



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

December 8, 2016

Ordinance 18427

Proposed No. 2016-0155.3

Sponsors Dembowski

1 AN ORDINANCE relating to comprehensive planning and
2 permitting; amending Ordinance 8421, Section 3, as
3 amended, and K.C.C. 14.56.020, Ordinance 8421, Section
4 4, as amended, and K.C.C. 14.56.030, Ordinance 11653,
5 Section 6, as amended, and K.C.C. 20.12.017, Ordinance
6 13147, Section 19, amended, and K.C.C. 20.18.030,
7 Ordinance 4461, Section 10, amended, and K.C.C.
8 20.22.150, Ordinance 10870, Section 330, as amended, and
9 K.C.C. 21A.08.030, Ordinance 10870, Section 332, as
10 amended, and K.C.C. 21A.08.050, Ordinance 13274,
11 Section 4, as amended, and K.C.C. 21A.37.020, Ordinance
12 13274, Section 5, as amended, and K.C.C. 21A.37.030,
13 Ordinance 13733, Section 10, as amended, and K.C.C.
14 21A.37.110 and Ordinance 13733, Section 4, as amended,
15 and K.C.C. 21A.37.150, and repealing Ordinance 8421,
16 Section 2, and K.C.C. 14.56.010 and Ordinance 7889,
17 Section 4, as amended, and K.C.C. 26.08.010.

18 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

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

21 A. King County adopted the King County Comprehensive Plan 2012 to meet the
22 requirements of the Washington State Growth Management Act ("the GMA");

23 B. The 2012 King County Comprehensive Plan, adopted by King County
24 Ordinance 17485, satisfied the GMA requirement for the county to update its
25 comprehensive plan by June 30, 2015;

26 C. In 2013 and 2014, King County adopted narrow amendments to the King
27 County Comprehensive Plan 2012;

28 D. The King County Code authorizes a review of the Comprehensive Plan and
29 allows substantive amendments to the Comprehensive Plan once every four years. The
30 King County Comprehensive Plan 2016 amendments are the fifth major review of the
31 Comprehensive Plan;

32 E. The GMA requires that King County adopt development regulations to be
33 consistent with and implement the Comprehensive Plan;

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

38 G. King County engages in a comprehensive review of its Comprehensive Plan
39 and development regulations every four years. This ordinance constitutes the conclusion
40 of the county's review process. The 2016 King County Comprehensive Plan and King
41 County's development are intended to satisfy the requirements of the GMA.

42 SECTION 2. A. King County completed its fifth comprehensive four-cycle
43 review of the Comprehensive Plan in 2016. As a result of the review, King County
44 amended the King Comprehensive Plan 2012 through passage of the King County
45 Comprehensive Plan 2016.

46 B. The amendments to the King County Comprehensive Plan 2012 contained in
47 Attachments A, B, C, D, E, F, G, H, I, J and K to this ordinance are hereby adopted as
48 amendments to the King County Comprehensive Plan 2012.

49 C. Attachments A and B to this ordinance amend policies, text and maps of the
50 Comprehensive Plan and amend the Comprehensive Plan Land Use Zoning. The land
51 use and zoning amendments contained in Attachments A and B to this ordinance are
52 hereby adopted as the official land use and zoning controls for those portions of
53 unincorporated King County defined in Attachments A and B to this ordinance.

54 D. Attachment C to this ordinance contains Technical Appendix A (Capital
55 Facilities).

56 E. Attachment D to this ordinance contains Technical Appendix B (Housing).

57 F. Attachment E to this ordinance contains Technical Appendix C
58 (Transportation).

59 G. Attachment F to this ordinance contains Technical Appendix C.1
60 (Transportation Needs Report).

61 H. Attachment G to this ordinance contains Technical Appendix C.2 (Regional
62 Trails Needs Report).

63 I. Attachment H to this ordinance contains Technical Appendix D (Growth
64 Targets and Urban Growth Area).

65 J. Attachment I to this ordinance contains Technical Appendix R (Summary of
66 Public Outreach for Development of the 2016 KCCP Update).

67 K. Attachment J to this ordinance contains the Skyway-West Hill Action Plan.

68 L. Attachment K to this ordinance amends the Vashon Town Plan and the King
69 County zoning map for those portions of unincorporated King County defined in
70 Attachment K to this ordinance.

71 SECTION 3. Ordinance 8421, Section 2, and K.C.C. 14.56.010 are each hereby
72 repealed.

73 SECTION 4. Ordinance 8421, Section 3, as amended, and K.C.C. 14.56.020 are
74 each hereby amended to read as follows:

75 There is established a (~~non-motorized vehicle~~) nonmotorized transportation
76 program (~~(to meet the following goals and objectives:~~

77 ~~A. To identify and document the needs of non-motorized transportation in King~~
78 ~~County, including bicyclists, equestrians, pedestrians, and special populations;~~

79 ~~B. To determine ways that the existing county transportation network, including~~
80 ~~transit, can be made more responsive to the needs of non-motorized users)). The program~~

81 shall consist of the nonmotorized policies in the King County Comprehensive Plan and
82 the respective functional plans of the responsible county agencies, nonmotorized project
83 needs contained in agency capital improvement programs and operational activities that:

84 A. Identify and document the nonmotorized transportation needs in the county
85 for bicyclists, pedestrians, equestrians and special populations such as school children or
86 people with limited mobility and wheelchair users;

87 B. Determine ways that nonmotorized transportation can be integrated into the
88 current and future county transportation network and services, including transit;

89 C. ~~((To i))~~Inform and educate the public on issues relating to ~~((non-motorized))~~
90 nonmotorized transportation, including compliance with traffic laws; and

91 D. ~~((To institute the consideration of non-motorized transportation in all related~~
92 ~~county-funded))~~ Consider nonmotorized transportation safety and other needs in all
93 related county programs, and ((to)) encourage the same consideration on an interlocal and
94 regional basis((;

95 E. ~~To improve non-motorized transport users and motorists compliance with~~
96 ~~traffic laws; and~~

97 F. ~~To guide development of a county functional plan for non-motorized~~
98 ~~transportation, to implement the adopted policies established in the county~~
99 ~~comprehensive plan, the county transportation plan, and current programs within county~~
100 ~~government)).~~

101 SECTION 5. Ordinance 8421, Section 4, as amended, and K.C.C. 14.56.030 are
102 each hereby amended to read as follows:

103 The department of transportation shall ~~((carry out the following duties and~~
104 ~~responsibilities))~~:

105 A. Implement the ~~((non-motorized vehicle))~~ nonmotorized transportation
106 program in coordination with other county departments;

107 B. Provide support to any ad hoc ~~((non-motorized))~~ nonmotorized transportation
108 advisory committee; and

109 C. Work with ~~((governmental agencies))~~ other jurisdictions and nongovernmental
110 organizations to identify, develop and promote programs that encourage the use of ~~((non-~~
111 ~~motorized))~~ nonmotorized modes of transportation.

112 SECTION 6. Ordinance 11653, Section 6, as amended, and K.C.C. 20.12.017 are
113 each hereby amended to read as follows:

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

116 A. Ordinance 11653 adopts area zoning to implement the 1994 King County
117 Comprehensive Plan pursuant to the Washington State Growth Management Act RCW
118 36.760A. Ordinance 11653 also converts existing zoning in unincorporated King County
119 to the new zoning classifications in the 1993 Zoning Code, codified in Title 21A,
120 pursuant to the area zoning conversion guidelines in K.C.C. 21A.01.070. The following
121 are adopted as attachments to Ordinance 11653:

122 Appendix A: 1994 Zoning Atlas, dated November 1994, as amended December
123 19, 1994.

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

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

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

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

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

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

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

131 Conditions.

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

133 Conditions.

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

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

136 Conditions.

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

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

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

140 Conditions.

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

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

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

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

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

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

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

148 through N.

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

150 accordance with Appendices A through P of Ordinance 11653.

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

152 A are adopted as the official zoning control for those portions of unincorporated King

153 County defined therein.

154 E. Amendments to the 1994 King County Comprehensive Plan area zoning,
155 Ordinance 11653 Appendices A through P, as contained in Attachment A to Ordinance
156 12170 are hereby adopted to comply with the Decision and Order of the Central Puget
157 Sound Growth Management Hearings Board in Vashon-Maury Island, et. al. v. King
158 County, Case No. 95-3-0008.

159 F. The Vashon Town Plan Area Zoning, ~~((attached to Ordinance 17842 as))~~
160 Attachment ~~((D))~~ K to this ordinance, is adopted as the official zoning control for that
161 portion of unincorporated King County defined therein.

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

166 H. The Black Diamond Urban Growth Area Zoning Map attached to Ordinance
167 12533 as Appendix B is adopted as the official zoning control for those portions of
168 unincorporated King County defined therein. Existing p-suffix conditions whether
169 adopted through reclassifications or area zoning are retained by Ordinance 12533.

170 I. The King County Zoning Atlas is amended to include the area shown in
171 Appendix B as UR - Urban Reserve, one DU per 5 acres. Existing p-suffix conditions
172 whether adopted through reclassifications or area zoning are retained by Ordinance
173 12535. The language from Ordinance 12535, Section 1.D., shall be placed on the King
174 County Zoning Atlas page #32 with a reference marker on the area affected by Ordinance
175 12535.

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

179 K. The special district overlays, as designated on the map attached to Ordinance
180 12809 in Appendix A, are hereby adopted pursuant to K.C.C. 21A.38.020 and
181 21A.38.040.

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

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

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

193 2. All ordinances adopting individual zone reclassifications effective prior to
194 February 2, 1995, including but not limited to Ordinances 43, 118, 148, 255, 633, 1483,
195 1543, 1582, 1584, 1728, 1788, 2487, 2508, 2548, 2608, 2677, 2701, 2703, 2765, 2781,
196 2840, 2884, 2940, 2958, 2965, 2997, 3239, 3262, 3313, 3360, 3424, 3494, 3496, 3501,
197 3557, 3561, 3641, 3643, 3744, 3779, 3901, 3905, 3953, 3988, 4008, 4043, 4051, 4053,
198 4082, 4094, 4137, 4289, 4290, 4418, 4560, 4589, 4703, 4706, 4764, 4767, 4867, 4812,

199 4885, 4888, 4890, 4915, 4933, 4956, 4970, 4978, 5087, 5114, 5144, 5148, 5171, 5184,
200 5242, 5346, 5353, 5378, 5453, 5663, 5664, 5689, 5744, 5752, 5755, 5765, 5854, 5984,
201 5985, 5986, 6059, 6074, 6113, 6151, 6275, 6468, 6497, 6618, 6671, 6698, 6832, 6885,
202 6916, 6966, 6993, 7008, 7087, 7115, 7207, 7328, 7375, 7382, 7396, 7583, 7653, 7677,
203 7694, 7705, 7757, 7758, 7821, 7831, 7868, 7944, 7972, 8158, 8307, 8361, 8375, 8427,
204 8452, 8465, 8571, 8573, 8603, 8718, 8733, 8786, 8796, 8825, 8858, 8863, 8865, 8866,
205 9030, 9095, 9189, 9276, 9295, 9476, 9622, 9656, 9823, 9991, 10033, 10194, 10287,
206 10419, 10598, 10668, 10781, 10813, 10970, 11024, 11025, 11271, and 11651, are hereby
207 repealed and p-suffix conditions are replaced by the property specific development
208 standards as set forth in Appendix A to Ordinance 12824.

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

213 4. All ordinances adopting area zoning pursuant to Resolution 25789 or
214 converted by Ordinance 11653 are repealed as set forth in subsection((§)) M.4.a. through
215 n. of this section. All p-suffix conditions contained therein are repealed or replaced by
216 adopting the property specific development standards as set forth in Appendix A to
217 Ordinance 12824, the special district overlays as designated in Appendix B to Ordinance
218 12824 or the special requirements as designated in Appendix A to Ordinance 12822.

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

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

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

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

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

229 f. The Revised Vashon Community Plan Area Zoning, attached to Ordinance
230 7837 as Appendix B, as amended, is hereby repealed.

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

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

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

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

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

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

243 m. The East Sammamish Community Plan Update Area Zoning, as revised in
244 Appendix B attached to Ordinance 10847, as amended, is hereby repealed.

245 n. The West Hill Community Plan Area Zoning adopted in Ordinance 11116,
246 as amended, is hereby repealed.

247 5. All ordinances adopting area zoning pursuant to Title 21A and not converted
248 by Ordinance 11653, including community or comprehensive plan area zoning and all
249 subsequent amendments thereto, are amended as set forth in subsection M.5.a. through f.
250 All property specific development standards (p-suffix conditions) are retained, repealed,
251 amended or replaced by the property specific development standards as set forth in
252 Appendix A to Ordinance 12824, the special district overlays as designated in Appendix
253 B to Ordinance 12824 or the special requirements as designated in Appendix A to
254 Ordinance 12822.

255 a. The White Center Community Plan Area Zoning, contained in the
256 Attachments to Ordinance 11568, as subsequently amended, is hereby further amended as
257 set forth in Appendix D to Ordinance 12824.

258 b. All property specific development standards established in Ordinance
259 11653, as amended, are hereby amended as set forth in Appendix E to Ordinance 12824.

260 c. All property specific development standards established in Attachment A to
261 Ordinance 11747, as amended, are hereby amended as set forth in Appendix F to
262 Ordinance 12824.

263 d. All property specific development standards established in Ordinance
264 12061, as amended, are hereby amended as set forth in Appendix G to Ordinance 12824.

265 e. All property specific development standards established in Ordinance
266 12065, as amended, are hereby amended as set forth in K.C.C. 20.12.170.

267 f. All property specific development standards established in Attachment A to
268 Ordinance 12170, as amended, are hereby amended as set forth in Appendix H to
269 Ordinance 12824.

270 SECTION 7. Ordinance 13147, Section 19, amended, and K.C.C. 20.18.030 are
271 hereby amended to read as follows:

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

- 277 1. Emergencies;
- 278 2. An appeal of the plan filed with the Central Puget Sound Growth
279 Management Hearings Board or with the court;
- 280 3. The initial adoption of a subarea plan, which may amend the urban growth
281 area boundary only to redesignate land within a joint planning area;
- 282 4. An amendment of the capital facilities element of the Comprehensive Plan
283 that occurs in conjunction with the adoption of the county budget under K.C.C.
284 4A.100.010; or
- 285 5. The adoption or amendment of a shoreline master program under chapter
286 90.58 RCW.

287 B. Every year the Comprehensive Plan may be amended to address technical
288 updates and corrections, and to consider amendments that do not require substantive
289 changes to policy language, changes to the priority areas map, or changes to the urban
290 growth area boundary, except as permitted in subsection B. ~~((5, 10:))~~ 9. and ~~((12:))~~ 11. of
291 this section. This review may be referred to as the annual cycle. The Comprehensive
292 Plan, including subarea plans, may be amended in the annual cycle only to consider the
293 following:

- 294 1. Technical amendments to policy, text, maps or shoreline designations;
- 295 2. The annual capital improvement plan;
- 296 3. The transportation needs report;
- 297 4. School capital facility plans;
- 298 5. ~~((A mining site conversion demonstration project. The demonstration project
299 shall evaluate and address:
300 a. potential options for the use of a reclaimed mine site, including the
301 feasibility of residential use and/or long term forestry on the demonstration project site;
302 b. the impacts to carbon sequestration as a result of reforestation, and for
303 residential use, the impacts to carbon sequestration when implementing modified
304 standards for lot clustering or transfer of development rights;
305 c. the need for a site design that compatibly integrates any proposed residential
306 development on the demonstration project site with uses occurring on the adjacent rural
307 or forest production district lands, especially if the proposed residential development
308 utilizes modified standards for lot clustering and/or transfer of development rights;~~

309 ~~d. the levels and standards for reclamation of mining sites that are appropriate~~
310 ~~to their use either for long term forestry and/or for residential development; and~~

311 ~~e. the need to ensure that the demonstration project provides an overall public~~
312 ~~benefit by providing permanent protection, as designated park or open space, of lands in~~
313 ~~the vicinity of the demonstration project site that form the headwaters of critical, high-~~
314 ~~valued habitat areas; or that remove the development potential from nonconforming legal~~
315 ~~parcels in the forest production district; or that provide linkages with other forest~~
316 ~~production district lands;~~

317 ~~6.)~~ Changes required by existing Comprehensive Plan policies;

318 ~~((7.))~~ 6. Changes to the technical appendices and any amendments required
319 thereby;

320 ~~((8.))~~ 7. Comprehensive updates of subarea plans initiated by motion;

321 ~~((9.))~~ 8. Changes required by amendments to the countywide planning policies
322 or state law;

323 ~~((10.))~~ 9. Redesignation proposals under the four-to-one program as provided
324 for in this chapter;

325 ~~((11.))~~ 10. Amendments necessary for the conservation of threatened and
326 endangered species; ~~((and))~~

327 ~~((12.))~~ 11. Site-specific ~~((comprehensive))~~ land use map amendments that do
328 not require substantive change to comprehensive plan policy language and that do not
329 alter the urban growth area boundary, except to correct mapping errors;

330 12. Amendments resulting from subarea studies required by comprehensive plan
331 policy that do not require substantive change to comprehensive plan policy language and
332 that do not alter the urban growth area boundary, except to correct mapping errors; and

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

337 C. Every fourth year beginning in 2000, the county shall complete a
338 comprehensive review of the Comprehensive Plan in order to update it as appropriate and
339 to ensure continued compliance with the GMA. This review may provide for a
340 cumulative analysis of the twenty-year plan based upon official population growth
341 forecasts, benchmarks and other relevant data in order to consider substantive changes to
342 policy language and changes to the urban growth area (~~((UGA))~~). This comprehensive
343 review shall begin one year in advance of the transmittal and may be referred to as the
344 four-year cycle. The urban growth area boundaries shall be reviewed in the context of
345 the four-year cycle and in accordance with countywide planning policy (~~((FW))~~)G-1 and
346 RCW 36.70A.130. If the county determines that the purposes of the Comprehensive Plan
347 are not being achieved as evidenced by official population growth forecasts, benchmarks,
348 trends and other relevant data, substantive changes to the Comprehensive Plan may also
349 be considered on even calendar years. This determination shall be authorized by motion.
350 The motion shall specify the scope of the even-year amendment, and identify that the
351 resources necessary to accomplish the work are available. An analysis of the motion's
352 fiscal impact shall be provided to the council before to adoption. The executive shall

353 determine if additional funds are necessary to complete the even-year amendment, and
354 may transmit an ordinance requesting the appropriation of supplemental funds.

355 D. The executive shall seek public comment on the comprehensive plan and any
356 proposed comprehensive plan amendments in accordance with the procedures in K.C.C.
357 20.18.160 before making a recommendation, in addition to conducting the public review
358 and comment procedures required by SEPA. The public shall be afforded at least one
359 official opportunity to record public comment before ~~((tø))~~ the transmittal of a
360 recommendation by the executive to the council. County-sponsored councils and
361 commissions may submit written position statements that shall be considered by the
362 executive before transmittal and by the council before adoption, if they are received in a
363 timely manner. The executive's recommendations for changes to policies, text and maps
364 shall include the elements listed in Comprehensive Plan policy ~~((RP-307))~~ I-207 and
365 analysis of their financial costs and public benefits, any of which may be included in
366 environmental review documents. Proposed amendments to the Comprehensive Plan
367 shall be accompanied by any development regulations or amendments to development
368 regulations, including area zoning, necessary to implement the proposed amendments.

369 SECTION 8. Ordinance 4461, Section 10, amended, and K.C.C. 20.22.150 are
370 hereby amended to read as follows:

371 When the examiner issues a recommendation regarding an application for a zone
372 reclassification of property, the recommendation shall include findings on whether the
373 application meets both of the following:

374 A. The proposed rezone is consistent with the King County Comprehensive Plan;
375 and

376 B.1. The property is potentially zoned for the reclassification being requested;

377 2. An adopted subarea plan, subarea study or area zoning specifies that the

378 property shall be subsequently considered through an individual reclassification

379 application; or

380 3. The requested reclassification is based on changed conditions.

381 SECTION 9. Ordinance 10870, Section 330, as amended, and K.C.C. 21A.08.030, are

382 each hereby amended to read as follows:

383 A. Residential land uses.

KEY		RESOURCE			R U R A L	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
P-Permitted Use	Z O N E	A	F	M	R	* R	U	R	N B	C B	R B	O	I
C-Conditional Use		G	O	I	U	U E	R	E	E U	O U	E U	F	N
S-Special Use		R	R	N	R	R S	B	S	I S	M S	G S	F	D
		I	E	E	A	B E	A	I	G I	M I	I I	I	U
		C	S	R	L	A R	N	D	H N	U N	O N	C	S
		U	T	A		N V		E	B E	N E	N E	E	T
		L		L	A	E		N	O S	I S	A S		R
		T			R			T	R S	T S	L S		I
		U			E			I	H	Y			A
		R			A			A	O				L
		E						L	O				
									D				
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
	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 P17	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		
<p>GENERAL CROSS Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development Standards, see</p> <p>REFERENCES: K.C.C. chapters 21A.12 through 21A.30; General Provisions, see K.C.C. chapters 21A.32 through 21A.38; Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44;</p> <p>(*Definition of this specific land use, see K.C.C. chapter 21A.06.</p>													

384

B. Development conditions.

385

1. Except bed and breakfast guesthouses.

- 386 2. In the forest production district, the following conditions apply:
- 387 a. Site disturbance associated with development of any new residence shall be
- 388 limited to three acres. Site disturbance shall mean all land alterations including, but not
- 389 limited to, grading, utility installation, landscaping, clearing for crops, on-site sewage
- 390 disposal systems and driveways. Additional site disturbance for agriculture, including
- 391 raising livestock, up to the smaller of thirty-five percent of the lot or seven acres, may be
- 392 approved only if a farm management plan is prepared in accordance with K.C.C. chapter
- 393 21A.30. Animal densities shall be based on the area devoted to animal care and not the
- 394 total area of the lot;
- 395 b. A forest management plan shall be required for any new residence in the
- 396 forest production district, that shall be reviewed and approved by the King County
- 397 department of natural resources and parks before building permit issuance; and
- 398 c. The forest management plan shall incorporate a fire protection element that
- 399 includes fire safety best management practices developed by the department.
- 400 3. Only as part of a mixed use development subject to the conditions of K.C.C.
- 401 chapter 21A.14, except that in the NB zone on properties with a land use designation of
- 402 commercial outside of center (CO) in the urban areas, stand-alone townhouse
- 403 developments are permitted subject to K.C.C. 21A.12.040, 21A.14.030, 21A.14.060 and
- 404 21A.14.180.
- 405 4. Only in a building listed on the National Register as an historic site or
- 406 designated as a King County landmark subject to K.C.C. chapter 21A.32.
- 407 5.a. In the R-1 zone, apartment units are permitted, if:

- 408 (1) At least fifty percent of the site is constrained by unbuildable critical
409 areas. For purposes of this subsection, unbuildable critical areas includes wetlands,
410 aquatic areas and slopes forty percent or steeper and associated buffers; and
- 411 (2) The density does not exceed a density of eighteen units per acre of net
412 buildable area.
- 413 b. In the R-4 through R-8 zones, apartment units are permitted if the density
414 does not exceed a density of eighteen units per acre of net buildable area.
- 415 c. If the proposal will exceed base density for the zone in which it is proposed,
416 a conditional use permit is required.
- 417 6. Only as accessory to a school, college, university or church.
- 418 7.a. Accessory dwelling units:
- 419 (1) Only one accessory dwelling per primary single detached dwelling unit;
- 420 (2) Only in the same building as the primary dwelling unit on:
- 421 (a) an urban lot that is less than five thousand square feet in area;
- 422 (b) except as otherwise provided in subsection B.7.a.(5) of this section, a
423 rural lot that is less than the minimum lot size; or
- 424 c. a lot containing more than one primary dwelling;
- 425 (3) The primary dwelling unit or the accessory dwelling unit shall be owner
426 occupied;
- 427 (4)(a) Except as otherwise provided in subsection B.7.a(5) of this section, one
428 of the dwelling units shall not exceed one thousand square feet of heated floor area
429 except when one of the dwelling units is wholly contained within a basement or attic; and

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

433 (5) On a site zoned RA:

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

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

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

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

445 (8) An applicant seeking to build an accessory dwelling unit shall file a notice
446 approved by the department of executive services, records and licensing services
447 division, that identifies the dwelling unit as accessory. The notice shall run with the land.
448 The applicant shall submit proof that the notice was filed before the department shall
449 approve any permit for the construction of the accessory dwelling unit. The required
450 contents and form of the notice shall be set forth in administrative rules. If an accessory
451 dwelling unit in a detached building in the rural zone is subsequently converted to a
452 primary unit on a separate lot, neither the original lot nor the new lot may have an

453 additional detached accessory dwelling unit constructed unless the lot is at least twice the
454 minimum lot area required in the zone; and

455 (9) Accessory dwelling units and accessory living quarters are not allowed in
456 the F zone.

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

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

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

463 c. Buildings for residential accessory uses in the RA and A zone shall not
464 exceed five thousand square feet of gross floor area, except for buildings related to
465 agriculture or forestry.

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

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

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

469 b. The number of persons accommodated per night shall not exceed five,
470 except that a structure that satisfies the standards of the International Building Code as
471 adopted by King County for R-1 occupancies may accommodate up to ten persons per
472 night.

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

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

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

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

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

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

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

486 a. developments no larger than one acre;

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

489 c. All units must be cottage housing units with no less than three units and no
490 more than sixteen units, provided that if the site contains an existing home that is not
491 being demolished, the existing house is not required to comply with the height limitation
492 in K.C.C. 21A.12.020.B.25. or the floor area and footprint limits in K.C.C.
493 21A.14.025.B; and

494 d. Before filing an application with the department, the applicant shall hold a
495 community meeting in accordance with K.C.C. 20.20.035.

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

- 498 a. The lot must have legally existed before March 1, 2005;
- 499 b. The lot has a Comprehensive Plan land use designation of Rural
500 Neighborhood Commercial Center or Rural Area; and
- 501 c. The standards of this title for the RA-5 zone shall apply.
- 502 17. Housing for agricultural employees who are employed by the owner or
503 operator of the site year-round as follows:
- 504 a. Not more than:
- 505 (1) One agricultural employee dwelling unit on a site under twenty acres;
- 506 (2) Two agricultural employee dwelling units on a site between twenty acres
507 and fifty acres;
- 508 (3) Three agricultural employee dwelling units on a site greater than fifty
509 acres and less than one-hundred acres; and
- 510 (4) On sites one-hundred acres and larger one additional agricultural
511 employee dwelling unit for each additional one hundred acres;
- 512 b. The primary use of the site shall be agricultural in SIC Industry Group No.
513 01-Growing and Harvesting Crops or SIC Industry Group No. 02-Raising Livestock and
514 Small Animals. If the primary use of the site changes to a nonagricultural use, all
515 agricultural employee dwelling units shall be removed;
- 516 c. The applicant shall file with the department of executive services, records
517 and licensing services division, a notice approved by the department that identifies the
518 agricultural employee dwelling units as accessory and that the dwelling units shall only
519 be occupied by agricultural employees who are employed by the owner or operator year-
520 round. The notice shall run with the land. The applicant shall submit to the department

521 proof that the notice was filed with the department of executive services, records and
 522 licensing services division, before the department approves any permit for the
 523 construction of agricultural employee dwelling units;

524 d. An agricultural employee dwelling unit shall not exceed a floor area of one
 525 thousand square feet and may be occupied by no more than eight unrelated agricultural
 526 employees;

527 e. One off-street parking space shall be provided for each agricultural
 528 employee dwelling unit; and

529 f. The agricultural employee dwelling units shall be constructed in compliance
 530 with K.C.C. Title 16.

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

532 SECTION 10. Ordinance 10870, Section 332, as amended, and K.C.C.
 533 21A.08.050, are each hereby amended to read as follows:

534 A. General services land uses.

KEY		RESOURCE			R U R A L	RESIDENTIAL				COMMERCIAL/INDUSTRIAL							
		P-Permitted Use	A	F	M	R	U	R	U	R	N	B	C	B	R	B	O
C-Conditional Use		G	O	I	U	R	E	R	E	E	U	O	U	E	U	F	N
S-Special Use	Z	R	R	N	R	B	S	B	S	I	S	M	S	G	S	F	D
	O	I	E	E	A	A	E	A	I	G	I	M	I	I	I	I	U
	N	C	S	R	L	N	R	N	D	H	N	U	N	O	N	C	S
	E	U	T	A				V	E	B	E	N	E	N	E	E	T
		L		L	A			E	N	O	S	I	S	A	S		R
		T			R				T	R	S	T	S	L	S		I
		U			E				I	H		Y					A
		R			A				A	O							L

		E					L		O				
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
	PERSONAL SERVICES:												
72	General Personal Service						C25 C37	C25 C37	P	P	P	P3	P3
7216	Drycleaning Plants												P
7218	Industrial Launderers												P
7261	Funeral Home/Crematory					C4	C4	C4		P	P		
*	Cemetery, Columbarium or Mausoleum				P24 C5 and 31	P24 C5	P24 C5	P24 C5	P24	P24	P24 C5	P24	
*	Day Care I	P6			P6	P6	P6	P	P	P	P	P7	P7
*	Day Care II				P8 C	P8 C	P8 C	P8 C	P	P	P	P7	P7
074	Veterinary Clinic	P9			P9 C10 and 31	P9 C10			P10	P10	P10		P
753	Automotive Repair (1)								P11	P	P		P
754	Automotive Service								P11	P	P		P
76	Miscellaneous Repair	P33			P32 P33	P32	P32	P32	P32	P	P		P
866	Church, Synagogue, Temple				P12 C27 and 31	P12 C	P12 C	P12 C	P	P	P	P	
83	Social Services (2)				P12	P12	P12	P12	P	P	P	P	

					P13 C31	P13 C	P13 C	P13 C					
0752	Animal specialty services				C P35 P36	C			P	P	P	P	P
*	Stable	P14 C			P14 C31	P14 C	P 14 C						
*	Commercial Kennel or Commercial Cattery	P42			C43	C43				C43	P43		
*	Theatrical Production Services									P30	P28		
*	Artist Studios				P28	P28	P28	P28	P	P	P	P29	P
*	Interim Recycling Facility				P21	P21	P21	P21	P22	P22	P	P21	P
*	Dog training facility	C34			C34	C34			P	P	P		P
	HEALTH SERVICES:												
801-04	Office/Outpatient Clinic				P12 C 13a	P12 C13a	P12 C13 a C37	P12 C13a C37	P	P	P	P	P
805	Nursing and Personal Care Facilities							C		P	P		
806	Hospital						C13 a	C13a		P	P	C	
807	Medical/Dental Lab									P	P	P	P
808-09	Miscellaneous Health									P	P	P	
	EDUCATION SERVICES:												
*	Elementary School				P39 P40	P	P	P		P16 P40	P16 P40	P16 P40	

*	Middle/Junior High School				P40 C39 and 31	P	P	P		P16 C40	P16 C40	P16 C40	
*	Secondary or High School				C39 and 31 C41 and 31	P26	P26	P26		P16 C15	P16 C15	P16	
*	Vocational School					P13a C	P13a C	P13a C			P15	P17	P
*	Specialized Instruction School		P18		P19 C20 and 31	P19 C20	P19 C20	P19 C20	P	P	P	P17	P 38
*	School District Support Facility					P23 C	P23 C	P23 C	C15	P15	P15	P15	P15
<p>GENERAL CROSS Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development Standards, see</p> <p>REFERENCES: K.C.C. chapters 21A.12 through 21A.30; General Provisions, see K.C.C. chapters 21A.32 through 21A.38; Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44; (*)Definition of this specific Land Use, see K.C.C. chapter 21A.06.</p>													

535 B. Development conditions.

536 1. Except SIC Industry No. 7534-Tire Retreading, see manufacturing permitted
537 use table.

538 2. Except SIC Industry Group Nos.:

539 a. 835-Day Care Services, and

540 b. Community residential facilities.

541 3. Limited to SIC Industry Group and Industry Nos.:

542 a. 723-Beauty Shops;

- 543 b. 724-Barber Shops;
- 544 c. 725-Shoe Repair Shops and Shoeshine Parlors;
- 545 d. 7212-Garment Pressing and Agents for Laundries and Drycleaners; and
- 546 e. 217-Carpet and Upholstery Cleaning.
- 547 4. Only as accessory to a cemetery, and prohibited from the UR zone only if the
- 548 property is located within a designated unincorporated Rural Town.
- 549 5. Structures shall maintain a minimum distance of one hundred feet from
- 550 property lines adjoining rural area and residential zones.
- 551 6. Only as accessory to residential use, and:
- 552 a. Outdoor play areas shall be completely enclosed by a solid wall or fence,
- 553 with no openings except for gates, and have a minimum height of six feet; and
- 554 b. Outdoor play equipment shall maintain a minimum distance of twenty feet
- 555 from property lines adjoining rural area and residential zones.
- 556 7. Permitted as an accessory use. See commercial/industrial accessory, K.C.C.
- 557 21A.08.060.A.
- 558 8. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32,
- 559 or an accessory use to a school, church, park, sport club or public housing administered
- 560 by a public agency, and:
- 561 a. Outdoor play areas shall be completely enclosed by a solid wall or fence,
- 562 with no openings except for gates and have a minimum height of six feet;
- 563 b. Outdoor play equipment shall maintain a minimum distance of twenty feet
- 564 from property lines adjoining rural area and residential zones;

565 c. Direct access to a developed arterial street shall be required in any
566 residential zone; and

567 d. Hours of operation may be restricted to assure compatibility with
568 surrounding development.

569 9. As a home occupation only, but the square footage limitations in K.C.C.
570 chapter 21A.30 for home occupations apply only to the office space for the veterinary
571 clinic, and:

572 a. Boarding or overnight stay of animals is allowed only on sites of five acres
573 or more;

574 b. No burning of refuse or dead animals is allowed;

575 c. The portion of the building or structure in which animals are kept or treated
576 shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be
577 surrounded by an eight-foot-high solid wall and the floor area shall be surfaced with
578 concrete or other impervious material; and

579 d. The provisions of K.C.C. chapter 21A.30 relative to animal keeping are met.

580 10.a. No burning of refuse or dead animals is allowed;

581 b. The portion of the building or structure in which animals are kept or treated
582 shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be
583 surrounded by an eight-foot-high solid wall and the floor area shall be surfaced with
584 concrete or other impervious material; and

585 c. The provisions of K.C.C. chapter 21A.30 relative to animal keeping are met.

586 11. The repair work or service shall only be performed in an enclosed building,
587 and no outdoor storage of materials. SIC Industry No. 7532-Top, Body, and Upholstery
588 Repair Shops and Paint Shops is not allowed.

589 12. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32.
590 Before filing an application with the department, the applicant shall hold a community
591 meeting in accordance with K.C.C. 20.20.035.

592 13.a. Except as otherwise provided in 13.b of this subsection, only as a reuse of
593 a surplus nonresidential facility subject to K.C.C. chapter 21A.32.

594 b. Allowed for a social service agency on a site in the NB zone that serves
595 transitional or low-income housing located within three hundred feet of the site on which
596 the social service agency is located.

597 c. Before filing an application with the department, the applicant shall hold a
598 community meeting in accordance with K.C.C. 20.20.035.

599 14. Covered riding arenas are subject to K.C.C. 21A.30.030 and shall not
600 exceed twenty thousand square feet, but stabling areas, whether attached or detached,
601 shall not be counted in this calculation.

602 15. If located outside of the urban growth area, limited to projects that are of a
603 size and scale designed to primarily serve the ~~((R))Rural ((A))Area~~ and Natural Resource
604 Lands and shall be located within a rural town.

605 16. If located outside of the urban growth area, shall be designed to primarily
606 serve the ~~((R))Rural ((A))Area~~ and Natural Resource Lands and shall be located within a
607 rural town. In CB, RB and O, for K-12 schools with no more than one hundred students.

608 17. All instruction must be within an enclosed structure.

- 609 18. Limited to resource management education programs.
- 610 19. Only as accessory to residential use, and:
- 611 a. Students shall be limited to twelve per one-hour session;
- 612 b. Except as provided in subsection c. of this subsection, all instruction must
- 613 be within an enclosed structure;
- 614 c. Outdoor instruction may be allowed on properties at least two and one-half
- 615 acres in size. Any outdoor activity must comply with the requirements for setbacks in
- 616 K.C.C. chapter 21A.12; and
- 617 d. Structures used for the school shall maintain a distance of twenty-five feet
- 618 from property lines adjoining rural area and residential zones.
- 619 20. Subject to the following:
- 620 a. Structures used for the school and accessory uses shall maintain a minimum
- 621 distance of twenty-five feet from property lines adjoining residential zones;
- 622 b. On lots over two and one-half acres:
- 623 (1) Retail sale of items related to the instructional courses is permitted, if total
- 624 floor area for retail sales is limited to two thousand square feet;
- 625 (2) Sale of food prepared in the instructional courses is permitted with
- 626 Seattle-King County department of public health approval, if total floor area for food
- 627 sales is limited to one thousand square feet and is located in the same structure as the
- 628 school; and
- 629 (3) Other incidental student-supporting uses are allowed, if such uses are
- 630 found to be both compatible with and incidental to the principal use; and

631 c. On sites over ten acres, located in a designated Rural Town and zoned any
632 one or more of UR, R-1 and R-4:

633 (1) Retail sale of items related to the instructional courses is permitted,
634 provided total floor area for retail sales is limited to two thousand square feet;

635 (2) Sale of food prepared in the instructional courses is permitted with
636 Seattle-King County department of public health approval, if total floor area for food
637 sales is limited to one thousand seven hundred fifty square feet and is located in the same
638 structure as the school;

639 (3) Other incidental student-supporting uses are allowed, if the uses are found
640 to be functionally related, subordinate, compatible with and incidental to the principal
641 use;

642 (4) The use shall be integrated with allowable agricultural uses on the site;

643 (5) Advertised special events shall comply with the temporary use
644 requirements of this chapter; and

645 (6) Existing structures that are damaged or destroyed by fire or natural event,
646 if damaged by more than fifty percent of their prior value, may reconstruct and expand an
647 additional sixty-five percent of the original floor area but need not be approved as a
648 conditional use if their use otherwise complies with development condition B.20.c. of this
649 section and this title.

650 21. Limited to:

651 a. drop box facilities accessory to a public or community use such as a school,
652 fire station or community center; or

653 b. in the RA zone, a facility accessory to a retail nursery, garden center and

654 farm supply store that accepts earth materials, vegetation, organic waste, construction and
655 demolition materials or source separated organic materials, if:

656 (1) the site is five acres or greater;

657 (2) all material is deposited into covered containers or onto covered
658 impervious areas;

659 (3) the facility and any driveways or other access to the facility maintain a
660 setback of at least twenty five feet from adjacent properties;

661 (4) the total area of the containers and covered impervious area is ten
662 thousand square feet or less;

663 (5) ten feet of type II landscaping is provided between the facility and
664 adjacent properties;

665 (6) no processing of the material is conducted on site; and

666 (7) access to the facility is not from a local access street.

667 22. With the exception of drop box facilities for the collection and temporary
668 storage of recyclable materials, all processing and storage of material shall be within
669 enclosed buildings. Yard waste processing is not permitted.

670 23. Only if adjacent to an existing or proposed school.

671 24. Limited to columbariums accessory to a church, but required landscaping
672 and parking shall not be reduced.

673 25. Not permitted in R-1 and limited to a maximum of five thousand square feet
674 per establishment and subject to the additional requirements in K.C.C. 21A.12.230.

675 26.a. New high schools permitted in the rural and the urban residential and
676 urban reserve zones shall be subject to the review process in K.C.C. 21A.42.140.

677 b. Renovation, expansion, modernization, or reconstruction of a school, or the
678 addition of relocatable facilities, is permitted.

679 27. Limited to projects that do not require or result in an expansion of sewer
680 service outside the urban growth area. In addition, such use shall not be permitted in the
681 RA-20 zone.

682 28. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter
683 21A.32 or as a joint use of an existing public school facility.

684 29. All studio use must be within an enclosed structure.

685 30. Adult use facilities shall be prohibited within six hundred sixty feet of any
686 rural area and residential zones, any other adult use facility, school, licensed daycare
687 centers, parks, community centers, public libraries or churches that conduct religious or
688 educational classes for minors.

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

691 32. Limited to repair of sports and recreation equipment:

692 a. as accessory to a recreation or multiuse park in the urban growth area; or

693 b. as accessory to a park and limited to a total floor area of seven hundred fifty
694 square feet.

695 33. Accessory to agricultural or forestry uses provided:

696 a. the repair of tools and machinery is limited to those necessary for the
697 operation of a farm or forest.

698 b. the lot is at least five acres.

699 c. the size of the total repair use is limited to one percent of the lot size up to a
700 maximum of five thousand square feet unless located in a farm structure, including but
701 not limited to barns, existing as of December 31, 2003.

702 34. Subject to the following:

703 a. the lot is at least five acres;

704 b. in the A zones, area used for dog training shall be located on portions of
705 agricultural lands that are unsuitable for other agricultural purposes, such as areas within
706 the already developed portion of such agricultural lands that are not available for direct
707 agricultural production or areas without prime agricultural soils;

708 c. structures and areas used for dog training shall maintain a minimum distance
709 of seventy-five feet from property lines; and

710 d. all training activities shall be conducted within fenced areas or in indoor
711 facilities. Fences must be sufficient to contain the dogs.

712 35. Limited to animal rescue shelters and provided that:

713 a. the property shall be at least four acres;

714 b. buildings used to house rescued animals shall be no less than fifty feet from
715 property lines;

716 c. outdoor animal enclosure areas shall be located no less than thirty feet from
717 property lines and shall be fenced in a manner sufficient to contain the animals;

718 d. the facility shall be operated by a nonprofit organization registered under the
719 Internal Revenue Code as a 501(c)(3) organization; and

720 e. the facility shall maintain normal hours of operation no earlier than 7 a.m.
721 and no later than 7 p.m.

- 722 36. Limited to kennel-free dog boarding and daycare facilities, and:
- 723 a. the property shall be at least four and one-half acres;
- 724 b. buildings housing dogs shall be no less than seventy-five feet from property
- 725 lines;
- 726 c. outdoor exercise areas shall be located no less than thirty feet from property
- 727 lines and shall be fenced in a manner sufficient to contain the dogs;
- 728 d. the number of dogs allowed on the property at any one time shall be limited
- 729 to the number allowed for hobby kennels, as provided in K.C.C. 11.04.060.B; and
- 730 e. training and grooming are ancillary services that may be provided only to
- 731 dogs staying at the facility; and
- 732 f. the facility shall maintain normal hours of operation no earlier than 7 a.m.
- 733 and no later than 7 p.m.
- 734 37. Not permitted in R-1 and subject to the additional requirements in K.C.C.
- 735 21A.12.250.
- 736 38. Driver training is limited to driver training schools licensed under chapter
- 737 46.82 RCW.
- 738 39. A school may be located outside of the urban growth area only if allowed
- 739 under King County Comprehensive Plan policies.
- 740 40. Only as a reuse of an existing public school.
- 741 41. A high school may be allowed as a reuse of an existing public school if
- 742 allowed under King County Comprehensive Plan policies.
- 743 42. Commercial kennels and commercial catteries in the A zone are subject to
- 744 the following:

745 a. Only as a home occupation, but the square footage limitations in K.C.C.
746 chapter 21A.30.085 for home occupations apply only to the office space for the
747 commercial kennel or commercial cattery; and

748 b. Subject to K.C.C. 21A.30.020, except:

749 (1) A building or structure used for housing dogs or cats and any outdoor
750 runs shall be set back one hundred and fifty feet from property lines;

751 (2) The portion of the building or structure in which the dogs or cats are kept
752 shall be soundproofed;

753 (3) Impervious surface for the kennel or cattery shall not exceed twelve
754 thousand square feet; and

755 (4) Obedience training classes are not allowed except as provided in
756 subsection B.34. of this section.

757 43. Commercial kennels and commercial catteries are subject to K.C.C.
758 21A.30.020."

759 SECTION 11. Ordinance 13274, Section 4, as amended, and K.C.C. 21A.37.020
760 are hereby amended to read as follows:

761 A. For the purpose of this chapter, "sending site" means the entire tax lot or lots
762 qualified under subsection B. of this section. Sending sites may only be located within
763 rural or resource lands or urban separator areas with R-1 zoning, as designated by the
764 King County Comprehensive Plan, and shall meet the minimum lot area for construction
765 requirements in K.C.C. 21A.12.100 for the zone in which the sending site is located.
766 Except as provided in K.C.C. 21A.37.110.C., or for lands zoned RA that are managed by
767 the Washington state Department of Natural Resources as state grant or state forest lands,

768 land in public ownership may not be sending sites. If the sending site consists of more
769 than one tax lot, the lots must be contiguous and the area of the combined lots must meet
770 the minimum lot area for construction requirements in K.C.C. 21A.12.100 for the zone in
771 which the sending site is located. For purposes of this section, lots divided by a street are
772 considered contiguous if the lots would share a common lot line if the street was
773 removed; this provision may be waived by the interagency committee if the total acreage
774 of a rural or resource sending site application exceeds one hundred acres. A sending site
775 shall be maintained in a condition that is consistent with the criteria in this section under
776 which the sending was qualified.

777 B. Qualification of a sending site shall demonstrate that the site contains a public
778 benefit such that preservation of that benefit by transferring residential development
779 rights to another site is in the public interest. A sending site must meet at least one of the
780 following criteria:

781 1. Designation in the King County Comprehensive Plan or a functional plan as
782 an agricultural production district or zoned A;

783 2. Designation in the King County Comprehensive Plan or a functional plan as
784 forest production district or zoned F;

785 3. Designation in the King County Comprehensive Plan as rural residential,
786 zoned RA-2.5, RA-5 or RA-10, and meeting the definition in RCW 84.34.020 of open
787 space, farm and agricultural land, or timber land;

788 4. Designation in the King County Comprehensive Plan, or a functional plan as
789 a proposed rural or resource area regional trail or rural or resource area open space site,
790 through either:

791 a. designation of a specific site; or

792 b. identification of proposed rural or resource area regional trails or rural or
793 resource area open space sites which meet adopted standards and criteria, and for rural or
794 resource area open space sites, meet the definition of open space land, as defined in RCW
795 84.34.020;

796 5. Identification as habitat for federal listed endangered or threatened species in
797 a written determination by the King County department of natural resources and parks,
798 Washington state Department of Fish and Wildlife, United States Fish and Wildlife
799 Services or a federally recognized tribe that the sending site is appropriate for
800 preservation or acquisition; or

801 6. Designation in the King County Comprehensive Plan as urban separator and
802 zoned R-1.

803 C. For the purposes of the TDR program, acquisition means obtaining fee simple
804 rights in real property, or a less than a fee simple right in a form that preserves in
805 perpetuity the public benefit supporting the designation or qualification of the property as
806 a sending site.

807 D. If a sending site has any outstanding code violations, the person responsible
808 for code compliance should resolve these violations, including any required abatement,
809 restoration, or payment of civil penalties, before a TDR sending site may be qualified by
810 the interagency review committee created under K.C.C. 21A.37.070. However, the
811 interagency may qualify and certify a TDR sending site with outstanding code violations
812 if the person responsible for code compliance has made a good faith effort to resolve the
813 violations and the proposal is in the public interest.

814 E. For lots on which the entire lot or a portion of the lot has been cleared or
815 graded in accordance with a Class II, III or IV special forest practice as defined in chapter
816 76.09 RCW within the six years prior to application as a TDR sending site, the applicant
817 must provide an affidavit of compliance with the reforestation requirements of the Forest
818 Practices Act, and any additional reforestation conditions of their forest practice permit.
819 Lots on which the entire lot or a portion of the lot has been cleared or graded without any
820 required forest practices or county authorization, shall be not qualified or certified as a
821 TDR sending site for six years unless the six-year moratorium on development
822 applications has been lifted or waived or the landowner has a reforestation plan approved
823 by the state Department of Natural Resources and King County.

824 SECTION 12. Ordinance 13274, Section 5, as amended, and K.C.C. 21A.37.030,
825 are each hereby amended to read as follows:

826 A. Receiving sites shall be:

827 1. King County unincorporated urban sites, except as limited in subsections C
828 and D. of this section, zoned R-4 through R-48, NB, CB, RB or O, or any combination
829 thereof. The sites may also be within potential annexation areas established under the
830 countywide planning policies; or

831 2. Cities where new growth is or will be encouraged under the Growth
832 Management Act and the countywide planning policies and where facilities and services
833 exist or where public investments in facilities and services will be made, or

834 3. RA-2.5 zoned parcels, except as limited in subsection E. of this section, that
835 meet the criteria listed in this subsection A.3. may receive development rights transferred
836 from rural forest focus areas, and accordingly may be subdivided and developed at a

837 maximum density of one dwelling per two and one-half acres. Increased density allowed
838 through the designation of rural receiving areas:

839 a. must be eligible to be served by domestic Group A public water service;

840 b. must be located within one-quarter mile of an existing predominant pattern
841 of rural lots smaller than five acres in size;

842 c. must not adversely impact regionally or locally significant resource areas or
843 critical areas;

844 d. must not require public services and facilities to be extended to create or
845 encourage a new pattern of smaller lots;

846 e. must not be located within rural forest focus areas; and

847 f. must not be located on Vashon Island or Maury Island.

848 B. Except as provided in this chapter, development of an unincorporated King
849 County receiving site shall remain subject to all zoning code provisions for the base zone,
850 except TDR receiving site developments shall comply with dimensional standards of the
851 zone with a base density most closely comparable to the total approved density of the
852 TDR receiving site development.

853 C. An unincorporated King County receiving site may accept development rights
854 from one or more sending sites, as follows:

855 1. For short subdivisions, up to the maximum density permitted under K.C.C.
856 21A.12.030 and 21A.12.040; and

857 2. For formal subdivisions, only as authorized in a subarea study that includes a
858 comprehensive analysis of the impacts of receiving development rights.

859 D. Property located within the outer boundaries of the Noise Remedy Areas as
860 identified by the Seattle-Tacoma International Airport may not accept development
861 rights.

862 E. Property located within the shoreline jurisdiction or located on Vashon Island
863 or Maury Island may not accept development rights.

864 SECTION 13. Ordinance 13733, Section 10, as amended, and K.C.C.

865 21A.37.110 are hereby amended to read as follows:

866 A. The TDR bank may purchase development rights from qualified sending sites
867 at prices not to exceed fair market value and to sell development rights at prices not less
868 than fair market value. The TDR bank may accept donations of development rights from
869 qualified TDR sending sites.

870 B. The TDR bank may purchase a conservation easement only if the property
871 subject to the conservation easement is qualified as a sending site as evidenced by a TDR
872 qualification report, the conservation easement restricts development of the sending site
873 in the manner required by K.C.C. 21A.37.060 and the development rights generated by
874 encumbering the sending site with the conservation easement are issued to the TDR bank
875 at no additional cost.

876 C. ~~((If a conservation easement is acquired through a county park, open space,~~
877 ~~trail, agricultural, forestry or other natural resource acquisition program for a property~~
878 ~~that is qualified as a TDR sending site as evidenced by a TDR qualification report, any~~
879 ~~development rights generated by encumbering the sending site with the conservation~~
880 ~~easement may be issued to the TDR bank so long as there is no additional cost for the~~

881 ~~development rights.))~~ Any development rights, generated by encumbering property with
882 a conservation easement, may be issued to the TDR bank if:

883 1.a. The conservation easement is acquired through a county park, open space,
884 trail, agricultural, forestry or other natural resource acquisition program for a property
885 that is qualified as a TDR sending site as evidenced by a TDR qualification report; or

886 b. the property is acquired by the county with the intent of conveying the
887 property encumbered by a reserved conservation easement. The number of development
888 rights generated by this reserved conservation easement shall be determined by the TDR
889 qualification report; and

890 2. Under either subsection C.1.a. or b. of this section, there will be no additional
891 cost to the county for acquiring the development rights.

892 D. The TDR bank may use funds to facilitate development rights transfers.
893 These expenditures may include, but are not limited to, establishing and maintaining
894 internet web pages, marketing TDR receiving sites, procuring title reports and appraisals
895 and reimbursing the costs incurred by the department of natural resources and parks,
896 water and land resources division, or its successor, for administering the TDR bank fund
897 and executing development rights purchases and sales.

898 E. The TDR bank fund may be used to cover the cost of providing staff support
899 for identifying and qualifying sending and receiving sites, and the costs of providing staff
900 support for the TDR interagency review committee.

901 F. Upon approval of the TDR executive board, proceeds from the sale of TDR
902 bank development rights shall be available for acquisition of additional development
903 rights and as amenity funds to facilitate interlocal TDR agreements with cities in King

904 County and for projects in receiving areas located in urban unincorporated King County.
905 Amenity funds provided to a city from the sale of TDR bank development rights to that
906 city are limited to one-third of the proceeds from the sale.

907 SECTION 14. Ordinance 13733, Section 14, as amended, and K.C.C.
908 21A.37.150 are each hereby amended to read as follows:

909 A. Expenditures by the county for amenities to facilitate development rights sales
910 in cities shall be authorized by the TDR executive board during review of proposed
911 interlocal agreements, and should be roughly proportionate to the value and number of
912 development rights anticipated to be accepted in an incorporated receiving site pursuant
913 to the controlling interlocal agreement, ~~((or in the unincorporated urban area,))~~ in
914 accordance with K.C.C. 21A.37.040. Expenditures by the county to fund projects in
915 receiving areas located in urban unincorporated King County shall be authorized by the
916 TDR executive board and should be roughly proportionate to the value and number of
917 development rights accepted in the unincorporated urban area.

918 B. The county shall not expend funds on TDR amenities in a city before
919 execution of an interlocal agreement, except that:

920 1. The executive board may authorize up to twelve thousand dollars be spent by
921 the county on TDR amenities before a development rights transfer for use at a receiving
922 site or for the execution of an interlocal agreement if the TDR executive board
923 recommends that the funds be spent based on a finding that the expenditure will expedite
924 a proposed transfer of development rights or facilitate acceptance of a proposed transfer
925 of development rights by the community around a proposed or established receiving site
926 area;

927 2. King County may distribute the funds directly to a city if a scope of work,
928 schedule and budget governing the use of the funds is mutually agreed to in writing by
929 King County and the affected city. Such an agreement need not be in the form of an
930 interlocal agreement; and

931 3. The funds may be used for project design renderings, engineering or other
932 professional services performed by persons or entities selected from the King County
933 approved architecture and engineering roster maintained by the department of finance or
934 an affected city's approved architecture and engineering roster, or selected by an affected
935 city through its procurements processes consistent with state law and city ordinances.

936 C. TDR amenities may include the acquisition, design or construction of public
937 art, cultural and community facilities, parks, open space, trails, roads, parking,
938 landscaping, sidewalks, other streetscape improvements, transit-related improvements or
939 other improvements or programs that facilitate increased densities on or near receiving
940 sites.

941 D. When King County funds amenities in whole or in part, the funding shall not
942 commit the county to funding any additional amenities or improvements to existing or
943 uncompleted amenities.

944 E. King County funding of amenities shall not exceed appropriations adopted by
945 the council or funding authorized in interlocal agreements, whichever is less.

946 F. Public transportation amenities shall enhance the transportation system. These
947 amenities may include capital improvements such as passenger and layover facilities, if
948 the improvements are within a designated receiving area or within one thousand five
949 hundred feet of a receiving site. These amenities may also include programs such as the

950 provision of security at passenger and layover facilities and programs that reduce the use
951 of single occupant vehicles, including car sharing and bus pass programs.

952 G. Road fund amenities shall enhance the transportation system. These amenities
953 may include capital improvements, such as streets, traffic signals, sidewalks, street
954 landscaping, bicycle lanes and pedestrian overpasses, if the improvements are within a
955 designated receiving site area or within one thousand five hundred feet of a receiving site.
956 These amenities may also include programs that enhance the transportation system.

957 H. All amenity funding provided by King County to cities or to urban
958 unincorporated receiving areas to facilitate the transfer of development rights shall be
959 consistent with federal, state and local laws.

960 I. The timing and amounts of funds for amenities paid by King County to each
961 participating city shall be determined in an adopted interlocal agreement. The interlocal
962 agreement shall set forth the amount of funding to be provided by the county, an
963 anticipated scope of work, work schedule and budget governing the use of the amenity
964 funds. Except for the amount of funding to be provided by the county, these terms may
965 be modified by written agreement between King County and the city. Such an agreement
966 need not be in the form of an interlocal agreement. Such an agreement must be
967 authorized by the TDR executive board. If amenity funds are paid to a city to operate a
968 program, the interlocal agreement shall set the period during which the program is to be
969 funded by King County.

970 J. A city that receives amenity funds from the county is responsible for using the
971 funds for the purposes and according to the terms of the governing interlocal agreement.

972 K. To facilitate timely implementation of capital improvements or programs at
973 the lowest possible cost, King County may make amenity payments as authorized in an
974 interlocal agreement to a city before completion of the required improvements or
975 implementation programs, as applicable. If all or part of the required improvements or
976 implementation programs in an interlocal agreement to be paid for from King County
977 funds are not completed by a city within five years from the date of the transfer of
978 amenity funds, then, unless the funds have been used for substitute amenities by
979 agreement of the city and King County, those funds, plus interest, shall be returned to
980 King County and deposited into the originating amenity fund for reallocation to other
981 TDR projects.

982 L. King County is not responsible for maintenance, operating and replacement
983 costs associated with amenity capital improvements inside cities, unless expressly agreed
984 to in an interlocal agreement.

985 SECTION 15. Ordinance 7889, Section 4, as amended, and K.C.C. 26.08.010 are
986 each hereby repealed.

987 SECTION 16. Severability. If any provision of this ordinance its application to

988 any person or circumstance is held invalid, the remainder of the ordinance or the
989 application of the provision other persons or circumstances is not affected.
990

Ordinance 18427 was introduced on 3/7/2016 and passed as amended by the
Metropolitan King County Council on 12/5/2016, by the following vote:

Yes: 8 - Mr. von Reichbauer, Ms. Lambert, Mr. Dunn, Mr.
McDermott, Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles and
Ms. Balducci
No: 0
Excused: 1 - Mr. Gossett

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

J. Joseph McDermott, Chair

ATTEST:

Anne Noris, Clerk of the Council

APPROVED this ____ day of _____, _____.

Dow Constantine, County Executive

Attachments: A. King County Comprehensive Plan-2016 Update, 12/5/16, B. Land Use and Zoning
Amendments, 12/5/16, C. Tech App A Capital Facilities 11/22/16, D. Tech App B Housing, 11/22/16, E.
Tech App C Transportation, 11/22/16, F. Tech App C1 2016 Transportation Needs Report, 11/22/16, H.
Tech App D Growth Targets and the Urban Growth Area, 11/22/16, I. Tech App R Public Outreach,
11/22/16, G. Tech App C2 Regional Trails Needs Report, 11/22/16, K. Addendum to Vashon Town

Plan