1560 shall demonstrate to the director that a new structure for nonagricultural camp activities
1561 cannot be practicably accommodated within an existing structure on the site, though
1562 cabins for campers shall be permitted only if they do not already exist on site;

1563 h. Camp facilities may be used to provide agricultural educational services to
1564 the surrounding rural and agricultural community or for community events. If required
1565 by K.C.C. chapter 21A.32, the property owner shall obtain a temporary use permit for
1566 community events;

1567 i. Lodging and food service facilities shall only be used for activities related to
1568 the camp or for agricultural education programs or community events held on site;

1569 j. Incidental uses, such as office and storage, shall be limited to those that
1570 directly support camp activities, farm operations or agricultural education programs;

1571 k. New nonagricultural camp structures and site improvements shall maintain a
1572 minimum set-back of seventy-five feet from property lines adjoining rural area and
1573 residential zones;

1574 l. Except for legal nonconforming structures existing as of January 1, 2007,
1575 camp facilities, such as a medical station, food service hall and activity rooms, shall be of
1576 a scale to serve overnight camp users;

1577 m. Landscaping equivalent to a type III landscaping screen, as provided for in
1578 K.C.C. 21A.16.040, of at least twenty feet shall be provided for nonagricultural structures
1579 and site improvements located within two hundred feet of an adjacent rural area and
1580 residential zoned property not associated with the camp;

1581 n. New sewers shall not be extended to the site;

1582 o. The total number of persons staying overnight shall not exceed three
1583 hundred;

1584 p. The length of stay for any individual overnight camper, not including camp
1585 personnel, shall not exceed ninety days during a three-hundred-sixty-five-day period;

1586 q. Traffic generated by camp activities shall not impede the safe and efficient
1587 movement of agricultural vehicles nor shall it require capacity improvements to rural
1588 roads;

1589 r. If the site is adjacent to an arterial roadway, access to the site shall be
1590 directly onto the arterial unless the county road engineer determines that direct access is
1591 unsafe;

1592 s. If direct access to the site is via local access streets, transportation
1593 management measures shall be used to minimize adverse traffic impacts;

1594 t. Camp recreational activities shall not involve the use of motor vehicles
1595 unless the motor vehicles are part of an agricultural activity or are being used for the
1596 transportation of campers, camp personnel or the families of campers. Camp personnel

1597 may use motor vehicles for the operation and maintenance of the facility. Client-specific
1598 motorized personal mobility devices are allowed; and

1599 u. Lights to illuminate the camp or its structures shall be arranged to reflect the
1600 light away from any adjacent property.

1601 13. Limited to digester receiving plant and animal and other organic waste from
1602 agricultural activities, and including electrical generation, as follows:

1603 a. the digester must be included as part of a Washington state Department of
1604 Agriculture approved dairy nutrient plan;

1605 b. the digester must process at least seventy percent livestock manure or other
1606 agricultural organic material from farms in the vicinity, by volume;

1607 c. imported organic waste-derived material, such as food processing waste,
1608 may be processed in the digester for the purpose of increasing methane gas production for
1609 beneficial use, but not shall exceed thirty percent of volume processed by the digester;
1610 and

1611 d. the use must be accessory to an operating dairy or livestock operation.

1612 14. Farm worker housing. Either:

1613 a. Temporary farm worker housing subject to the following conditions:

1614 (1) The housing must be licensed by the Washington state Department of
1615 Health under chapter 70.114A RCW and chapter 246-358 WAC;

1616 (2) Water supply and sewage disposal systems must be approved by the
1617 Seattle King County department of health;

1618 (3) To the maximum extent practical, the housing should be located on
1619 nonfarmable areas that are already disturbed and should not be located in the floodplain

1620 or in a critical area or critical area buffer; and

1621 (4) The property owner shall file with the department of executive services,
1622 records and licensing services division, a notice approved by the department identifying
1623 the housing as temporary farm worker housing and that the housing shall be occupied
1624 only by agricultural employees and their families while employed by the owner or
1625 operator or on a nearby farm. The notice shall run with the land; [or]

1626 b. Housing for agricultural employees who are employed by the owner or
1627 operator of the farm year-round as follows:

1628 (1) Not more than:

1629 (a) one agricultural employee dwelling unit on a site less than twenty acres;

1630 (b) two agricultural employee dwelling units on a site of at least twenty
1631 acres and less than fifty acres;

1632 (c) three agricultural employee dwelling units on a site of at least fifty acres
1633 and less than one-hundred acres; and

1634 (d) four agricultural employee dwelling units on a site of at least one-
1635 hundred acres, and one additional agricultural employee dwelling unit for each additional
1636 one hundred acres thereafter;

1637 (2) If the primary use of the site changes to a nonagricultural use, all
1638 agricultural employee dwelling units shall be removed;

1639 (3) The applicant shall file with the department of executive services, records
1640 and licensing services division, a notice approved by the department that identifies the
1641 agricultural employee dwelling units as accessory and that the dwelling units shall only
1642 be occupied by agricultural employees who are employed by the owner or operator year-

1643 round. The notice shall run with the land. The applicant shall submit to the department
1644 proof that the notice was filed with the department of executive services, records and
1645 licensing services division, before the department approves any permit for the
1646 construction of agricultural employee dwelling units;

1647 (4) An agricultural employee dwelling unit shall not exceed a floor area of
1648 one thousand square feet and may be occupied by no more than eight unrelated
1649 agricultural employees;

1650 (5) To the maximum extent practical, the housing should be located on
1651 nonfarmable areas that are already disturbed;

1652 (6) One off-street parking space shall be provided for each agricultural
1653 employee dwelling unit; and

1654 (7) The agricultural employee dwelling units shall be constructed in
1655 compliance with K.C.C. Title 16.

1656 15. Marijuana production by marijuana producers licensed by the Washington
1657 state Liquor and Cannabis Board is subject to the following standards:

1658 a. Only allowed on lots of at least four and one-half acres;

1659 b. With a lighting plan, only if required by and that complies with K.C.C.
1660 21A.12.220.G.;

1661 c. Only with documentation that the operator has applied for a Puget Sound
1662 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1663 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1664 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1665 are imported onto the site;

1666 d. Production is limited to outdoor, indoor within marijuana greenhouses, and
1667 within structures that are nondwelling unit structures that exist as of October 1, 2013,
1668 subject to the size limitations in subsection B.15.e. of this section;

1669 e. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1670 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
1671 aggregated total of two thousand square feet and shall be located within a fenced area or
1672 marijuana greenhouse that is no more than ten percent larger than that combined area, or
1673 may occur in nondwelling unit structures that exist as of October 1, 2013;

1674 f. Outdoor production area fencing as required by the Washington state Liquor
1675 and Cannabis Board, marijuana greenhouses and nondwelling unit structures shall
1676 maintain a minimum street setback of fifty feet and a minimum interior setback of thirty
1677 feet; and

1678 g. If the two-thousand-square-foot-per-lot threshold of plant canopy combined
1679 with area used for processing under K.C.C. 21A.08.080 is exceeded, each and every
1680 marijuana-related entity occupying space in addition to the two-thousand-square-foot
1681 threshold area on that lot shall obtain a conditional use permit as set forth in subsection
1682 B.22. of this section.

1683 16. Marijuana production by marijuana producers licensed by the Washington
1684 state Liquor and Cannabis Board is subject to the following standards:

1685 a. Marijuana producers in all RA zoned areas except for Vashon-Maury Island,
1686 that do not require a conditional use permit issued by King County, that receive a
1687 Washington state Liquor and Cannabis Board license business prior to October 1, 2016,
1688 and that King County did not object to within the Washington state Liquor and Cannabis

1689 Board marijuana license application process, shall be considered nonconforming as to
1690 subsection B.16.d. and h. of this section, subject to the provisions of K.C.C. 21A.32.020
1691 through 21A.32.075 for nonconforming uses;

1692 b. In all rural area zones, only with a lighting plan that complies with K.C.C.
1693 21A.12.220.G.;

1694 c. Only allowed on lots of at least four and one-half acres on Vashon-Maury
1695 Island;

1696 d. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,
1697 except on Vashon-Maury Island;

1698 e. Only with documentation that the operator has applied for a Puget Sound
1699 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1700 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1701 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1702 are imported onto the site;

1703 f. Production is limited to outdoor, indoor within marijuana greenhouses, and
1704 within nondwelling unit structures that exist as of October 1, 2013, subject to the size
1705 limitations in subsection B.16.g. of this section; and

1706 g. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1707 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
1708 aggregated total of two thousand square feet and shall be located within a fenced area or
1709 marijuana greenhouse, that is no more than ten percent larger than that combined area, or
1710 may occur in nondwelling unit structures that exist as of October 1, 2013;

1711 h. Outdoor production area fencing as required by the Washington state Liquor

1712 and Cannabis Board and marijuana greenhouses shall maintain a minimum street setback
1713 of fifty feet and a minimum interior setback of one hundred feet; and a minimum setback
1714 of one hundred fifty feet from any existing residence; and

1715 i. If the two-thousand-square-foot-per-lot threshold of plant canopy within
1716 fenced areas or marijuana greenhouses is exceeded, each and every marijuana-related
1717 entity occupying space in addition to the two-thousand-square-foot threshold area on that
1718 lot shall obtain a conditional use permit as set forth in subsection B.17. of this section.

1719 17. Marijuana production by marijuana producers licensed by the Washington
1720 state Liquor and Cannabis Board is subject to the following standards:

1721 a. Only allowed on lots of at least four and one-half acres on Vashon-Maury
1722 Island;

1723 b. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,
1724 except on Vashon-Maury Island;

1725 c. In all rural area zones, only with a lighting plan that complies with K.C.C.
1726 21A.12.220.G.;

1727 d. Only with documentation that the operator has applied for a Puget Sound
1728 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1729 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1730 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1731 are imported onto the site;

1732 e. Production is limited to outdoor and indoor within marijuana greenhouses
1733 subject to the size limitations in subsection B.17.f. of this section;

1734 f. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with

1735 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum
1736 aggregated total of thirty thousand square feet and shall be located within a fenced area or
1737 marijuana greenhouse that is no more than ten percent larger than that combined area;
1738 and

1739 g. Outdoor production area fencing as required by the Washington state Liquor
1740 and Cannabis Board, and marijuana greenhouses shall maintain a minimum street setback
1741 of fifty feet and a minimum interior setback of one hundred feet, and a minimum setback
1742 of one hundred fifty feet from any existing residence.

1743 18.a. Production is limited to indoor only;

1744 b. With a lighting plan only as required by and that complies with K.C.C.
1745 21A.12.220.G.;

1746 c. Only with documentation that the operator has applied for a Puget Sound
1747 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1748 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1749 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1750 are imported onto the site; and

1751 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1752 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
1753 aggregated total of two thousand square feet and shall be located within a building or
1754 tenant space that is no more than ten percent larger than the plant canopy and separately
1755 authorized processing area; and

1756 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and
1757 every marijuana-related entity occupying space in addition to the two-thousand-square

1758 foot threshold area on that parcel shall obtain a conditional use permit as set forth in
1759 subsection B.19. of this section.

1760 19.a. Production is limited to indoor only;

1761 b. With a lighting plan only as required by and that complies with K.C.C.

1762 21A.12.220.G.;

1763 c. Only with documentation that the operator has applied for a Puget Sound
1764 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1765 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1766 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1767 are imported onto the site; and

1768 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1769 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
1770 aggregated total of thirty thousand square feet and shall be located within a building or
1771 tenant space that is no more than ten percent larger than the plant canopy and separately
1772 authorized processing area.

1773 20.a. Production is limited to indoor only;

1774 b. With a lighting plan only as required by and that complies with K.C.C.

1775 21A.12.220.G.;

1776 c. Only with documentation that the operator has applied for a Puget Sound
1777 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1778 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1779 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1780 are imported onto the site;

1781 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1782 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
1783 aggregated total of two thousand square feet and shall be located within a building or
1784 tenant space that is no more than ten percent larger than the plant canopy and separately
1785 authorized processing area; and

1786 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and
1787 every marijuana-related entity occupying space in addition to the two-thousand-square-
1788 foot threshold area on that lot shall obtain a conditional use permit as set forth in
1789 subsection B.21. of this section.

1790 21.a. Production is limited to indoor only;

1791 b. With a lighting plan only as required by and that complies with K.C.C.
1792 21A.12.220.G.;

1793 c. Only with documentation that the operator has applied for a Puget Sound
1794 Clean Air Agency Notice of Construction Permit. All department permits issued to either
1795 marijuana producers or marijuana processors, or both, shall require that a Puget Sound
1796 Clean Air Agency Notice of Construction Permit be approved before marijuana products
1797 are imported onto the site; and

1798 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with
1799 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum
1800 aggregated total of thirty thousand square feet and shall be located within a building or
1801 tenant space that is no more than ten percent larger than the plant canopy and separately
1802 authorized processing area.

1803 22. Marijuana production by marijuana producers licensed by the Washington

1804 state Liquor and Cannabis Board is subject to the following standards:

1805 a. With a lighting plan only as required by and that complies with K.C.C.

1806 21A.12.220.G.;

1807 b. Only allowed on lots of at least four and one-half acres;

1808 c. Only with documentation that the operator has applied for a Puget Sound

1809 Clean Air Agency Notice of Construction Permit. All department permits issued to either

1810 marijuana producers or marijuana processors, or both, shall require that a Puget Sound

1811 Clean Air Agency Notice of Construction Permit be approved before marijuana products

1812 are imported onto the site;

1813 d. Production is limited to outdoor, indoor within marijuana greenhouses, and

1814 within structures that are nondwelling unit structures that exist as of October 1, 2013,

1815 subject to the size limitations in subsection B.22. e. and f. of this section;

1816 e. On lots less than ten acres, per lot, the plant canopy, as defined in WAC 314-

1817 55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be

1818 limited to a maximum aggregated total of five thousand square feet and shall be located

1819 within a fenced area or marijuana greenhouse that is no more than ten percent larger than

1820 that combined area, or may occur in nondwelling unit structures that exist as of October 1,

1821 2013;

1822 f. On lots ten acres or more, per lot, the plant canopy, as defined in WAC 314-

1823 55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be

1824 limited to a maximum aggregated total of ten thousand square feet, and shall be located

1825 within a fenced area or marijuana greenhouse that is no more than ten percent larger than

1826 that combined area, or may occur in nondwelling unit structures that exist as of October 1,

1827 2013; and

1828 g. Outdoor production area fencing as required by the Washington state Liquor
1829 and Cannabis Board, marijuana greenhouses and nondwelling unit structures shall maintain
1830 a minimum street setback of fifty feet and a minimum interior setback of one hundred feet,
1831 and a minimum setback of one hundred fifty feet from any existing residence.

1832 23. The storage and processing of non-manufactured source separated organic
1833 waste that originates from agricultural operations and that does not originate from the site,
1834 if:

1835 a. agricultural is the primary use of the site;

1836 b. the storage and processing are in accordance with best management practices
1837 included in an approved farm plan; and

1838 c. except for areas used for manure storage, the areas used for storage and
1839 processing do not exceed three acres and ten percent of the site.

1840 24.a. For activities relating to the processing of crops or livestock for commercial
1841 purposes, including associated activities such as warehousing, storage, including
1842 refrigeration, and other similar activities and excluding wineries, SIC Industry No. 2085 -
1843 Distilled and Blended Liquors and SIC Industry No. 2082 - Malt Beverages:

1844 (1) limited to agricultural products and sixty percent or more of the products
1845 processed must be grown in the Puget Sound counties. At the time of initial application,
1846 the applicant shall submit a projection of the source of products to be produced;

1847 (2) in the RA and UR zones, only allowed on sites of at least four and one-
1848 half acres;

1849 (3) (a) as a permitted use, the floor area devoted to all processing shall not

1850 exceed two thousand square feet, unless located in a building designated as an historic
1851 resource under K.C.C. chapter 20.62. The agricultural technical review committee, as
1852 established in K.C.C. 21A.42.300, may review and approve an increase in the processing
1853 floor area as follows: up to three thousand five hundred square feet of floor area may be
1854 devoted to all processing in the RA zones or on farms less than thirty-five acres located in
1855 the A zones or up to seven thousand square feet on farms greater than thirty-five acres in
1856 the A zone; and

1857 (b) as a permitted use, the floor area devoted to all warehousing,
1858 refrigeration, storage or other similar activities shall not exceed two thousand square feet,
1859 unless located in a building designated as historic resource under K.C.C. chapter 20.62.
1860 The agricultural technical review committee, as established in K.C.C. 21A.42.300, may
1861 review and approve an increase of up to three thousand five hundred square feet of floor
1862 area devoted to all warehouseing, storage, including refrigeration, or other similar
1863 activities in the RA zones or on farms less than thirty-five acres located in the A zones or
1864 up to seven thousand square feet on farms greater than thirty-five acres in the A zone;

1865 (4) in the A zone, structures and areas used for processing, warehousing,
1866 refrigeration, storage and other similar activities shall be located on portions of
1867 agricultural lands that are unsuitable for other agricultural purposes, such as areas within
1868 the already developed portion of such agricultural lands that are not available for direct
1869 agricultural production, or areas without prime agricultural soils; and

1870 (5) structures and areas used for processing, warehousing, storage, including
1871 refrigeration, and other similar activities shall maintain a minimum distance of seventy-
1872 five feet from property lines adjoining rural area and residential zones, unless located in a

1873 building designated as historic resource under K.C.C. chapter 20.62.

1874 b. For activities relating to the retail sale of agricultural products, except

1875 livestock:

1876 (1) sales shall be limited to agricultural products and locally made arts and

1877 crafts;

1878 (2) in the RA and UR zones, only allowed on sites at least four and one-

1879 half acres;

1880 (3) as a permitted use, the covered sales area shall not exceed two thousand

1881 square feet, unless located in a building designated as a historic resource under K.C.C.

1882 chapter 20.62. The agricultural technical review committee, as established in K.C.C.

1883 21A.42.300, may review and approve an increase of up to three thousand five hundred

1884 square feet of covered sales area;

1885 (4) forty percent or more of the gross sales of agricultural product sold

1886 through the store must be sold by the producers of primary agricultural products;

1887 (5) sixty percent or more of the gross sales of agricultural products sold

1888 through the store shall be derived from products grown or produced in the Puget Sound

1889 counties. At the time of the initial application, the applicant shall submit a reasonable

1890 projection of the source of product sales;

1891 (6) tasting of products, in accordance with applicable health regulations, is

1892 allowed;

1893 (7) storage areas for agricultural products may be included in a farm store

1894 structure or in any accessory building; and

1895 (8) outside lighting is permitted if there is no off-site glare.

- 1896 c. Retail sales of livestock is permitted only as accessory to raising
1897 livestock.
- 1898 d. Farm operations, including quipment repair and related facilities, except
1899 that:
- 1900 (1) the repair of tools and machinery is limited to those necessary for the
1901 operation of a farm or forest;
- 1902 (2) in the RA and UR zones, only allowed on sites of at least four and one-
1903 half acres;
- 1904 (3) the size of the total repair use is limited to one percent of the farm size
1905 in the A zone, and up to one percent of the size in other zones, up to a maximum of five
1906 thousand square feet unless located within an existing farm structure, including but not
1907 limited to barns, existing as of December 31, 2003; and
- 1908 (4) Equipment repair shall not be permitted in the Forest zone.
- 1909 e. The agricultural technical review committee, as established in K.C.C.
1910 21A.42.300, may review and approve reductions of minimum site sizes in the rural and
1911 residential zones and minimum setbacks from rural and residential zones.
- 1912 25. The department may review and approve establishment of agricultural
1913 support services in accordance with the code compliance review process in K.C.C.
1914 21A.42.300 only if:
- 1915 a. project is sited on lands that are unsuitable for direct agricultural production
1916 based on size, soil conditions or other factors and cannot be returned to productivity by
1917 drainage maintenance; and
- 1918 b. the proposed use is allowed under any Farmland Preservation Program

1919 conservation easement and zoning development standards.

1920 26. The agricultural technical review committee, as established in K.C.C.

1921 21A.42.300, may review and approve establishment of agricultural support services only
1922 if the project site:

1923 a. adjoins or is within six hundred sixty feet of the agricultural production
1924 district;

1925 b. has direct vehicular access to the agricultural production district;

1926 c. except for farmworker housing, does not use local access streets that abut
1927 lots developed for residential use; and

1928 d. has a minimum lot size of four and one-half acres.

1929 27. The agricultural technical review committee, as established in K.C.C.

1930 21A.42.300, may review and approve establishment of agricultural support services only
1931 if the project site:

1932 a. is outside the urban growth area,

1933 b. adjoins or is within six hundred sixty feet of the agricultural production
1934 district,

1935 c. has direct vehicular access to the agricultural production district,

1936 d. except for farmworker housing, does not use local access streets that abut
1937 lots developed for residential use; and

1938 e. has a minimum lot size of four and one-half acres.

1939 28. Only allowed on properties that are outside the urban growth area.

1940 SECTION 36. Ordinance 10870, Section 337, as amended, and K.C.C.

1941 21A.08.100 are hereby amended to read as follows:

1942

A. Regional land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			R U R A L	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1- 8	R12 -48	NB	CB	RB	O	I (15)
*	Jail						S	S	S	S	S	S	S
*	Jail Farm/Camp	S	S		S	S							
*	Work Release Facility				S19	S19	S	S	S	S	S	S	
*	Public Agency Animal Control Facility		S		S	S					S		P
*	Public Agency Training Facility		S		S3					S3	S3	S3	C4
*	Hydroelectric Generation Facility		C14 S		C14 S	C14 S	C14 S						
*	Non-hydroelectric Generation Facility	C P12 ((S))	C P12 ((S))	C P12 ((S))	C P12 ((S))	C P12 ((S))	C P12 ((S))	C P12 ((S))	C P12 ((S))	C P12 ((S))	C P12 ((S))	C P12 ((S))	C P12 ((S))
*	Communication Facility (17)	C6c S	P		C6c S	C6c S	C6c S	C6c S	C6c S	P	P	P	P
*	Earth Station	P6b C	P		C6a S	C6a S	C6a S	C6a S	P6b C	P	P	P	P
13	Oil and Gas Extraction	<u>S27</u>	((C)) <u>S27</u>	((P)) <u>S27</u>	<u>S27</u>	((S))	((S))	((S))	((S))	<u>S27</u>	<u>S27</u>	<u>S27</u>	((C)) <u>S27</u>
*	<u>Fossil Fuel Facility Type I</u>												<u>C28</u>
*	<u>Fossil Fuel Facility Type II</u>												<u>S28</u> , <u>29</u>
*	Energy Resource Recovery Facility		S	S	S	S	S	S	S	S	S	S	S
*	Soil Recycling Facility		S	S	S								C
*	Landfill		S	S	S	S	S	S	S	S	S	S	S

*	Transfer Station			S	S	S	S	S	S	S	S		P
*	Wastewater Treatment Facility				S	S	S	S	S	S	S	S	C
*	Municipal Water Production	S	P13 S	S	S	S	S	S	S	S	S	S	S
*	Airport/Heliport	S7	S7		S	S	S	S	S	S	S	S	S
*	Regional Transit Authority Facility					P25							
*	Rural Public Infrastructure Maintenance Facility				C23								P
*	Transit Bus Base						S	S	S	S	S	S	P
*	Transit Comfort Facility				P26		P26	P26	P26	P26	P26	P26	P26
*	School Bus Base				C5 S20	C5 S	C5 S	C5 S	S	S	S	S	P
7948	Racetrack				S8	S8	S8	S8	S8	S8	S8	S8	S24
*	Regional Motor Sports Facility												P
*	County Fairgrounds Facility				P21 S22								
*	Fairground									S	S		S
8422	Zoo/Wildlife Exhibit(2)		S9		S9	S	S	S		S	S		
7941	Stadium/Arena										S		S
8221- 8222	College/University(1)	P10	P10		P10 C11 S18	P10 C11 S18	P10 C11 S	P10 C11 S	P10 C11 S	P	P	P	P
*	Zoo Animal Breeding Facility	P16	P16		P16								

1943

B. Development conditions.

1944

1. Except technical institutions. See vocational schools on general services land

- 1945 use table, K.C.C. 21A.08.050.
- 1946 2. Except arboretum. See K.C.C. 21A.08.040, recreation/cultural land use table.
- 1947 3. Except weapons armories and outdoor shooting ranges.
- 1948 4. Except outdoor shooting range.
- 1949 5. Only in conjunction with an existing or proposed school.
- 1950 6.a. Limited to no more than three satellite dish antennae.
- 1951 b. Limited to one satellite dish antenna.
- 1952 c. Limited to tower consolidations.
- 1953 7. Limited to landing field for aircraft involved in forestry or agricultural
- 1954 practices or for emergency landing sites.
- 1955 8. Except racing of motorized vehicles.
- 1956 9. Limited to wildlife exhibit.
- 1957 10. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32.
- 1958 11. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter
- 1959 21A.32.
- 1960 12. Limited to cogeneration facilities for on-site use only.
- 1961 13. Excluding impoundment of water using a dam.
- 1962 14. Limited to facilities that comply with the following:
- 1963 a. Any new diversion structure shall not:
- 1964 (1) exceed a height of eight feet as measured from the streambed; or
- 1965 (2) impound more than three surface acres of water at the normal maximum
- 1966 surface level;
- 1967 b. There shall be no active storage;

1968 c. The maximum water surface area at any existing dam or diversion shall not
1969 be increased;

1970 d. An exceedance flow of no greater than fifty percent in mainstream reach
1971 shall be maintained;

1972 e. Any transmission line shall be limited to a:

1973 (1) right-of-way of five miles or less; and

1974 (2) capacity of two hundred thirty KV or less;

1975 f. Any new, permanent access road shall be limited to five miles or less; and

1976 g. The facility shall only be located above any portion of the stream used by
1977 anadromous fish.

1978 15. For I-zoned sites located outside the urban growth area designated by the
1979 King County Comprehensive Plan, uses shown as a conditional or special use in K.C.C.
1980 21A.08.100.A, except for waste water treatment facilities and racetracks, shall be
1981 prohibited. All other uses, including waste water treatment facilities, shall be subject to
1982 the provisions for rural industrial uses in K.C.C. chapter 21A.12.

1983 16. The operator of such a facility shall provide verification to the department of
1984 natural resources and parks or its successor organization that the facility meets or exceeds
1985 the standards of the Animal and Plant Health Inspection Service of the United States
1986 Department of Agriculture and the accreditation guidelines of the American Zoo and
1987 Aquarium Association.

1988 17. The following provisions of the table apply only to major communication
1989 facilities. Minor communication facilities shall be reviewed in accordance with the
1990 processes and standard outlined in K.C.C. chapter 21A.27.

- 1991 18. Only for facilities related to resource-based research.
- 1992 19. Limited to work release facilities associated with natural resource-based
1993 activities.
- 1994 20. Limited to projects which do not require or result in an expansion of sewer
1995 service outside the urban growth area, unless a finding is made that no cost-effective
1996 alternative technologies are feasible, in which case a tightline sewer sized only to meet
1997 the needs of the school bus base and serving only the school bus base may be used.
1998 Renovation, expansion, modernization or reconstruction of a school bus base is permitted
1999 but shall not require or result in an expansion of sewer service outside the urban growth
2000 area, unless a finding is made that no cost-effective alternative technologies are feasible,
2001 in which case a tightline sewer sized only to meet the needs of the school bus base.
- 2002 21. Only in conformance with the King County Site Development Plan Report,
2003 through modifications to the plan of up to ten percent are allowed for the following:
- 2004 a. building square footage;
- 2005 b. landscaping;
- 2006 c. parking;
- 2007 d. building height; or
- 2008 e. impervious surface.
- 2009 22. A special use permit shall be required for any modification or expansion of
2010 the King County fairgrounds facility that is not in conformance with the King County
2011 Site Development Plan Report or that exceeds the allowed modifications to the plan
2012 identified in subsection B.21. of this section.
- 2013 23. The facility shall be primarily devoted to rural public infrastructure

2014 maintenance and is subject to the following conditions:

2015 a. The minimum site area shall be ten acres, unless:

2016 (1) the facility is a reuse of a public agency yard; or

2017 (2) the site is separated from a county park by a street or utility right-of-way;

2018 b. Type 1 landscaping as provided in K.C.C. chapter 21A.16 shall be provided

2019 between any stockpiling or grinding operations and adjacent residential zoned property;

2020 c. Type 2 landscaping as provided in K.C.C. chapter 21A.16 shall be provided

2021 between any office and parking lots and adjacent residential zoned property;

2022 d. Access to the site does not use local access streets that abut residential zoned

2023 property, unless the facility is a reuse of a public agency yard;

2024 e. Structural setbacks from property lines shall be as follows:

2025 (1) Buildings, structures and stockpiles used in the processing of materials

2026 shall be no closer than:

2027 (a) one hundred feet from any residential zoned properties, except that the

2028 setback may be reduced to fifty feet when the grade where the building or structures are

2029 proposed is fifty feet or greater below the grade of the residential zoned property;

2030 (b) fifty feet from any other zoned property, except when adjacent to a

2031 mineral extraction or materials processing site;

2032 (c) the greater of fifty feet from the edge of any public street or the setback

2033 from residential zoned property on the far side of the street; and

2034 (2) Offices, scale facilities, equipment storage buildings and stockpiles shall

2035 not be closer than fifty feet from any property line except when adjacent to M or F zoned

2036 property or when a reuse of an existing building. Facilities necessary to control access to

2037 the site, when demonstrated to have no practical alternative, may be located closer to the
2038 property line;

2039 f. On-site clearing, grading or excavation, excluding that necessary for
2040 required access, roadway or storm drainage facility construction, shall not be permitted
2041 within fifty feet of any property line except along any portion of the perimeter adjacent to
2042 M or F zoned property. If native vegetation is restored, temporary disturbance resulting
2043 from construction of noise attenuation features located closer than fifty feet shall be
2044 permitted; and

2045 g. Sand and gravel extraction shall be limited to forty thousand yards per year.

2046 24. The following accessory uses to a motor race track operation are allowed if
2047 approved as part of the special use permit:

2048 a. motocross;

2049 b. autocross;

2050 c. skidpad;

2051 d. garage;

2052 e. driving school; and

2053 f. fire station.

2054 25. Regional transit authority facilities shall be exempt from setback and height
2055 requirements.

2056 26. Transit comfort facility shall:

2057 a. only be located outside of the urban growth area boundary;

2058 b. be exempt from street setback requirements; and

2059 c. be no more than 200 square feet in size.

2060 27. Use limited to gas extraction as an accessory use to waste management
2061 process, such as wastewater treatment, landfill waste management, livestock manure and
2062 composting processes.

2063 28. Required for all new, modified or expanded fossil fuel facilities where
2064 modified or expanded include, but are not limited to:

2065 a. new uses or fuel types within existing facilities;

2066 b. changes to the type of refining, manufacturing and processing;

2067 c. changes in the location of the facilities;

2068 d. replacement of existing facilities;

2069 e. increases in power or water demands;

2070 f. increases in production capacity; and

2071 g. changes in the methods or volumes of transport of raw materials or
2072 processed products.

2073 29. Limited to facilities that comply with the following:

2074 a. shall not be located within one thousand feet from any schools, medical care
2075 facilities, or places of assembly that have occupancies of greater than one thousand
2076 persons, such as arenas, gymnasiums and auditoriums;

2077 b. shall not be located within two hundred fifty feet from a regulated wetland
2078 or aquatic area;

2079 c. structures shall be setback at least two hundred feet from adjacent
2080 properties; and

2081 d. storage of fossil fuels must be contained within enclosed structures, tanks or
2082 similar facilities.

2083 SECTION 37. Ordinance 10870, Section 340, as amended, and K.C.C.

2084 21A.12.030 are hereby amended to read as follows:

2085 A. Densities and dimensions - residential and rural zones.

RURAL					RESIDENTIAL								
STANDARDS	RA-2.5	RA-5	RA-10	RA-20	UR	R-1 (17)	R-4	R-6	R-8	R-12	R-18	R-24	R-48
Base Density: Dwelling Unit/Acre (15) (28)	0.2 du/ac	0.2 du/ac	0.1 du/ac	0.05 du/ac	0.2 du/ac (21)	1 du/ ac (17)	4 du/ ac (6)	6 du/ac	8 du/ac	12 du/ac	18 du/ac	24 du/ac	48 du/ac
Maximum Density: Dwelling Unit/Acre (1)	0.4 du/ac (20)						6 du/ ac (22) 8 du/ ac (27)	9 du/ac (27)	12 du/ac (27)	18 du/ac (27)	27 du/ac (27)	36 du/ac (27)	72 du/ac (27)
Minimum Density: (2)							85% (12) (18) (23)	85% (12) (18)	85% (12) (18)	80% (18)	75% (18)	70% (18)	65% (18)
Minimum Lot Area (13)	1.875 ac	3.75 ac	7.5 ac	15 ac									
Minimum Lot Width (3)	135 ft	135 ft	135 ft	135 ft	35 ft (7)	35 ft (7)	30 ft	30 ft	30 ft	30 ft	30ft	30 ft	30 ft
Minimum Street Setback (3)	30 ft (9)	30 ft (9)	30ft (9)	30 ft (9)	30 ft (7)	20 ft (7) (29)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10ft (8)	10 ft (8)
Minimum Interior Setback (3) (16)	5 ft (9)	10ft (9)	10 ft (9)	10 ft (9)	5 ft (7)	5 ft (7) (29)	5 ft	5 ft	5 ft	5 ft (10)	5 ft (10)	5 ft (10)	5 ft (10)
Base Height (4)	40 ft	40 ft	40 ft	40 ft	35 ft	35 ft (29)	35 ft (25)	35 ft (14) (25)	35 ft (14) (25)	60 ft	60 ft (14)	60 ft (14)	60 ft (14)
Maximum Impervious	25% (11)	20% (11)	15% (11)	12.5% (11) (19)	30% (11) (26)	30% (11)	55% (26)	70% (26)	75% (26)	85% (26)	85% (26)	85% (26)	90% (26)

Surface: Percentage	(19)	(19)	(19)	(26)		(26)							
(5)	(26)	(26)	(24)										
			(26)										

2086 B. Development conditions.

2087 1. This maximum density may be achieved only through the application of
2088 residential density incentives in accordance with K.C.C. chapter 21A.34 or transfers of
2089 development rights in accordance with K.C.C. chapter 21A.37, or any combination of
2090 density incentive or density transfer.

2091 2. Also see K.C.C. 21A.12.060.

2092 3. These standards may be modified under the provisions for zero-lot-line and
2093 townhouse developments.

2094 4. Height limits may be increased if portions of the structure that exceed the
2095 base height limit provide one additional foot of street and interior setback for each foot
2096 above the base height limit, but the maximum height may not exceed seventy-five feet.
2097 Netting or fencing and support structures for the netting or fencing used to contain golf
2098 balls in the operation of golf courses or golf driving ranges are exempt from the
2099 additional interior setback requirements but the maximum height shall not exceed
2100 seventy-five feet, except for recreation or multiuse parks, where the maximum height
2101 shall not exceed one hundred twenty-five feet, unless a golf ball trajectory study requires
2102 a higher fence. Accessory dwelling units and accessory living quarters shall not exceed
2103 base heights.

2104 5. Applies to each individual lot. Impervious surface area standards for:

2105 a. Regional uses shall be established at the time of permit review;

2106 b. Nonresidential uses in rural area and residential zones shall comply with

2107 K.C.C. 21A.12.120 and 21A.12.220;

2108 c. Individual lots in the R-4 through R-6 zones that are less than nine thousand
2109 seventy-six square feet in area shall be subject to the applicable provisions of the nearest
2110 comparable R-6 or R-8 zone; and

2111 d. A lot may be increased beyond the total amount permitted in this chapter
2112 subject to approval of a conditional use permit.

2113 6. Mobile home parks shall be allowed a base density of six dwelling units per
2114 acre.

2115 7. The standards of the R-4 zone apply if a lot is less than fifteen thousand
2116 square feet in area.

2117 8. At least twenty linear feet of driveway shall be provided between any garage,
2118 carport or other fenced parking area and the street property line. The linear distance shall
2119 be measured along the center line of the driveway from the access point to such garage,
2120 carport or fenced area to the street property line.

2121 9.a. Residences shall have a setback of at least one hundred feet from any
2122 property line adjoining A, M or F zones or existing extractive operations. However,
2123 residences on lots less than one hundred fifty feet in width adjoining A, M or F zones or
2124 existing extractive operations shall have a setback from the rear property line equal to
2125 fifty percent of the lot width and a setback from the side property equal to twenty-five
2126 percent of the lot width.

2127 b. Except for residences along a property line adjoining A, M or F zones or
2128 existing extractive operations, lots between one acre and two and one-half acres in size
2129 shall conform to the requirements of the R-1 zone and lots under one acre shall conform

2130 to the requirements of the R-4 zone.

2131 10.a. For developments consisting of three or more single-detached dwellings
2132 located on a single parcel, the setback shall be ten feet along any property line abutting
2133 R-1 through R-8, RA and UR zones, except for structures in on-site play areas required in
2134 K.C.C. 21A.14.190, which shall have a setback of five feet.

2135 b. For townhouse and apartment development, the setback shall be twenty feet
2136 along any property line abutting R-1 through R-8, RA and UR zones, except for
2137 structures in on-site play areas required in K.C.C. 21A.14.190, which shall have a setback
2138 of five feet, unless the townhouse or apartment development is adjacent to property upon
2139 which an existing townhouse or apartment development is located.

2140 11. Lots smaller than one-half acre in area shall comply with standards of the
2141 nearest comparable R-4 through R-8 zone. For lots that are one-half acre in area or
2142 larger, the maximum impervious surface area allowed shall be at least ten thousand
2143 square feet. On any lot over one acre in area, an additional five percent of the lot area
2144 may be used for buildings related to agricultural or forestry practices. For lots smaller
2145 than two acres but larger than one-half acre, an additional ten percent of the lot area may
2146 be used for structures that are determined to be medically necessary, if the applicant
2147 submits with the permit application a notarized affidavit, conforming with K.C.C.
2148 21A.32.170A.2.

2149 12. For purposes of calculating minimum density, the applicant may request that
2150 the minimum density factor be modified based upon the weighted average slope of the
2151 net buildable area of the site in accordance with K.C.C. 21A.12.087.

2152 13. The minimum lot area does not apply to lot clustering proposals as provided

2153 in K.C.C. chapter 21A.14.

2154 14. The base height to be used only for projects as follows:

2155 a. in R-6 and R-8 zones, a building with a footprint built on slopes exceeding a
2156 fifteen percent finished grade; and

2157 b. in R-18, R-24 and R-48 zones using residential density incentives and
2158 transfer of density credits in accordance with this title.

2159 15. Density applies only to dwelling units and not to sleeping units.

2160 16. Vehicle access points from garages, carports or fenced parking areas shall
2161 be set back from the property line on which a joint use driveway is located to provide a
2162 straight line length of at least twenty-six feet as measured from the center line of the
2163 garage, carport or fenced parking area, from the access point to the opposite side of the
2164 joint use driveway.

2165 17.a. All subdivisions and short subdivisions in the R-1 zone shall be required to
2166 be clustered if the property is located within or contains:

2167 (1) a floodplain;

2168 (2) a critical aquifer recharge area;

2169 (3) a regionally or locally significant resource area;

2170 (4) existing or planned public parks or trails, or connections to such facilities;

2171 (5) a category type S or F aquatic area or category I or II wetland;

2172 (6) a steep slope; or

2173 (7) an urban separator or wildlife habitat network designated by the

2174 Comprehensive Plan or a community plan.

2175 b. The development shall be clustered away from critical areas or the axis of

2176 designated corridors such as urban separators or the wildlife habitat network to the extent
2177 possible and the open space shall be placed in a separate tract that includes at least fifty
2178 percent of the site. Open space tracts shall be permanent and shall be dedicated to a
2179 homeowner's association or other suitable organization, as determined by the director,
2180 and meet the requirements in K.C.C. 21A.14.040. On-site critical area and buffers and
2181 designated urban separators shall be placed within the open space tract to the extent
2182 possible. Passive recreation, with no development of recreational facilities, and natural-
2183 surface pedestrian and equestrian trails are acceptable uses within the open space tract.

2184 18. See K.C.C. 21A.12.085.

2185 19. All subdivisions and short subdivisions in R-1 and RA zones within the
2186 North Fork and Upper Issaquah Creek subbasins of the Issaquah Creek Basin (the North
2187 Fork and Upper Issaquah Creek subbasins are identified in the Issaquah Creek Basin and
2188 Nonpoint Action Plan) and the portion of the Grand Ridge subarea of the East
2189 Sammamish Community Planning Area that drains to Patterson Creek shall have a
2190 maximum impervious surface area of eight percent of the gross acreage of the plat.
2191 Distribution of the allowable impervious area among the platted lots shall be recorded on
2192 the face of the plat. Impervious surface of roads need not be counted towards the
2193 allowable impervious area. Where both lot- and plat-specific impervious limits apply, the
2194 more restrictive shall be required.

2195 20. This density may only be achieved on RA 2.5 zoned parcels receiving
2196 density from rural forest focus areas through a transfer of density credit pursuant to
2197 K.C.C. chapter 21A.37.

2198 21. Base density may be exceeded, if the property is located in a designated

2199 rural city urban growth area and each proposed lot contains an occupied legal residence
2200 that predates 1959.

2201 22. The maximum density is four dwelling units per acre for properties zoned
2202 R-4 when located in the Rural Town of Fall City.

2203 23. The minimum density requirement does not apply to properties located
2204 within the Rural Town of Fall City.

2205 24. The impervious surface standards for the county fairground facility are
2206 established in the King County Fairgrounds Site Development Plan, Attachment A to
2207 Ordinance 14808* on file at the department of natural resources and parks and the
2208 department of local services, permitting division. Modifications to that standard may be
2209 allowed provided the square footage does not exceed the approved impervious surface
2210 square footage established in the King County Fairgrounds Site Development Plan
2211 Environmental Checklist, dated September 21, 1999, Attachment B to Ordinance 14808*,
2212 by more than ten percent.

2213 25. For cottage housing developments only:

2214 a. The base height is eighteen feet.

2215 b. Buildings have pitched roofs with a minimum slope of six and twelve may
2216 extend up to twenty-five feet at the ridge of the roof.

2217 26. Impervious surface does not include access easements serving neighboring
2218 property and driveways to the extent that they extend beyond the street setback due to
2219 location within an access panhandle or due to the application of King County Code
2220 requirements to locate features over which the applicant does not have control.

2221 27. Only in accordance with K.C.C. 21A.34.040.F.1.g. and F.6.

2222 28. On a site zoned RA with a building listed on the national register of historic
2223 places, additional dwelling units in excess of the maximum density may be allowed under
2224 K.C.C. 21A.12.042.

2225 29. Height and setback requirements shall not apply to regional transit authority
2226 facilities.

2227 SECTION 38. Ordinance 15032, Section 18, and K.C.C. 21A.14.025 are hereby
2228 amended to read as follows:

2229 For cottage housing developments in the R4-R8 zones:

2230 A. The total area of the common open space must be at least two hundred and
2231 fifty square feet per unit and at least fifty percent of the units must be clustered around
2232 the common space.

2233 B. The total floor area of each unit, (~~including~~) except for two hundred and fifty
2234 square feet of any enclosed parking, is limited to one thousand two hundred square feet.
2235 The footprint of each unit, including any enclosed parking, is limited to nine hundred
2236 square feet. A front or wraparound porch of up to one hundred square feet is permitted
2237 and is not to be included in the floor area or footprint calculation.

2238 C. Fences within the cottage housing unit development are limited to three feet in
2239 height. Fences along the perimeter of the cottage housing development are limited to six
2240 feet.

2241 D. Individual cottage housing units must be at least ten feet apart.

2242 E. Each dwelling unit that abuts common open space shall have a primary entry,
2243 or covered porch, or both, oriented to the common open space.

2244 F. Each dwelling unit abutting or proximal to a public right-of-way, not including

2245 alleys, shall have a façade that is inviting, such as a primary or secondary entrance or
2246 porch, oriented to the public right-of-way. If a dwelling unit abuts more than one public
2247 right-of-way, the department shall determine which right-of-way the inviting façade shall
2248 be oriented.

2249 SECTION 39. Ordinance 10870, Section 407, as amended, and K.C.C.

2250 21A.18.030 are hereby amended to read as follows:

2251 A. Except as modified in K.C.C. 21A.18.070.B-D, off-street parking areas shall
2252 contain at a minimum the number of parking spaces as stipulated in the following table.
2253 Off-street parking ratios expressed as number of spaces per square feet means the usable
2254 or net square footage of floor area, exclusive of non-public areas. Non-public areas
2255 include but are not limited to building maintenance areas, storage areas, closets or
2256 restrooms. If the formula for determining the number of off-street parking spaces results
2257 in a fraction, the number of off-street parking spaces shall be rounded to the nearest
2258 whole number with fractions of .50 or greater rounding up and fractions below .50
2259 rounding down.

LAND USE	MINIMUM PARKING SPACES REQUIRED
RESIDENTIAL (K.C.C. 21A.08.030.A):	
Single detached/Townhouse	2.0 per dwelling unit
Apartment:	
Studio units	1.2 per dwelling unit
One bedroom units	1.5 per dwelling unit
Two bedroom units	1.7 per dwelling unit

Three bedroom units or larger	2.0 per dwelling unit
Mobile home park	2.0 per dwelling unit
Senior citizen assisted	1 per 2 dwelling or sleeping units
Community residential facilities	1 per two bedrooms
Dormitory, including religious	1 per two bedrooms
Hotel/Motel including organizational hotel/lodging	1 per bedroom
Bed and breakfast guesthouse	1 per guest room, plus 2 per facility
<u>Cottage housing</u>	<u>1 per dwelling unit less than 750 ft² 1.5</u> <u>per dwelling unit equal to 750 ft² and less</u> <u>than 1,000 ft² 2 per dwelling unit equal to</u> <u>or greater than 1,000 ft²</u>
RECREATION/CULTURAL (K.C.C. 21A.08.040.A):	
Recreation/culture uses:	1 per 300 square feet
Exceptions:	
Bowling center	5 per lane
Golf course	3 per hole, plus 1 per 300 square feet of club house facilities
Tennis Club	4 per tennis court plus 1 per 300 square feet of clubhouse facility
Golf driving range	1 per tee
Park/playfield/paintball	(director)
Theater	1 per 3 fixed seats
Conference center	1 per 3 fixed seats, plus 1 per 50 square

	feet used for assembly purposes without fixed seats, or 1 per bedroom, whichever results in the greater number of spaces.
LAND USE	MINIMUM PARKING SPACES REQUIRED
GENERAL SERVICES (K.C.C. 21A.08.050.A):	
General services uses:	1 per 300 square feet
Exceptions:	
Funeral home/Crematory	1 per 50 square feet of chapel area
Daycare I	2 per facility
Daycare II	2 per facility, plus 1 space for each 20 children
Churches, synagogue, temple	1 per 5 fixed seats, plus 1 per 50 square feet of gross floor area without fixed seats used for assembly purposes
Outpatient and Veterinary clinic offices	1 per 300 square feet of office, labs and examination rooms
Nursing and personal care Facilities	1 per 4 beds
Hospital	1 per bed
Elementary schools	1 per classroom, plus 1 per 50 students
Secondary schools	
Middle/junior high schools	1 per classroom, plus 1 per 50 students
High schools	1 per classroom, plus 1 per 10 students
High schools with stadiums	greater of 1 per classroom plus 1 per 10

	students, or 1 per 3 fixed seats in stadium
Vocational schools	1 per classroom, plus 1 per five students
Specialized instruction Schools	1 per classroom, plus 1 per two students
Artist Studios	.9 per 1,000 square feet of area used for studios
GOVERNMENT/BUSINESS SERVICES (K.C.C. 21A.08.060.A):	
Government/business services uses:	1 per 300 square feet
Exceptions:	
Public agency yard	1 per 300 square feet of offices, plus .9 per 1,000 square feet of indoor storage or repair areas
Public agency archives	.9 per 1000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas
Courts	3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas
Police facility	(director)
Fire facility	(director)
Construction and trade	1 per 300 square feet of office, plus 1 per 3,000 square feet of storage area
Warehousing and storage	1 per 300 square feet of office, plus .9 per 1,000 square feet of storage area
Self-service storage	1 per 3,500 square feet of storage area, plus 2 for any resident director's unit

Outdoor advertising services	1 per 300 square feet of office, plus .9 per 1,000 square feet of storage area
Heavy equipment repair	1 per 300 square feet of office, plus .9 per 1,000 square feet of indoor repair areas
Office	1 per 300 square feet
LAND USE	MINIMUM PARKING SPACES REQUIRED
RETAIL/WHOLESALE (K.C.C. 21A.08.070.A):	
Retail trade uses:	1 per 300 square feet
Exceptions:	
Food stores, less than 15,000 square feet	3 plus 1 per 350 square feet
Gasoline service stations w/o grocery	3 per facility, plus 1 per service bay
Gasoline service stations w/grocery, no service bays	1 per facility, plus 1 per 300 square feet of store
Restaurants	1 per 75 square feet in dining or lounge areas
Wholesale trade uses	.9 per 1000 square feet
Retail and wholesale trade mixed use	1 per 300 square feet
MANUFACTURING (K.C.C. 21A.08.080.A):	
Manufacturing uses	.9 per 1,000 square feet
Winery/Brewery	.9 per 1,000 square feet, plus 1 per 50 square feet of tasting area
RESOURCES (K.C.C. 21A.08.090.A):	
Resource uses	(director)

REGIONAL (K.C.C. 21A.08.100.A):	
Regional uses	(director)

2260 B. An applicant may request a modification of the minimum required number of
2261 parking spaces by providing that parking demand can be met with a reduced parking
2262 requirement. In such cases, the director may approve a reduction of up to fifty percent of
2263 the minimum required number of spaces.

2264 C. When the county has received a shell building permit application, off-street
2265 parking requirements shall be based on the possible tenant improvements or uses
2266 authorized by the zone designation and compatible with the limitations of the shell
2267 permit. When the range of possible uses result in different parking requirements, the
2268 director will establish the amount of parking based on a likely range of uses.

2269 D. Where other provisions of this code stipulate maximum parking allowed or
2270 reduced minimum parking requirements, those provisions shall apply.

2271 E. In any development required to provide six or more parking spaces, bicycle
2272 parking shall be provided. Bicycle parking shall be bike rack or locker-type parking
2273 facilities unless otherwise specified.

2274 1. Off-street parking areas shall contain at least one bicycle parking space for
2275 every twelve spaces required for motor vehicles except as follows:

2276 a. The director may reduce bike rack parking facilities for patrons when it is
2277 demonstrated that bicycle activity will not occur at that location.

2278 b. The director may require additional spaces when it is determined that the
2279 use or its location will generate a high volume of bicycle activity. Such a determination
2280 will include but not be limited to the following uses:

- 2281 (1) Park/playfield,
2282 (2) Marina,
2283 (3) Library/museum/arboretum,
2284 (4) Elementary/secondary school,
2285 (5) Sports club, or
2286 (6) Retail business (when located along a developed bicycle trail or
2287 designated bicycle route).
- 2288 2. Bicycle facilities for patrons shall be located within 100 feet of the building
2289 entrance and shall be designed to allow either a bicycle frame or wheels to be locked to a
2290 structure attached to the pavement.
- 2291 3. All bicycle parking and storage shall be located in safe, visible areas that do
2292 not impede pedestrian or vehicle traffic flow, and shall be well lit for nighttime use.
- 2293 4. When more than ten people are employed on site, enclosed locker-type
2294 parking facilities for employees shall be provided. The director shall allocate the
2295 required number of parking spaces between bike rack parking and enclosed locker-type
2296 parking facilities.
- 2297 5. One indoor bicycle storage space shall be provided for every two dwelling
2298 units in townhouse and apartment residential uses, unless individual garages are provided
2299 for every unit. The director may reduce the number of bike rack parking spaces if indoor
2300 storage facilities are available to all residents.

2301 SECTION 40. Ordinance 10870, Section 440, as amended, and K.C.C.

2302 21A.22.020 are hereby amended to read as follows:

2303 This chapter shall only apply to uses or activities that are mineral extraction or

2304 materials processing operations. The regulations in this chapter will apply to all mining
2305 operations, including but not limited to SIC Major Groups 10, 12 and 14.

2306 SECTION 41. Ordinance 17539, Section 47, and K.C.C. 21A.24.072 are hereby
2307 amended to read as follows:

2308 A. As an alternative to an alteration exception under K.C.C. 21A.24.070, during
2309 review of an application for a single detached dwelling unit, the director may approve an
2310 alteration to a wetland buffer, aquatic area buffer, steep slope hazard area and associated
2311 buffer, landslide hazard area and associated buffer and critical area setback as follows:

2312 1. There is no feasible alternative to the development proposal with less adverse
2313 impact on the critical area;

2314 2. The alteration is the minimum necessary to accommodate residential use of the
2315 property;

2316 3. The approval does not require the modification of a critical area development
2317 standard established by this chapter;

2318 4. The development proposal does not pose an unreasonable threat to the public
2319 health, safety or welfare on or off the development proposal site and is consistent with the
2320 general purposes of this chapter and the public interest;

2321 5. No more than five thousand square feet or ten percent of the site, whichever is
2322 greater, are disturbed by structures, building setbacks or other land alteration, including
2323 grading, utility installations and landscaping, but not including the area used for a driveway
2324 or for an on-site sewage disposal system. For purposes of this section, areas located within
2325 the shoreline jurisdiction that are below the ordinary high water mark shall not be included
2326 in calculating the site area;

2327 6. The applicant submits an approved rural stewardship plan or forest stewardship
2328 plan prepared in accordance with this chapter that addresses the development proposal and
2329 the proposed use of the property; and

2330 7. The proposal complies with K.C.C. 21A.24.125 and 21A.24.130.

2331 B. The applicant for the waiver of the alteration exception process shall submit any
2332 critical areas studies, alternatives analysis and other documents requested by the
2333 department following a preapplication review meeting.

2334 C. Within fourteen calendar days after the department determines the application
2335 under this section is complete, it shall provide written mailed notice of the proposed
2336 alteration as provided in K.C.C. (~~(20.20.080.H)~~) 20.20.060.H.

2337 D. The department shall allow twenty-one calendar days for comment before
2338 making a decision on the request under this section. The department's decision shall be
2339 mailed to the applicant and to any other person who requests a copy. The decision shall
2340 state the reasons for the decision and, if approved, shall include any required mitigation or
2341 conditions.

2342 SECTION 42. Ordinance 10870, Section 478, as amended, and K.C.C.
2343 21A.24.310 are hereby amended to read as follows:

2344 The following development standards apply to development proposals and
2345 alterations on sites containing steep slope hazard areas:

2346 A. Except as provided in subsection D. of this section, unless allowed as an
2347 alteration exception under K.C.C. 21A.24.070, only the alterations identified in K.C.C.
2348 21A.24.045 are allowed within a steep slope hazard area;

2349 B. A buffer is required from all edges of the steep slope hazard area. To

2350 eliminate or minimize the risk of property damage or injury resulting from slope
2351 instability, landsliding or erosion caused in whole or part by the development, the
2352 department shall determine the size of the buffer based upon a critical area report
2353 prepared by a geotechnical engineer or geologist. The department of local services shall
2354 adopt a public rule to implement subsection B of this section, including implementing the
2355 requirements for development and review of a critical area report.

2356 1. Except for new structures and substantial improvements to existing structures
2357 on sites containing steep slope hazard areas defined in subsection B.2. of this section:

2358 a. ((F))if a critical area report is not submitted to the department, the minimum
2359 buffer is fifty feet((-)); and

2360 b. ((F))for building permits for single detached dwelling units only, the
2361 department may waive the special study requirement and authorize buffer reductions if
2362 the department determines that the reduction will adequately protect the proposed
2363 development and the critical area.

2364 2. For new structures and substantial improvements to existing structures on
2365 sites where any portion of the steep slope hazard area extends into the coastal high hazard
2366 area or the sea level rise risk area, the department shall determine the size of the buffer
2367 based upon a critical area report prepared by a geotechnical engineer or geologist that
2368 includes assessment of current and future risks of sea level rise conditions anticipated to
2369 occur over the next fifty years. If a critical area report is not submitted to the department,
2370 the minimum buffer is seventy-five feet; ((and))

2371 C. Unless otherwise provided in K.C.C. 21A.24.045 or as a necessary part of an
2372 allowed alteration, removal of any vegetation from a steep slope hazard area or buffer is

2373 prohibited; and

2374 D. All alterations are allowed in the following circumstance:

2375 1. Slopes which are forty percent or steeper with a vertical elevation change of
2376 up to twenty feet if no adverse impact will result from the exemption based on King
2377 County's review of and concurrence with a soils report prepared by a geologist or
2378 geotechnical engineer; and

2379 2. The approved regrading of any slope which was created through previous
2380 legal grading activities. Any slope which remains forty percent or steeper following site
2381 development shall be subject to all requirements for steep slopes.

2382 SECTION 43. Ordinance 15051, Section 179, as amended, and K.C.C.
2383 21A.24.316 are hereby amended to read as follows:

2384 The following development standards apply to development proposals and
2385 alterations on sites containing critical aquifer recharge areas:

2386 A. Except as otherwise provided in subsection H. of this section, the following
2387 new development proposals and alterations are not allowed on a site located in a category
2388 I critical aquifer recharge area:

2389 1. Transmission pipelines carrying petroleum or petroleum products;

2390 2. Sand and gravel, and hard rock mining unless:

2391 a. the site has mineral zoning as of January 1, 2005; or

2392 b. mining is a permitted use on the site and the critical aquifer recharge area
2393 was mapped after the date a complete application for mineral extraction on the site was
2394 filed with the department;

2395 3. Mining of any type below the upper surface of the saturated ground water that

2396 could be used for potable water supply;

2397 4. Disposal of radioactive wastes, as defined in chapter 43.200 RCW;

2398 5. Hydrocarbon extraction;

2399 6. Commercial wood treatment facilities on permeable surfaces;

2400 7. Underground storage tanks, including tanks that are exempt from the

2401 requirements of chapter 173 WAC, with hazardous substances, as defined in chapter

2402 70.105 RCW, that do not comply with standards of chapter 173-360 WAC and K.C.C.

2403 Title 17;

2404 8. Above-ground storage tanks for hazardous substances, as defined in chapter

2405 70.105 RCW, unless protected with primary and secondary containment areas and a spill

2406 protection plan;

2407 9. Golf courses;

2408 10. Cemeteries;

2409 11. Wrecking yards;

2410 12. Landfills for hazardous waste, municipal solid waste or special waste, as

2411 defined in K.C.C. chapter 10.04; and

2412 13. On lots smaller than one acre, an on-site septic system, unless:

2413 a. the system is approved by the Washington state Department of Health and

2414 has been listed by the Washington State Department of Health as meeting treatment

2415 standard N as provided in WAC chapter 426-((172A))272A; or

2416 b. the Seattle-King County department of public health determines that the

2417 systems required under subsection A.13.a. of this section will not function on the site.

2418 B. Except as otherwise provided in subsection H. of this section, the following

2419 new development proposals and alterations are not allowed on a site located in a category
2420 II critical aquifer recharge area:

2421 1. Mining of any type below the upper surface of the saturated ground water that
2422 could be used for potable water supply;

2423 2. Disposal of radioactive wastes, as defined in chapter 43.200 RCW;

2424 3. Hydrocarbon extraction;

2425 4. Commercial wood treatment facilities located on permeable surfaces;

2426 5.a. Except for a category II critical aquifer recharge area located over an
2427 aquifer underlying an island that is surrounded by saltwater, underground storage tanks
2428 with hazardous substances, as defined in chapter 70.105 RCW, that do not meet the
2429 requirements of chapter 173-360 WAC and K.C.C. Title 17; and

2430 b. For a category II critical aquifer recharge area located over an aquifer
2431 underlying an island that is surrounded by saltwater, underground storage tanks,
2432 including underground storage tanks exempt from the requirements of chapter 173-360
2433 WAC, with hazardous substances, as defined in chapter 70.105 RCW, that do not comply
2434 with the standards in chapter 173-360 WAC and K.C.C. Title 17;

2435 6. Above-ground storage tanks for hazardous substances, as defined in chapter
2436 70.105 RCW, unless protected with primary and secondary containment areas and a spill
2437 protection plan;

2438 7. Wrecking yards;

2439 8. Landfills for hazardous waste, municipal solid waste, or special waste, as
2440 defined in K.C.C. chapter 10.04; and

2441 9. On lots smaller than one acre, an on-site septic systems, unless:

2442 a. the system is approved by the Washington state Department of Health and
2443 has been listed by the Washington state Department of Health as meeting treatment
2444 standard N as provided in WAC chapter 426-((172A))272A; or

2445 b. the Seattle-King County department of public health determines that the
2446 systems required under subsection B.9.a. of this section will not function on the site.

2447 C. Except as otherwise provided in subsection H. of this section, the following
2448 new development proposals and alterations are not allowed on a site located in a category
2449 III critical aquifer recharge area:

- 2450 1. Disposal of radioactive wastes, as defined in chapter 43.200 RCW;
- 2451 2. Hydrocarbon extraction;
- 2452 3. Commercial wood treatment facilities located on permeable surfaces;
- 2453 4. Underground storage tanks, including tanks exempt from the requirements of
2454 chapter 173-360 WAC, with hazardous substances, as defined in chapter 70.105 RCW,
2455 that do not comply with the requirements of chapter 173-360 WAC and K.C.C. Title 17;
- 2456 5. Above ground storage tanks for hazardous substances, as defined in chapter
2457 70.105 RCW, unless protected with primary and secondary containment areas and a spill
2458 protection plan;
- 2459 6. Wrecking yards; and
- 2460 7. Landfills for hazardous waste, municipal solid waste, or special waste, as
2461 defined in K.C.C. chapter 10.04.

2462 D. The following standards apply to development proposals and alterations that
2463 are substantial improvements on a site located in a critical aquifer recharge area:

- 2464 1. The owner of an underground storage tank, including a tank that is exempt

2465 from the requirements of chapter 173 WAC, in a category I or III critical aquifer recharge
2466 area or a category II critical aquifer recharge area located over an aquifer underlying an
2467 island that is surrounded by saltwater shall either bring the tank into compliance with the
2468 standards of chapter 173 WAC and K.C.C. Title 17 or properly decommission or remove
2469 the tank; and

2470 2. The owner of an underground storage tank in a category II critical aquifer
2471 recharge area not located on located over an aquifer underlying an island that is
2472 surrounded by saltwater shall bring the tank into compliance with the standards of
2473 chapter 173-360 WAC and K.C.C. Title 17 or shall properly decommission or remove the
2474 tank.

2475 E. In any critical aquifer recharge area, the property owner shall properly
2476 decommission an abandoned well.

2477 F. On a site located in a critical aquifer recharge area within the urban growth
2478 area, a development proposal for new residential development, including, but not limited
2479 to, a subdivision, short subdivision, or dwelling unit, shall incorporate best management
2480 practices included in the King County Surface Water Design Manual into the site design
2481 in order to infiltrate stormwater runoff to the maximum extent practical.

2482 G. On an island surround by saltwater, the owner of a new well located within
2483 ~~((two hundred feet of the ordinary high water mark of the marine shoreline))~~ the sea level
2484 rise risk area and within a critical aquifer recharge area shall test the well for chloride
2485 levels using testing protocols approved by the Washington state Department of Health.
2486 The owner shall report the results of the test to Seattle-King County department of public
2487 health and to the department of natural resources and parks. If the test results indicate

2488 saltwater intrusion is likely to occur, the department of natural resources and parks, in
2489 consultation with Seattle-King County department of public health, shall recommend
2490 appropriate measures in addition to the minimum requirements of this title to prevent
2491 saltwater intrusion.

2492 H. On a site greater than twenty acres, the department may approve a
2493 development proposal otherwise prohibited by subsections A., B. and C. of this section if
2494 the applicant demonstrates through a critical areas report that the development proposal is
2495 located outside the critical aquifer recharge area and that the development proposal will
2496 not cause a significant adverse environmental impact to the critical aquifer recharge area.

2497 I. The provisions relating to underground storage tanks in subsections A. through
2498 D. of this section apply only when the proposed regulation of underground storage tanks
2499 has been submitted to and approved by the Washington state department of ecology, in
2500 accordance with 90.76.040 RCW and WAC 173-360-530.

2501 J. The following standards apply to groundwater wells in critical aquifer recharge
2502 areas on Vashon-Maury Island:

2503 1. No new groundwater wells are permitted within a coastal high hazard area. A
2504 rainwater catchment system may be used as an alternative water supply source for a
2505 single family residence if the requirements of K.C.C. 13.04.070 are met.

2506 2. All new groundwater wells within the sea level rise risk area shall include a
2507 surface seal that prevents risks of saltwater contamination caused by sea level rise
2508 conditions anticipated to occur over the next fifty years.

2509 SECTION 44. Ordinance 3688, Section 303, as amended, and K.C.C.
2510 21A.25.050 are hereby amended to read as follows:

2511 A. The King County shoreline jurisdiction consists of(~~(:~~
2512 ~~1. All water areas of the state, as defined in RCW 90.58.030, including~~
2513 ~~reservoirs and associated wetlands, together with the lands underlying them, except for:~~
2514 ~~a. lakes smaller than twenty acres and their associated wetlands; and~~
2515 ~~b. segments of rivers and streams and their associated wetlands where the~~
2516 ~~mean annual flow is less than twenty cubic feet per second; and~~
2517 ~~2.a. The shorelands that extend landward in all directions as measured on a~~
2518 ~~horizontal plane for two hundred feet from the ordinary high water mark of the~~
2519 ~~waterbodies identified in subsection A.1. of this section;~~
2520 ~~b. the one hundred year floodplain and contiguous floodplain areas landward two~~
2521 ~~hundred feet from the one hundred year floodplain; and~~
2522 ~~c. all wetlands and river deltas associated with the streams, lakes and tidal~~
2523 ~~waters that are subject to chapter 90.58 RCW)) shorelines, shorelines of statewide~~
2524 ~~significance, and shorelines as defined in RCW 90.58.030 and K.C.C. chapter 21A.06~~
2525 ~~and the one-hundred-year floodplain.~~

2526 B. The shoreline jurisdiction does not include tribal reservation lands and lands
2527 held in trust by the federal government for tribes. Nothing in the King County
2528 ~~((S))shoreline ((M))master ((P))program or action taken under that program shall affect~~
2529 any treaty right to which the United States is a party.

2530 C. The lakes and segments of rivers and streams constituting the King County
2531 shoreline jurisdiction are set forth in Attachment K(~~(:)~~) to Ordinance 17485 and as
2532 amended by this ordinance. The King County shoreline jurisdiction is shown on a map
2533 adopted in chapter ~~((S))~~ 6 of the King County Comprehensive Plan. If there is a

2534 discrepancy between the map and the criteria established in subsection A. of this section,
2535 the criteria shall constitute the official King County shoreline jurisdiction. The county
2536 shall update the shoreline master program to reflect the new designation within three
2537 years of the discovery of the discrepancy.

2538 SECTION 45. Ordinance 3688, Section 413, as amended, and K.C.C.

2539 21A.25.170 are hereby amended to read as follows:

2540 A. Shoreline stabilization shall not be considered an outright use and shall be
2541 permitted only when the department determines that shoreline protection is necessary for
2542 the protection of existing legally established primary structures, new or existing non-
2543 water-dependent development, new or existing water-dependent development or projects
2544 restoring ecological functions or remediating hazardous substance discharges.
2545 Vegetation, berms, bioengineering techniques and other nonstructural alternatives that
2546 preserve the natural character of the shore shall be preferred over riprap, concrete
2547 revetments, bulkheads, breakwaters and other structural stabilization. Riprap using rock
2548 or other natural materials shall be preferred over concrete revetments, bulkheads,
2549 breakwaters and other structural stabilization. Lesser impacting measures should be used
2550 before more impacting measures.

2551 B. Structural shoreline stabilization may be permitted subject to the standards in
2552 this chapter and as follows:

2553 1. The applicant provides a geotechnical analysis that demonstrates that erosion
2554 from waves or currents is imminently threatening or that, unless the structural shoreline
2555 stabilization is constructed, damage is expected to occur within three years;

2556 2. The erosion is not caused by upland conditions;

2557 3. The proposed structural shoreline protection will provide greater protection
2558 than feasible, nonstructural alternatives such as slope drainage systems, vegetative
2559 growth stabilization, gravel berms and beach nourishment;

2560 4. The proposal is the minimum necessary to protect existing legally established
2561 primary structures, new or existing non-water-dependent development, new or existing
2562 water-dependent development or projects restoring ecological functions or remediating
2563 hazardous substance discharges; and

2564 5. Adequate mitigation measures will be provided to maintain existing shoreline
2565 processes and critical fish and wildlife habitat and ensure no net loss or function of
2566 intertidal or riparian habitat.

2567 C. Shoreline stabilization to replace existing shoreline stabilization shall be
2568 placed landward of the existing shoreline stabilization, but may be placed waterward
2569 directly abutting the old structure only in cases where removal of the old structure would
2570 result in greater impact on ecological functions. In critical saltwater habitats, existing
2571 shoreline stabilization shall not be allowed to remain in place if the existing shoreline
2572 stabilization is resulting in the loss of ecological functions. Adequate mitigation
2573 measures that maintain existing shoreline processes and critical fish and wildlife habitat
2574 must be provided that ensures no net loss or function of intertidal or riparian habitat.

2575 D. The maximum height of the proposed shoreline stabilization shall be no more
2576 than one foot above the elevation of extreme high water on tidal waters, as determined by
2577 the National Ocean Survey published by the National Oceanic and Atmospheric
2578 Administration, or four feet in height on lakes.

2579 E. Shoreline stabilization is prohibited along feeder bluffs and critical saltwater

2580 habitat, unless a geotechnical report demonstrates an imminent danger to a legally
2581 established structure or public improvement. If allowed, shoreline stabilization along
2582 feeder bluffs and critical saltwater habitat must be designed to have the least impact on
2583 these resources and on sediment conveyance systems.

2584 F. Shoreline stabilization shall minimize the adverse impact on the property of
2585 others to the maximum extent practical.

2586 G. Shoreline stabilization shall not be used to create new lands.

2587 H. Shoreline stabilization shall not interfere with surface or subsurface drainage
2588 into the water body.

2589 I. Automobile bodies or other junk or waste material that may release undesirable
2590 material shall not be used for shoreline stabilization.

2591 J. Shoreline stabilization shall be designed so as not to constitute a hazard to
2592 navigation and to not substantially interfere with visual access to the water.

2593 K. Shoreline stabilization shall be designed so as not to create a need for
2594 shoreline stabilization elsewhere.

2595 L. Shoreline stabilization shall comply with the Integrated Stream Protection
2596 Guidelines (Washington state departments of Fish and Wildlife, Ecology and
2597 Transportation, 2003) and shall be designed to allow for appropriate public access to the
2598 shoreline.

2599 M. The department shall provide a notice to an applicant for new development or
2600 redevelopment located within the shoreline jurisdiction on Vashon and Maury Island or
2601 the sea level rise risk area that the development may be impacted by sea level rise and
2602 recommend that the applicant voluntarily consider setting the development back further

2603 than required by this title to allow for future sea level rise.

2604 SECTION 46. Ordinance 13274, Section 1, as amended, and K.C.C. 21A.37.010

2605 are hereby amended to read as follows:

2606 A. The purpose of the transfer of development rights program is to transfer
2607 residential density from eligible sending sites to eligible receiving sites through a
2608 voluntary process that permanently preserves rural((-)) and resource lands, urban lands
2609 located in equity areas, and urban separator lands that provide a public benefit. The
2610 TDR provisions are intended to supplement land use regulations, resource protection
2611 efforts and open space acquisition programs and to encourage increased residential
2612 development density or increased commercial square footage, especially inside cities,
2613 where it can best be accommodated with the least impacts on the natural environment and
2614 public services by:

2615 1. Providing an effective and predictable incentive process for property owners
2616 of rural, resource and urban separator land to preserve lands with a public benefit as
2617 described in K.C.C. 21A.37.020; and

2618 2. Providing an efficient and streamlined administrative review system to ensure
2619 that transfers of development rights to receiving sites are evaluated in a timely way and
2620 balanced with other county goals and policies, and are adjusted to the specific conditions
2621 of each receiving site.

2622 B. The TDR provisions in this chapter shall only apply to TDR receiving site
2623 development proposals submitted on or after September 17, 2001, and applications for
2624 approval of TDR sending sites submitted on or after September 17, 2001.

2625 SECTION 47. Ordinance 13274, Section 4, as amended, and K.C.C. 21A.37.020

2626 are hereby amended to read as follows:

2627 A. For the purpose of this chapter, sending site means the entire tax lot or lots
2628 qualified under subsection B. of this section. Sending sites may only be located within
2629 rural or resource lands, or urban separator areas, or areas with urban residential medium
2630 land use designations as designated by the King County Comprehensive Plan and that
2631 meet the criteria in subsection B. of this section, and shall meet the minimum lot area for
2632 construction requirements in K.C.C. 21A.12.100 for the zone in which the sending site is
2633 located. Except as provided in K.C.C. 21A.37.110.C., or for lands zoned RA that are
2634 managed by the Washington state Department of Natural Resources as state grant or state
2635 forest lands or lands that are managed by King County for purposes of residential or
2636 commercial development, land in public ownership may not be sending sites. If the
2637 sending site consists of more than one tax lot, the lots must be contiguous and the area of
2638 the combined lots must meet the minimum lot area for construction requirements in
2639 K.C.C. 21A.12.100 for the zone in which the sending site is located. For purposes of this
2640 section, lots divided by a street are considered contiguous if the lots would share a
2641 common lot line if the street was removed; this provision may be waived by the
2642 interagency committee if the total acreage of a rural or resource sending site application
2643 exceeds one hundred acres. A sending site shall be maintained in a condition that is
2644 consistent with the criteria in this section under which the sending was qualified.

2645 B. Qualification of a sending site shall demonstrate that the site contains a public
2646 benefit such that preservation of that benefit by transferring residential development
2647 rights to another site is in the public interest. A sending site must meet at least one of the
2648 following criteria:

2649 1. Designation in the King County Comprehensive Plan or a functional plan as
2650 an agricultural production district or zoned A;

2651 2. Designation in the King County Comprehensive Plan or a functional plan as
2652 forest production district or zoned F;

2653 3. Designation in the King ~~((Count))~~ County Comprehensive Plan as ~~((rural~~
2654 ~~residential))~~ Rural Area, zoned RA-2.5, RA-5 or RA-10, and meeting the definition in
2655 RCW 84.34.020 of open space, farm and agricultural land, or timber land;

2656 4. Designation in the King County Comprehensive Plan, or a functional plan as
2657 a proposed ~~((Rural Area or Natural ~~((Resource ~~((area))~~ Land~~~~ regional trail or
2658 ~~((Rural Area or Natural ~~((Resource ~~((area))~~ Land~~~~ open space site, through either:

2659 a. designation of a specific site; or

2660 b. identification of proposed ~~((Rural Area or Natural ~~((Resource ~~((area))~~~~~~
2661 Land regional trail or ~~((Rural Area or Natural ~~((Resource ~~((area))~~ Land~~~~ open space
2662 sites which meet adopted standards and criteria, and for ~~((Rural Area or Natural
2663 ~~((Resource ~~((area))~~ Land~~~~ open space sites, meet the definition of open space land, as
2664 defined in RCW 84.34.020;

2665 5. Identification as habitat for federal listed endangered or threatened species in
2666 a written determination by the King County department of natural resources and parks,
2667 Washington state Department of Fish and Wildlife, United States Fish and Wildlife
2668 Services or a federally recognized tribe that the sending site is appropriate for
2669 preservation or acquisition; ~~((or))~~

2670 6. Designation in the King County Comprehensive Plan as urban separator and
2671 zoned R-1; or

2672 7. Designation in the King County Comprehensive Plan as urban residential
2673 medium and located in an equity area identified by the county per King County Code
2674 Chapter 26.12 that is approved for Conservation Futures Tax funding and zoned R-4, R-
2675 6, R-8, or R-12.

2676 C. For the purposes of the TDR program, acquisition means obtaining fee simple
2677 rights in real property, or a less than a fee simple right in a form that preserves in
2678 perpetuity the public benefit supporting the designation or qualification of the property as
2679 a sending site.

2680 D. If a sending site has any outstanding code violations, the person responsible
2681 for code compliance should resolve these violations, including any required abatement,
2682 restoration, or payment of civil penalties, before a TDR sending site may be qualified by
2683 the interagency review committee created under K.C.C. 21A.37.070. However, the
2684 interagency may qualify and certify a TDR sending site with outstanding code violations
2685 if the person responsible for code compliance has made a good faith effort to resolve the
2686 violations and the proposal is in the public interest.

2687 E. For lots on which the entire lot or a portion of the lot has been cleared or
2688 graded in accordance with a Class II, III or IV special forest practice as defined in chapter
2689 76.09 RCW within the six years prior to application as a TDR sending site, the applicant
2690 must provide an affidavit of compliance with the reforestation requirements of the Forest
2691 Practices Act, and any additional reforestation conditions of their forest practice permit.
2692 Lots on which the entire lot or a portion of the lot has been cleared or graded without any
2693 required forest practices or county authorization, shall be not qualified or certified as a
2694 TDR sending site for six years unless the six-year moratorium on development

2695 applications has been lifted or waived or the landowner has a reforestation plan approved
2696 by the state Department of Natural Resources and King County.

2697 SECTION 48. Ordinance 13274, Section 6, as amended, and K.C.C. 21A.37.040
2698 are hereby amended to read as follows:

2699 A. The number of residential development rights that an unincorporated sending
2700 site is eligible to send to a receiving site shall be determined by applying the TDR
2701 sending site base density established in subsection D. of this section to the area of the
2702 sending site, after deducting the area associated with any existing development, any
2703 retained development rights and any portion of the sending site already in a conservation
2704 easement or other similar encumbrance. For each existing dwelling unit or retained
2705 development right, the sending site area shall be reduced by an area equivalent to the base
2706 density for that zone under K.C.C. 21A.12.030.

2707 B. Any fractions of development rights that result from the calculations in
2708 subsection A. of this section shall not be included in the final determination of total
2709 development rights available for transfer.

2710 C. For purposes of calculating the amount of development rights a sending site
2711 can transfer, the amount of land contained within a sending site shall be determined as
2712 follows:

2713 1. If the sending site is an entire tax lot, the square footage or acreage shall be
2714 determined:

2715 a. by the King County department of assessments records; or

2716 b. by a survey funded by the applicant that has been prepared and stamped by a
2717 surveyor licensed in the state of Washington; and

2718 2. If the sending site consists of a lot that is divided by a zoning boundary, the
2719 square footage or acreage shall be calculated separately for each zoning classification.
2720 The square footage or acreage within each zoning classification shall be determined by
2721 the King County record of the action that established the zoning and property lines, such
2722 as an approved lot line adjustment. When such records are not available or are not
2723 adequate to determine the square footage or acreage within each zoning classification, the
2724 department of local services, permitting division, shall calculate the square footage or
2725 acreage through the geographic information system (GIS) mapping system.

2726 D. For the purposes of the transfer of development rights (TDR) program only,
2727 the following TDR sending site base densities apply:

2728 1. Sending sites designated in the King County Comprehensive Plan as urban
2729 separator and zoned R-1 shall have a base density of four dwelling units per acre;

2730 2. Sending sites zoned RA-2.5 shall have a base density of one unit for each two
2731 and one-half acres. Sending sites zoned RA-2.5 that are vacant and are smaller than 1.25
2732 acres shall be allocated one additional TDR for each vacant lot that is smaller than 1.25
2733 acres;

2734 3. Sending sites zoned RA-5 or RA-10 shall have a base density of one dwelling
2735 unit per five acres. Vacant sending sites that are zone RA-5 and are smaller than two and
2736 one-half acres or that are zoned RA-10 and are smaller than five acres shall be allocated
2737 ~~((one))~~ one additional TDR for each vacant lot that is smaller than two and one-half acres
2738 or five acres, respectively;

2739 4. Sending sites zoned RA and that have a designation under the King County
2740 Shoreline Master Program of conservancy or natural shall be allocated one additional

2741 TDR;

2742 5. Sending sites zoned A-10 and A-35 shall have a base density of one dwelling
2743 unit per five acres for transfer purposes only;

2744 6. Sending sites zoned F within the forest production district shall have a base
2745 density of one dwelling unit per eighty acres or one dwelling unit per each lot that is
2746 between fifteen and eighty acres in size; or

2747 7. Sending sites in the urban unincorporated area that meet the criteria in K.C.C.
2748 21A.37.020.B.7 shall be allocated TDRs that are equivalent to the zoning base density
2749 established in K.C.C. 21A.12.030 for every one acre of gross land area.

2750 E. A sending site zoned RA, A or F may send one development right for every
2751 legal lot larger than five thousand square feet that was created on or before September 17,
2752 2001, if that number is greater than the number of development rights determined under
2753 subsection A. of this section. A sending site zoned R-1 may send one development right
2754 for every legal lot larger than two thousand five hundred square feet that was created on
2755 or before September 17, 2001, if that number is greater than the number of development
2756 rights determined under subsection A. of this section.

2757 F. The number of development rights that a King County unincorporated rural or
2758 natural resources land sending site is eligible to send to a King County incorporated
2759 urban area receiving site shall be determined through the application of a conversion ratio
2760 established by King County and the incorporated municipal jurisdiction. The conversion
2761 ratio will be applied to the number of available sending site development rights
2762 determined under subsection A. or E. of this section.

2763 G. Development rights from one sending site may be allocated to more than one

2764 receiving site and one receiving site may accept development rights from more than one
2765 sending site.

2766 H. The determination of the number of residential development rights a sending
2767 site has available for transfer to a receiving site shall be valid for transfer purposes only,
2768 shall be documented in a TDR qualification report prepared by the department of natural
2769 resources and parks and sent to the applicant. The qualification report and shall be
2770 considered a final determination, not to be revised due to changes to the sending site's
2771 zoning, and shall be valid unless conditions on the sending site property that would affect
2772 the number of development rights the sending site has available for transfer have
2773 changed.

2774 I. Each residential transferable development right that originates from a sending
2775 site zoned RA, A or F shall be designated "Rural" and is equivalent to two additional
2776 units above base density in eligible receiving sites located in unincorporated urban King
2777 County. Each residential transferable development right that originates from a sending
2778 site zoned R-1 urban separator shall be designated "Urban" and is equivalent to one
2779 additional unit above base density. Each residential transferable development right that
2780 originates from a sending site in urban unincorporated area lands meeting the criteria in
2781 K.C.C. 21A.37.020.B.7. shall be designated "Urban" and is equivalent to one additional
2782 unit above the base density.

2783 SECTION 49. Ordinance 13274, Section 7, as amended, and K.C.C. 21A.37.070
2784 are hereby amended to read as follows:

2785 A. An interagency review committee, chaired by the department of local services
2786 permitting division manager and the director of the department of natural resources and

2787 parks, or designees, shall be responsible for qualification of sending sites.

2788 Determinations on sending site certifications made by the committee are appealable to the

2789 examiner under K.C.C. 20.22.040. The department of natural resources and parks shall

2790 be responsible for preparing a TDR qualification report, which shall be signed by the

2791 director of the department of natural resources and parks or designee, documenting the

2792 review and decision of the committee. The qualification report shall:

2793 1. Specify all deficiencies of an application, if the decision of the committee is
2794 to disqualify the application;

2795 2. For all qualifying applications, provide a determination as to whether or not
2796 additional residential dwelling units and associated accessory units may be
2797 accommodated in accordance with K.C.C. 21A.37.050.A.; and

2798 3. Be issued a TDR certification letter within sixty days of the date of submittal
2799 of a completed sending site certification application.

2800 B. Responsibility for preparing a completed application rests exclusively with the
2801 applicant. Application for sending site certification shall include:

2802 1. A legal description of the site;

2803 2. A title report;

2804 3. A brief description of the site resources and public benefit to be preserved;

2805 4. A site plan showing the existing and proposed dwelling units, nonresidential
2806 structures, driveways, submerged lands and any area already subject to a conservation
2807 easement or other similar encumbrance;

2808 5. Assessors map or maps of the lot or lots;

2809 6. A statement of intent indicating whether the property ownership, after TDR

2810 certification, will be retained in private ownership or dedicated to King County or another
2811 public or private nonprofit agency;

2812 7. Any or all of the following written in conformance with criteria established
2813 through a public rule consistent with K.C.C. chapter 2.98, if the site is qualifying as
2814 habitat for a threatened or endangered species:

2815 a. a wildlife habitat conservation plan;

2816 b. a wildlife habitat restoration plan; or

2817 c. a wildlife present conditions report;

2818 8. If the site qualifies as an urban unincorporated area sending site meeting the
2819 criteria in K.C.C. 21A.37.020.B.7:

2820 a. demonstration that the site is located in an equity area as defined in K.C.C.
2821 26.12.003; and

2822 b. confirmation of Conservation Futures Tax award;

2823 9. A forest stewardship plan, written in conformance with criteria established
2824 through a public rule consistent with K.C.C. chapter 2.98, if required under K.C.C.
2825 21A.37.060.B.3. and 6.;

2826 ~~((9.))~~ 10. An affidavit of compliance with the reforestation requirements of the
2827 Forest Practices Act and any additional reforestation conditions of the forest practices
2828 permit for the site, if required under K.C.C. 21A.37.020.E.;

2829 ~~((10.))~~ 11. A completed density calculation worksheet for estimating the number
2830 of available development rights; and

2831 ~~((11.))~~ 12. The application fee consistent with K.C.C. ~~((27.36.020))~~ 27.10.170.

2832 SECTION 50. Ordinance 13733, Section 8, as amended, and K.C.C. 21A.37.100

2833 are hereby amended to read as follows:

2834 The purpose of the TDR bank is to assist in the implementation of the transfer of
2835 development rights (TDR) program by bridging the time gap between willing sellers and
2836 buyers of development rights by purchasing and selling development rights, purchasing
2837 conservation easements, and facilitating interlocal TDR agreements with cities in King
2838 County through the provision of amenity funds. The TDR bank may acquire
2839 development rights and conservation easements only from sending sites located in the
2840 rural area or in an agricultural or forest production district as designated in the King
2841 County Comprehensive Plan, or in the urban unincorporated area only from sites meeting
2842 the criteria in K.C.C. 21A.37.020.B.7. Development rights purchased from the TDR
2843 bank may only be used for receiving sites in cities or in the urban unincorporated area as
2844 designated in the King County Comprehensive Plan.

2845 SECTION 51. Ordinance 10870, Section 578, as amended, and K.C.C.

2846 21A.38.050 are hereby amended to read as follows:

2847 A. The purpose of the pedestrian-oriented commercial development special
2848 district overlay is to provide for high-density, pedestrian-oriented retail ~~((/))~~ and
2849 employment uses. The ~~((P))~~ pedestrian-oriented commercial districts shall only be
2850 established in areas designated ~~((within a community, subarea, or neighborhood plan as~~
2851 ~~an urban activity center))~~ as a center on the adopted Urban Centers map of the King
2852 County Comprehensive Plan and zoned CB, RB or O.

2853 B. Permitted uses shall be those uses permitted in the underlying zone, excluding
2854 the following:

2855 1. Motor vehicle, boat and mobile home dealer;

- 2856 2. Gasoline service station;
- 2857 3. Drive-through retail and service uses, except SIC Industry Number 5812
- 2858 (Eating places) in buildings existing before July 2017;
- 2859 4. Car washes;
- 2860 5. Retail and service uses with outside storage, e.g. lumber yards, miscellaneous
- 2861 equipment rental or machinery sales;
- 2862 6. Wholesale uses;
- 2863 7. Recreation/cultural uses as set forth in K.C.C. 21A.08.040, except parks,
- 2864 sports clubs, theaters, libraries and museums;
- 2865 8. SIC Major Group 75 (Automotive repair, services and parking) except 7521
- 2866 (automobile parking; but excluding tow-in parking lots);
- 2867 9. SIC Major Group 76 (Miscellaneous repair services), except 7631 (Watch,
- 2868 clock and jewelry repair);
- 2869 10. SIC Major Group 78 (Motion pictures), except 7832 (theater) and 7841
- 2870 (video tape rental);
- 2871 11. SIC Major Group 80 (Health services), except offices and outpatient clinics
- 2872 (801-804);
- 2873 12. SIC Industry Group 421 (Trucking and courier service);
- 2874 13. Public agency archives;
- 2875 14. Self-service storage;
- 2876 15. Manufacturing land uses as set forth in K.C.C. 21A.08.080, except SIC
- 2877 Industry Code 2759 (Commercial printing); ~~((and))~~
- 2878 16. Resource land uses as set forth in K.C.C. 21A.08.090

2879 17. SIC Industry Code 7261 (Funeral home/crematory);

2880 18. Cemetery, columbarium or mausoleum;

2881 19. Interim recycling facility;

2882 20. Utility facility, except underground water, gas or wastewater pipelines;

2883 21. Vector waste receiving facility; and

2884 22. SIC Industry Group 598 (Fuel dealers).

2885 C. The following development standards shall apply to uses located in
2886 pedestrian-oriented commercial overlay districts:

2887 1. ~~((Every use shall be subject to pedestrian-oriented use limitations and street~~
2888 ~~facade development standards (e.g. placement and orientation of buildings with respect to~~
2889 ~~streets and sidewalks, arcades or marquees) identified and adopted through an applicable~~
2890 ~~community, subarea or, neighborhood plan, or the area zoning process;~~

2891 2.)) For properties that have frontage on ~~((pedestrian street(s) or routes as~~
2892 ~~designated in an applicable plan or area zoning process))~~ a public street, the following
2893 conditions shall apply:

2894 a. main building entrances shall be oriented to the ~~((pedestrian))~~ public street;

2895 b. at the ground floor (at grade), buildings shall be located no more than ~~((5))~~
2896 five feet from the sidewalk or sidewalk improvement, but shall not encroach on the
2897 public right-of-way. For buildings existing before of the effective date of this ordinance
2898 with setbacks greater than five feet and that have substantial improvements made to them
2899 after the effective date of this ordinance, a minimum five-foot-wide pedestrian walkway
2900 shall be constructed that connects the main building entrance to the public sidewalk or
2901 sidewalk improvement;

2902 c. building facades shall comprise at least ~~((75%))~~ seventy-five percent of the
2903 total ~~((pedestrian))~~ street frontage for a property and if applicable, at least ~~((75%))~~
2904 seventy-five percent of the total pedestrian route frontage for a property;

2905 d. minimum side setbacks of the underlying zoning are waived;

2906 e. building facades of ground floor retail, general business service, and
2907 professional office land uses that front onto a ~~((pedestrian))~~ street ~~((or route))~~ shall
2908 ~~((include))~~ incorporate windows into at least thirty percent of the building facade surface
2909 area and overhead protection above all building entrances;

2910 f. building facades ~~((along a pedestrian street or route,))~~ that are without
2911 ornamentation or are comprised of uninterrupted glass curtain walls or mirrored glass are
2912 not permitted; ~~((and))~~

2913 ~~((g.))~~ 2. vehicle access shall be limited to the rear access alley or rear access
2914 street where such an alley or street exists~~((.))~~;

2915 3. Floor/lot area ratio shall not exceed 5:1, including the residential component
2916 of mixed use developments, but not including parking structures;

2917 4. Building setback and height requirements may be waived, except for areas
2918 within fifty feet of the perimeter of any special district overlay area abutting an R-12 or
2919 lower density residential zone;

2920 5. The landscaping requirements of K.C.C. chapter 21A.16 ~~((may be waived if~~
2921 ~~landscaping conforms to a special district overlay landscaping plan adopted as part of the~~
2922 ~~area zoning. The overlay district landscaping plan shall include features addressing street~~
2923 ~~trees, and other design amenities (e.g. landscaped plazas or parks)))~~ shall apply to all new
2924 development and to buildings existing before the effective date of this ordinance that

2925 have substantial improvements made to them after the effective date of this ordinance;
2926 and

2927 6. ~~((On designated pedestrian streets, sidewalk width requirements shall be~~
2928 ~~increased to a range of ten to twelve feet wide including sidewalk landscaping and other~~
2929 ~~amenities. The sidewalk widths exceeding the amount required in the King County Road~~
2930 ~~Standards may occur on private property adjoining the public street right-of-way; and~~

2931 7.)) Off-street parking requirements K.C.C. 21A.18.110 ~~((are modified as~~
2932 ~~follows for all nonresidential uses:~~

2933 a. ~~No less than one space for every 1000 square feet of floor area shall be~~
2934 ~~provided;~~

2935 b. ~~No more than seventy-five percent of parking shall be on-site surface~~
2936 ~~parking. Such parking shall be placed in the interior of the lot, or at the rear of the~~
2937 ~~building it serves; and~~

2938 c. ~~At least twenty-five percent of the required parking shall be enclosed in an~~
2939 ~~on-site parking structure or located at an off-site common parking facility, provided that~~
2940 ~~this requirement is waived when the applicant signs a no-protest agreement to participate~~
2941 ~~in any improvement district for the future construction of such facilities)) shall apply,~~
2942 ~~except that the relief from K.C.C. 21A.18.110.A.4. that may be granted by the director~~
2943 ~~shall only allow use of on-street parallel parking in front of or adjacent to the subject~~
2944 ~~parcel for the parking spaces that cannot be accommodated to the rear or sides of~~
2945 ~~buildings.~~

2946 NEW SECTION. SECTION 52. There is hereby added to K.C.C. chapter 21A.38
2947 a new section to read as follows:

2948 A. The purpose of the Skyway-West Hill Neighborhood Business Mixed-Use
2949 Special District Overlay is to facilitate linkages to the existing Martin Luther King Jr
2950 Way South Neighborhood Business Center, incentivize commercial opportunities close
2951 existing high-density housing, incentivize commercial development by allowing more
2952 uses than traditionally found in mixed-use developments and provide flexibility in current
2953 square footage limitations.

2954 B. The following development standards shall be applied to all development
2955 proposals within the Martin Luther King Jr. Way South Mixed-Use Special District
2956 Overlay:

- 2957 1. Development shall be mixed-use as defined in K.C.C. 21A.06.753;
- 2958 2. A professional office as defined in K.C.C. 21A.06.910 is an allowed use as
2959 part of a mixed-use development in subsection B.1. of this section; and
- 2960 3. Any nonresidential component of the development that is personal services
2961 allowed in the R-48 zone under K.C.C. 21A.08.050 or retail use allowed in the R-48 zone
2962 under K.C.C. 21A.08.070 shall comply with K.C.C. 21A.12.230, except that K.C.C.
2963 21A.12.230.A., B. and C. do not apply to the development.

2964 NEW SECTION. SECTION 53. There is hereby added to K.C.C. chapter 21A.38
2965 a new section to read as follows:

2966 A. The purpose of the Bear Creek office and retail special district overlay is to
2967 provide additional commercial opportunities to support area residents and the local
2968 economy and to provide retail options for employees of the office zones.

2969 B. Allowed uses within the special district overlay shall be those uses allowed in
2970 the office zone in K.C.C. chapter 21A.08 and the following permitted retail land uses:

- 2971 1. Building materials and hardware stores;
- 2972 2. Retail nursery, garden center and farm supply stores;
- 2973 3. Department and variety stores;
- 2974 4. SIC Major Group 54 - Food stores;
- 2975 5. SIC Industry Group 553 - Auto supply stores;
- 2976 6. SIC Industry Group 554 - Gasoline service stations;
- 2977 7. SIC Major Group 56 - Apparel and accessory stores;
- 2978 8. Furniture and home furnishings stores;
- 2979 9. SIC Major Group 58 - Eating and drinking places;
- 2980 10. Drug store;
- 2981 11. SIC Industry Group 592 - Liquor stores;
- 2982 12. SIC Industry Group 593 - Used goods: antiques/secondhand shops;
- 2983 13. Sporting goods and related stores;
- 2984 14. Book, stationary, video and art supply stores, except adult use facilities;
- 2985 15. Jewelry stores;
- 2986 16. Hobby, toy and games shops;
- 2987 17. Photographic and electronic shops;
- 2988 18. Fabric shops;
- 2989 19. Florist shops;
- 2990 20. Personal medical supply stores; and
- 2991 21. Pet shops.
- 2992 NEW SECTION. SECTION 54. There is hereby added to K.C.C. chapter 21A.42
- 2993 a new section to read as follows:

2994 A. The department shall conduct at five-year intervals from the issuance of the
2995 permit, a review of the permitted fossil fuel facility site design, mitigation and operating
2996 standards.

2997 B. The review is a Type 2 land use decision.

2998 C. The review shall ensure:

- 2999 1. That the site is operating consistent with all existing permit conditions; and
3000 2. That the most-current site design and operating standards are applied to the site
3001 through additional or revised permit conditions as necessary to mitigate identifiable
3002 environmental, public health and public safety impacts.

3003 D. The periodic review shall demonstrate consistency with Comprehensive Plan
3004 policies.

3005 SECTION 55. Ordinance 13332, Section 33, as amended, and K.C.C. 27.10.080
3006 are hereby amended to read as follows:

3007 Fees for zoning or ~~((€))~~Comprehensive ~~((P))~~Plan or map modification shall be
3008 charged as follows:

- A. Variance
 - 1. Review \$6,692.00
 - 2. Extension of approval \$244.00
- B. Site-specific amendment of land use map, plan, code or shoreline \$2,234.00
redesignation
- C. Other zoning reclassification requests including shoreline environment \$9,135.00
redesignation, deletion of special district overlay, or amendment or deletion
of p-suffix conditions

3009 D. If a site-specific amendment is implemented as part of ~~((the))~~ a Comprehensive
3010 Plan ~~((amendment process))~~ update, the application fee will be credited toward the zoning
3011 reclassification fee, provided that the application for zoning reclassification is filed within
3012 one year of the effective date of the site-specific land use map amendment.

3013 SECTION 56. The following are hereby repealed:

3014 A. Ordinance 10870, Section 580, as amended, and K.C.C. 21A.38.070;

3015 B. Ordinance 12171, Section 7, and K.C.C. 21A.38.110;

3016 C. Ordinance 12823, Section 9, and K.C.C. 21A.38.140;

3017 D. Ordinance 12823, Section 19, as amended, and K.C.C. 21A.38.240; and

3018 E. Attachments I, II, III, VI and V to Ordinance 11166.

3019 SECTION 57. The executive shall submit sections 42, 43, 44 and 45 of this
3020 ordinance, amendments to King County Comprehensive Plan chapter six in Attachment
3021 A to this ordinance and amendments to Attachment K of the Shoreline Master Program in
3022 Attachments E and H to this ordinance to the state Department of Ecology for its
3023 approval, as provided in RCW 90.58.090.

3024 SECTION 58. Sections 42, 43, 44 and 45 of this ordinance, amendments to King
3025 County Comprehensive Plan chapter six in Attachment A to this ordinance and
3026 amendments to Attachment K of the Shoreline Master Program in Attachments E and H
3027 to this ordinance take effect within the shoreline jurisdiction fourteen days after the state
3028 Department of Ecology provides written notice of final action stating that the proposal is
3029 approved, in accordance with RCW 90.58.909. The executive shall provide the written
3030 notice of final action to the clerk of the council.

3031 SECTION 59. Severability. If any provision of this ordinance or its application

3032 to any person or circumstance is held invalid, the remainder of the ordinance or the
3033 application of the provision to other persons or circumstances is not affected.
3034

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Rod Dembowski, Chair

ATTEST:

Melani Pedroza, Clerk of the Council

APPROVED this ____ day of _____, ____.

Dow Constantine, County Executive

Attachments: A. Comprehensive_Plan_Amends-2020Update, B. Appendix C - Transportation, C. Appendix C1 - Transportation, D. CompPlan_Land_Use_Zoning_Maps-2020Update, E. Shoreline_Maps-2020Update, F. SWH_Land_Use_Subarea_Plan-2020Update, G. SWH_Land_Use_Zoning_Maps-2020Update, H. SMP_Jurisdiction_List-2020Updates, I. Tech_Appendix_S-Public_Participation_Summary-2020Update