



# KING COUNTY

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

## Signature Report

### Ordinance 19146

**Proposed No.** 2019-0413.2

**Sponsors** Upthegrove and Dembowski

1 AN ORDINANCE relating to comprehensive planning and  
2 development regulations; amending Ordinance 12075,  
3 Section 3, as amended, and K.C.C. 2.16.025, Ordinance  
4 11955, Section 5, as amended, and K.C.C. 2.16.055,  
5 Ordinance 263, Article 2, Section 1, as amended, and  
6 K.C.C. 20.12.010, Ordinance 11653, Section 6, as  
7 amended, and K.C.C. 20.12.017, Ordinance 10810, Section  
8 1, as amended, and K.C.C. 20.12.100, Ordinance 11166,  
9 Section 2, as amended, and K.C.C. 20.12.337, Ordinance  
10 13147, Section 19, as amended, and K.C.C. 20.18.030,  
11 Ordinance 13147, Section 21, as amended, and K.C.C.  
12 20.18.050, Ordinance 114047, Section 4, and K.C.C.  
13 20.18.055, Ordinance 13147, Section 22, as amended, and  
14 K.C.C. 20.18.060, Ordinance 13147, Section 23, as  
15 amended, and K.C.C. 20.18.070, Ordinance 12196, Section  
16 9, as amended, and K.C.C. 20.20.020, Ordinance 13147,  
17 Section 34, as amended, and K.C.C. 20.22.170, Ordinance  
18 10870, Section 5, as amended, and K.C.C. 21A.01.070,  
19 Ordinance 10870, Section 21, and K.C.C. 21A.02.110,

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20 Ordinance 10870, Section 22, as amended, and K.C.C.  
21 21A.04.010, Ordinance 10870, Section 23, and K.C.C.  
22 21A.04.020, Ordinance 10870, Section 28, as amended,  
23 and K.C.C. 21A.04.070, Ordinance 10870, Section 35, and  
24 K.C.C. 21A.04.140, Ordinance 10870, Section 36, as  
25 amended, and K.C.C. 21A.04.150, Ordinance 10870,  
26 Section 37, as amended, and K.C.C. 21A.04.160,  
27 Ordinance 10870, Section 38, as amended, and K.C.C.  
28 21A.04.170, Ordinance 10870, Section 39, and K.C.C.  
29 21A.04.180, Ordinance 10870, Section 42, and K.C.C.  
30 21A.06.010, Ordinance 10870, Section 43, as amended and  
31 K.C.C. 21A.06.015, Ordinance 10870, Section 44, as  
32 amended and K.C.C. 21A.06.020, Ordinance 10870,  
33 Section 45, as amended and K.C.C. 21A.06.025, Ordinance  
34 11157, Section 29, and K.C.C. 21A.06.150, Ordinance  
35 13319, Section 3, and K.C.C. 21A.06.197, Ordinance  
36 10870, Section 201, and K.C.C. 21A.06.805, Ordinance  
37 10870, Section 310, and K.C.C. 21A.06.1350, Ordinance  
38 10870, Section 315, and K.C.C. 21A.06.1375, Ordinance  
39 10870, Section 330, as amended, and K.C.C. 21A.08.030,  
40 Ordinance 10870, Section 333, as amended, and K.C.C.  
41 21A.08.060, Ordinance 10870, Section 334, as amended,  
42 and K.C.C. 21A.08.070, Ordinance 10870, Section 336, as

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43 amended, and K.C.C. 21A.08.090, Ordinance 10870,  
44 Section 337, as amended, and K.C.C. 21A.08.100,  
45 Ordinance 10870, Section 522 and K.C.C. 21A.28.120,  
46 Ordinance 10870, Section 340, as amended, and K.C.C.  
47 21A.12.030, Ordinance 16267, Section 30, and K.C.C.  
48 21A.12.250, Ordinance 15032, Section 18, and K.C.C.  
49 21A.14.025, Ordinance 10870, Section 407, as amended,  
50 and K.C.C. 21A.18.030, Ordinance 10870, Section 413, as  
51 amended, and K.C.C. 21A.18.090, Ordinance 10870,  
52 Section 435, and K.C.C. 21A.20.150, Ordinance 10870,  
53 Section 439, as amended, and K.C.C. 21A.22.010,  
54 Ordinance 10870, Section 440, as amended, and K.C.C.  
55 21A.22.020, Ordinance 10870, Section 441, and K.C.C.  
56 21A.22.030, Ordinance 15032, Section 26, as amended,  
57 and K.C.C. 21A.22.035, Ordinance 10870, Section 442, as  
58 amended, and K.C.C. 21A.22.040, Ordinance 10870,  
59 Section 443, as amended, and K.C.C. 21A.22.050,  
60 Ordinance 10870, Section 444, as amended, and K.C.C.  
61 21A.22.060, Ordinance 10870, Section 445, as amended,  
62 and K.C.C. 21A.22.070, Ordinance 1488, Section 12, as  
63 amended, and K.C.C. 21A.22.081, Ordinance 15032,  
64 Section 34, and K.C.C. 21A.22.085, Ordinance 17539,  
65 Section 47, and K.C.C. 21A.24.072, Ordinance 10870,

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66 Section 478, as amended, and K.C.C. 21A.24.310,  
67 Ordinance 15051, Section 179, as amended, and K.C.C.  
68 21A.24.316, Ordinance 15051, Section 185, as amended,  
69 and K.C.C. 21A.24.325, Ordinance 3688, Section 303, as  
70 amended, and K.C.C. 21A.25.050, Ordinance 10870,  
71 Section 539, as amended, and K.C.C. 21A.32.020,  
72 Ordinance 13274, Section 1, as amended, and K.C.C.  
73 21A.37.010, Ordinance 13274, Section 4, as amended, and  
74 K.C.C. 21A.37.020, Ordinance 13274, Section 6, as  
75 amended, and K.C.C. 21A.37.040, Ordinance 13274,  
76 Section 7, as amended, and K.C.C. 21A.37.070, Ordinance  
77 13733, Section 8, as amended, and K.C.C. 21A.37.100,  
78 Ordinance 13733, Section 10, as amended, and K.C.C.  
79 21A.37.110, Ordinance 13733, Section 12, as amended,  
80 and K.C.C. 21A.37.130, Ordinance 10870, Section 577, as  
81 amended, and K.C.C. 21A.38.040, Ordinance 10870,  
82 Section 578, as amended, and K.C.C. 21A.38.050,  
83 Ordinance 17485, Section 43, as amended, and K.C.C.  
84 21A.38.260, Ordinance 12627, Section 1, and K.C.C.  
85 21A.55.010, Ordinance 12627, Section 2, as amended, and  
86 K.C.C. 21A.55.020, Ordinance 12627, Section 3, and  
87 K.C.C. 21A.55.030, Ordinance 13332, Section 33, as  
88 amended, and K.C.C. 27.10.180 and Ordinance 10810,

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89 Section 1, as amended, and K.C.C. 20.12.100, adding new  
90 sections to K.C.C. chapter 21A.06, adding new sections to  
91 K.C.C. chapter 21A.38, adding a new section to K.C.C.  
92 chapter 4.56, adding a new chapter to K.C.C. Title 21A,  
93 recodifying K.C.C. 21A.06.150 and K.C.C. 20.12.100 and  
94 repealing Ordinance 10870, Section 580, as amended, and  
95 K.C.C. 21A.38.070, Ordinance 12171, Section 7, and  
96 K.C.C. 21A.38.110, Ordinance 12823, Section 9, and  
97 K.C.C. 21A.38.140 and Ordinance 12823, Section 19, as  
98 amended, and K.C.C. 21A.38.240.

99 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

100 **SECTION 1. Findings:**

101 A. Ordinance 18810 adopted the 2018 update to the 2016 King County  
102 Comprehensive Plan. The 2018 update included a restructure of the county's  
103 comprehensive planning process, including shifting from a four-year to an eight-year  
104 update schedule to match the Growth Management Act ("the GMA") mandated review  
105 and update schedule and modifications to the subarea planning program established in the  
106 2016 King County Comprehensive Plan. Ordinance 18810 also authorized adoption of a  
107 limited "midpoint" update to the 2016 King County Comprehensive Plan in 2020.

108 B. Motion 15329 adopted the scope of work for the 2020 update to the 2016 King  
109 County Comprehensive Plan. The scope of work required development of text and policy  
110 proposals, area zoning and land use proposals, code studies and reports that could be

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111 included in the 2020 update. The scope of work also included the public outreach plan  
112 and State Environmental Policy Act process for the 2020 update.

113 C. As part of the 2020 update, modifications to the urban growth area boundary  
114 are included. One change expands the urban growth area boundary adjacent to the city of  
115 Woodinville to allow the city to annex a right-of-way. Another change expands the  
116 urban growth area boundary adjacent to the city of Maple Valley to allow the city to  
117 annex existing utility tracts. Both of these changes facilitate the provision of urban  
118 services and are authorized by K.C.C. 20.18.130. The third change removes three parcels  
119 from the urban growth area. This redesignation to rural land outside the urban growth  
120 area is consistent with countywide planning policy DP-18 and as authorized by K.C.C.  
121 20.18.130.

122 D. The adopted policies and development regulations for fossil fuels and fossil  
123 fuel facilities address the health, safety and environmental risks of these uses. The  
124 policies and regulations also recognize the impacts of coal mining to air and water  
125 quality, and as such, prohibit the development of new or expanded coal mines.

126 E. The operation of fossil fuel facilities carries risk of explosion, leaks, spills and  
127 pollution of air and water. Burning of fossil fuels is a major source of environmental  
128 pollution and carbon dioxide contributing to climate change in King County. King  
129 County has responsibility for upholding the public health, safety and welfare of all  
130 residents while mitigating and preparing for natural and human-caused disasters,  
131 protecting and preserving natural systems and supporting economic development.  
132 According to the Impacts of Climate Change on Human Health in the United States  
133 report prepared by the United States Global Climate Change Program, health impacts

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134 from smoke and air pollution and heat-related illnesses can lead to grave health  
135 conditions, especially for vulnerable populations including children, seniors, and people  
136 with pre-existing health conditions such as asthma. The policies and development  
137 regulations place limits on the development and operation of fossil fuel facilities in order  
138 to address those impacts to the residents of King County.

139 F. The policies and regulations related to sea level rise address health and safety  
140 risks from the impacts of sea level rise to structures and facilities on Vashon-Maury  
141 Island.

142 G. The last statutory update required by RCW 36.70A.130(4)(a) was met with the  
143 2012 King County Comprehensive Plan that was adopted by Ordinance 17485.  
144 Engrossed Substitute House Bill 2342, passed by the legislature and signed into law as  
145 Chapter 113, Laws of Washington 2020, by the governor as a result of 2020 legislative  
146 session, modified the schedule for the GMA-mandated updates to Comprehensive Plans.  
147 As a result, RCW 36.70A.130(5)(a) requires King County and the cities within King  
148 County to complete a review of their comprehensive plans on or before June 30, 2024,  
149 and every eight years thereafter. This 2020 update does not serve as the statutory update  
150 required by RCW 36.70A.130.

151 H. The GMA and the King County Code generally allow the adoption of  
152 comprehensive plan updates only once per year. The amendments to policies and text in  
153 to this ordinance constitute the 2020 update to the 2016 King County Comprehensive  
154 Plan. The GMA requires that King County adopt development regulations to be  
155 consistent with and implement the Comprehensive Plan. The changes to development  
156 regulations in this ordinance are needed to maintain conformity with the King County

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157 Comprehensive Plan. They bear a substantial relationship to, are necessary for, the  
158 public health, safety and general welfare of King County and its residents.

159 I. The 2020 update to the 2016 King County Comprehensive Plan is the first  
160 "midpoint" update under the county's restructured comprehensive planning process. As  
161 the county developed the 2020 update, and partly because of the reduced timeframe to  
162 complete this update, some topics identified in the scope of work were not completed,  
163 and it became clear that modifications to what can be included as part of a midpoint  
164 update were necessary. To address these identified issues, the 2020 update includes  
165 substantive changes made to the Workplan Action items. These substantive changes  
166 modify existing Workplan Action items or establish new Workplan Action items. Future  
167 midpoint updates will be allowed to modify or add Workplan Action items.

168 J. The Shoreline Management Act requires King County to develop and  
169 administer a shoreline master program. Ordinance 16985 and Ordinance 17485 adopted  
170 a comprehensive update of King County's shoreline master program as required by RCW  
171 90.58.080(2). Ordinance 19034 adopted a periodic review of King County's shoreline  
172 master program as required by RCW 90.58.080(4).

173 K. The changes included in this ordinance for the shoreline master program  
174 constitute a locally initiated amendment allowed under WAC 173-26-090. Changes  
175 include updating the list of lakes and streams subject to the shoreline master program and  
176 modifying or adding shoreline environment designation to properties. These changes are  
177 required to be approved by the Washington state Department of Ecology before they  
178 become effective.

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179 L. The 2016 King County Comprehensive Plan launched a Community Service  
180 Areas subarea planning program. Community Service Area ("CSA") subarea plans are  
181 expected to be created for the six rural CSAs and for the five remaining large urban  
182 unincorporated potential annexation areas. The CSA subarea planning program  
183 recognizes the county's role as a local service provider in the unincorporated area,  
184 including for localized long-range planning. Many areas of unincorporated King County  
185 have not had subarea planning since the 1990s or earlier. The CSA subarea planning  
186 program as restructured in the 2018 update and refined in the 2020 update will provide  
187 improved coordination, accountability and service delivery in the area of long-range  
188 planning for unincorporated areas of King County.

189 M. The scope of work for the 2020 update included a requirement that the  
190 changes included in the 2020 update be evaluated using the county's fair and just  
191 principle adopted in K.C.C. chapter 2.10. Fourteen determinants of equity are included  
192 as the conditions that lead to the creation of a fair and just society in King County. The  
193 county's office of equity and social justice has created an equity impact review tool that is  
194 both a process and a tool to identify, evaluate and communicate the potential impacts of a  
195 policy or program on equity.

196 N. As part of the 2020 update, this ordinance adopts the Skyway-West Hill Land  
197 Use Strategy, Phase 1 of the Skyway-West Hill Subarea Plan. Initially the Strategy was  
198 drafted as a CSA subarea plan. However, the equity impact analysis completed for the  
199 Strategy identified potential equity impacts of the plan as drafted. Further, the focus of  
200 the Strategy on land use did not fully reflect the community's priorities and would not  
201 implement the community's vision and guiding principles. As a result, the Strategy is

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202 adopted as an interim measure while the CSA subarea plan is developed by the county  
203 consistent with the refinements in the 2020 update to improve coordination,  
204 accountability and service delivery to unincorporated King County.

205 O. The Skyway-West Hill CSA subarea plan, and all future CSA subarea plans,  
206 will be developed based on an established scope of work, use of equity impact tools and  
207 resources, more robust community engagement, and will be monitored through  
208 performance measures and evaluation.

209 SECTION 2. A.1. Attachments A, B, C, D, E, F, G, H and I to this ordinance are  
210 adopted as amendments to the 2016 King County Comprehensive Plan, as adopted in  
211 Ordinance 18472 and its attachments and as amended by Ordinance 18623 and Ordinance  
212 18810.

213 2. Attachment J to this ordinance is adopted as an amendment to the 2012 King  
214 County Comprehensive Plan, as adopted in Ordinance 17485.

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

218 C. The elements of the King County Shoreline Master Program in sections 68,  
219 69, 70 and 71 of this ordinance, in King County Comprehensive Plan chapter six of  
220 Attachment A to this ordinance, and in Attachments E and H to this ordinance are hereby  
221 amended to read as set forth in this ordinance and are incorporated herein by this  
222 reference.

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223 D. The Skyway-West Hill Land Use Strategy, Phase 1 of the Skyway-West Hill  
224 Subarea Plan in Attachments F and G to this ordinance, is hereby adopted as an  
225 amendment to and an element of the 2016 King County Comprehensive Plan.

226 E. The land use and zoning amendments in sections 82, 83, 84, 85 and 90 of this  
227 ordinance and Attachment D to this ordinance are hereby adopted as amendments to  
228 Appendix A to Ordinance 12824, as amended, and as the official land use and zoning  
229 controls for those portions of unincorporated King County defined in those sections of  
230 this ordinance and attachments to this ordinance.

231 F. The King County department of local services, permitting division, shall  
232 update the geographic information system data layers accordingly to reflect adoption of  
233 this ordinance.

234 SECTION 3. Ordinance 12075, Section 3, as amended, and K.C.C. 2.16.025, are  
235 hereby amended to read as follows:

236 A. The county executive shall manage and be fiscally accountable for the office  
237 of performance, strategy and budget and the office of labor relations.

238 B. The office of performance, strategy and budget functions and responsibilities  
239 shall include, but not be limited to:

240 1. Planning, preparing and managing, with emphasis on fiscal management and  
241 control aspects, the annual operating and capital project budgets;

242 2. Preparing forecasts of and monitor revenues;

243 3. Monitoring expenditures and work programs in accordance with Section 475  
244 of the King County Charter;

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- 245           4. Developing and preparing expenditure plans and ordinances to manage the  
246 implementation of the operating and capital project budgets throughout the fiscal period;
- 247           5. Formulating and implementing financial policies regarding revenues and  
248 expenditures for the county and other applicable agencies;
- 249           6. Performing program analysis, and contract and performance evaluation  
250 review;
- 251           7. Developing and transmitting to the council, concurrent with the biennial  
252 proposed budget, supporting materials consistent with K.C.C. chapter 4A.100;
- 253           8. Performance management and accountability:
- 254           a. providing leadership and coordination of the performance management and  
255 accountability system countywide;
- 256           b. overseeing the development of strategic plans and business plans for each  
257 executive branch department and office;
- 258           c. providing technical assistance on the development of strategic plans and  
259 business plans for agencies;
- 260           d. developing and using community-level indicators and agency performance  
261 measures to monitor and evaluate the effectiveness and efficiency of county agencies;
- 262           e. overseeing the production of an annual performance report for the executive  
263 branch;
- 264           f. coordinating performance review process of executive branch departments  
265 and offices;

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266 g. collecting and analyzing land development, population, housing, natural  
267 resource enhancement, transportation and economic activity data to aid decision making  
268 and to support implementation of county plans and programs, including benchmarks;

269 h. leading public engagement and working in support of county performance  
270 management, budget and strategic planning; and

271 i. developing and transmitting to the council a biennial report on April 30 in  
272 odd-numbered years about the benefits achieved from technology projects. The report  
273 shall include information about the benefits obtained from completed projects and a  
274 comparison with benefits that were projected during different stages of the project. The  
275 report shall also include a description of the expected benefits from those projects not yet  
276 completed. The report shall be approved by the council by motion. The report and  
277 motion shall be filed in the form of a paper original and an electronic copy with the clerk  
278 of the council, who shall retain the original and provide an electronic copy to all  
279 councilmembers;

280 9. Strategic planning and interagency coordination:

281 a. coordinating and staffing executive initiatives across departments and  
282 agencies;

283 b. facilitating interdepartmental, interagency and interbranch teams on  
284 multidisciplinary issues;

285 c. negotiating interlocal agreements as designated by the executive; and

286 d. serving as the liaison to the boundary review board for King County;

287 10. Business relations and economic development:

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288 a. developing proposed policies to address regional, unincorporated urban, and  
289 rural economic development;

290 b. establishing, fostering and maintaining healthy relations with business and  
291 industry;

292 c. implementing strategies and developing opportunities that include partnering  
293 with, cities, the Port of Seattle and other economic entities on regional and subregional  
294 economic development projects;

295 d. developing and implementing strategies to promote economic revitalization  
296 and equitable development in urban unincorporated areas including the possible assembly  
297 of property for the purpose of redevelopment;

298 e. refining and implementing strategies in the county's rural economic  
299 strategies to preserve and enhance the rural economic base so that the rural area can be a  
300 place to both live and work; and

301 f. assisting communities and businesses in creating economic opportunities,  
302 promoting a diversified economy and promoting job creation with the emphasis on  
303 family-wage jobs;

304 11. Continuous improvement:

305 a. leading, coordinating and implementing a program of continuous  
306 improvement, including the provision of leadership development, transformational  
307 improvement and capacity building in Lean thinking; and

308 b. providing annual reports to the council on the implementation of the  
309 continuous improvement program, including but not limited to a description of the

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310 number of people and agencies that have received training, the processes changed as a  
311 result of Lean implementation and the budget and other impacts of these changes; and

312 12. Regional planning:

313 a. coordinating the county's participation in multicounty planning at the Puget  
314 Sound Regional Council, including serving on the Puget Sound Regional Council's  
315 regional staff committee;

316 b. coordinating countywide planning at the Growth Management Planning  
317 Council consistent with the Washington state Growth Management Act, including  
318 leading the Growth Management Planning Council's interjurisdictional staff team in  
319 accordance with the interlocal agreement authorized by King County Motion 8495;

320 c. managing updates to the county's Comprehensive Plan in coordination with  
321 the department of local services(~~(, permitting division,)~~) in accordance with K.C.C. Title  
322 20;

323 d. coordinating the development of demographic and growth forecasting data  
324 and information including census data, growth targets and buildable lands;

325 e. facilitating annexations and joint planning with cities, including developing  
326 annexation proposals, drafting interlocal agreements, and serving as the liaison to the  
327 boundary review board for King County; and

328 f. coleading with the department of local services, permitting division, an  
329 interbranch regional planning team that supports the council and executive through the  
330 provision of information and data, development of policy proposals and options for  
331 regional issues related to growth management, economic development and transportation.

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332 Participation in the interbranch regional planning team shall include executive,  
333 department and council staff as designated by the respective branches.

334 C. The office of labor relations functions and responsibilities shall include, but  
335 not be limited to:

336 1. Representing county agencies in the collective bargaining process as required  
337 by chapter 41.56 RCW;

338 2. Developing and maintaining databases of information relevant to the  
339 collective bargaining process;

340 3. Representing county agencies in labor arbitrations, appeals, and hearings  
341 including those in chapter 41.56 RCW and required by K.C.C. Title 3, in collaboration  
342 with the department of human resources;

343 4. Administering labor contracts and providing consultation to county agencies  
344 regarding the terms and implementation of negotiated labor agreements, in collaboration  
345 with the department of human resources;

346 5. Advising the executive and council on overall county labor policies; and

347 6. Providing resources for labor relations training for county agencies, the  
348 executive, the council and others, in collaboration with the department of human  
349 resources.

350 D.1. The county council hereby delegates to the executive or the executive's  
351 designee authority to request a hearing before the Washington state Liquor and Cannabis  
352 Board and make written recommendations and objections regarding applications relating  
353 to:

354 a. liquor licenses under chapter 66.20 RCW; and

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355           b. licenses for marijuana producers, processors or retailers under chapter 69.50  
356 RCW.

357           2. Before making a recommendation under subsection D.1. of this section, the  
358 executive or designee shall solicit comments from county departments and agencies,  
359 including, but not limited to, the department of local services, public health - Seattle &  
360 King County, the sheriff's office and the prosecuting attorney's office.

361           3. For each application reviewed under subsection D.1.b. of this section, the  
362 executive shall transmit to the county council a copy of the application received with the  
363 applicant's name and proposed license application location, a copy of all comments  
364 received under subsection D.2. of this section and the executive's recommendation to the  
365 Washington state Liquor and Cannabis board.

366           E. The executive may assign or delegate budgeting, performance management  
367 and accountability, economic development and strategic planning and interagency  
368 coordination functions to employees in the office of the executive but shall not assign or  
369 delegate those functions to any departments.

370           SECTION 4. Ordinance 11955, Section 5, as amended, and K.C.C. 2.16.055, are  
371 hereby amended to read as follows:

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

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

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

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

386           a. improving the coordination of local services by county agencies through  
387 increased collaboration;

388           b. strengthening partnerships between the county, communities and other  
389 entities;

390           c. improving the delivery, responsiveness and quality of local services to the  
391 people, businesses and communities of unincorporated King County through unified  
392 accountability;

393           d. improving local services through robust employee engagement while  
394 embracing equity and social justice and continuous improvement;

395           e. strengthening unincorporated communities by supporting local planning and  
396 community initiatives; and

397           f. pursuing innovative funding strategies.

398           B.1. The department shall also manage the development and implementation of  
399 community service area subarea plans for the six rural community service area and five

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400 urban unincorporated potential annexation area geographies in coordination with the  
401 regional planning function in K.C.C. 2.16.025 and in accordance with the King County  
402 Comprehensive Plan and state Growth Management Act.

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

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

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

409 c. establish performance metrics and monitoring for implementation of the  
410 subarea plan;

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

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

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

425 f. include a review of policies specific to the subarea in the Comprehensive  
426 Plan and previously adopted subarea or community plans, and, where appropriate,  
427 transfer policies from those plans to the subarea plan;

428 g. review the land use designations and zoning classifications in the subarea  
429 geography, including all special district overlays and property-specific development  
430 conditions, and transmit map amendments necessary to implement land use and zoning  
431 updates and the vision and policies within the subarea plan; and

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

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

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

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

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446 2. Each community needs list shall:

447 a. be consistent with and implement the subarea plan described in subsection

448 B. of this section and other county plans;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

502 5. A community needs list shall be transmitted to the council for possible  
503 adoption via ordinance as follows:

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

506 b. concurrent with the executive's biennial budget transmittal:

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

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

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513 c. when identified by either the community service area work programs and  
514 associated community engagement outlined in subsection D. of this section or the  
515 services partnership agreements outlined in subsection E. of this section, or both.

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

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

530 ~~((The))~~ 2. A work program shall be developed for each ((community service  
531 area)) subarea geography described in subsection B. of this section and shall ((include  
532 input from the councilmember or councilmembers who represent that area. The work  
533 program shall include, but not be limited to,)):

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534 a. be consistent with and implement the applicable subarea plan as described in  
535 subsection B. of this section, the community needs list in subsection C. of this section and  
536 other county plans;

537 b. address the required elements in Ordinance 17139((;));

538 c. list potential action items for the area((;));

539 d. list known planning activities for the area((, and));

540 e. identify public meetings for the area;

541 f. include the current adopted community needs list as required in subsection  
542 C. of this section; and

543 g. establish an ongoing communications and community engagement plan  
544 using tools and resources developed by the office of equity and social justice, including,  
545 but not limited to, community engagement, language access and equity impact review  
546 tools. The county shall use, at minimum, the "County engages in dialogue" and "County  
547 and community work together" levels of engagement as outlined in the office of equity  
548 and social justice's Community Engagement Guide for the development, review,  
549 amendment, adoption and implementation of the community needs list; and

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

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

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

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

563           2. Service partnerships agreements shall:

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

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

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

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

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

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

578           (1) the desired outcomes for provision of each program, service or facility;

579 and

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

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

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

600           ~~((C:))~~ F. Until an ordinance that makes changes to the King County Code  
601 required in ((section 217)) Ordinance 18791, Section 217, is effective, the permitting  
602 division shall be considered the successor agency to the department of permitting and

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603 environmental review. Therefore, upon effectiveness of Ordinance 18791 and until an  
604 ordinance required by Ordinance 18791, ~~((s))~~Section 217, is effective, where the code  
605 states or intends a decision to be made or action to be implemented by the department of  
606 permitting and environmental review, those decisions or actions shall be performed by  
607 the permitting division.

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

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

612 b. ~~((managing the development and implementation of unincorporated subarea  
613 plans in coordination with the regional planning function in K.C.C. 2.16.025 and in  
614 accordance with the King County Comprehensive Plan and state Growth Management  
615 Act requirements;~~

616 e-)) participating on the interbranch regional planning team as specified in  
617 K.C.C. 2.16.025;

618 ~~((d-))~~ c. administering the state Environmental Policy Act and acting as lead  
619 agency, including making the threshold determinations, determining the amount of  
620 environmental impact and reasonable mitigation measures and coordinating with other  
621 departments and divisions in the preparation of county environmental documents or in  
622 response to environmental documents from other agencies;

623 ~~((e-))~~ d. effective processing and timely review of land development proposals,  
624 including zoning variance and reclassification, master drainage plans, variances from the  
625 surface water design manual and the King County road standards, critical area,

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626 subdivision, right-of-way use, urban planned development, clearing and grading,  
627 shoreline, special use and conditional use applications;

628           ~~((f.))~~ e. pursuing and resolving code violations, including preparing for  
629 administrative or legal actions, evaluating the department's success in obtaining  
630 compliance with King County rules and regulations and designing measures to improve  
631 compliance;

632           ~~((g.))~~ f. regulating the operation, maintenance and conduct of county-licensed  
633 businesses, except taxicab and for-hire drivers and vehicles; and

634           ~~((h.))~~ g. developing and implementing an inspection program to identify fire  
635 hazards and require conformance with K.C.C. Title 17, reviewing building plans and  
636 applications for compliance with K.C.C. Title 17 and conducting inspections, including  
637 inspections of new construction, for compliance with K.C.C. Title 17.

638           2. The permitting division manager shall be the:

639           a. county planning director;

640           b. zoning adjuster;

641           c. responsible official for purposes of administering the state Environmental  
642 Policy Act;

643           d. county building official; and

644           e. county fire marshal.

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

647           ~~((E.))~~ H. The road services division is responsible for designing, constructing,  
648 maintaining and operating a comprehensive system of roadways and other transportation

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649 facilities and services to support a variety of transportation modes for the safe and  
650 efficient movement of people and goods and delivery of services. The duties of the  
651 division shall include the following:

652           1. Designing, constructing and maintaining county roads, bridges and associated  
653 drainage facilities;

654           2. Designing, installing and maintaining county traffic signs, markings and  
655 signals;

656           3. Designing, installing and maintaining bicycle and pedestrian facilities;

657           4. Managing intergovernmental contracts or agreements for services related to  
658 road maintenance and construction and to other transportation programs supporting the  
659 transportation plan;

660           5. Inspecting utilities during construction and upon completion for compliance  
661 with standards and specifications; assuring that public facilities disturbed due to  
662 construction are restored;

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

667           7. Incorporating into the roads capital improvement program those projects  
668 identified in the transportation needs report, community plans, related functional plans  
669 and elsewhere consistent with the county's Comprehensive Plan;

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

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671           9. Preparing and administering multiyear roads maintenance and capital  
672 construction plans and periodic updates;

673           10. Administering the transportation concurrency and mitigation payment  
674 programs; and

675           11.a. Performing the duties of the office of the county road engineer, which is  
676 hereby established as an administrative office of the road services division. The office of  
677 the county road engineer shall be an office of record, supervised by the county road  
678 engineer hired in accordance with RCW 36.80.010 and reporting to the manager of the  
679 road services division. The office of the county road engineer shall be located within the  
680 corporate limits of the county seat.

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

684           c. The county executive may assign professional engineering duties of the  
685 county road engineer to someone other than the county road engineer, except as  
686 otherwise assigned by the King County Code, and only if the individual assigned those  
687 duties shall be qualified as required under RCW 36.80.020. The executive shall provide  
688 to the county council and the Washington state County Road Administration Board, in  
689 writing, those specific professional engineering duties not assigned to the county road  
690 engineer, the name and position of each person responsible for carrying out those  
691 assigned duties, the specific reporting and working relationships with the county road  
692 engineer and the duration for which those duties have been assigned.

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693            SECTION 5. Ordinance 263, Article 2, Section 1, as amended, and K.C.C.

694 20.12.010 are hereby amended to read as follows:

695            ~~((A.))~~ Under the King County Charter, the state Constitution and the Washington  
696 state Growth Management Act, chapter 36.70A RCW, King County adopted the 1994 King  
697 County Comprehensive Plan via Ordinance 11575 and declared it to be the Comprehensive  
698 Plan for King County until amended, repealed or superseded. The Comprehensive Plan has  
699 been reviewed and amended multiple times since its adoption in 1994. Amendments to the  
700 1994 Comprehensive Plan to-date are currently reflected in the 2016 King County  
701 Comprehensive Plan, as adopted in Ordinance 18427 and as amended by Ordinance 18623,  
702 Ordinance 18810 ~~((and))~~, Ordinance 19034 and this ordinance. The Comprehensive Plan  
703 shall be the principal planning document for the orderly physical development of the  
704 county and shall be used to guide subarea plans, functional plans, provision of public  
705 facilities and services, review of proposed incorporations and annexations, development  
706 regulations and land development decisions.

707            SECTION 6. Ordinance 11653, Section 6, as amended, and K.C.C. 20.12.017 are  
708 hereby amended to read as follows:

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

711            A. Ordinance 11653 adopts area zoning to implement the 1994 King County  
712 Comprehensive Plan pursuant to the Washington State Growth Management Act  
713 ~~((RCW))~~, chapter 36.760A RCW. Ordinance 11653 also converts existing zoning in  
714 unincorporated King County to the new zoning classifications in the 1993 Zoning Code,

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715 codified in Title 21A, pursuant to the area zoning conversion guidelines in K.C.C.

716 21A.01.070. The following are adopted as attachments to Ordinance 11653:

717 Appendix A: 1994 Zoning Atlas, dated November 1994, as amended December  
718 19, 1994.

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

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

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

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

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

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

725 Appendix H: Amendments to East Sammamish Community Plan P-Suffix  
726 Conditions.

727 Appendix I: Amendments to Snoqualmie Valley Community Plan P-Suffix  
728 Conditions.

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

730 Appendix K: Amendments to Tahoma/Raven Heights Community Plan P-Suffix  
731 Conditions.

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

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

734 Appendix N: Amendments to Resource Lands Community Plan P-Suffix  
735 Conditions.

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

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

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738 B. Area zoning adopted by Ordinance 11653, including potential zoning, is  
739 contained in Appendices A and O. Amendments to area-wide P-suffix conditions  
740 adopted as part of community plan area zoning are contained in Appendices B through N.  
741 Existing P-suffix conditions whether adopted through reclassifications or community  
742 plan area zoning are retained by Ordinance 11653 except as amended in Appendices B  
743 through N.

744 C. The department is hereby directed to correct the official zoning map in  
745 accordance with Appendices A through P of Ordinance 11653.

746 D. The 1995 area zoning amendments attached to Ordinance 12061 in Appendix  
747 A are adopted as the official zoning control for those portions of unincorporated King  
748 County defined therein.

749 E. Amendments to the 1994 King County Comprehensive Plan area zoning,  
750 Ordinance 11653 Appendices A through P, as contained in Attachment A to Ordinance  
751 12170 are hereby adopted to comply with the Decision and Order of the Central Puget  
752 Sound Growth Management Hearings Board in Vashon-Maury Island, et. al. v. King  
753 County, Case No. 95-3-0008.

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

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

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761 H. The Black Diamond Urban Growth Area Zoning Map attached to Ordinance  
762 12533 as Appendix B is adopted as the official zoning control for those portions of  
763 unincorporated King County defined therein. Existing p-suffix conditions whether  
764 adopted through reclassifications or area zoning are retained by Ordinance 12533.

765 I. The King County Zoning Atlas is amended to include the area shown in  
766 Appendix B as UR - Urban Reserve, one DU per 5 acres. Existing p-suffix conditions  
767 whether adopted through reclassifications or area zoning are retained by Ordinance  
768 12535. The language from Ordinance 12535, Section 1.D., shall be placed on the King  
769 County Zoning Atlas page #32 with a reference marker on the area affected by Ordinance  
770 12535.

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

774 K. The special district overlays, as designated on the map attached to Ordinance  
775 12809 in Appendix A, are hereby adopted pursuant to K.C.C. 21A.38.020 and  
776 21A.38.040.

777 L. The White Center Community Plan Area Zoning, as revised in the  
778 Attachments to Ordinance 11568, is the official zoning for those portions of White Center  
779 in unincorporated King ((€))County defined herein.

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

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

788           2. All ordinances adopting individual zone reclassifications effective (~~(prior to)~~)  
789 before February 2, 1995, including but not limited to Ordinances 43, 118, 148, 255, 633,  
790 1483, 1543, 1582, 1584, 1728, 1788, 2487, 2508, 2548, 2608, 2677, 2701, 2703, 2765,  
791 2781, 2840, 2884, 2940, 2958, 2965, 2997, 3239, 3262, 3313, 3360, 3424, 3494, 3496,  
792 3501, 3557, 3561, 3641, 3643, 3744, 3779, 3901, 3905, 3953, 3988, 4008, 4043, 4051,  
793 4053, 4082, 4094, 4137, 4289, 4290, 4418, 4560, 4589, 4703, 4706, 4764, 4767, 4867,  
794 4812, 4885, 4888, 4890, 4915, 4933, 4956, 4970, 4978, 5087, 5114, 5144, 5148, 5171,  
795 5184, 5242, 5346, 5353, 5378, 5453, 5663, 5664, 5689, 5744, 5752, 5755, 5765, 5854,  
796 5984, 5985, 5986, 6059, 6074, 6113, 6151, 6275, 6468, 6497, 6618, 6671, 6698, 6832,  
797 6885, 6916, 6966, 6993, 7008, 7087, 7115, 7207, 7328, 7375, 7382, 7396, 7583, 7653,  
798 7677, 7694, 7705, 7757, 7758, 7821, 7831, 7868, 7944, 7972, 8158, 8307, 8361, 8375,  
799 8427, 8452, 8465, 8571, 8573, 8603, 8718, 8733, 8786, 8796, 8825, 8858, 8863, 8865,  
800 8866, 9030, 9095, 9189, 9276, 9295, 9476, 9622, 9656, 9823, 9991, 10033, 10194,  
801 10287, 10419, 10598, 10668, 10781, 10813, 10970, 11024, 11025, 11271((~~;~~)) and 11651,  
802 are hereby repealed and p-suffix conditions are replaced by the property specific  
803 development standards as set forth in Appendix A to Ordinance 12824;

804           3. All ordinances establishing individual reclassifications effective after  
805 February 2, 1995, are hereby amended, as set forth in Appendix C to Ordinance 12824, to

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806 retain, repeal or amend the property specific development standards (p-suffix conditions)  
807 contained therein;

808           4. All ordinances adopting area zoning pursuant to Resolution 25789 or  
809 converted by Ordinance 11653 are repealed as set forth in subsection M.4.a. through n. of  
810 this section. All p-suffix conditions contained therein are repealed or replaced by  
811 adopting the property specific development standards as set forth in Appendix A to  
812 Ordinance 12824, the special district overlays as designated in Appendix B to Ordinance  
813 12824 or the special requirements as designated in Appendix A to Ordinance 12822.

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

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

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

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

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

824           f. The Revised Vashon Community Plan Area Zoning, attached to Ordinance  
825 7837 as Appendix B, as amended, is hereby repealed.

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

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

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

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

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

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

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

840 n. The West Hill Community Plan Area Zoning adopted in Ordinance  
841 ~~((11116))~~ 11166, as amended, is hereby repealed; and

842 5. All ordinances adopting area zoning pursuant to Title 21A and not converted  
843 by Ordinance 11653, including community or ~~((e))~~ Comprehensive ~~((p))~~ Plan area zoning  
844 and all subsequent amendments thereto, are amended as set forth in subsection M.5.a.  
845 through f. of this section All property specific development standards (p-suffix  
846 conditions) are retained, repealed, amended or replaced by the property specific  
847 development standards as set forth in Appendix A to Ordinance 12824, the special district  
848 overlays as designated in Appendix B to Ordinance 12824 or the special requirements as  
849 designated in Appendix A to Ordinance 12822.

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

853 b. All property specific development standards established in Ordinance  
854 11653, as amended, are hereby amended as set forth in Appendix E to Ordinance 12824.

855 c. All property specific development standards established in Attachment A to  
856 Ordinance 11747, as amended, are hereby amended as set forth in Appendix F.

857 d. All property specific development standards established in Ordinance  
858 12061, as amended, are hereby amended as set forth in Appendix G to Ordinance 12824.

859 e. All property specific development standards established in Ordinance  
860 12065, as amended, are hereby amended as set forth in K.C.C. 20.12.170.

861 f. All property specific development standards established in Attachment A to  
862 Ordinance 12170, as amended, are hereby amended as set forth in Appendix H.

863 SECTION 7. Ordinance 11166, Section 2, as amended, and K.C.C. 20.12.337 are  
864 hereby amended to read as follows:

865 ~~((A:))~~ The West Hill Community Plan, a bound and published document, as  
866 revised in the Attachments to Ordinance 11166, as supplemented by the Skyway-West Hill  
867 Land Use Strategy, Phase 1 of the Skyway-West Hill Subarea Plan, dated July 2020, is  
868 adopted as an ~~((amplification and augmentation))~~ element of the King County  
869 Comprehensive Plan ~~((for King County))~~ and, as such, constitutes official county policy for  
870 the geographic area of unincorporated King County defined ~~((therein))~~ in the plan and  
871 strategy. In the case of conflict between the West Hill Community Plan and the Skyway-

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872 West Hill Land Use Strategy, Phase 1 of the Skyway-West Hill Subarea Plan, the Skyway-  
873 West Hill Land Use Strategy, Phase 1 of the Skyway-West Hill Subarea Plan, controls.

874 SECTION 8. Ordinance 13147, Section 19, as amended, and K.C.C. 20.18.030  
875 are hereby amended to read as follows:

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

- 881 1. Emergencies;
- 882 2. An appeal of the plan filed with the Central Puget Sound Growth Management  
883 Hearings Board or with the court;
- 884 3. The initial adoption of a subarea plan, which may amend the urban growth area  
885 boundary only to redesignate land within a joint planning area;
- 886 4. An amendment of the capital facilities element of the Comprehensive Plan that  
887 occurs in conjunction with the adoption of the county budget under K.C.C. 4A.100.010; or
- 888 5. The adoption or amendment of a shoreline master program under chapter 90.58  
889 RCW.

890 B. Every year the Comprehensive Plan may be (~~(amended)~~) updated to address  
891 technical updates and corrections, to adopt community service area subarea plans and to  
892 consider amendments that do not require substantive changes to policy language or do not  
893 require changes to the urban growth area boundary, except as permitted in subsection B.9.  
894 and 11. of this section. The review may be referred to as the annual update. The

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895 Comprehensive Plan, including subarea plans, may be amended in the annual update only  
896 to consider the following:

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

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

921 14. Adoption of community service area subarea plans;

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

926 16. Amendments to the Comprehensive Plan Workplan~~((, only as part of the 2018  
927 subarea planning restructure adopted by this ordinance))~~ to change deadlines.

928 C. Every eighth year beginning in ~~((2023))~~ 2024, the county shall complete a  
929 comprehensive review of the Comprehensive Plan in order to update it as appropriate and  
930 to ensure continued compliance with the GMA. This review may provide for a cumulative  
931 analysis of the twenty-year plan based upon official population growth forecasts,  
932 benchmarks and other relevant data in order to consider substantive changes to ~~((policy  
933 language))~~ the Comprehensive Plan and changes to the urban growth area boundary. The  
934 comprehensive review shall begin one year in advance of the transmittal and may be  
935 referred to as the eight-year update. The urban growth area boundaries shall be reviewed in  
936 the context of the eight-year update and in accordance with countywide planning policy G-  
937 1 and RCW 36.70A.130.

938 D.1. ~~((If there is a scope of work adopted by motion to perform))~~ At the midpoint  
939 of the eight-year update process, a limited update to the Comprehensive Plan to address

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940 time-sensitive issues (~~(prior to)~~) before the next eight-year update, may be authorized by  
941 motion. The update may be referred to as the midpoint update. The midpoint update may  
942 include those substantive changes to the Comprehensive Plan and amendments to the urban  
943 growth area boundary (~~((may also be considered at the midpoint of the eight-year update~~  
944 ~~cycle. This update can include substantive changes and amendments as authorized by~~  
945 ~~motion may be referred to as the midpoint update))~~ that are identified in the scope of work.  
946 The midpoint update may also include additions or amendments to the Comprehensive Plan  
947 Workplan related to a topic identified in the scope of work.

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

954           3. If the executive proposes a midpoint update, the executive shall transmit to the  
955 council by the last business day in June two years before the midpoint year of the eight-  
956 year update (~~((eyele))~~) schedule a proposed motion specifying the scope of work for the  
957 midpoint update. The council shall have until September 15 of that year, to adopt a motion  
958 specifying the scope of work initiating a midpoint update, either as transmitted or amended,  
959 or as introduced or amended. If the motion is approved by September 15, the scope shall  
960 proceed as established by the approved motion. In the absence of council approval by  
961 September 15, the executive shall proceed to implement the scope as transmitted. If such  
962 a motion is adopted, the executive shall transmit a midpoint update by the last business day

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

965 4. Before initiation of the first eight-year update in ~~((2023))~~ 2024, substantive  
966 changes to the Comprehensive Plan and amendments to the urban growth area boundary  
967 may be considered. The amendments shall be considered in the 2020 Comprehensive Plan  
968 update and shall be subject to the midpoint update process and requirements. The  
969 executive shall transmit to the council by the first business day of January 2019 a proposed  
970 motion specifying the scope of work for the proposed ~~((amendments))~~ update consistent  
971 with K.C.C. 20.18.030.D.1. The council shall have until the last business day of February  
972 2019, to adopt the motion, either as transmitted or amended. In the absence of council  
973 approval by the last business day of February 2019, the executive shall proceed to  
974 implement the scope as proposed. If the motion is approved the last business day of  
975 February 2019, the scope shall proceed as established by the approved motion. The  
976 executive shall transmit to the council any proposed amendments for the 2020  
977 Comprehensive Plan update the by the last business day of September 2019. The council  
978 shall have until the last business day of ~~((June))~~ July 2020 to adopt the 2020  
979 Comprehensive Plan update.

980 E. The executive shall seek public comment on the Comprehensive Plan and any  
981 proposed Comprehensive Plan ~~((amendments))~~ update in accordance with the procedures in  
982 K.C.C. 20.18.160 before making a recommendation, which shall include publishing a  
983 public review draft of the proposed Comprehensive Plan ~~((amendments))~~ update, in  
984 addition to conducting the public review and comment procedures required by SEPA. The  
985 public shall be afforded at least one official opportunity to record public comment before

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986 the transmittal of a recommendation by the executive to the council. County-sponsored  
987 councils and commissions may submit written position statements that shall be considered  
988 by the executive before transmittal and by the council before adoption, if they are received  
989 in a timely manner. The executive's recommendations for changes to policies, text and  
990 maps shall include the elements listed in Comprehensive Plan policy I-207 and analysis of  
991 their financial costs and public benefits, any of which may be included in environmental  
992 review documents. Proposed amendments to the Comprehensive Plan shall be  
993 accompanied by any development regulations or amendments to development regulations,  
994 including area zoning, necessary to implement the proposed amendments.

995 SECTION 9. Ordinance 13147, Section 21, as amended, and K.C.C. 20.18.050  
996 are hereby amended to read as follows:

997 A. Site-specific land use map and shoreline master program map amendments are  
998 legislative actions that may be initiated by property owner application, by council motion  
999 or by executive proposal. All site-specific land use map and shoreline master program map  
1000 amendments must be evaluated by the hearing examiner before adoption by the council in  
1001 accordance with this chapter.

1002 1. If initiated by council motion, the motion shall refer the proposed site-specific  
1003 land use map or shoreline master program map amendment to the department of local  
1004 services, permitting division, review for preparation of a recommendation to the hearing  
1005 examiner. The motion shall also identify the resources and the work program required to  
1006 provide the same level of review accorded to applicant-initiated amendments. An analysis  
1007 of the motion's fiscal impact shall be provided to the council before adoption. If the

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1008 executive determines that additional funds are necessary to complete the work program, the  
1009 executive may transmit an ordinance requesting the appropriation of supplemental funds.

1010           2. If initiated by executive proposal, the proposal shall refer the proposed site-  
1011 specific land use map or shoreline master program map amendment to the department of  
1012 local services, permitting division, for preparation of a recommendation to the hearing  
1013 examiner.

1014           3. If initiated by property owner application, the property owner shall submit a  
1015 docket request for a site-specific land use map (~~(amendment)~~) or shoreline master program  
1016 map amendment to the department of local services, permitting division, for preparation of  
1017 a recommendation to the hearing examiner.

1018           B. A shoreline redesignation initiated by an applicant must include the following  
1019 information in addition to the requirements in this section:

- 1020           1. Applicant information, including signature, telephone number and address;  
1021           2. The applicant's interest in the property, such as owner, buyer or consultant; and  
1022           3. Property owner concurrence, including signature, telephone number and  
1023 address.

1024           C. All proposed site-specific land use map or shoreline master program map  
1025 amendments, whether initiated by property owner application, by council motion or by  
1026 executive proposal shall include the following:

- 1027           1. Name and address of the owner or owners of record;  
1028           2. Description of the proposed amendment;  
1029           3. Property description, including parcel number, property street address and  
1030 nearest cross street;

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1031 4. County assessor's map outlining the subject property; and

1032 5. Related or previous permit activity.

1033 D. Upon initiation of a site-specific land use map or shoreline master program map  
1034 amendment, an initial review conference shall be scheduled by the department of local  
1035 services, permitting division. The owner or owners of record of the property shall be  
1036 notified of and invited to attend the initial review conference. At the initial review  
1037 conference, the department of local services, permitting division, shall review the proposed  
1038 amendment's consistency with applicable county policies or regulatory enactments  
1039 including specific reference to Comprehensive Plan policies, countywide planning policies  
1040 and state Growth Management Act requirements. The proposed amendment will be  
1041 classified in accordance with K.C.C. 20.18.040 and the classification shall be provided at  
1042 the initial review conference or in writing to the owner or owners of record within thirty  
1043 days after the initial review conference.

1044 E. If a proposed site-specific land use map or shoreline master program map  
1045 amendment is initiated by property owner application, the property owner shall, following  
1046 the initial review conference, submit the completed application including an application fee  
1047 and an environmental checklist to the department of local services, permitting division, to  
1048 proceed with review of the proposed amendment.

1049 F. If a proposed site-specific land use map or shoreline master program map  
1050 amendment is initiated by council motion, following the initial review conference, the  
1051 council shall submit an environmental checklist to the department of local services,  
1052 permitting division, to proceed with review of the proposed amendment.

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1053 G. If a proposed site-specific land use map or shoreline master program map  
1054 amendment is initiated by executive proposal, following the initial review conference, the  
1055 executive shall submit an environmental checklist to the department of local services,  
1056 permitting division, to proceed with review of the proposed amendment.

1057 H. Following the submittal of the information required by subsection E., F. or G. of  
1058 this section, the department of local services, permitting division, shall submit a report  
1059 including an executive recommendation on the proposed amendment to the hearing  
1060 examiner within one hundred twenty days. The department of local services, permitting  
1061 division, shall provide notice of a public hearing and notice of threshold determination in  
1062 accordance with K.C.C. 20.20.060.F., G. and H. The hearing will be conducted by the  
1063 hearing examiner in accordance with K.C.C. 20.22.170. Following the public hearing, the  
1064 hearing examiner shall prepare a report and recommendation on the proposed amendment  
1065 in accordance with K.C.C. 20.22.170. A compilation of all completed reports will be  
1066 considered by the council in accordance with K.C.C. 20.18.070.

1067 I. A property-owner-initiated docket request for a site-specific land use map or  
1068 shoreline master program map amendment may be accompanied by an application for a  
1069 zone reclassification to implement the proposed amendment, in which case administrative  
1070 review of the two applications shall be consolidated to the extent practical consistent with  
1071 this chapter and K.C.C. chapter 20.20. The council's consideration of a site-specific land  
1072 use map or shoreline master program map amendment is a legislative decision that should  
1073 be determined before and separate from its consideration of a zone reclassification, which  
1074 is a quasi-judicial decision. If a zone reclassification is not proposed in conjunction with an  
1075 application for a site-specific land use map or shoreline master program map amendment

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1076 and the amendment is adopted, the property shall be given potential zoning. A zone  
1077 reclassification in accordance with K.C.C. 20.20.020 is required in order to implement the  
1078 potential zoning.

1079 J. Site-specific land use map or shoreline master program map amendments for  
1080 which a completed recommendation by the hearing examiner has been submitted to the  
1081 council by January 15 will be considered concurrently with the annual ~~((amendment))~~  
1082 update to the Comprehensive Plan. Site-specific land use map or shoreline master program  
1083 map amendments for which a recommendation has not been issued by the hearing  
1084 examiner by January 15 shall be included in the next ~~((appropriate review cycle))~~ update  
1085 following issuance of the examiner's recommendation.

1086 K.1. An amendment to a land use designation or shoreline environment designation  
1087 for a property may not be initiated unless at least three years have elapsed since council  
1088 adoption or review of the current designation for the property. This time limit may be  
1089 waived by the executive or the council if the proponent establishes that there exists either  
1090 an obvious technical error or a change in circumstances justifying the need for the  
1091 amendment.

1092 2. A waiver by the executive shall be considered after the proponent has  
1093 submitted a docket request in accordance with K.C.C. 20.18.140. The executive shall  
1094 render a waiver decision within forty-five days of receiving a docket request and shall mail  
1095 a copy of this decision to the proponent.

1096 3. A waiver by the council shall be considered by motion.

1097 L. A shoreline master program map amendment and redesignation must meet the  
1098 requirements of K.C.C. 20.18.056, 20.18.057 and 20.18.058 and the Washington state

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1099 Shoreline Master Program Guidelines, chapter 173-26 WAC. A shoreline master program  
1100 map amendment and redesignation must be approved by the Washington state Department  
1101 of Ecology.

1102 SECTION 10. Ordinance 114047, Section 4, and K.C.C. 20.18.055 are hereby  
1103 amended to read as follows:

1104 A. All site-specific land use map amendments, whether initiated by property  
1105 owner application, by council motion, or by executive proposal, shall be reviewed based  
1106 upon the requirements of Comprehensive Plan policy ((~~RP-307~~) I-207), and must meet  
1107 the following additional review standards:

1108 1. Consistency with the policies, objectives and goals of the Comprehensive Plan,  
1109 ((~~including any applicable subarea plans~~)), the countywide planning policies and the  
1110 state Growth Management Act;

1111 2. Compatibility with adjacent and nearby existing and permitted land uses; and

1112 3. Compatibility with the surrounding development pattern.

1113 B. Site-specific land use map amendments for which recommendations have been  
1114 issued by the hearing examiner by January 15 shall be submitted to the executive and the  
1115 council by the hearing examiner by January 15. The department will provide for a  
1116 cumulative analysis of these recommendations and such analysis will be included in the  
1117 annual March transmittal. All such amendments will be considered concurrently by the  
1118 council committee charged with the review of the ((~~e~~)Comprehensive ((~~p~~)Plan).

1119 Following this review, site-specific land use map amendments which are recommended by  
1120 this committee will be incorporated as an attachment to the adopting ordinance transmitted  
1121 by the executive for consideration by the full council. Final action by the council on these

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1122 amendments will occur concurrently with the annual ~~((amendment))~~ update to the  
1123 ~~((e))~~Comprehensive ~~((p))~~Plan.

1124 SECTION 11. Ordinance 13147, Section 22, as amended, and K.C.C. 20.18.060  
1125 are hereby amended to read as follows:

1126 A. Beginning in ~~((2024))~~ 2022, and every eighth year thereafter the executive shall  
1127 transmit to the council by the last business day of June a proposed motion specifying the  
1128 scope of work for the proposed ~~((amendments))~~ update to the Comprehensive Plan that will  
1129 occur in the following year, which motion shall include the following:

1130 1. Topical areas relating to amendments to policies, the land use map,  
1131 implementing development regulations, or any combination of those amendments that the  
1132 executive intends to consider for recommendation to the council; and

1133 2. An attachment to the motion advising the council of the work program the  
1134 executive intends to follow to accomplish ~~((s))~~State Environmental Policy Act review and  
1135 public participation.

1136 B. The council shall have until September 15 to approve the motion. In the  
1137 absence of council approval, the executive shall proceed to implement the work program as  
1138 proposed. If the motion is approved, the work program shall proceed as established by the  
1139 approved motion.

1140 C. Beginning in ~~((2022))~~ 2023 and every eighth year thereafter, the executive shall  
1141 transmit to the council by the last business day of June a proposed ordinance ~~((amending))~~  
1142 updating the Comprehensive Plan, except that the capital improvement program and the  
1143 ordinances adopting updates to the transportation needs report and the school capital  
1144 facility plans shall be transmitted no later than the biennial budget transmittal and shall be

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1145 adopted in conjunction with the budget. However, in those years when there is only a  
1146 midbiennium review of the budget, the ordinances adopting the capital improvement plan  
1147 and the school capital facility plans shall be transmitted by October 1 and adopted no later  
1148 than the midbiennium review under K.C.C. 4A.100.010. All transmittals shall be  
1149 accompanied by a public participation note, identifying the methods used by the executive  
1150 to ensure early and continuous public participation in the preparation of amendments. The  
1151 council shall have until June 30 of the following year to adopt ~~((the amendments))~~ an  
1152 update to the Comprehensive Plan, in accordance with RCW 36.70A.130.

1153 SECTION 12. Ordinance 13147, Section 23, as amended, and K.C.C. 20.18.070  
1154 are hereby amended to read as follows:

1155 A. The executive shall transmit to the council ~~((any proposed amendments for))~~ the  
1156 annual update by the last business day of June, except that the capital improvement  
1157 program and the ordinances adopting updates to the transportation needs report and the  
1158 school capital facility plans shall be transmitted no later than the biennial budget transmittal  
1159 and shall be adopted in conjunction with the budget. However, in those years when there is  
1160 only a midbiennium review of the budget, the ordinances adopting the capital improvement  
1161 plan and the school capital facility plans shall be transmitted by October 1, and adopted no  
1162 later than the midbiennium review under K.C.C. 4A.100.010.

1163 B. All transmittals shall be accompanied by a public participation note, identifying  
1164 the methods used by the executive to assure early and continuous public participation in the  
1165 preparation of ~~((amendments))~~ updates.

1166 C. Proposed amendments, including site-specific land use map amendments, that  
1167 are found to require preparation of an environmental impact statement, shall be considered

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1168 for inclusion in the next annual, midpoint or eight-year update following completion of the  
1169 appropriate environmental documents.

1170 SECTION 13. Ordinance 12196, Section 9, as amended, and K.C.C. 20.20.020  
1171 are hereby amended to read as follows:

1172 A. Land use permit decisions are classified into four types, based on who makes  
1173 the decision, whether public notice is required, whether a public hearing is required before  
1174 a decision is made and whether administrative appeals are provided. The types of land use  
1175 decisions are listed in subsection E. of this section.

1176 1. Type 1 decisions are made by the permitting division manager or designee  
1177 ("the director") of the department of local services ("the department"). Type 1 decisions  
1178 are nonappealable administrative decisions.

1179 2. Type 2 decisions are made by the director. Type 2 decisions are discretionary  
1180 decisions that are subject to administrative appeal.

1181 3. Type 3 decisions are quasi-judicial decisions made by the hearing examiner  
1182 following an open record hearing. Type 3 decisions may be appealed to the county council,  
1183 based on the record established by the hearing examiner.

1184 4. Type 4 decisions are quasi-judicial decisions made by the council based on the  
1185 record established by the hearing examiner.

1186 B. Except as provided in K.C.C. 20.44.120A.7. and 25.32.080 or unless otherwise  
1187 agreed to by the applicant, all Type 2, 3 and 4 decisions included in consolidated permit  
1188 applications that would require more than one type of land use decision process may be  
1189 processed and decided together, including any administrative appeals, using the highest-  
1190 numbered land use decision type applicable to the project application.

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1191 C. Certain development proposals are subject to additional procedural requirements  
1192 beyond the standard procedures established in this chapter.

1193 D. Land use permits that are categorically exempt from review under SEPA do not  
1194 require a threshold determination (determination of nonsignificance ["DNS"] or  
1195 determination of significance ["DS"]). For all other projects, the SEPA review procedures  
1196 in K.C.C. chapter 20.44 are supplemental to the procedures in this chapter.

1197 E. Land use decision types are classified as follow:

TYPE 1	(Decision by director, no administrative appeal)	Temporary use permit for a homeless encampment under K.C.C. 21A.45.010, 21A.45.020, 21A.45.030, 21A.45.040, 24A.45.050, 21A.45.060, 21A.45.070, 21A.45.080 and 21A.45.090; building permit, site development permit, or clearing and grading permit that is not subject to SEPA, that is categorically exempt from SEPA as provided in K.C.C. 20.20.040, or for which the department has issued a determination of nonsignificance or mitigated determination of nonsignificance; boundary line adjustment; right of way; variance from K.C.C. chapter 9.04; shoreline exemption; decisions to require studies or to approve, condition or deny a development proposal based on K.C.C. chapter 21A.24, except for decisions to approve, condition or deny alteration exceptions; decisions to approve, condition or deny
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		<p>nonresidential elevation and dry floodproofing variances for agricultural buildings that do not equal or exceed a maximum assessed value of sixty-five thousand dollars under K.C.C. chapter 21A.24; approval of a conversion-option harvest plan; a binding site plan for a condominium that is based on a recorded final planned unit development, a building permit, an as-built site plan for developed sites, a site development permit for the entire site; approvals for agricultural activities and agricultural support services authorized under K.C.C. 21A.42.300; final short plat; final plat.</p>
<p>TYPE 2<sup>1,2</sup></p>	<p>(Decision by director appealable to hearing examiner, no further administrative appeal)</p>	<p>Short plat; short plat revision; short plat alteration; zoning variance; conditional use permit; temporary use permit under K.C.C. chapter 21A.32; temporary use permit for a homeless encampment under K.C.C. 21A.45.100; shoreline substantial development permit<sup>3</sup>; building permit, site development permit or clearing and grading permit for which the department has issued a determination of significance; reuse of public schools; reasonable use exceptions under K.C.C. 21A.24.070.B; preliminary determinations under K.C.C. 20.20.030.B; decisions to approve, condition or deny alteration</p>

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		<p>exceptions or variances to floodplain development regulations under K.C.C. chapter 21A.24; extractive operations under K.C.C. 21A.22.050; binding site plan; waivers from the moratorium provisions of K.C.C. 16.82.140 based upon a finding of special circumstances; <u>sea level rise risk area variance adopted in K.C.C. chapter 21A.xx (the new chapter established by section 64 of this ordinance).</u></p>
TYPE 3 <sup>1</sup>	(Recommendation by director, hearing and decision by hearing examiner, appealable to county council on the record)	Preliminary plat; plat alterations; preliminary plat revisions.
TYPE 4 <sup>1,4</sup>	(Recommendation by director, hearing and recommendation by hearing examiner decision by county council on the record)	Zone reclassifications; shoreline environment redesignation; urban planned development; special use; amendment or deletion of P suffix conditions; plat vacations; short plat vacations; deletion of special district overlay.

1198 <sup>1</sup> See K.C.C. 20.44.120.C. for provisions governing procedural and substantive SEPA

1199 appeals and appeals of Type 3 and 4 decisions to the council.

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1200 <sup>2</sup> When an application for a Type 2 decision is combined with other permits requiring  
1201 Type 3 or 4 land use decisions under this chapter, the examiner, not the director, makes  
1202 the decision.

1203 <sup>3</sup> A shoreline permit, including a shoreline variance or conditional use, is appealable to  
1204 the state Shorelines Hearings Board and not to the hearing examiner.

1205 <sup>4</sup> Approvals that are consistent with the Comprehensive Plan may be considered by the  
1206 council at any time. Zone reclassifications that are not consistent with the  
1207 Comprehensive Plan require a site-specific land use map amendment and the council's  
1208 hearing and consideration shall be scheduled with the amendment to the Comprehensive  
1209 Plan under K.C.C. 20.18.040 and 20.18.060.

1210 F. The definitions in K.C.C. 21A.45.020 apply to this section.

1211 SECTION 14. Ordinance 13147, Section 34, as amended, and K.C.C. 20.22.170  
1212 are hereby amended to read as follows:

1213 A. Upon initiation of a site-specific land use map amendment to the  
1214 Comprehensive Plan under K.C.C. 20.18.050, the examiner shall conduct a public hearing  
1215 to consider the department's written recommendation and to take testimony and receive  
1216 additional evidence relating to the proposed amendment. The examiner may consolidate  
1217 hearings in accordance with K.C.C. 20.22.110 to the extent practicable. No later than thirty  
1218 days after closing the public hearing on the site-specific land use map amendment, the  
1219 examiner shall prepare a recommendation that contains written findings and conclusions  
1220 regarding whether:

1221 1. Under K.C.C. 20.18.040, a proposed site-specific land use map amendment  
1222 may be considered as part of ~~((an))~~ the annual ~~((review cycle))~~ update; and

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1223 2. A site-specific land use map amendment is consistent with the applicable  
1224 review criteria.

1225 B. The office of the hearing examiner shall compile the written recommendations  
1226 on all site-specific land use map amendments made in a year into a single report. The  
1227 report shall be filed by January 15 in the form of a paper original and an electronic copy  
1228 with the clerk of the council, who shall retain the original and provide an electronic copy to  
1229 all councilmembers, the council chief of staff and the lead staff for the ~~((transportation,~~  
1230 ~~economy and environment))~~ council committee ~~((or its successor))~~ charged with the review  
1231 of the Comprehensive Plan.

1232 SECTION 15. Ordinance 10870, Section 5, as amended, and K.C.C. 21A.01.070  
1233 are hereby amended to read as follows:

1234 A. The council directs the department to prepare proposed new zoning maps  
1235 applying the 1993 King County Zoning Code and transmit within ten months of June 28,  
1236 1993, for council review and adoption.

1237 B. The department shall use the table in subsection C. of this section and the  
1238 guidelines of this section in preparing an ordinance or ordinances to convert each area  
1239 zoning document to the 1993 Zoning Code, with modifications appropriate to be consistent  
1240 with the ~~((e))~~Comprehensive ~~((p))~~Plan land use map and policies, so as to implement the  
1241 ~~((e))~~Comprehensive ~~((p))~~Plan and convert old outright and potential ~~((zone designations))~~  
1242 zoning classifications to new ones in a consistent manner. ~~((The provisions of t))~~This  
1243 section also shall apply to conversion of the resource lands area zoning adopted pursuant to  
1244 K.C.C. 20.12.390.

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1245 C. Conversion table. The following conversion table and criteria contained therein  
 1246 shall be used by the department in converting the zoning maps adopted pursuant to  
 1247 Resolution 25789 to the 1993 Zoning Code:

<b>RESOLUTION 25789 ZONING MAP SYMBOLS</b>	<b>1993 ZONING CODE MAP SYMBOLS</b>	<b>ADDITIONAL CRITERIA</b>
F	F	In Forest Production or Rural Areas
FR	F or RA	Use zone most consistent with the <del>((e))</del> Comprehensive <del>((p))</del> Plan
A, A-10 A-35	A-10 A-35 or A-60	In Agricultural or Rural Areas Use zone most consistent with the <del>((e))</del> Comprehensive <del>((p))</del> Plan
Q-M	M	Designated Mining Sites
AR-2.5 AR-5 AR- 10	RA-2.5 RA-5 RA- 10 or RA-20	In Rural Areas Use zone most consistent with the <del>((e))</del> Comprehensive <del>((p))</del> Plan
GR-5, GR-2.5, G-5	UR RA	Only in designated urban areas In areas not designated urban
G	R-1 RA	Only in designated urban areas In areas not designated urban
SE, S-C	R-1	Only in designated urban areas or Rural Towns
SR/RS15000,SR/R S 9600	R-4	Only in designated urban areas or Rural Towns

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SR7200, RS7200	R-6	Only in designated urban areas or Rural Towns
SR5000, RS5000	R-8	Only in designated urban areas or Rural Towns
RMHP	R-4 through R-48	Use zone closest to zoning on adjacent property or midrange if adjacent zones vary
RD3600, RT3600	R-12	
RM2400, RT2400	R-18	
RT, RM1800, RT1800	R-24	
RM900	O or R-48	Apply zoning closest to (( <del>e</del> )) <u>C</u> omprehensive (( <del>p</del> )) <u>P</u> lan land use designations
RM 900 P	O or R-48	According to P-suffix limitations allowing only office or residential uses
B-N, BR-N B-C, BR-C C-G M-L, M-P, M-H	NB or RB CB or RB RB I	For all business zones, use zone most consistent with the (( <del>e</del> )) <u>C</u> omprehensive (( <del>p</del> )) <u>P</u> lan land use designation and actual scale of business area

1248 D. Unclassified Use Permit Mining Operations. In addition to the conversions  
 1249 set out in the table in subsection C. of this section, all sites legally operating pursuant to  
 1250 an unclassified use permit for mining operations shall be zoned M (Mineral).

1251 E. Resolution of map conflicts. In cases of ambiguity or conflict between a  
 1252 community or ((~~e~~))Comprehensive ((~~p~~))Plan ((~~map~~)) land use designation and the  
 1253 ((~~zone~~)) zoning classification applied under the old code, the department shall use the  
 1254 following guidelines and procedures in recommending new zones:

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1255 1. As a general rule, the outright or potential zoning (~~(designation)~~)  
1256 classification applied shall be that which is consistent with the 1994 King County  
1257 Comprehensive Plan; adopted community plans, where they do not conflict, may be used  
1258 to provide additional guidance;

1259 2. If the application of the guidelines in this subsection leads the department to  
1260 propose applying an outright or potential (~~(zone)~~) zoning classification from the 1993  
1261 Zoning Code that is not functionally equivalent to a classification from the old code as  
1262 defined in the table in subsection C. of this section, the department shall notify the owner  
1263 of the property proposed for reclassification no later than the council introduction date of  
1264 the ordinance amending said property, and the property owner may request a change in  
1265 the area zoning in a manner consistent with the procedures used for council review of a  
1266 community plan and area zoning.

1267 F. Area-wide P-suffix development conditions. The department shall review all  
1268 area-wide P-suffix conditions applied through zoning adopted pursuant to Resolution  
1269 25789, and recommend legislation removing all such conditions which conflict with the  
1270 ~~(e)~~Comprehensive ~~(p)~~Plan or have been replaced adequately by standards adopted in  
1271 the 1993 zoning code. If P-suffix conditions implement policies in the  
1272 ~~(e)~~Comprehensive ~~(p)~~Plan, then regulations shall be developed by the end of 1995 and  
1273 the P-suffix conditions shall be removed. Any P-suffix conditions which implement  
1274 policies in community plans which are not in conflict with the ~~(e)~~Comprehensive  
1275 ~~(p)~~Plan but are not adequately addressed by this code shall be carried forward intact  
1276 until they are evaluated for replacement by general code revisions in 1995.

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1277 G. Site-specific development conditions. Approval conditions for previous zone  
1278 reclassifications, planned unit developments, unclassified permits, and P-suffix  
1279 conditions applied to individual properties in land use actions pursuant to Resolution  
1280 25789, should be recommended for retention wherever they address conditions unique to  
1281 a particular property and not addressed by the standards in the Zoning Code.

1282 H. For area zoning documents being converted to the 1993 Zoning Code without  
1283 amendments to their respective community plan maps and policies, only requests for  
1284 zone changes which meet one of the following criteria shall be considered during either  
1285 the department or council review process:

- 1286 1. As provided in subsection E. of this section;
- 1287 2. When an applicant can demonstrate that the department's proposal incorrectly  
1288 implements an adopted ~~((e))~~Comprehensive ~~((p))~~Plan map designation or policy in  
1289 converting existing zoning to a new ~~((zone))~~ zoning classification; or
- 1290 3. The site is the subject of an application for a Master Planned Development or  
1291 Urban Planned Development, and conversion to the 1993 Zoning Code is requested as  
1292 part of such application. Rezoning of such sites during the conversion, area zoning  
1293 otherwise shall be to Urban Reserve with the urban planned development overlay district  
1294 as provided in K.C.C. chapter 21A.38.

1295 I. Requests which do not meet one of the criteria of subsection H. of this section  
1296 shall be treated as quasi-judicial reclassification requests which must be formally applied  
1297 for according to the process provided for such requests and shall be subject to the criteria  
1298 in K.C.C. 20.22.150.

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1299 J. Requests for quasi-judicial reclassification that are consistent with the  
1300 conversion table illustrated in subsection C. of this section and requests for quasi-judicial  
1301 reclassification to the M zone, shall not be subject to the criteria in K.C.C. 20.22.150.

1302 K. Bear Creek MPD's. The following transition provisions shall apply to the  
1303 Master Plan Development applications in the Bear Creek Community Plan (BCCP).

1304 1. An applicant may either continue to utilize the procedural provisions of the  
1305 BCCP or may utilize the procedural provisions of K.C.C. chapter 21A.39.

1306 2. If an applicant utilizes the procedural provisions of K.C.C. 21A.39, the Pre-  
1307 Development Applications previously submitted for the Blakely Ridge MPD and the  
1308 Northridge MPD are deemed the equivalent of and accepted as complete applications for  
1309 "UPD Permits" under Chapter 21A.39 of the 1993 zoning code.

1310 3. The substantive provisions of the BCCP Area Zoning MPD P-Suffix  
1311 conditions and conditions precedent to rezoning set forth in Section 1C of the BCCP Area  
1312 Zoning (page 140) shall remain in effect for purposes of considering the UPD  
1313 applications, under either the BCCP or K.C.C. chapter 21A.39.

1314 4. The applicants may elect either one base zone pursuant to K.C.C. 21A.39, or  
1315 multiple zones pursuant to the Bear Creek Community Plan, applying the equivalent zone  
1316 and potential (~~(zone designations)~~) zoning classifications of the 1993 zoning code.

1317 5. The Novelty Hill Master Plan sites and urban designation adopted and  
1318 delineated in the Bear Creek Community Plan and Bear Creek Area zoning shall be  
1319 considered "UPD Special District Overlays" and "UPD boundary delineations" for  
1320 purposes of applying K.C.C. 21A.38.020, 21A.38.070B.1, and ~~((070B-))~~2, and K.C.C.  
1321 21A.39.020.

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1322            SECTION 16. Ordinance 10870, Section 21, and K.C.C. 21A.02.110 are hereby  
1323 amended to read as follows:

1324            A. Except when such areas are specifically ~~((designated))~~ classified on the zoning  
1325 map as being classified in one of the zones provided in this title, land contained in rights-  
1326 of-way for streets or alleys, or railroads shall be considered unclassified.

1327            B. Within street or alley rights-of-way, uses shall be limited to street purposes as  
1328 defined by law.

1329            C. Within railroad rights-of-way, allowed uses shall be limited to tracks, signals or  
1330 other operating devices, movement of rolling stock, utility lines and equipment, and  
1331 ~~((facilities accessory to and used directly for the delivery and distribution of services to  
1332 abutting property))~~ freight-rail dependent uses.

1333            D. Where such right-of-way is vacated, the vacated area shall have the ~~((zone))~~  
1334 zoning classification of the adjoining property with which it is first merged.

1335            SECTION 17. Ordinance 10870, Section 22, as amended, and K.C.C.  
1336 21A.04.010 are hereby amended to read as follows:

1337            In order to accomplish the purposes of this title the following zoning  
1338 ~~((designations))~~ classifications and zoning map symbols are established:

<b>ZONING <del>((DESIGNATIONS))</del></b>	<b>MAP SYMBOL</b>
<b><u>CLASSIFICATIONS</u></b>	
Agricultural	A (10 -or 35 acre minimum lot size)
Forest	F
Mineral	M

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Rural Area	RA (2.5-acre, 5-acre, 10-acre or 20-acre minimum lot size)
Urban Reserve	UR
Urban Residential	R (base density in dwellings per acre)
Neighborhood Business	NB
Community Business	CB
Regional Business	RB
Office	O
Industrial	I
Regional Use	Case file number following zone's map symbol
Property-specific development standards	-P(suffix to zone's map symbol)
Special District Overlay	-SO(suffix to zone's map symbol)
Potential Zone	 (dashed box surrounding zone's map symbol)
Interim Zone	* (asterisk adjacent to zone's map symbol)

1339 SECTION 18. Ordinance 10870, Section 23, and K.C.C. 21A.04.020 are hereby

1340 amended to read as follows:

1341 The purpose statements for each (~~zone and map designation~~) zoning

1342 classification set forth in the following sections shall be used to guide the application of

1343 the (~~zones and designations~~) zoning classifications to all lands in unincorporated King

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1344 County. The purpose statements also shall guide interpretation and application of land  
1345 use regulations within the ~~((zones and designations))~~ zoning classifications, and any  
1346 changes to the range of permitted uses within each ~~((zone))~~ zoning classification through  
1347 amendments to this title.

1348 SECTION 19. Ordinance 10870, Section 28, as amended, and K.C.C.

1349 21A.04.070 are hereby amended to read as follows:

1350 A. The purposes of the urban reserve zone (UR) are to phase growth and demand  
1351 for urban services, and to reserve large tracts of land for possible future growth in  
1352 portions of King County designated by the Comprehensive Plan for future urban growth  
1353 while allowing reasonable interim uses of property; or to reflect designation by the  
1354 Comprehensive Plan of a property or area as part of the urban growth area when a  
1355 detailed plan for urban uses and densities has not been completed~~((; or when the area has  
1356 been designated as a site for a potential urban planned development or new fully  
1357 contained community, as provided in K.C.C. 21A.38.070))~~. These purposes are  
1358 accomplished by:

- 1359 1. Allowing for rural, agricultural and other low-density uses;
- 1360 2. Allowing for limited residential growth, either contiguous to existing urban  
1361 public facilities, or at a density supportable by existing rural public service levels; and
- 1362 3. Requiring clustered residential developments where feasible, to prevent  
1363 establishment of uses and lot patterns which may foreclose future alternatives and impede  
1364 efficient later development at urban densities.

1365 B. Use of this zone is appropriate in urban areas, rural towns or in rural city  
1366 expansion areas designated by the Comprehensive Plan, when such areas do not have

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1367 adequate public facilities and services or are not yet needed to accommodate planned  
1368 growth, do not yet have detailed land use plans for urban uses and densities, or are  
1369 designated as sites for a potential urban planned development or new fully contained  
1370 communities.

1371         SECTION 20. Ordinance 10870, Section 35, and K.C.C. 21A.04.140 are hereby  
1372 amended to read as follows:

1373         The purpose of the regional use (~~((designation))~~) classification (case file number  
1374 following underlying zone's map symbol) is to provide for individual review of certain  
1375 proposed uses with unique characteristics and adverse impacts on neighboring properties.  
1376 Regional uses are of a size and involve activities which require individual review to  
1377 determine compatibility with surrounding uses.

1378         SECTION 21. Ordinance 10870, Section 36, as amended, and K.C.C.  
1379 21A.04.150 are hereby amended to read as follows:

1380         The purpose of the property-specific development standards (~~((designation))~~)  
1381 classification (-P suffix to zone's map symbol) is to indicate that conditions beyond the  
1382 minimum requirements of this title have been applied to development on the property,  
1383 including but not limited to increased development standards, limits on permitted uses or  
1384 special conditions of approval. Property-specific development standards are adopted in  
1385 either a reclassification or area zoning ordinance and are shown in a geographic  
1386 information system data layer for an individual property maintained by the department.  
1387 Regardless of the form in which a property-specific development standard is adopted, the  
1388 P-suffix shall be shown on the official zoning map maintained by the department and as a

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1389 notation in a geographic information system data layer, which shall be updated as soon as  
1390 possible after the effective date of the adopting ordinance adopting a P-suffix standard.

1391 SECTION 22. Ordinance 10870, Section 37, as amended, and K.C.C.

1392 21A.04.160 are hereby amended to read as follows:

1393 The purpose of the special district overlay (~~((designation))~~ classification (-SO suffix  
1394 to zone's map symbol) is to carry out Comprehensive Plan and community, subarea or  
1395 neighborhood plan policies that identify special opportunities for achieving public benefits  
1396 by allowing or requiring alternative uses and development standards that differ from the  
1397 general provisions of this title. Special district overlays are generally applied to a group of  
1398 individual properties or entire community, subarea or neighborhood planning areas and are  
1399 (~~((designated))~~ classified primarily through the area zoning process. Regardless of the form  
1400 in which a special district overlay is adopted, the -SO suffix shall be shown on the official  
1401 zoning map maintained by the department and as a notation in a geographic information  
1402 system data layer, which shall be updated as soon as possible after the effective date of the  
1403 adopting ordinance adopting an overlay.

1404 SECTION 23. Ordinance 10870, Section 38, as amended, and K.C.C.

1405 21A.04.170 are hereby amended to read as follows:

1406 A. The purpose of the potential zone (dashed box surrounding zone's map symbol)  
1407 is to (~~((designate))~~ classify properties potentially suitable for future changes in land uses or  
1408 densities once additional infrastructure, project phasing or site-specific public review has  
1409 been accomplished. Potential zones are (~~((designated))~~ classified by either area zoning or  
1410 individual zone reclassification. Area zoning may (~~((designate))~~ classify more than one

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1411 potential zone on a single property if the community plan designates alternative uses for the  
1412 site. Potential zones are actualized in accordance with K.C.C. chapter 20.20.

1413 B. The use of a potential (~~(zone designation)~~) zoning classification is appropriate  
1414 to:

1415 1. Phase development based on availability of public facilities and services or  
1416 infrastructure improvements, such as roads, utilities and schools;

1417 2. Prevent existing development from becoming a nonconforming use in areas  
1418 that are in transition from previous uses;

1419 3. Allow for future residential density increases consistent with a community  
1420 plan; and

1421 4. Provide for public review of proposed uses on sites where some permitted uses  
1422 in a (~~(zone designation)~~) zoning classification may not be appropriate.

1423 SECTION 24. Ordinance 10870, Section 39, and K.C.C. 21A.04.180 are hereby  
1424 amended to read as follows:

1425 The purpose of the interim (~~(zone designation)~~) zoning classification (\* suffix to  
1426 zone's map symbol) is to identify areas where zoning has been applied for a limited period  
1427 of time in order to preserve the county's planning options and to protect the public safety,  
1428 health and general welfare during an emergency or pending a community, comprehensive  
1429 or functional plan amendment process. Any of the zones set forth in this chapter, with or  
1430 without -P suffix conditions, may be applied as interim zones. The adopting ordinance  
1431 shall state the reasons for the interim zoning and provide for its expiration upon a certain  
1432 date or the adoption of a new plan, plan amendment or area zoning.

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1433            SECTION 25. Ordinance 10870, Section 42, and K.C.C. 21A.06.010 are hereby  
1434 amended as follows:

1435            Accessory living quarters: living quarters in an accessory building for the use of  
1436 the occupant or persons employed on the premises, or for temporary use ~~((of))~~ by guests  
1437 of the occupant. Such quarters ~~((have no kitchen))~~ do not include an area for the  
1438 preparation or storage of food and are not ~~((otherwise))~~ used as a separate dwelling unit.

1439            SECTION 26. Ordinance 10870, Section 43, as amended and K.C.C. 21A.06.015  
1440 are hereby amended as follows:

1441            Accessory use, commercial/industrial: an accessory use to a commercial or  
1442 industrial use, including, but not limited to:

- 1443            A. Administrative offices;
- 1444            B. Employee exercise facilities;
- 1445            C. Employee food service facilities;
- 1446            D. Incidental storage of raw materials and finished products sold or manufactured  
1447 on-site;
- 1448            E. Business owner or caretaker residence;
- 1449            F. Cogeneration facilities; ~~((and))~~
- 1450            G. Ground maintenance facilities; and
- 1451            H. Consumer-scale renewable energy systems.

1452            SECTION 27. Ordinance 10870, Section 44, as amended and K.C.C. 21A.06.020  
1453 are hereby amended as follows:

1454            Accessory use, residential: an accessory use to a residential use, including, but  
1455 not limited to:

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- 1456 A. Accessory living quarters and dwellings;
- 1457 B. Fallout or bomb shelters;
- 1458 C. Keeping household pets or operating a hobby cattery or hobby kennel;
- 1459 D. On-site rental office;
- 1460 E. Pools, private docks or piers;
- 1461 F. Antennae for private telecommunication services;
- 1462 G. Storage of yard maintenance equipment;
- 1463 H. Storage of private vehicles, such as motor vehicles, boats, trailers or planes;
- 1464 I. Greenhouses;
- 1465 J. Recreation space areas required under K.C.C. 21A.14.180 and play areas
- 1466 required under K.C.C. 21A.14.190; ~~((and))~~
- 1467 K. Home occupations and home industries under K.C.C. chapter 21A.30; and
- 1468 L. Consumer-scale renewable energy systems.

1469 SECTION 28. Ordinance 10870, Section 45, as amended and K.C.C. 21A.06.025  
1470 are hereby amended as follows:

1471 Accessory use, resource: an accessory use to a resource use, including, but not  
1472 limited to:

- 1473 A. Housing of agricultural workers; ~~((and))~~
- 1474 B. Storage of agricultural products or equipment used on site; and
- 1475 C. Consumer-scale renewable energy systems.

1476 NEW SECTION. SECTION 29. There is hereby added to K.C.C. chapter 21A.06  
1477 a new section to read as follows:

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1478 Consumer-scale renewable energy system: a facility that produces on-site energy  
1479 using renewable resources, such as solar, wind or geothermal, for the property on which  
1480 the facility is located. A consumer-scale renewable energy system does not include  
1481 energy generated at a scale for sale or donation to others, excluding net metering.

1482 NEW SECTION. SECTION 30. There is hereby added to K.C.C. chapter 21A.06  
1483 a new section to read as follows:

1484 Firearm: a weapon or device from which a projectile or projectiles may be fired  
1485 by an explosive such as gunpowder. Firearm does not include a flare gun or other  
1486 pyrotechnic visual distress signaling device, or a powder-actuated tool or other device  
1487 designed solely to be used for construction purposes.

1488 SECTION 31. K.C.C. 21A.06.150, as amended by this ordinance, is hereby  
1489 recodified as a new section in K.C.C. chapter 21A.06.

1490 SECTION 32. Ordinance 11157, Section 29, and K.C.C. 21A.06.150 are hereby  
1491 amended to read as follows:

1492 ~~((Bulk))~~ Local distribution gas storage tank((s)): ~~((A))~~a tank from which  
1493 illuminating, heating, or liquefied gas is distributed by piping directly to individual users.  
1494 A local distribution gas storage tank is not a fossil fuel facility.

1495 SECTION 33. Ordinance 13319, Section 3, and K.C.C. 21A.06.197 are hereby  
1496 amended to read as follows:

1497 Coal mine by-products stockpile((s)): an accumulation, greater than five hundred  
1498 cubic yards and five feet of vertical depth, of undisturbed waste and/or byproduct materials  
1499 having greater than fifty percent, as measured by weight, of ~~((mineral))~~ coal or coal shale  
1500 as a component and which resulted from historic coal mining.

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1501            NEW SECTION. SECTION 34. There is hereby added to K.C.C. chapter 21A.06

1502 a new section to read as follows:

1503            Fossil fuels: petroleum and petroleum products, coal and natural gas, such as  
1504 methane, propane and butane, derived from prehistoric organic matter and used to generate  
1505 energy. Fossil fuels do not include:

1506            A. Petrochemicals that are used primarily for non-fuel products, such as asphalt,  
1507 plastics, lubricants, fertilizer, roofing and paints;

1508            B. Fuel additives, such as denatured ethanol and similar fuel additives, or  
1509 renewable fuels, such as biodiesel or renewable diesel with less than five percent fossil  
1510 fuel content; or

1511            C. Methane generated from the waste management process, such as wastewater  
1512 treatment, anaerobic digesters, landfill waste management, livestock manure and  
1513 composting processes.

1514            NEW SECTION. SECTION 35. There is hereby added to K.C.C. chapter 21A.06

1515 a new section to read as follows:

1516            Fossil fuel facility: a commercial facility used primarily to receive, store, refine,  
1517 process, transfer, wholesale trade or transport fossil fuels, such as, but not limited to, bulk  
1518 terminals, bulk storage facilities, bulk refining and bulk handling facilities. Fossil fuel  
1519 facilities do not include: individual storage facilities of up to thirty thousand gallons and  
1520 total cumulative facilities per site of sixty thousand gallons for the purposes of retail or  
1521 direct-to-consumer sales, facilities or activities for local consumption; noncommercial  
1522 facilities, such as storage for educational, scientific or governmental use; or uses preempted  
1523 by federal rule or law.

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1524            SECTION 36. Ordinance 10870, Section 201, and K.C.C. 21A.06.805 are hereby  
1525 amended to read as follows:

1526            Non-hydro((-))electric generation facility: an establishment for the generation of  
1527 electricity by nuclear reaction, burning fossil fuels((;)) or other electricity generation  
1528 methods, excluding renewable energy.

1529            NEW SECTION. SECTION 37. There is hereby added to K.C.C. chapter  
1530 21A.06 a new section to read as follows:

1531            Petroleum refining and related industries: uses in SIC Industry No. 2911,  
1532 excluding fossil fuel facilities.

1533            NEW SECTION. SECTION 38. There is hereby added to K.C.C. chapter  
1534 21A.06 a new section to read as follows:

1535            Renewable energy generation facility: a solar energy system, including a  
1536 community solar project, geothermal system or a wind generator, used for generating  
1537 electricity. Renewable energy generation facility does not include consumer-scale  
1538 renewable energy systems.

1539            NEW SECTION. SECTION 39. There is hereby added to K.C.C. chapter  
1540 21A.06 a new section to read as follows:

1541            Sea level rise protection elevation: three feet above the base flood elevation  
1542 identified in the Flood Insurance Study and Flood Insurance Rate Map, dated August 19,  
1543 2020, for the adjacent coastal high hazard area flood zone. The sea level rise protection  
1544 elevation only applies to Vashon-Maury Island.

1545            NEW SECTION. SECTION 40. There is hereby added to K.C.C. chapter 21A.06  
1546 a new section to read as follows:

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1547           Sea level rise risk area: lands on Vashon-Maury Island adjacent to a coastal high  
1548 hazard area that extend landward to an elevation three feet above the base flood elevation  
1549 identified in the Flood Insurance Study and Flood Insurance Rate Map, dated August 19,  
1550 2020, for the adjacent coastal high hazard area flood zone.

1551           SECTION 41. Ordinance 10870, Section 310, and K.C.C. 21A.06.1350 are  
1552 hereby amended to read as follows:

1553           Utility facility: a facility for the distribution or transmission of services, including:

1554           A. Telephone exchanges;

1555           B. Water pipelines, pumping or treatment stations;

1556           C. Electrical substations;

1557           D. Water storage reservoirs or tanks;

1558           E. Municipal groundwater well-fields;

1559           F. Regional surface water flow control and water quality facilities;

1560           G. Natural gas pipelines, gate stations and limiting stations, limited to local  
1561 distribution service and excluding fossil fuel facilities;

1562           H. Propane, compressed natural gas and liquefied natural gas storage tanks serving  
1563 multiple lots or uses from which fuel is distributed directly to individual users, limited to  
1564 local distribution service and excluding fossil fuel facilities;

1565           I. Wastewater pipelines, lift stations, pump stations, regulator stations or odor  
1566 control facilities; and

1567           J. Communication cables, electrical wires and associated structural supports.

1568           SECTION 42. Ordinance 10870, Section 315, and K.C.C. 21A.06.1375 are  
1569 hereby amended to read as follows:

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1570 Warehousing and wholesale trade: establishments involved in the storage and/or  
 1571 sale of bulk goods for resale or assembly, excluding establishments offering the sale of  
 1572 bulk goods to the general public which is classified as a retail use in K.C.C. 21A.08.070  
 1573 and excluding local distribution gas storage tanks. These establishments shall include only  
 1574 SIC Major Group Nos. 50 and 51 and SIC Industry Group Nos. 422 and 423, excluding  
 1575 fossil fuels and fossil fuel facilities.

1576 SECTION 43. Ordinance 10870, Section 330, as amended, and K.C.C.  
 1577 21A.08.030 are hereby amended to read as follows:

1578 A. Residential land uses.

<b>P-Permitted Use C- Conditional Use S- Special Use</b>		<b>RESOUR CE</b>			<b>R U R A L</b>	<b>RESIDENTIA L</b>			<b>COMMERCIAL/INDUS TRIAL</b>				
<b>SIC #</b>	<b>SPECIFIC LAND USE</b>	<b>A</b>	<b>F</b>	<b>M</b>	<b>R A</b>	<b>U R</b>	<b>R1- 8</b>	<b>R1 2- 48</b>	<b>NB</b>	<b>CB</b>	<b>RB</b>	<b>O</b>	<b>I</b>
	<b>DWELLING UNITS, TYPES:</b>												
*	Single Detached	P C1 2	P2		P C1 2	P C1 2	P C1 2	P C1 2	P1 5				

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*	Townhouse				C4	C4	P11 C1 2	P	P3	P3	P3	P3	
*	Apartment				C4	C4	P5 C5	P	P3	P3	P3	P3	
*	Mobile Home Park				S1 3		C8	P					
*	Cottage Housing						P15						
	<b>GROUP RESIDENCES:</b>												
*	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	
	<b>ACCESSORY USES:</b>												
*	Residential	P7	P7		P7	P7	P7	P7	P7	P7	P7	P7	

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	Accessory Uses											
*	Home Occupation	P1 8	P1 8		P1 8	P1 8	P18	P1 8	P1 8	P18	P18	P1 8
*	Home Industry	C			C	C	C					
	<b>TEMPORARY LODGING:</b>											
7011	Hotel/Motel (1)									P	P	P
*	Bed and Breakfast Guesthouse	P9			P9	P9	P9	P9	P9	P10	P10	
7041	Organization Hotel/Lodging Houses						P17				P	

1579 B. Development conditions.

1580 1. Except bed and breakfast guesthouses.

1581 2. In the forest production district, the following conditions apply:

1582 a. Site disturbance associated with development of any new residence shall be

1583 limited to three acres. Site disturbance shall mean all land alterations including, but not

1584 limited to, grading, utility installation, landscaping, clearing for crops, on-site sewage

1585 disposal systems and driveways. Additional site disturbance for agriculture, including

1586 raising livestock, up to the smaller of thirty-five percent of the lot or seven acres, may be

1587 approved only if a farm management plan is prepared in accordance with K.C.C. chapter

1588 21A.30. Animal densities shall be based on the area devoted to animal care and not the

1589 total area of the lot;

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1590           b. A forest management plan shall be required for any new residence in the  
1591 forest production district, that shall be reviewed and approved by the King County  
1592 department of natural resources and parks before building permit issuance; and

1593           c. The forest management plan shall incorporate a fire protection element that  
1594 includes fire safety best management practices developed by the department.

1595           3. Only as part of a mixed use development subject to the conditions of K.C.C.  
1596 chapter 21A.14, except that in the NB zone on properties with a land use designation of  
1597 commercial outside of center (CO) in the urban areas, stand-alone townhouse  
1598 developments are permitted subject to K.C.C. 21A.12.040, 21A.14.030, 21A.14.060 and  
1599 21A.14.180.

1600           4. Only in a building listed on the National Register as an historic site or  
1601 designated as a King County landmark subject to K.C.C. chapter 21A.32.

1602           5.a. In the R-1 zone, apartment units are permitted, if:

1603               (1) At least fifty percent of the site is constrained by unbuildable critical  
1604 areas. For purposes of this subsection, unbuildable critical areas includes wetlands,  
1605 aquatic areas and slopes forty percent or steeper and associated buffers; and

1606               (2) The density does not exceed a density of eighteen units per acre of net  
1607 buildable area.

1608           b. In the R-4 through R-8 zones, apartment units are permitted if the density  
1609 does not exceed a density of eighteen units per acre of net buildable area.

1610           c. If the proposal will exceed base density for the zone in which it is proposed,  
1611 a conditional use permit is required.

1612           6. Only as accessory to a school, college, university or church.

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1613 7.a. Accessory dwelling units are subject to the following standards:

1614 (1) Only one accessory dwelling per primary single detached dwelling or  
1615 townhouse unit;

1616 (2) Only allowed in the same building as the primary dwelling unit ~~((~~on~~))~~,  
1617 except that detached accessory dwelling units are allowed when there is no more than one  
1618 primary dwelling unit on the lot, and the following conditions are met:

1619 (a) ~~((an urban lot that is less than five thousand square feet in area))~~ the lot  
1620 must be three thousand two hundred square feet or greater if located in the urban area or a  
1621 rural town; or

1622 (b) ~~((except as otherwise provided in subsection B.7.a.(5) of this section, a~~  
1623 rural lot that is less than the minimum lot size; or

1624 ~~e. a lot containing more than one primary dwelling))~~ the lot must meet the  
1625 minimum lot area for the applicable zone if located in the rural area but not in a rural  
1626 town, except that if one transferable development right is purchased from the Rural Area  
1627 or Natural Resource Lands under K.C.C. chapter 21A.37, a detached accessory dwelling  
1628 unit is allowed on an RA-5 zoned lot that is two and one-half acres or greater;

1629 (3) ~~((The primary dwelling unit or the accessory dwelling unit shall be owner~~  
1630 occupied;

1631 ~~(4)(a) Except as otherwise provided in subsection B.7.a.(5) of this section,~~  
1632 ~~one of t))~~ The accessory dwelling unit((s)) shall not exceed one thousand square feet of  
1633 heated floor area and one thousand square feet of unheated floor area except;

1634 (a) when ~~((one of))~~ the accessory dwelling unit((s)) is wholly contained  
1635 within a basement or attic, this limitation does not apply; ~~((and))~~

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1636 (b) ~~((When the primary and accessory dwelling units are located in the same~~  
1637 ~~building, or in multiple buildings connected by a breezeway or other structure, only one~~  
1638 ~~entrance may be located on each street;~~

1639 ~~(5) On)) for detached accessory dwelling units, the floor area contained in a~~  
1640 ~~basement does not count toward the floor area maximum; or~~

1641 ~~(c) on a site zoned RA((:~~

1642 ~~(a) If))if one transferable development right is purchased from the Rural Area~~  
1643 ~~or Natural Resource Lands under K.C.C. chapter 21A.37, the ((smaller of the)) accessory~~  
1644 ~~dwelling unit((s)) is permitted a maximum heated floor area ((up to)) of one thousand~~  
1645 ~~five hundred square feet and one thousand five hundred square feet of unheated floor~~  
1646 ~~area; ((and~~

1647 ~~(b) If one transferable development right is purchased from the Rural Area~~  
1648 ~~or Natural Resource Lands under K.C.C. chapter 21A.37, a detached accessory dwelling~~  
1649 ~~unit is allowed on an RA-5 zoned lot that is at least two and one-half acres and less than~~  
1650 ~~three and three-quarters acres;~~

1651 ~~((6) One additional off-street parking space shall be provided;))~~

1652 ~~(4) Accessory dwelling units that are not wholly contained within an existing~~  
1653 ~~dwelling unit shall not exceed the base height established in 21A.12.030;~~

1654 ~~(5) When the primary and accessory dwelling units are located in the same~~  
1655 ~~building, or in multiple buildings connected by a breezeway or other structure, only one~~  
1656 ~~entrance may front a street;~~

1657 ~~(6) No additional off-street parking spaces are required for accessory~~  
1658 ~~dwelling units;~~

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1659           (7) The primary dwelling unit or the accessory dwelling unit shall be  
1660 occupied either by the owner of the primary dwelling unit or by an immediate family  
1661 member of the owner. Immediate family members are limited to spouses, siblings,  
1662 parents, grandparents, children and grandchildren, either by blood, adoption or marriage,  
1663 of the owner. The accessory dwelling unit shall be converted to another permitted use or  
1664 shall be removed if ~~((one of the))~~ neither dwelling unit~~((s ceases to be owner))~~ is  
1665 occupied by the owner or an immediate family member; ~~((and))~~

1666           (8) An applicant seeking to build an accessory dwelling unit shall file a notice  
1667 approved by the department of executive services, records and licensing services  
1668 division, that identifies the dwelling unit as accessory. The notice shall run with the land.  
1669 The applicant shall submit proof that the notice was filed before the department ~~((shall))~~  
1670 approves any permit for the construction of the accessory dwelling unit. The required  
1671 contents and form of the notice shall be set forth in administrative rules~~((If an accessory~~  
1672 ~~dwelling unit in a detached building in the rural zone is subsequently converted to a~~  
1673 ~~primary unit on a separate lot, neither the original lot nor the new lot may have an~~  
1674 ~~additional detached accessory dwelling unit constructed unless the lot is at least twice the~~  
1675 ~~minimum lot area required in the zone));~~ ~~((and))~~

1676           (9) Accessory dwelling units ~~((and accessory living quarters))~~ are not allowed  
1677 in the F zone;

1678           (10) Accessory dwelling units should be designed to be compatible with the  
1679 primary dwelling unit and the surrounding properties, including material, colors and  
1680 building forms; and

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1681           (11) The applicant should consider a siting alternatives study that analyzes  
1682 placement options of the accessory dwelling unit on the property to minimize impacts to  
1683 privacy and views for surrounding property owners.

1684           b. Accessory living quarters:

1685                 (1) are limited to one per lot;

1686                 (2) are allowed only on lots of three thousand two hundred square feet or  
1687 greater when located in the urban area or a rural town;

1688                 (3) shall not exceed the base height as established in K.C.C. 21A.12.030;

1689                 (4) shall not exceed one thousand square feet of heated floor area and one  
1690 thousand square feet of unheated floor area; and

1691                 (5) are not allowed in the F zone.

1692           c. One single or twin engine, noncommercial aircraft shall be permitted only  
1693 on lots that abut, or have a legal access that is not a county right-of-way, to a waterbody  
1694 or landing field, but only if there are:

1695                 (1) no aircraft sales, service, repair, charter or rental; and

1696                 (2) no storage of aviation fuel except that contained in the tank or tanks of the  
1697 aircraft.

1698           ~~((e-))~~ d. Buildings for residential accessory uses in the RA and A zone shall not  
1699 exceed five thousand square feet of gross floor area, except for buildings related to  
1700 agriculture or forestry.

1701           8. Mobile home parks shall not be permitted in the R-1 zones.

1702           9. Only as accessory to the permanent residence of the operator, and:

1703                 a. Serving meals shall be limited to paying guests; and

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1704           b. The number of persons accommodated per night shall not exceed five,  
1705 except that a structure that satisfies the standards of the International Building Code as  
1706 adopted by King County for R-1 occupancies may accommodate up to ten persons per  
1707 night.

1708           10. Only if part of a mixed use development, and subject to the conditions of  
1709 subsection B.9. of this section.

1710           11. Townhouses are permitted, but shall be subject to a conditional use permit if  
1711 exceeding base density.

1712           12. Required before approving more than one dwelling on individual lots,  
1713 except on lots in subdivisions, short subdivisions or binding site plans approved for  
1714 multiple unit lots, and except as provided for accessory dwelling units in subsection B.7.  
1715 of this section.

1716           13. No new mobile home parks are allowed in a rural zone.

1717           14.a. Limited to domestic violence shelter facilities.

1718           b. Limited to domestic violence shelter facilities with no more than eighteen  
1719 residents or staff.

1720           15. Only in the R4-R8 zones (~~((limited to))~~) subject to the following standards:

1721           a. ~~((developments no larger than one acre;~~

1722           b. ~~not adjacent to another cottage housing development such that the total  
1723 combined land area of the cottage housing developments exceeds one acre;~~

1724           c. ~~All units must be))~~ Developments shall contain only cottage housing units  
1725 with no ~~((less))~~ fewer than three units ~~((and no more than sixteen units, provided that if)).~~

1726 If the site contains an existing home that is not being demolished, the existing house is

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1727 not required to comply with the height limitation in K.C.C. 21A.12.020.B.25. or the floor  
 1728 area and footprint limits in K.C.C. 21A.14.025.B.;

1729 b. Cottage housing developments should consider including a variety of  
 1730 housing sizes, such as units with a range of bedroom sizes or total floor area; and

1731 ~~((c.))~~ c. Before filing an application with the department, the applicant shall  
 1732 hold a community meeting in accordance with K.C.C. 20.20.035.

1733 16. The development for a detached single-family residence shall be consistent  
 1734 with the following:

1735 a. The lot must have legally existed before March 1, 2005;

1736 b. The lot has a Comprehensive Plan land use designation of Rural  
 1737 Neighborhood Commercial Center or Rural Area; and

1738 c. The standards of this title for the RA-5 zone shall apply.

1739 17. Only in the R-1 zone as an accessory to a golf facility and consistent with  
 1740 K.C.C. 21A.08.040.

1741 18. Allowed if consistent with K.C.C. chapter 21A.30.

1742 SECTION 44. Ordinance 10870, Section 333, as amended, and K.C.C.  
 1743 21A.08.060 are hereby amended to read as follows:

1744 A. Government/business services land uses.

<b>P-Permitted Use C- Conditional Use S- Special Use</b>	<b>RESOURC E</b>	<b>R U R A</b>	<b>RESIDENTIA L</b>	<b>COMMERCIAL/INDUS TRIAL</b>
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## Ordinance 19146

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SIC #	SPECIFIC LAND USE	A	F	M	R A	UR	R 1-8	R1 2-48	NB	CB	RB	O	I (30)
	<b>GOVERNMENT SERVICES:</b>												
*	Public agency or utility office				P3 C5	P3 C5	P3 C	P3 C	P	P	P	P	P1 6
*	Public agency or utility yard				P2 7	P27 7	P2 7	P2 7			P		P
*	Public agency archives										P	P	P
921	Court									P4	P	P	
922 1	Police Facility				P7	P7	P7	P7	P7	P	P	P	P
922 4	Fire Facility				C6 an d3 3	C6	C6	C6	P	P	P	P	P
*	Utility Facility	P2 9 C	P2 9 C	P2 9 C	P2 9 C2	P29 C28	P2 9 C2	P2 9 C2	P	P	P	P	P

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		28	28	28	8 an d 33		8	8					
*	Commuter Parking Lot				C 33 P1 9	C P19	C P1 9	C 19	P	P	P	P	P3 5
*	Private Stormwater Management Facility	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8
*	Vactor Waste Receiving Facility	P	P	P	P1 8	P18	P1 8	P1 8	P3 1	P31	P3 1	P3 1	P
	<b>BUSINESS SERVICES:</b>												
*	Construction and Trade				P3 4						P	P9	P
*	Individual Transportation and Taxi									P25	P	P1 0	P
421	Trucking and									P11	P1	P1	P

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	Courier Service									2	3	
*	Warehousing, (1) and Wholesale Trade											P
*	Self-service Storage						P1 4	P3 7	P	P	P	P
422 1 422 2	Farm Product Warehousing, Refrigeration and Storage (38)											P
*	Log Storage (38)		P		P2 6 an d 33							P
47	Transportation Service											<u>P</u> <u>3</u> <u>9</u>
473	Freight and Cargo Service									P	P	P
472	Passenger Transportation Service								P	P	P	

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48	Communication Offices									P	P	P	
482	Telegraph and other Communications								P	P	P	P	
*	General Business Service							P	P	P	P	P1 6	
*	Professional Office							P	P	P	P	P1 6	
731 2	Outdoor Advertising Service									P	P1 7	P	
735	Miscellaneous Equipment Rental								P17	P	P1 7	P	
751	Automotive Rental and Leasing								P	P		P	
752	Automotive Parking							P2 0a	P20 b	P2 1	P2 0a	P	
*	Off-Street Required Parking Lot				P3 2	P32 2	P3 2	P3 2	P3 2	P32 2	P3 2	P3 2	P3 2

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794 1	Professional Sport Teams/Promoters										P	P	
873	Research, Development and Testing										P2	P2	P2
*	Heavy Equipment and Truck Repair												P
	<b>ACCESSORY USES:</b>												
*	Commercial/Indus trial Accessory Uses			P	P2 2				P2 2	P22	P	P	P
*	Helistop					C23	C2 33	C2 3	C2 3	C23	C2 4	C2 3	C2 4

1745 B. Development conditions.

1746 1. Except self-service storage.

1747 2. Except SIC Industry No. 8732-Commercial Economic, Sociological, and

1748 Educational Research, see general business service/office.

1749 3.a. Only as a reuse of a public school facility or a surplus nonresidential facility

1750 subject to K.C.C. chapter 21A.32; or

1751 b. only when accessory to a fire facility and the office is no greater than one

1752 thousand five hundred square feet of floor area.

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1753 4. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter  
1754 21A.32.

1755 5. New utility office locations only if there is no commercial/industrial zoning  
1756 in the utility district, and not in the RA-10 or RA-20 zones unless it is demonstrated that  
1757 no feasible alternative location is possible, and provided further that this condition  
1758 applies to the UR zone only if the property is located within a designated unincorporated  
1759 Rural Town.

1760 6.a. All buildings and structures shall maintain a minimum distance of twenty  
1761 feet from property lines adjoining rural area and residential zones;

1762 b. Any buildings from which fire-fighting equipment emerges onto a street  
1763 shall maintain a distance of thirty-five feet from such street;

1764 c. No outdoor storage; and

1765 d. Excluded from the RA-10 and RA-20 zones unless it is demonstrated that no  
1766 feasible alternative location is possible.

1767 7. Limited to storefront police offices. Such offices shall not have:

1768 a. holding cells;

1769 b. suspect interview rooms (except in the NB zone); or

1770 c. long-term storage of stolen properties.

1771 8. Private stormwater management facilities serving development proposals  
1772 located on commercial/industrial zoned lands shall also be located on  
1773 commercial/industrial lands, unless participating in an approved shared facility drainage  
1774 plan. Such facilities serving development within an area designated urban in the King  
1775 County Comprehensive Plan shall only be located in the urban area.

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- 1776 9. No outdoor storage of materials.
- 1777 10. Limited to office uses.
- 1778 11. Limited to self-service household moving truck or trailer rental accessory to  
1779 a gasoline service station.
- 1780 12. Limited to self-service household moving truck or trailer rental accessory to  
1781 a gasoline service station and SIC Industry No. 4215-Courier Services, except by air.
- 1782 13. Limited to SIC Industry No. 4215-Courier Services, except by air.
- 1783 14. Accessory to an apartment development of at least twelve units provided:
- 1784 a. The gross floor area in self service storage shall not exceed the total gross  
1785 floor area of the apartment dwellings on the site;
- 1786 b. All outdoor lights shall be deflected, shaded and focused away from all  
1787 adjoining property;
- 1788 c. The use of the facility shall be limited to dead storage of household goods;
- 1789 d. No servicing or repair of motor vehicles, boats, trailers, lawn mowers or  
1790 similar equipment;
- 1791 e. No outdoor storage or storage of flammable liquids, highly combustible or  
1792 explosive materials or hazardous chemicals;
- 1793 f. No residential occupancy of the storage units;
- 1794 g. No business activity other than the rental of storage units; and
- 1795 h. A resident director shall be required on the site and shall be responsible for  
1796 maintaining the operation of the facility in conformance with the conditions of approval.
- 1797 i. Before filing an application with the department, the applicant shall hold a  
1798 community meeting in accordance with K.C.C. 20.20.035.

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- 1799           15. Repealed.
- 1800           16. Only as an accessory use to another permitted use.
- 1801           17. No outdoor storage.
- 1802           18. Only as an accessory use to a public agency or utility yard, or to a transfer  
1803 station.
- 1804           19. Limited to new commuter parking lots designed for thirty or fewer parking  
1805 spaces or commuter parking lots located on existing parking lots for churches, schools, or  
1806 other permitted nonresidential uses that have excess capacity available during  
1807 commuting; provided that the new or existing lot is adjacent to a designated arterial that  
1808 has been improved to a standard acceptable to the department of local services;
- 1809           20.a. No tow-in lots for damaged, abandoned or otherwise impounded vehicles,  
1810 and
- 1811           b. Tow-in lots for damaged, abandoned or otherwise impounded vehicles shall  
1812 be:
- 1813               (1) permitted only on parcels located within Vashon Town Center;
- 1814               (2) accessory to a gas or automotive service use; and
- 1815               (3) limited to no more than ten vehicles.
- 1816           21. No dismantling or salvage of damaged, abandoned or otherwise impounded  
1817 vehicles.
- 1818           22. Storage limited to accessory storage of commodities sold at retail on the  
1819 premises or materials used in the fabrication of commodities sold on the premises.

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1820           23. Limited to emergency medical evacuation sites in conjunction with police,  
1821 fire or health service facility. Helistops are prohibited from the UR zone only if the  
1822 property is located within a designated unincorporated Rural Town.

1823           24. Allowed as accessory to an allowed use.

1824           25. Limited to private road ambulance services with no outside storage of  
1825 vehicles.

1826           26. Limited to two acres or less.

1827           27a. Utility yards only on sites with utility district offices; or

1828           b. Public agency yards are limited to material storage for road maintenance  
1829 facilities.

1830           28. Limited to (~~bulk~~) local distribution gas storage tanks that pipe to individual  
1831 residences but excluding liquefied natural gas storage tanks.

1832           29. Excluding (~~bulk~~) local distribution gas storage tanks.

1833           30. For I-zoned sites located outside the urban growth area designated by the  
1834 King County Comprehensive Plan, uses shall be subject to the provisions for rural  
1835 industrial uses in K.C.C. chapter 21A.12.

1836           31. Vactor waste treatment, storage and disposal shall be limited to liquid  
1837 materials. Materials shall be disposed of directly into a sewer system, or shall be stored  
1838 in tanks (or other covered structures), as well as enclosed buildings.

1839           32. Provided:

1840           a. Off-street required parking for a land use located in the urban area must be  
1841 located in the urban area;

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1842           b. Off-street required parking for a land use located in the rural area must be  
1843 located in the rural area; and

1844           c.(1) Except as provided in subsection B.32.c.(2) of this section, off-street  
1845 required parking must be located on a lot that would permit, either outright or through a  
1846 land use permit approval process, the land use the off-street parking will serve.

1847           (2) For a social service agency allowed under K.C.C. 21A.08.050B.13.b. to  
1848 be located on a site in the NB zone, off-street required parking may be located on a site  
1849 within three hundred feet of the social service agency, regardless of zoning classification  
1850 of the site on which the parking is located.

1851           33. Subject to review and approval of conditions to comply with trail corridor  
1852 provisions of K.C.C. chapter 21A.14 when located in an RA zone.

1853           34. Limited to landscape and horticultural services (SIC 078) that are accessory  
1854 to a retail nursery, garden center and farm supply store. Construction equipment for the  
1855 accessory use shall not be stored on the premises.

1856           35. Allowed as a primary or accessory use to an allowed industrial-zoned land  
1857 use.

1858           36. Repealed.

1859           37. Use shall be limited to the NB zone on parcels outside of the Urban Growth  
1860 Area, Rural Towns and Rural Neighborhoods and the building floor area devoted to such  
1861 use shall not exceed ten thousand square feet.

1862           38. If the farm product warehousing, refrigeration and storage, or log storage, is  
1863 associated with agriculture activities it will be reviewed in accordance with K.C.C.  
1864 21A.08.090.

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1865 39. Excluding fossil fuel facilities.

1866 SECTION 45. Ordinance 10870, Section 334, as amended, and K.C.C. 21A.08.070

1867 are hereby amended to read as follows:

1868 A. Retail land uses.

P-Permitted Use C- Conditional Use S- Special Use		RESOURCE			RURAL	RESIDENTIAL			COMMERCIAL/INDUSTRIA				
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12- 48	NB	CB	RB	O	I (3
*	Building Materials and Hardware Stores		P23						P2	P	P		
*	Retail Nursery, Garden Center and Farm Supply Stores	P1 C1			P1 C1				P	P	P		
*	Forest Products Sales	P3 and 4	P4		P3 and 4						P		
*	Department and Variety Stores						C14a	P14	P5	P	P		

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54	Food Stores						C15a	P15	P	P	P	C	P6
*	Agricultural Product Sales (28)							P25	P25	P25	P25	P25	P25
*	Farmers Market	P24	P24		P24	P24	P24	P24	P24	P24	P24	P24	P24
*	Motor Vehicle and Boat Dealers										P8		P
553	Auto Supply Stores									P9	P9		P
554	Gasoline Service Stations								P	P	P		P
56	Apparel and Accessory Stores									P	P		
*	Furniture and Home Furnishings Stores									P	P		
58	Eating and				P21 C19		P20	P20	P10	P	P	P	P

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	Drinking Places						C16	P16					
*	Remote Tasting Room				P13					P7	P7		
*	Drug Stores						C15	P15	P	P	P	C	
*	Marijuana retailer									P26 C27	P26 C27		
592	Liquor Stores									P	P		
593	Used Goods: Antiques/ Secondhand Shops									P	P		
*	Sporting Goods and Related Stores			P22 and 29	P22 and 29	P22 and 29	P22 and 29	P22 and 29	P22 and 29	P29	P29	P22 and 29	P22 and
*	Book, Stationery, Video and Art Supply Stores						C15a	P15	P	P	P		
*	Jewelry Stores									P	P		
*	Monuments, Tombstones,										P		

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	and Gravestones												
*	Hobby, Toy, Game Shops							P	P	P			
*	Photographic and Electronic Shops							P	P	P			
*	Fabric Shops								P	P			
598	Fuel Dealers								C11	P			P
*	Florist Shops					C15a	P15	P	P	P	P		
*	Personal Medical Supply Stores								P	P			
*	Pet Shops							P	P	P			
*	Bulk Retail								P	P			
*	Auction Houses									P12			P
*	Livestock Sales (28)												P

1869 B. Development conditions.

1870 1.a. As a permitted use, covered sales areas shall not exceed a total area of two

1871 thousand square feet, unless located in a building designated as historic resource under

1872 K.C.C. chapter 20.62. With a conditional uses permit, covered sales areas of up to three

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1873 thousand five hundred square feet may be allowed. Greenhouses used for the display of  
1874 merchandise other than plants shall be considered part of the covered sales area.

1875 Uncovered outdoor areas used to grow or display trees, shrubs, or other plants are not  
1876 considered part of the covered sales area;

1877       b. The site area shall be at least four and one-half acres;

1878       c. Sales may include locally made arts and crafts; and

1879       d. Outside lighting is permitted if no off-site glare is allowed.

1880       2. Only hardware stores.

1881       3.a. Limited to products grown on site.

1882       b. Covered sales areas shall not exceed a total area of five hundred square feet.

1883       4. No permanent structures or signs.

1884       5. Limited to SIC Industry No. 5331-Variety Stores, and further limited to a  
1885 maximum of two thousand square feet of gross floor area.

1886       6. Limited to a maximum of five thousand square feet of gross floor area.

1887       7. Off-street parking is limited to a maximum of one space per fifty square feet of  
1888 tasting and retail areas.

1889       8. Excluding retail sale of trucks exceeding one-ton capacity.

1890       9. Only the sale of new or reconditioned automobile supplies is permitted.

1891       10. Excluding SIC Industry No. 5813-Drinking Places.

1892       11. No outside storage of fuel trucks and equipment.

1893       12. Excluding vehicle and livestock auctions.

1894       13. Permitted as part of the demonstration project authorized by K.C.C.

1895 21A.55.110.

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1896 14.a. Not in R-1 and limited to SIC Industry No. 5331-Variety Stores, limited to a  
1897 maximum of five thousand square feet of gross floor area, and subject to K.C.C.

1898 21A.12.230; and

1899 b. Before filing an application with the department, the applicant shall hold a  
1900 community meeting in accordance with K.C.C. 20.20.035.

1901 15.a. Not permitted in R-1 and limited to a maximum of five thousand square feet  
1902 of gross floor area and subject to K.C.C. 21A.12.230; and

1903 b. Before filing an application with the department, the applicant shall hold a  
1904 community meeting in accordance with K.C.C. 20.20.035.

1905 16.a. Not permitted in R-1 and excluding SIC Industry No. 5813-Drinking Places,  
1906 and limited to a maximum of five thousand square feet of gross floor area and subject to  
1907 K.C.C. 21A.12.230, except as provided in subsection B.20. of this section; and

1908 b. Before filing an application with the department, the applicant shall hold a  
1909 community meeting in accordance with K.C.C. 20.20.035.

1910 17. Repealed.

1911 18. Repealed.

1912 19. Only as:

1913 a. an accessory use to a permitted manufacturing or retail land use, limited to  
1914 espresso stands to include sales of beverages and incidental food items, and not to include  
1915 drive-through sales; or

1916 b. an accessory use to a recreation or multiuse park, limited to a total floor area of  
1917 three thousand five hundred square feet.

1918 20. Only as:

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- 1919           a. an accessory use to a recreation or multiuse park; or
- 1920           b. an accessory use to a park and limited to a total floor area of one thousand five
- 1921 hundred square feet.
- 1922           21. Accessory to a park, limited to a total floor area of seven hundred fifty square
- 1923 feet.
- 1924           22. Only as an accessory use to:
- 1925           a. a large active recreation and multiuse park in the urban growth area; or
- 1926           b. a park, or a recreation or multiuse park in the RA zones, and limited to a total
- 1927 floor area of seven hundred and fifty square feet.
- 1928           23. Only as accessory to SIC Industry Group No. 242-Sawmills and SIC Industry
- 1929 No. 2431-Millwork and;
- 1930           a. limited to lumber milled on site; and
- 1931           b. the covered sales area is limited to two thousand square feet. The covered
- 1932 sales area does not include covered areas used to display only milled lumber.
- 1933           24. Requires at least five farmers selling their own products at each market and the
- 1934 annual value of sales by farmers should exceed the annual sales value of nonfarmer
- 1935 vendors.
- 1936           25. Limited to sites located within the urban growth area and:
- 1937           a. The sales area shall be limited to three hundred square feet and must be
- 1938 removed each evening;
- 1939           b. There must be legal parking that is easily available for customers; and

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1940 c. The site must be in an area that is easily accessible to the public, will  
1941 accommodate multiple shoppers at one time and does not infringe on neighboring  
1942 properties.

1943 26.a. Per lot, limited to a maximum aggregated total of two thousand square feet of  
1944 gross floor area devoted to, and in support of, the retail sale of marijuana.

1945 b. Notwithstanding subsection B.26.a. of this section, the maximum aggregated  
1946 total gross floor area devoted to, and in support of, the retail sale of marijuana may be  
1947 increased to up to three thousand square feet if the retail outlet devotes at least five  
1948 hundred square feet to the sale, and the support of the sale, of medical marijuana, and the  
1949 operator maintains a current medical marijuana endorsement issued by the Washington  
1950 state Liquor and Cannabis Board.

1951 c. Any lot line of a lot having any area devoted to retail marijuana activity must  
1952 be one thousand feet or more from any lot line of any other lot having any area devoted to  
1953 retail marijuana activity; and a lot line of a lot having any area devoted to new retail  
1954 marijuana activity may not be within one thousand feet of any lot line of any lot having  
1955 any area devoted to existing retail marijuana activity.

1956 d. Whether a new retail marijuana activity complies with this locational  
1957 requirement shall be determined based on the date a conditional use permit application  
1958 submitted to the department of local services, permitting division, became or was deemed  
1959 complete, and:

1960 (1) if a complete conditional use permit application for the proposed retail  
1961 marijuana use was not submitted, or if more than one conditional use permit application  
1962 became or was deemed complete on the same date, then the director shall determine

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1963 compliance based on the date the Washington state Liquor and Cannabis Board issues a  
1964 Notice of Marijuana Application to King County;

1965 (2) if the Washington state Liquor and Cannabis Board issues more than one  
1966 Notice of Marijuana Application on the same date, then the director shall determine  
1967 compliance based on the date either any complete building permit or change of use  
1968 permit application, or both, were submitted to the department declaring retail marijuana  
1969 activity as an intended use;

1970 (3) if more than one building permit or change of use permit application was  
1971 submitted on the same date, or if no building permit or change of use permit application  
1972 was submitted, then the director shall determine compliance based on the date a complete  
1973 business license application was submitted; and

1974 (4) if a business license application was not submitted or more than one  
1975 business license application was submitted, then the director shall determine compliance  
1976 based on the totality of the circumstances, including, but not limited to, the date that a  
1977 retail marijuana license application was submitted to the Washington state Liquor and  
1978 Cannabis Board identifying the lot at issue, the date that the applicant entered into a lease  
1979 or purchased the lot at issue for the purpose of retail marijuana use and any other facts  
1980 illustrating the timing of substantial investment in establishing a licensed retail marijuana  
1981 use at the proposed location.

1982 e. Retail marijuana businesses licensed by the Washington state Liquor and  
1983 Cannabis Board and operating within one thousand feet of each other as of August 14,  
1984 2016, and retail marijuana businesses that do not require a permit issued by King County,  
1985 that received a Washington state Liquor and Cannabis Board license to operate in a

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1986 location within one thousand feet of another licensed retail marijuana business prior to  
1987 August 14, 2016, and that King County did not object to within the Washington state  
1988 Liquor and Cannabis Board marijuana license application process, shall be considered  
1989 nonconforming and may remain in their current location, subject to the provisions of  
1990 K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:

1991 (1) the time periods identified in K.C.C. 21A.32.045.C. shall be six months; and

1992 (2) the gross floor area of a nonconforming retail outlet may be increased up to  
1993 the limitations in subsection B.26.a. and B.26.b. of this section.

1994 27. Per lot, limited to a maximum aggregated total of five thousand square feet  
1995 gross floor area devoted to, and in support of, the retail sale of marijuana, and;

1996 a. Any lot line of a lot having any area devoted to retail marijuana activity must  
1997 be one thousand feet or more from any lot line of any other lot having any area devoted to  
1998 retail marijuana activity; and any lot line of a lot having any area devoted to new retail  
1999 marijuana activity may not be within one thousand feet of any lot line of any lot having  
2000 any area devoted to existing retail marijuana activity; and

2001 b. Whether a new retail marijuana activity complies with this locational  
2002 requirement shall be determined based on the date a conditional use permit application  
2003 submitted to the department of local services, permitting division, became or was deemed  
2004 complete, and:

2005 (1) if a complete conditional use permit application for the proposed retail  
2006 marijuana use was not submitted, or if more than one conditional use permit application  
2007 became or was deemed complete on the same date, then the director shall determine

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2008 compliance based on the date the Washington state Liquor and Cannabis Board issues a  
2009 Notice of Marijuana Application to King County;

2010 (2) if the Washington state Liquor and Cannabis Board issues more than one  
2011 Notice of Marijuana Application on the same date, then the director shall determine  
2012 compliance based on the date either any complete building permit or change of use  
2013 permit application, or both, were submitted to the department declaring retail marijuana  
2014 activity as an intended use;

2015 (3) if more than one building permit or change of use permit application was  
2016 submitted on the same date, or if no building permit or change of use permit application  
2017 was submitted, then the director shall determine compliance based on the date a complete  
2018 business license application was submitted; and

2019 (4) if a business license application was not submitted or more than one  
2020 business license application was submitted, then the director shall determine compliance  
2021 based on the totality of the circumstances, including, but not limited to, the date that a  
2022 retail marijuana license application was submitted to the Washington state Liquor and  
2023 Cannabis Board identifying the lot at issue, the date that the applicant entered into a lease  
2024 or purchased the lot at issue for the purpose of retail marijuana use, and any other facts  
2025 illustrating the timing of substantial investment in establishing a licensed retail marijuana  
2026 use at the proposed location; and

2027 c. Retail marijuana businesses licensed by the Washington state Liquor and  
2028 Cannabis Board and operating within one thousand feet of each other as of August 14,  
2029 2016, and retail marijuana businesses that do not require a permit issued by King County,  
2030 that received a Washington state Liquor and Cannabis Board license to operate in a

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2031 location within one thousand feet of another licensed retail marijuana business prior to  
 2032 August 14, 2016, and that King County did not object to within the Washington state  
 2033 Liquor and Cannabis Board marijuana license application process, shall be considered  
 2034 nonconforming and may remain in their current location, subject to the provisions of  
 2035 K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:

2036 (1) the time periods identified in K.C.C. 21A.32.045.C. shall be six months; and

2037 (2) the gross floor area of a nonconforming retail outlet may be increased up to  
 2038 the limitations in subsection B.27. of this section, subject to K.C.C. 21A.42.190.

2039 28. If the agricultural product sales or livestock sales is associated with  
 2040 agricultural activities it will be reviewed in accordance with K.C.C. 21A.08.090.

2041 29. Businesses selling firearms that have a storefront, have hours during which  
 2042 it is open for business, and post advertisements or signs observable to passersby that  
 2043 firearms are available for sale shall be located at least five hundred feet or more from any  
 2044 elementary, middle/junior high and secondary or high school properties. Businesses  
 2045 selling firearms in existence before June 30, 2020, shall be considered nonconforming  
 2046 and may remain in their current location, subject to the provisions of K.C.C. 21A.32.020  
 2047 through 21A.32.075 for nonconforming uses.

2048 SECTION 46. Ordinance 10870, Section 336, as amended, and K.C.C.  
 2049 21A.08.090 are hereby amended to read as follows:

2050 A. Resource land uses.

<b>P-Permitted Use C-</b>	<b>RESOUR</b>	<b>R</b>	<b>RESIDENTI</b>	<b>COMMERCIAL/IND</b>
<b>Conditional Use S-</b>	<b>CE</b>	<b>U</b>	<b>AL</b>	<b>USTRIAL</b>

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<b>Special Use</b>					<b>R A L</b>								
<b>SIC#</b>	<b>SPECIFIC LAND USE</b>	<b>A</b>	<b>F</b>	<b>M</b>	<b>R A</b>	<b>U R</b>	<b>R 1- 8</b>	<b>R1 2- 48</b>	<b>N B</b>	<b>CB</b>	<b>RB</b>	<b>O</b>	<b>I</b>
<u>12</u>	<u>Coal Mining</u>												
<u>13</u>	<u>Oil and Gas Extraction</u>												
	<b>AGRICULT URE:</b>												
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	P 24 C	P 2 4 C		P2 4C	P2 4C							

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*	Agricultural Support Services	P 25 C	P 2 5 C		P2 6C	P2 6C	P 2 6 C		P2 7 C 28	P27 C2 8			
*	Marijuana producer	P 15 C 22			P1 6 C1 7					P18 C1 9	P18 C1 9		P2 0 C 21
*	Agriculture Training Facility	C 10											
*	Agriculture-related special needs camp	P 12											
*	Agricultural Anaerobic Digester	P 13											
	<b>FORESTRY:</b>												
08	Growing & Harvesting Forest Production	P	P	P 7	P	P	P						P

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*	Forest Research		P		P	P						P	P
												2	
	<b>FISH AND WILDLIFE MANAGEMENT:</b>												
0921	Hatchery/Fish Preserve (1)	P	P		P	P	C						P
0273	Aquaculture (1)	P	P		P	P	C						P
*	Wildlife Shelters	P	P		P	P							
	<b>MINERAL:</b>												
10,((+ 2,)) 14	Mineral Extraction and Processing		P 9 C	P C 1 1									
2951, 3271, 3273	Asphalt/Concr ete Mixtures and Block		P 8 C 1 1	P 8 C 1 1									P

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	<b>ACCESSOR Y USES:</b>												
*	Resource Accessory Uses	P 3 P 23	P 4	P 5	P3	P3							P4
*	Farm Worker Housing	P 14			P1 4								

- 2051 B. Development conditions.
- 2052 1. May be further subject to K.C.C. chapter 21A.25.
- 2053 2. Only forest research conducted within an enclosed building.
- 2054 3. Farm residences in accordance with K.C.C. 21A.08.030.
- 2055 4. Excluding housing for agricultural workers.
- 2056 5. Limited to either maintenance or storage facilities, or both, in conjunction
- 2057 with mineral extraction or processing operation.
- 2058 6. Allowed in accordance with K.C.C. chapter 21A.30.
- 2059 7. Only in conjunction with a mineral extraction site plan approved in
- 2060 accordance with K.C.C. chapter 21A.22.
- 2061 8. Only on the same lot or same group of lots under common ownership or
- 2062 documented legal control, which includes, but is not limited to, fee simple ownership, a
- 2063 long-term lease or an easement:
- 2064 a. as accessory to a primary mineral extraction use;

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2065           b. as a continuation of a mineral processing only for that period to complete  
2066 delivery of products or projects under contract at the end of a mineral extraction; or

2067           c. for a public works project under a temporary grading permit issued in  
2068 accordance with K.C.C. 16.82.152.

2069           9. Limited to mineral extraction and processing:

2070           a. on a lot or group of lots under common ownership or documented legal  
2071 control, which includes but is not limited to, fee simple ownership, a long-term lease or  
2072 an easement;

2073           b. that are located greater than one-quarter mile from an established residence;

2074 and

2075           c. that do not use local access streets that abut lots developed for residential  
2076 use.

2077           10. Agriculture training facilities are allowed only as an accessory to existing  
2078 agricultural uses and are subject to the following conditions:

2079           a. The impervious surface associated with the agriculture training facilities  
2080 shall comprise not more than ten percent of the allowable impervious surface permitted  
2081 under K.C.C. 21A.12.040;

2082           b. New or the expansion of existing structures, or other site improvements,  
2083 shall not be located on class 1, 2 or 3 soils;

2084           c. The director may require reuse of surplus structures to the maximum extent  
2085 practical;

2086           d. The director may require the clustering of new structures with existing  
2087 structures;

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2088 e. New structures or other site improvements shall be set back a minimum  
2089 distance of seventy-five feet from property lines adjoining rural area and residential  
2090 zones;

2091 f. Bulk and design of structures shall be compatible with the architectural style  
2092 of the surrounding agricultural community;

2093 g. New sewers shall not be extended to the site;

2094 h. Traffic generated shall not impede the safe and efficient movement of  
2095 agricultural vehicles, nor shall it require capacity improvements to rural roads;

2096 i. Agriculture training facilities may be used to provide educational services to  
2097 the surrounding rural/agricultural community or for community events. Property owners  
2098 may be required to obtain a temporary use permit for community events in accordance  
2099 with K.C.C. chapter 21A.32;

2100 j. Use of lodging and food service facilities shall be limited only to activities  
2101 conducted in conjunction with training and education programs or community events  
2102 held on site;

2103 k. Incidental uses, such as office and storage, shall be limited to those that  
2104 directly support education and training activities or farm operations; and

2105 l. The King County agriculture commission shall be notified of and have an  
2106 opportunity to comment upon all proposed agriculture training facilities during the permit  
2107 process in accordance with K.C.C. chapter 21A.40.

2108 11. Continuation of mineral processing and asphalt/concrete mixtures and block  
2109 uses after reclamation in accordance with an approved reclamation plan.

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2110           12.a. Activities at the camp shall be limited to agriculture and agriculture-  
2111 oriented activities. In addition, activities that place minimal stress on the site's  
2112 agricultural resources or activities that are compatible with agriculture are permitted.

- 2113           (1) passive recreation;
- 2114           (2) training of individuals who will work at the camp;
- 2115           (3) special events for families of the campers; and
- 2116           (4) agriculture education for youth.

2117           b. Outside the camp center, as provided for in subsection B.12.e. of this  
2118 section, camp activities shall not preclude the use of the site for agriculture and  
2119 agricultural related activities, such as the processing of local food to create value-added  
2120 products and the refrigeration and storage of local agricultural products. The camp shall  
2121 be managed to coexist with agriculture and agricultural activities both onsite and in the  
2122 surrounding area.

2123           c. A farm plan shall be required for commercial agricultural production to  
2124 ensure adherence to best management practices and soil conservation.

2125           d.(1) The minimum site area shall be five hundred acres. Unless the property  
2126 owner has sold or transferred the development rights as provided in subsection B.12.c.(3)  
2127 of this section, a minimum of five hundred acres of the site must be owned by a single  
2128 individual, corporation, partnership or other legal entity and must remain under the  
2129 ownership of a single individual, corporation, partnership or other legal entity for the  
2130 duration of the operation of the camp.

2131           (2) Nothing in subsection B.12.d.(1) of this section prohibits the property  
2132 owner from selling or transferring the development rights for a portion or all of the site to

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2133 the King County farmland preservation program or, if the development rights are  
2134 extinguished as part of the sale or transfer, to a nonprofit entity approved by the director;

2135 e. The impervious surface associated with the camp shall comprise not more  
2136 than ten percent of the allowable impervious surface permitted under K.C.C. 21A.12.040;

2137 f. Structures for living quarters, dining facilities, medical facilities and other  
2138 nonagricultural camp activities shall be located in a camp center. The camp center shall  
2139 be no more than fifty acres and shall depicted on a site plan. New structures for  
2140 nonagricultural camp activities shall be clustered with existing structures;

2141 g. To the extent practicable, existing structures shall be reused. The applicant  
2142 shall demonstrate to the director that a new structure for nonagricultural camp activities  
2143 cannot be practicably accommodated within an existing structure on the site, though  
2144 cabins for campers shall be permitted only if they do not already exist on site;

2145 h. Camp facilities may be used to provide agricultural educational services to  
2146 the surrounding rural and agricultural community or for community events. If required  
2147 by K.C.C. chapter 21A.32, the property owner shall obtain a temporary use permit for  
2148 community events;

2149 i. Lodging and food service facilities shall only be used for activities related to  
2150 the camp or for agricultural education programs or community events held on site;

2151 j. Incidental uses, such as office and storage, shall be limited to those that  
2152 directly support camp activities, farm operations or agricultural education programs;

2153 k. New nonagricultural camp structures and site improvements shall maintain a  
2154 minimum set-back of seventy-five feet from property lines adjoining rural area and  
2155 residential zones;

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2156           l. Except for legal nonconforming structures existing as of January 1, 2007,  
2157 camp facilities, such as a medical station, food service hall and activity rooms, shall be of  
2158 a scale to serve overnight camp users;

2159           m. Landscaping equivalent to a type III landscaping screen, as provided for in  
2160 K.C.C. 21A.16.040, of at least twenty feet shall be provided for nonagricultural structures  
2161 and site improvements located within two hundred feet of an adjacent rural area and  
2162 residential zoned property not associated with the camp;

2163           n. New sewers shall not be extended to the site;

2164           o. The total number of persons staying overnight shall not exceed three  
2165 hundred;

2166           p. The length of stay for any individual overnight camper, not including camp  
2167 personnel, shall not exceed ninety days during a three-hundred-sixty-five-day period;

2168           q. Traffic generated by camp activities shall not impede the safe and efficient  
2169 movement of agricultural vehicles nor shall it require capacity improvements to rural  
2170 roads;

2171           r. If the site is adjacent to an arterial roadway, access to the site shall be  
2172 directly onto the arterial unless the county road engineer determines that direct access is  
2173 unsafe;

2174           s. If direct access to the site is via local access streets, transportation  
2175 management measures shall be used to minimize adverse traffic impacts;

2176           t. Camp recreational activities shall not involve the use of motor vehicles  
2177 unless the motor vehicles are part of an agricultural activity or are being used for the  
2178 transportation of campers, camp personnel or the families of campers. Camp personnel

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2179 may use motor vehicles for the operation and maintenance of the facility. Client-specific  
2180 motorized personal mobility devices are allowed; and

2181 u. Lights to illuminate the camp or its structures shall be arranged to reflect the  
2182 light away from any adjacent property.

2183 13. Limited to digester receiving plant and animal and other organic waste from  
2184 agricultural activities, and including electrical generation, as follows:

2185 a. the digester must be included as part of a Washington state Department of  
2186 Agriculture approved dairy nutrient plan;

2187 b. the digester must process at least seventy percent livestock manure or other  
2188 agricultural organic material from farms in the vicinity, by volume;

2189 c. imported organic waste-derived material, such as food processing waste,  
2190 may be processed in the digester for the purpose of increasing methane gas production for  
2191 beneficial use, but not shall exceed thirty percent of volume processed by the digester;  
2192 and

2193 d. the use must be accessory to an operating dairy or livestock operation.

2194 14. Farm worker housing. Either:

2195 a. Temporary farm worker housing subject to the following conditions:

2196 (1) The housing must be licensed by the Washington state Department of  
2197 Health under chapter 70.114A RCW and chapter 246-358 WAC;

2198 (2) Water supply and sewage disposal systems must be approved by the  
2199 Seattle King County department of health;

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2200 (3) To the maximum extent practical, the housing should be located on  
2201 nonfarmable areas that are already disturbed and should not be located in the floodplain  
2202 or in a critical area or critical area buffer; and

2203 (4) The property owner shall file with the department of executive services,  
2204 records and licensing services division, a notice approved by the department identifying  
2205 the housing as temporary farm worker housing and that the housing shall be occupied  
2206 only by agricultural employees and their families while employed by the owner or  
2207 operator or on a nearby farm. The notice shall run with the land; or

2208 b. Housing for agricultural employees who are employed by the owner or  
2209 operator of the farm year-round as follows:

2210 (1) Not more than:

2211 (a) one agricultural employee dwelling unit on a site less than twenty acres;

2212 (b) two agricultural employee dwelling units on a site of at least twenty  
2213 acres and less than fifty acres;

2214 (c) three agricultural employee dwelling units on a site of at least fifty acres  
2215 and less than one-hundred acres; and

2216 (d) four agricultural employee dwelling units on a site of at least one-  
2217 hundred acres, and one additional agricultural employee dwelling unit for each additional  
2218 one hundred acres thereafter;

2219 (2) If the primary use of the site changes to a nonagricultural use, all  
2220 agricultural employee dwelling units shall be removed;

2221 (3) The applicant shall file with the department of executive services, records  
2222 and licensing services division, a notice approved by the department that identifies the

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2223 agricultural employee dwelling units as accessory and that the dwelling units shall only  
2224 be occupied by agricultural employees who are employed by the owner or operator year-  
2225 round. The notice shall run with the land. The applicant shall submit to the department  
2226 proof that the notice was filed with the department of executive services, records and  
2227 licensing services division, before the department approves any permit for the  
2228 construction of agricultural employee dwelling units;

2229 (4) An agricultural employee dwelling unit shall not exceed a floor area of  
2230 one thousand square feet and may be occupied by no more than eight unrelated  
2231 agricultural employees;

2232 (5) To the maximum extent practical, the housing should be located on  
2233 nonfarmable areas that are already disturbed;

2234 (6) One off-street parking space shall be provided for each agricultural  
2235 employee dwelling unit; and

2236 (7) The agricultural employee dwelling units shall be constructed in  
2237 compliance with K.C.C. Title 16.

2238 15. Marijuana production by marijuana producers licensed by the Washington  
2239 state Liquor and Cannabis Board is subject to the following standards:

2240 a. Only allowed on lots of at least four and one-half acres;

2241 b. With a lighting plan, only if required by and that complies with K.C.C.  
2242 21A.12.220.G.;

2243 c. Only with documentation that the operator has applied for a Puget Sound  
2244 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
2245 marijuana producers or marijuana processors, or both, shall require that a Puget Sound

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2246 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
2247 are imported onto the site;

2248 d. Production is limited to outdoor, indoor within marijuana greenhouses, and  
2249 within structures that are nondwelling unit structures that exist as of October 1, 2013,  
2250 subject to the size limitations in subsection B.15.e. of this section;

2251 e. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
2252 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum  
2253 aggregated total of two thousand square feet and shall be located within a fenced area or  
2254 marijuana greenhouse that is no more than ten percent larger than that combined area, or  
2255 may occur in nondwelling unit structures that exist as of October 1, 2013;

2256 f. Outdoor production area fencing as required by the Washington state Liquor  
2257 and Cannabis Board, marijuana greenhouses and nondwelling unit structures shall  
2258 maintain a minimum street setback of fifty feet and a minimum interior setback of thirty  
2259 feet; and

2260 g. If the two-thousand-square-foot-per-lot threshold of plant canopy combined  
2261 with area used for processing under K.C.C. 21A.08.080 is exceeded, each and every  
2262 marijuana-related entity occupying space in addition to the two-thousand-square-foot  
2263 threshold area on that lot shall obtain a conditional use permit as set forth in subsection  
2264 B.22. of this section.

2265 16. Marijuana production by marijuana producers licensed by the Washington  
2266 state Liquor and Cannabis Board is subject to the following standards:

2267 a. Marijuana producers in all RA zoned areas except for Vashon-Maury Island,  
2268 that do not require a conditional use permit issued by King County, that receive a

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2269 Washington state Liquor and Cannabis Board license business (~~(prior to)~~) before October  
2270 1, 2016, and that King County did not object to within the Washington state Liquor and  
2271 Cannabis Board marijuana license application process, shall be considered  
2272 nonconforming as to subsection B.16.d. and h. of this section, subject to the provisions of  
2273 K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses;

2274           b. In all rural area zones, only with a lighting plan that complies with K.C.C.  
2275 21A.12.220.G.;

2276           c. Only allowed on lots of at least four and one-half acres on Vashon-Maury  
2277 Island;

2278           d. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,  
2279 except on Vashon-Maury Island;

2280           e. Only with documentation that the operator has applied for a Puget Sound  
2281 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
2282 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
2283 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
2284 are imported onto the site;

2285           f. Production is limited to outdoor, indoor within marijuana greenhouses, and  
2286 within nondwelling unit structures that exist as of October 1, 2013, subject to the size  
2287 limitations in subsection B.16.g. of this section; and

2288           g. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
2289 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum  
2290 aggregated total of two thousand square feet and shall be located within a fenced area or

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2291 marijuana greenhouse, that is no more than ten percent larger than that combined area, or  
2292 may occur in nondwelling unit structures that exist as of October 1, 2013;

2293 h. Outdoor production area fencing as required by the Washington state Liquor  
2294 and Cannabis Board and marijuana greenhouses shall maintain a minimum street setback  
2295 of fifty feet and a minimum interior setback of one hundred feet; and a minimum setback  
2296 of one hundred fifty feet from any existing residence; and

2297 i. If the two-thousand-square-foot-per-lot threshold of plant canopy within  
2298 fenced areas or marijuana greenhouses is exceeded, each and every marijuana-related  
2299 entity occupying space in addition to the two-thousand-square-foot threshold area on that  
2300 lot shall obtain a conditional use permit as set forth in subsection B.17. of this section.

2301 17. Marijuana production by marijuana producers licensed by the Washington  
2302 state Liquor and Cannabis Board is subject to the following standards:

2303 a. Only allowed on lots of at least four and one-half acres on Vashon-Maury  
2304 Island;

2305 b. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,  
2306 except on Vashon-Maury Island;

2307 c. In all rural area zones, only with a lighting plan that complies with K.C.C.  
2308 21A.12.220.G.;

2309 d. Only with documentation that the operator has applied for a Puget Sound  
2310 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
2311 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
2312 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
2313 are imported onto the site;

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2314 e. Production is limited to outdoor and indoor within marijuana greenhouses  
2315 subject to the size limitations in subsection B.17.f. of this section;

2316 f. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
2317 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum  
2318 aggregated total of thirty thousand square feet and shall be located within a fenced area or  
2319 marijuana greenhouse that is no more than ten percent larger than that combined area;  
2320 and

2321 g. Outdoor production area fencing as required by the Washington state Liquor  
2322 and Cannabis Board, and marijuana greenhouses shall maintain a minimum street setback  
2323 of fifty feet and a minimum interior setback of one hundred feet, and a minimum setback  
2324 of one hundred fifty feet from any existing residence.

2325 18.a. Production is limited to indoor only;

2326 b. With a lighting plan only as required by and that complies with K.C.C.  
2327 21A.12.220.G.;

2328 c. Only with documentation that the operator has applied for a Puget Sound  
2329 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
2330 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
2331 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
2332 are imported onto the site; and

2333 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
2334 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum  
2335 aggregated total of two thousand square feet and shall be located within a building or

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2336 tenant space that is no more than ten percent larger than the plant canopy and separately  
2337 authorized processing area; and

2338 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and  
2339 every marijuana-related entity occupying space in addition to the two-thousand-square  
2340 foot threshold area on that parcel shall obtain a conditional use permit as set forth in  
2341 subsection B.19. of this section.

2342 19.a. Production is limited to indoor only;

2343 b. With a lighting plan only as required by and that complies with K.C.C.  
2344 21A.12.220.G.;

2345 c. Only with documentation that the operator has applied for a Puget Sound  
2346 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
2347 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
2348 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
2349 are imported onto the site; and

2350 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
2351 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum  
2352 aggregated total of thirty thousand square feet and shall be located within a building or  
2353 tenant space that is no more than ten percent larger than the plant canopy and separately  
2354 authorized processing area.

2355 20.a. Production is limited to indoor only;

2356 b. With a lighting plan only as required by and that complies with K.C.C.  
2357 21A.12.220.G.;

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2358 c. Only with documentation that the operator has applied for a Puget Sound  
2359 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
2360 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
2361 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
2362 are imported onto the site;

2363 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
2364 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum  
2365 aggregated total of two thousand square feet and shall be located within a building or  
2366 tenant space that is no more than ten percent larger than the plant canopy and separately  
2367 authorized processing area; and

2368 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and  
2369 every marijuana-related entity occupying space in addition to the two-thousand-square-  
2370 foot threshold area on that lot shall obtain a conditional use permit as set forth in  
2371 subsection B.21. of this section.

2372 21.a. Production is limited to indoor only;

2373 b. With a lighting plan only as required by and that complies with K.C.C.  
2374 21A.12.220.G.;

2375 c. Only with documentation that the operator has applied for a Puget Sound  
2376 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
2377 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
2378 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
2379 are imported onto the site; and

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2380 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
2381 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum  
2382 aggregated total of thirty thousand square feet and shall be located within a building or  
2383 tenant space that is no more than ten percent larger than the plant canopy and separately  
2384 authorized processing area.

2385 22. Marijuana production by marijuana producers licensed by the Washington  
2386 state Liquor and Cannabis Board is subject to the following standards:

2387 a. With a lighting plan only as required by and that complies with K.C.C.  
2388 21A.12.220.G.;

2389 b. Only allowed on lots of at least four and one-half acres;

2390 c. Only with documentation that the operator has applied for a Puget Sound  
2391 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
2392 marijuana producers or marijuana processors, or both, shall require that a Puget Sound  
2393 Clean Air Agency Notice of Construction Permit be approved before marijuana products  
2394 are imported onto the site;

2395 d. Production is limited to outdoor, indoor within marijuana greenhouses, and  
2396 within structures that are nondwelling unit structures that exist as of October 1, 2013,  
2397 subject to the size limitations in subsection B.22. e. and f. of this section;

2398 e. On lots less than ten acres, per lot, the plant canopy, as defined in WAC 314-  
2399 55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be  
2400 limited to a maximum aggregated total of five thousand square feet and shall be located  
2401 within a fenced area or marijuana greenhouse that is no more than ten percent larger than

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2402 that combined area, or may occur in nondwelling unit structures that exist as of October 1,  
2403 2013;

2404 f. On lots ten acres or more, per lot, the plant canopy, as defined in WAC 314-  
2405 55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be  
2406 limited to a maximum aggregated total of ten thousand square feet, and shall be located  
2407 within a fenced area or marijuana greenhouse that is no more than ten percent larger than  
2408 that combined area, or may occur in nondwelling unit structures that exist as of October 1,  
2409 2013; and

2410 g. Outdoor production area fencing as required by the Washington state Liquor  
2411 and Cannabis Board, marijuana greenhouses and nondwelling unit structures shall maintain  
2412 a minimum street setback of fifty feet and a minimum interior setback of one hundred feet,  
2413 and a minimum setback of one hundred fifty feet from any existing residence.

2414 23. The storage and processing of non-manufactured source separated organic  
2415 waste that originates from agricultural operations and that does not originate from the site,  
2416 if:

- 2417 a. agricultural is the primary use of the site;
- 2418 b. the storage and processing are in accordance with best management practices  
2419 included in an approved farm plan; and
- 2420 c. except for areas used for manure storage, the areas used for storage and  
2421 processing do not exceed three acres and ten percent of the site.

2422 24.a. For activities relating to the processing of crops or livestock for commercial  
2423 purposes, including associated activities such as warehousing, storage, including

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2424 refrigeration, and other similar activities and excluding winery, brewery, distillery facility I,  
2425 II, III and remote tasting room:

2426 (1) limited to agricultural products and sixty percent or more of the products  
2427 processed must be grown in the Puget Sound counties. At the time of initial application,  
2428 the applicant shall submit a projection of the source of products to be produced;

2429 (2) in the RA and UR zones, only allowed on sites of at least four and one-  
2430 half acres;

2431 (3) (a) as a permitted use, the floor area devoted to all processing shall not  
2432 exceed two thousand square feet, unless located in a building designated as an historic  
2433 resource under K.C.C. chapter 20.62. The agricultural technical review committee, as  
2434 established in K.C.C. 21A.42.300, may review and approve an increase in the processing  
2435 floor area as follows: up to three thousand five hundred square feet of floor area may be  
2436 devoted to all processing in the RA zones or on farms less than thirty-five acres located in  
2437 the A zones or up to seven thousand square feet on farms greater than thirty-five acres in  
2438 the A zone; and

2439 (b) as a permitted use, the floor area devoted to all warehousing,  
2440 refrigeration, storage or other similar activities shall not exceed two thousand square feet,  
2441 unless located in a building designated as historic resource under K.C.C. chapter 20.62.  
2442 The agricultural technical review committee, as established in K.C.C. 21A.42.300, may  
2443 review and approve an increase of up to three thousand five hundred square feet of floor  
2444 area devoted to all warehouseing, storage, including refrigeration, or other similar  
2445 activities in the RA zones or on farms less than thirty-five acres located in the A zones or  
2446 up to seven thousand square feet on farms greater than thirty-five acres in the A zone;

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2447 (4) in the A zone, structures and areas used for processing, warehousing,  
2448 refrigeration, storage and other similar activities shall be located on portions of  
2449 agricultural lands that are unsuitable for other agricultural purposes, such as areas within  
2450 the already developed portion of such agricultural lands that are not available for direct  
2451 agricultural production, or areas without prime agricultural soils; and

2452 (5) structures and areas used for processing, warehousing, storage, including  
2453 refrigeration, and other similar activities shall maintain a minimum distance of seventy-  
2454 five feet from property lines adjoining rural area and residential zones, unless located in a  
2455 building designated as historic resource under K.C.C. chapter 20.62.

2456 b. For activities relating to the retail sale of agricultural products, except  
2457 livestock:

2458 (1) sales shall be limited to agricultural products and locally made arts and  
2459 crafts;

2460 (2) in the RA and UR zones, only allowed on sites at least four and one-  
2461 half acres;

2462 (3) as a permitted use, the covered sales area shall not exceed two thousand  
2463 square feet, unless located in a building designated as a historic resource under K.C.C.  
2464 chapter 20.62. The agricultural technical review committee, as established in K.C.C.  
2465 21A.42.300, may review and approve an increase of up to three thousand five hundred  
2466 square feet of covered sales area;

2467 (4) forty percent or more of the gross sales of agricultural product sold  
2468 through the store must be sold by the producers of primary agricultural products;

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2469 (5) sixty percent or more of the gross sales of agricultural products sold  
2470 through the store shall be derived from products grown or produced in the Puget Sound  
2471 counties. At the time of the initial application, the applicant shall submit a reasonable  
2472 projection of the source of product sales;

2473 (6) tasting of products, in accordance with applicable health regulations, is  
2474 allowed;

2475 (7) storage areas for agricultural products may be included in a farm store  
2476 structure or in any accessory building; and

2477 (8) outside lighting is permitted if there is no off-site glare.

2478 c. Retail sales of livestock is permitted only as accessory to raising  
2479 livestock.

2480 d. Farm operations, including quipment repair and related facilities, except  
2481 that:

2482 (1) the repair of tools and machinery is limited to those necessary for the  
2483 operation of a farm or forest;

2484 (2) in the RA and UR zones, only allowed on sites of at least four and one-  
2485 half acres;

2486 (3) the size of the total repair use is limited to one percent of the farm size  
2487 in the A zone, and up to one percent of the size in other zones, up to a maximum of five  
2488 thousand square feet unless located within an existing farm structure, including but not  
2489 limited to barns, existing as of December 31, 2003; and

2490 (4) Equipment repair shall not be permitted in the Forest zone.

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2491 e. The agricultural technical review committee, as established in K.C.C.  
2492 21A.42.300, may review and approve reductions of minimum site sizes in the rural and  
2493 residential zones and minimum setbacks from rural and residential zones.

2494 25. The department may review and approve establishment of agricultural  
2495 support services in accordance with the code compliance review process in K.C.C.

2496 21A.42.300 only if:

2497 a. project is sited on lands that are unsuitable for direct agricultural production  
2498 based on size, soil conditions or other factors and cannot be returned to productivity by  
2499 drainage maintenance; and

2500 b. the proposed use is allowed under any Farmland Preservation Program  
2501 conservation easement and zoning development standards.

2502 26. The agricultural technical review committee, as established in K.C.C.  
2503 21A.42.300, may review and approve establishment of agricultural support services only  
2504 if the project site:

2505 a. adjoins or is within six hundred sixty feet of the agricultural production  
2506 district;

2507 b. has direct vehicular access to the agricultural production district;

2508 c. except for farmworker housing, does not use local access streets that abut  
2509 lots developed for residential use; and

2510 d. has a minimum lot size of four and one-half acres.

2511 27. The agricultural technical review committee, as established in K.C.C.  
2512 21A.42.300, may review and approve establishment of agricultural support services only  
2513 if the project site:

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- 2514 a. is outside the urban growth area,  
 2515 b. adjoins or is within six hundred sixty feet of the agricultural production  
 2516 district,  
 2517 c. has direct vehicular access to the agricultural production district,  
 2518 d. except for farmworker housing, does not use local access streets that abut  
 2519 lots developed for residential use; and  
 2520 e. has a minimum lot size of four and one-half acres.

2521 28. Only allowed on properties that are outside the urban growth area.

2522 SECTION 47. Ordinance 10870, Section 337, as amended, and K.C.C.

2523 21A.08.100 are hereby amended to read as follows:

2524 A. Regional land uses.

<b>P-Permitted Use</b>		<b>RESOURCE</b>			<b>R</b> <b>U</b> <b>R</b> <b>A</b> <b>L</b>	<b>RESIDENT</b>			<b>COMMERCIAL/INDU</b>																	
<b>C-Conditional Use</b>		<b>A</b>	<b>F</b>	<b>M</b>		<b>IAL</b>			<b>STRIAL</b>																	
<b>S-Special Use</b>						<b>R</b>	<b>U</b>	<b>R</b>	<b>1-</b>	<b>12</b>	<b>N</b>	<b>C</b>	<b>RB</b>	<b>O</b>	<b>I</b>											
<b>SIC</b>	<b>SPECIFIC</b>															<b>A</b>	<b>F</b>	<b>M</b>	<b>R</b>	<b>U</b>	<b>R</b>	<b>R</b>	<b>N</b>	<b>C</b>	<b>RB</b>	<b>O</b>
					<b>#</b>																					
*	Jail						S	S	S	S	S	S	S													
*	Jail	S	S		S	S																				

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	Farm/Camp												
*	Work Release Facility				S1 9	S1 9	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		C1 4 S		C1 4 S	C1 4 S	C1 4 S						
*	Non- hydroelectric Generation Facility	C1 2 S2 9	C1 2 S2 9	C1 2 S2 8	C1 2 S2 9	C1 2 S2 9	C1 2 S2 9	C1 2 S2 9	C1 2 S2 9	C1 2 S2 9	C12 S29	C1 2 S2 9	C1 2 S2 9
* _	Renewable Energy	<u>C2</u> 8	<u>C2</u> 8	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>						

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	<u>Generation Facility</u>												
*	<u>Fossil Fuel Facility</u>												<u>S2</u> <u>7</u>
*	Communication Facility (17)	C6 c S	P		C6 c S	C6 c S	C6 c S	C6 c S	C6 c S	P	P	P	P
*	Earth Station	P6 b C	P		C6 a S	C6 a S	C6 a S	C6 a S	P6 b C	P	P	P	P
((13	<del>Oil and Gas Extraction</del>	<del>S</del>	<del>C</del>	<del>P</del>	<del>S</del>	<del>C</del> ) )							
*	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

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*	Wastewater Treatment Facility				S	S	S	S	S	S	S	S	C
*	Municipal Water Production	S	P1 3 S	S	S	S	S	S	S	S	S	S	S
*	Airport/Helip ort	S7	S7		S	S	S	S	S	S	S	S	S
*	Regional Transit Authority Facility					P2 5							
*	Rural Public Infrastructure Maintenance Facility				C2 3								P
*	Transit Bus Base						S	S	S	S	S	S	P
*	Transit Comfort Facility				P2 6		P2 6	P2 6	P2 6	P2 6	P26	P2 6	P2 6
*	School Bus				C5	C5	C5	C5	S	S	S	S	P

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	Base				S2 0	S	S	S					
794 8	Racetrack				S8	S8	S8	S8	S8	S8	S8	S8	S2 4
*	Regional Motor Sports Facility												P
*	County Fairgrounds Facility				P2 1 S2 2								
*	Fairground									S	S		S
842 2	Zoo/Wildlife Exhibit(2)		S9		S9	S	S	S		S	S		
794 1	Stadium/Are na										S		S
822 1- 822 2	College/Univ ersity(1)	P1 0	P1 0		P1 0 C1 1 S1 8	P1 0 C1 1 S1 8	P1 0 C1 1 S 8	P1 0 C1 1 S 8	P1 0 C1 1 S	P	P	P	P

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*	Zoo Animal	P1	P1		P1								
	Breeding	6	6		6								
	Facility												

2525 B. Development conditions.

2526 1. Except technical institutions. See vocational schools on general services land  
 2527 use table, K.C.C. 21A.08.050.

2528 2. Except arboretum. See K.C.C. 21A.08.040, recreation/cultural land use table.

2529 3. Except weapons armories and outdoor shooting ranges.

2530 4. Except outdoor shooting range.

2531 5. Only in conjunction with an existing or proposed school.

2532 6.a. Limited to no more than three satellite dish antennae.

2533 b. Limited to one satellite dish antenna.

2534 c. Limited to tower consolidations.

2535 7. Limited to landing field for aircraft involved in forestry or agricultural  
 2536 practices or for emergency landing sites.

2537 8. Except racing of motorized vehicles.

2538 9. Limited to wildlife exhibit.

2539 10. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32.

2540 11. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter  
 2541 21A.32.

2542 12. Limited to ~~((cogeneration facilities for on-site use only))~~ gas extraction as an  
 2543 accessory use to a waste management process, such as wastewater treatment, landfill  
 2544 waste management, livestock manure and composting processes.

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- 2545           13. Excluding impoundment of water using a dam.
- 2546           14. Limited to facilities that comply with the following:
- 2547           a. Any new diversion structure shall not:
- 2548                 (1) exceed a height of eight feet as measured from the streambed; or
- 2549                 (2) impound more than three surface acres of water at the normal maximum
- 2550 surface level;
- 2551           b. There shall be no active storage;
- 2552           c. The maximum water surface area at any existing dam or diversion shall not
- 2553 be increased;
- 2554           d. An exceedance flow of no greater than fifty percent in mainstream reach
- 2555 shall be maintained;
- 2556           e. Any transmission line shall be limited to a:
- 2557                 (1) right-of-way of five miles or less; and
- 2558                 (2) capacity of two hundred thirty KV or less;
- 2559           f. Any new, permanent access road shall be limited to five miles or less; and
- 2560           g. The facility shall only be located above any portion of the stream used by
- 2561 anadromous fish.
- 2562           15. For I-zoned sites located outside the urban growth area designated by the
- 2563 King County Comprehensive Plan, uses shown as a conditional or special use in K.C.C.
- 2564 21A.08.100.A, except for waste water treatment facilities and racetracks, shall be
- 2565 prohibited. All other uses, including waste water treatment facilities, shall be subject to
- 2566 the provisions for rural industrial uses in K.C.C. chapter 21A.12.

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2567           16. The operator of such a facility shall provide verification to the department of  
2568 natural resources and parks or its successor organization that the facility meets or exceeds  
2569 the standards of the Animal and Plant Health Inspection Service of the United States  
2570 Department of Agriculture and the accreditation guidelines of the American Zoo and  
2571 Aquarium Association.

2572           17. The following provisions of the table apply only to major communication  
2573 facilities. Minor communication facilities shall be reviewed in accordance with the  
2574 processes and standard outlined in K.C.C. chapter 21A.27.

2575           18. Only for facilities related to resource-based research.

2576           19. Limited to work release facilities associated with natural resource-based  
2577 activities.

2578           20. Limited to projects which do not require or result in an expansion of sewer  
2579 service outside the urban growth area, unless a finding is made that no cost-effective  
2580 alternative technologies are feasible, in which case a tightline sewer sized only to meet  
2581 the needs of the school bus base and serving only the school bus base may be used.  
2582 Renovation, expansion, modernization or reconstruction of a school bus base is permitted  
2583 but shall not require or result in an expansion of sewer service outside the urban growth  
2584 area, unless a finding is made that no cost-effective alternative technologies are feasible,  
2585 in which case a tightline sewer sized only to meet the needs of the school bus base.

2586           21. Only in conformance with the King County Site Development Plan Report,  
2587 through modifications to the plan of up to ten percent are allowed for the following:

- 2588           a. building square footage;
- 2589           b. landscaping;

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2590 c. parking;

2591 d. building height; or

2592 e. impervious surface.

2593 22. A special use permit shall be required for any modification or expansion of  
2594 the King County fairgrounds facility that is not in conformance with the King County  
2595 Site Development Plan Report or that exceeds the allowed modifications to the plan  
2596 identified in subsection B.21. of this section.

2597 23. The facility shall be primarily devoted to rural public infrastructure  
2598 maintenance and is subject to the following conditions:

2599 a. The minimum site area shall be ten acres, unless:

2600 (1) the facility is a reuse of a public agency yard; or

2601 (2) the site is separated from a county park by a street or utility right-of-way;

2602 b. Type 1 landscaping as provided in K.C.C. chapter 21A.16 shall be provided  
2603 between any stockpiling or grinding operations and adjacent residential zoned property;

2604 c. Type 2 landscaping as provided in K.C.C. chapter 21A.16 shall be provided  
2605 between any office and parking lots and adjacent residential zoned property;

2606 d. Access to the site does not use local access streets that abut residential zoned  
2607 property, unless the facility is a reuse of a public agency yard;

2608 e. Structural setbacks from property lines shall be as follows:

2609 (1) Buildings, structures and stockpiles used in the processing of materials  
2610 shall be no closer than:

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2611 (a) one hundred feet from any residential zoned properties, except that the  
2612 setback may be reduced to fifty feet when the grade where the building or structures are  
2613 proposed is fifty feet or greater below the grade of the residential zoned property;

2614 (b) fifty feet from any other zoned property, except when adjacent to a  
2615 mineral extraction or materials processing site;

2616 (c) the greater of fifty feet from the edge of any public street or the setback  
2617 from residential zoned property on the far side of the street; and

2618 (2) Offices, scale facilities, equipment storage buildings and stockpiles shall  
2619 not be closer than fifty feet from any property line except when adjacent to M or F zoned  
2620 property or when a reuse of an existing building. Facilities necessary to control access to  
2621 the site, when demonstrated to have no practical alternative, may be located closer to the  
2622 property line;

2623 f. On-site clearing, grading or excavation, excluding that necessary for  
2624 required access, roadway or storm drainage facility construction, shall not be permitted  
2625 within fifty feet of any property line except along any portion of the perimeter adjacent to  
2626 M or F zoned property. If native vegetation is restored, temporary disturbance resulting  
2627 from construction of noise attenuation features located closer than fifty feet shall be  
2628 permitted; and

2629 g. Sand and gravel extraction shall be limited to forty thousand yards per year.

2630 24. The following accessory uses to a motor race track operation are allowed if  
2631 approved as part of the special use permit:

2632 a. motocross;

2633 b. autocross;

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2634 c. skidpad;

2635 d. garage;

2636 e. driving school; and

2637 f. fire station.

2638 25. Regional transit authority facilities shall be exempt from setback and height  
2639 requirements.

2640 26. Transit comfort facility shall:

2641 a. only be located outside of the urban growth area boundary;

2642 b. be exempt from street setback requirements; and

2643 c. be no more than 200 square feet in size.

2644 27.a. Required for all new, modified or expanded fossil fuel facilities.

2645 Modification or expansion includes, but is not limited to:

2646 (1) new uses or fuel types within existing facilities;

2647 (2) changes to the type of refining, manufacturing or processing;

2648 (3) changes in the methods or volumes of storage or transport of raw  
2649 materials or processed products;

2650 (4) changes in the location of the facilities on-site;

2651 (5) replacement of existing facilities;

2652 (6) increases in power or water demands; or

2653 (7) increases in production capacity.

2654 b. Before filing an application with the department, the applicant shall hold a  
2655 community meeting in accordance with K.C.C. 20.20.035.

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2656 c. As part of permit application submittal for new, modified or expanded fossil  
2657 fuel facilities, the applicant shall submit the following documentation:

2658 (1) an inventory of similar existing facilities in King County and neighboring  
2659 counties, including their locations and capacities;

2660 (2) a forecast of the future needs for the facility;

2661 (3) an analysis of the potential social and economic impacts and benefits to  
2662 jurisdictions and local communities receiving or surrounding the facility;

2663 (4) an analysis of alternatives to the facility, including location, conservation,  
2664 demand management and other strategies;

2665 (5) an analysis of economic and environmental impacts, including mitigation,  
2666 of any similar existing facilities and of any new site(s) under consideration as an  
2667 alternative to expansion of an existing facility;

2668 (6) an extensive public involvement strategy which strives to effectively  
2669 engage a wide range of racial, ethnic, cultural, and socio-economic groups, including  
2670 communities that are the most impacted; and

2671 (7) considered evaluation of any applicable prior review conducted by a  
2672 public agency, local government or stakeholder group.

2673 d. As part of permit application submittal, a greenhouse gas impact analysis  
2674 shall be prepared by the applicant for all proposals for new, modified, or expanded fossil  
2675 fuel facilities. The results of this analysis shall be used to identify and mitigate the  
2676 impacts of such facilities.

2677 e. New, modified or expanded fossil fuel facilities shall:

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2678           (1) not be located within one thousand feet from any schools, medical care  
2679 facilities, or places of assembly that have occupancies of greater than one thousand  
2680 persons;

2681           (2) not be located within two hundred fifty feet from a regulated wetland or  
2682 aquatic area, except when a larger buffer is required under K.C.C. chapter 21A.24, the  
2683 buffer in K.C.C. chapter 21A.24 shall apply;

2684           (3) maintain an interior setback of at least two hundred feet;

2685           (4) store fossil fuels completely within enclosed structures, tanks or similar  
2686 facilities; and

2687           (5) be accessed directly to and from an arterial roadway.

2688           28. Limited to uses that will not convert more than two acres of farmland or  
2689 forestland, or 2.5 percent of the farmland or forestland, whichever is less.

2690           29.a. Before filing an application with the department, the applicant shall hold a  
2691 community meeting in accordance with K.C.C. 20.20.035.

2692           b. As part of permit application submittal for non-hydroelectric generation  
2693 facilities, the applicant shall submit the following documentation:

2694           (1) an inventory of similar existing facilities in King County and neighboring  
2695 counties, including their locations and capacities;

2696           (2) a report demonstrating that the facility would serve a significant portion  
2697 of the county, metropolitan region or is part of a statewide or national system;

2698           (3) a forecast of the future needs for the facility;

2699           (4) an analysis of the potential social and economic impacts and benefits to  
2700 jurisdictions and local communities receiving or surrounding the facility;

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2701 (5) an analysis of alternatives to the facility, including location, conservation,  
 2702 demand management and other strategies;

2703 (6) an analysis of economic and environmental impacts, including mitigation,  
 2704 of any similar existing facilities and of any new site(s) under consideration as an  
 2705 alternative to expansion of an existing facility;

2706 (7) an extensive public involvement strategy which strives to effectively  
 2707 engage a wide range of racial, ethnic, cultural and socioeconomic groups, including  
 2708 communities that are the most impacted; and

2709 (8) considered evaluation of any applicable prior review conducted by a  
 2710 public agency, local government or stakeholder group.

2711 c. As part of permit application submittal, a greenhouse gas impact analysis  
 2712 shall be prepared by the applicant. The results of this analysis shall be used to identify  
 2713 and mitigate the impacts of such facilities.

2714 SECTION 48. Ordinance 10870, Section 340, as amended, and K.C.C.  
 2715 21A.12.030 are hereby amended to read as follows:

2716 A. Densities and dimensions - residential and rural zones.

RURAL					RESIDENTIAL								
STANDAR DS	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	0.2 du/a c	0.2 du/a c	0.1 du/ac	0.05 du/ac	0.2 du/ac (21)	1 du/ ac	4 du/ ac (6)	6 c	8 c	12 c	18 c	24 c	48 c

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Unit/Acre (15) (28)													
Maximum Density: Dwelling Unit/Acre (1)	0.4 du/a c (20)						6 du/ ac (22) 8 du/ ac (27)	9 du/a c (27)	12 du/a c (27)	18 du/a c (27)	27 du/a c (27)	36 du/a c (27)	72 du/a c (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)	1.87 5 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)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10ft (8)	10 ft (8)
Minimum	5 ft	10ft	10 ft	10 ft	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft

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Interior Setback (3) (16)	(9)	(9)	(9)	(9)	(7)	(7)				(10)	(10)	(10)	(10)
Base Height (4)	40 ft	40 ft	40 ft	40 ft	35 ft	35 ft (29)	35 ft (25)	35 ft 45 ft (14) (25)	35 ft 45 ft (14) (25)	60 ft	60 ft	60 ft	60 ft
Maximum Impervious Surface: Percentage (5)	25% (11) (19) (26)	20% (11) (19) (26)	15% (11) (19) (24) (26)	12.5 % (11) (19) (26)	30% (11) (26)	30% (11) (26)	55% (26)	70% (26)	75% (26)	85% (26)	85% (26)	85% (26)	90% (26)

2717

## B. Development conditions.

2718

1. This maximum density may be achieved only through the application of

2719

residential density incentives in accordance with K.C.C. chapter 21A.34 or transfers of

2720

development rights in accordance with K.C.C. chapter 21A.37, or any combination of

2721

density incentive or density transfer.

2722

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

2723

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

2724

townhouse developments.

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2725           4.a. Height limits may be increased if portions of the structure that exceed the  
2726 base height limit provide one additional foot of street and interior setback for each foot  
2727 above the base height limit, but the maximum height may not exceed seventy-five feet.

2728           b. Netting or fencing and support structures for the netting or fencing used to  
2729 contain golf balls in the operation of golf courses or golf driving ranges are exempt from  
2730 the additional interior setback requirements but the maximum height shall not exceed  
2731 seventy-five feet, except for recreation or multiuse parks, where the maximum height  
2732 shall not exceed one hundred twenty-five feet, unless a golf ball trajectory study requires  
2733 a higher fence.

2734           c. Accessory dwelling units and accessory living quarters shall not exceed base  
2735 heights, except that this requirement shall not apply to accessory dwelling units  
2736 constructed wholly within an existing dwelling unit.

2737           5. Applies to each individual lot. Impervious surface area standards for:

2738           a. Regional uses shall be established at the time of permit review;

2739           b. Nonresidential uses in rural area and residential zones shall comply with  
2740 K.C.C. 21A.12.120 and 21A.12.220;

2741           c. Individual lots in the R-4 through R-6 zones that are less than nine thousand  
2742 seventy-six square feet in area shall be subject to the applicable provisions of the nearest  
2743 comparable R-6 or R-8 zone; and

2744           d. A lot may be increased beyond the total amount permitted in this chapter  
2745 subject to approval of a conditional use permit.

2746           6. Mobile home parks shall be allowed a base density of six dwelling units per  
2747 acre.

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2748           7. The standards of the R-4 zone apply if a lot is less than fifteen thousand  
2749 square feet in area.

2750           8. At least twenty linear feet of driveway shall be provided between any garage,  
2751 carport or other fenced parking area and the street property line. The linear distance shall  
2752 be measured along the center line of the driveway from the access point to such garage,  
2753 carport or fenced area to the street property line.

2754           9.a. Residences shall have a setback of at least one hundred feet from any  
2755 property line adjoining A, M or F zones or existing extractive operations. However,  
2756 residences on lots less than one hundred fifty feet in width adjoining A, M or F zones or  
2757 existing extractive operations shall have a setback from the rear property line equal to  
2758 fifty percent of the lot width and a setback from the side property equal to twenty-five  
2759 percent of the lot width.

2760           b. Except for residences along a property line adjoining A, M or F zones or  
2761 existing extractive operations, lots between one acre and two and one-half acres in size  
2762 shall conform to the requirements of the R-1 zone and lots under one acre shall conform  
2763 to the requirements of the R-4 zone.

2764           10.a. For developments consisting of three or more single-detached dwellings  
2765 located on a single parcel, the setback shall be ten feet along any property line abutting  
2766 R-1 through R-8, RA and UR zones, except for structures in on-site play areas required in  
2767 K.C.C. 21A.14.190, which shall have a setback of five feet.

2768           b. For townhouse and apartment development, the setback shall be twenty feet  
2769 along any property line abutting R-1 through R-8, RA and UR zones, except for  
2770 structures in on-site play areas required in K.C.C. 21A.14.190, which shall have a setback

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2771 of five feet, unless the townhouse or apartment development is adjacent to property upon  
2772 which an existing townhouse or apartment development is located.

2773           11. Lots smaller than one-half acre in area shall comply with standards of the  
2774 nearest comparable R-4 through R-8 zone. For lots that are one-half acre in area or  
2775 larger, the maximum impervious surface area allowed shall be at least ten thousand  
2776 square feet. On any lot over one acre in area, an additional five percent of the lot area  
2777 may be used for buildings related to agricultural or forestry practices. For lots smaller  
2778 than two acres but larger than one-half acre, an additional ten percent of the lot area may  
2779 be used for structures that are determined to be medically necessary, if the applicant  
2780 submits with the permit application a notarized affidavit, conforming with K.C.C.  
2781 21A.32.170A.2.

2782           12. For purposes of calculating minimum density, the applicant may request that  
2783 the minimum density factor be modified based upon the weighted average slope of the  
2784 net buildable area of the site in accordance with K.C.C. 21A.12.087.

2785           13. The minimum lot area does not apply to lot clustering proposals as provided  
2786 in K.C.C. chapter 21A.14.

2787           14. The base height to be used only for projects as follows:

2788           a. in R-6 and R-8 zones, a building with a footprint built on slopes exceeding a  
2789 fifteen percent finished grade; and

2790           b. in R-18, R-24 and R-48 zones using residential density incentives and  
2791 transfer of density credits in accordance with this title.

2792           15. Density applies only to dwelling units and not to sleeping units.

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2793           16. Vehicle access points from garages, carports or fenced parking areas shall  
2794 be set back from the property line on which a joint use driveway is located to provide a  
2795 straight line length of at least twenty-six feet as measured from the center line of the  
2796 garage, carport or fenced parking area, from the access point to the opposite side of the  
2797 joint use driveway.

2798           17.a. All subdivisions and short subdivisions in the R-1 zone shall be required to  
2799 be clustered if the property is located within or contains:

- 2800           (1) a floodplain;
- 2801           (2) a critical aquifer recharge area;
- 2802           (3) a regionally or locally significant resource area;
- 2803           (4) existing or planned public parks or trails, or connections to such facilities;
- 2804           (5) a category type S or F aquatic area or category I or II wetland;
- 2805           (6) a steep slope; or
- 2806           (7) an urban separator or wildlife habitat network designated by the  
2807 Comprehensive Plan or a community plan.

2808           b. The development shall be clustered away from critical areas or the axis of  
2809 designated corridors such as urban separators or the wildlife habitat network to the extent  
2810 possible and the open space shall be placed in a separate tract that includes at least fifty  
2811 percent of the site. Open space tracts shall be permanent and shall be dedicated to a  
2812 homeowner's association or other suitable organization, as determined by the director,  
2813 and meet the requirements in K.C.C. 21A.14.040. On-site critical area and buffers and  
2814 designated urban separators shall be placed within the open space tract to the extent

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2815 possible. Passive recreation, with no development of recreational facilities, and natural-  
2816 surface pedestrian and equestrian trails are acceptable uses within the open space tract.

2817 18. See K.C.C. 21A.12.085.

2818 19. All subdivisions and short subdivisions in R-1 and RA zones within the  
2819 North Fork and Upper Issaquah Creek subbasins of the Issaquah Creek Basin (the North  
2820 Fork and Upper Issaquah Creek subbasins are identified in the Issaquah Creek Basin and  
2821 Nonpoint Action Plan) and the portion of the Grand Ridge subarea of the East  
2822 Sammamish Community Planning Area that drains to Patterson Creek shall have a  
2823 maximum impervious surface area of eight percent of the gross acreage of the plat.  
2824 Distribution of the allowable impervious area among the platted lots shall be recorded on  
2825 the face of the plat. Impervious surface of roads need not be counted towards the  
2826 allowable impervious area. Where both lot- and plat-specific impervious limits apply, the  
2827 more restrictive shall be required.

2828 20. This density may only be achieved on RA 2.5 zoned parcels receiving  
2829 density from rural forest focus areas through a transfer of density credit pursuant to  
2830 K.C.C. chapter 21A.37.

2831 21. Base density may be exceeded, if the property is located in a designated  
2832 rural city urban growth area and each proposed lot contains an occupied legal residence  
2833 that predates 1959.

2834 22. The maximum density is four dwelling units per acre for properties zoned  
2835 R-4 when located in the Rural Town of Fall City.

2836 23. The minimum density requirement does not apply to properties located  
2837 within the Rural Town of Fall City.

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2838           24. The impervious surface standards for the county fairground facility are  
2839 established in the King County Fairgrounds Site Development Plan, Attachment A to  
2840 Ordinance 14808 on file at the department of natural resources and parks and the  
2841 department of local services, permitting division. Modifications to that standard may be  
2842 allowed provided the square footage does not exceed the approved impervious surface  
2843 square footage established in the King County Fairgrounds Site Development Plan  
2844 Environmental Checklist, dated September 21, 1999, Attachment B to Ordinance 14808,  
2845 by more than ten percent.

2846           25. For cottage housing developments only:

2847           a. The base height is ~~((eighteen))~~ twenty-five feet.

2848           b. Buildings have pitched roofs with a minimum slope of six and twelve may  
2849 extend up to ~~((twenty-five))~~ thirty feet at the ridge of the roof.

2850           26. Impervious surface does not include access easements serving neighboring  
2851 property and driveways to the extent that they extend beyond the street setback due to  
2852 location within an access panhandle or due to the application of King County Code  
2853 requirements to locate features over which the applicant does not have control.

2854           27. Only in accordance with K.C.C. 21A.34.040.F.1.g., ~~((and))~~ F.6. or K.C.C.  
2855 21A.37.130.A.2.

2856           28. On a site zoned RA with a building listed on the national register of historic  
2857 places, additional dwelling units in excess of the maximum density may be allowed under  
2858 K.C.C. 21A.12.042.

2859           29. Height and setback requirements shall not apply to regional transit authority  
2860 facilities.

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2861            SECTION 49. Ordinance 16267, Section 30, and K.C.C. 21A.12.250 are hereby  
2862 amended to read as follows:

2863            The general personal service use (SIC # 72 except 7216, 7218 and 7261) and the  
2864 office/outpatient clinic use (SIC # 801 - 04) listed in K.C.C. 21A.08.050 are allowed as a  
2865 conditional use, subject to the following requirements:

2866            A. The site shall be zoned R-4 through R-48;

2867            B. The establishment shall be located within one-quarter mile of a rural town,  
2868 unincorporated activity center, community business center or neighborhood business  
2869 center and less than one mile from another commercial establishment;

2870            C. The establishment shall be located in either:

2871            1. ~~((a))~~A legally established single family dwelling in existence on or before  
2872 January 1, 2008. The structure may not be expanded by more than ten percent as  
2873 provided in K.C.C. ~~((21A.30.xxx))~~ 21A.32.065 for the expansion of legally established  
2874 nonconforming uses; or

2875            2. A mixed use development with one hundred percent of the dwelling units  
2876 affordable to households with incomes at or below sixty percent of area median income  
2877 and on-site supportive services consistent with the King County Consortium  
2878 Consolidated Housing and Community Development Plan or successor plan;

2879            D. The maximum on-site parking ratio for establishments and sites shall be ~~((2))~~  
2880 two per ((4000)) one thousand square feet and required parking shall not be located  
2881 between the building and the street; and

2882            E. Sign and landscaping standards for the use apply.

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2883            SECTION 50. Ordinance 15032, Section 18, as amended, and K.C.C.

2884            21A.14.025 are hereby amended to read as follows:

2885            For cottage housing developments in the R4-R8 zones:

2886            A. The total area of the common open space must be at least two hundred and  
2887 fifty square feet per unit and at least fifty percent of the units must be clustered around  
2888 the common space.

2889            B. The total floor area of each unit, (~~including~~) except for two hundred and fifty  
2890 square feet of any enclosed parking, is limited to one thousand two hundred square feet.

2891            The footprint of each unit, including any enclosed parking, is limited to nine hundred  
2892 square feet. A front or wraparound porch of up to one hundred square feet is permitted  
2893 and is not to be included in the floor area or footprint calculation.

2894            C. Fences within the cottage housing unit development are limited to three feet in  
2895 height. Fences along the perimeter of the cottage housing development are limited to six  
2896 feet.

2897            D. Individual cottage housing units must be at least ten feet apart.

2898            E. Each dwelling unit that abuts common open space shall have either a primary  
2899 entry or a covered porch, or both, oriented to the common open space.

2900            F. Each dwelling unit within forty feet of a public right-of-way, not including  
2901 alleys, shall have a facade oriented to the public right-of-way that includes a porch, an  
2902 entrance or a bay window that projects a minimum of six inches and is a minimum of  
2903 four feet in width. If a dwelling unit is within forty feet of more than one public right-of-  
2904 way, the department shall determine which right-of-way towards which the facade

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2905 elements shall be oriented. Materials used on this facade shall wrap the corners of the  
 2906 unit.

2907 SECTION 51. Ordinance 10870, Section 407, as amended, and K.C.C.  
 2908 21A.18.030 are hereby amended to read as follows:

2909 A. Except as modified in K.C.C. 21A.18.070.B., off-street parking areas shall  
 2910 contain at a minimum the number of parking spaces as stipulated in the following table.  
 2911 Off-street parking ratios expressed as number of spaces per square feet means the usable  
 2912 or net square footage of floor area, exclusive of non-public areas. Non-public areas  
 2913 include but are not limited to building maintenance areas, storage areas, closets or  
 2914 restrooms. If the formula for determining the number of off-street parking spaces results  
 2915 in a fraction, the number of off-street parking spaces shall be rounded to the nearest  
 2916 whole number with fractions of 0.50 or greater rounding up and fractions below 0.50  
 2917 rounding down.

LAND USE	MINIMUM PARKING SPACES REQUIRED
<b>RESIDENTIAL (K.C.C. 21A.08.030.A):</b>	
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

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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>1.0 per dwelling unit</u>
<b>RECREATION/CULTURAL (K.C.C. 21A.08.040.A):</b>	
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

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	bedroom, whichever results in the greater number of spaces.
<b>LAND USE</b>	<b>MINIMUM PARKING SPACES REQUIRED</b>
<b>GENERAL SERVICES (K.C.C. 21A.08.050.A):</b>	
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

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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	0.9 per 1,000 square feet of area used for studios
<b>GOVERNMENT/BUSINESS SERVICES (K.C.C. 21A.08.060.A):</b>	
Government/business services uses:	1 per 300 square feet
Exceptions:	
Public agency yard	1 per 300 square feet of offices, plus 0.9 per 1,000 square feet of indoor storage or repair areas
Public agency archives	0.9 per 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)

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Construction and trade	1 per 300 square feet of office, plus 1 per 3,000 square feet of storage area
Warehousing and storage	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area
Self-service storage	1 per 3,500 square feet of storage area, plus 2 for any resident director's unit
Outdoor advertising services	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area
Heavy equipment repair	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of indoor repair areas
Office	1 per 300 square feet
<b>LAND USE</b>	<b>MINIMUM PARKING SPACES REQUIRED</b>
<b>RETAIL/WHOLESALE (K.C.C. 21A.08.070.A):</b>	
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	1 per facility, plus 1 per 300 square

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service bays	feet of store
Restaurants	1 per 75 square feet in dining or lounge areas
Remote tasting rooms	1 per 300 square feet of tasting and retail areas
Wholesale trade uses	0.9 per 1000 square feet
Retail and wholesale trade mixed use	1 per 300 square feet
<b>MANUFACTURING (K.C.C. 21A.08.080.A):</b>	
Manufacturing uses	0.9 per 1,000 square feet
Winery/Brewery/Distillery Facility II and III	0.9 per 1,000 square feet, plus 1 per 300 square feet of tasting and retail areas
<b>RESOURCES (K.C.C. 21A.08.090.A):</b>	
Resource uses	(director)
<b>REGIONAL (K.C.C. 21A.08.100.A):</b>	
Regional uses	(director)

2918 B. An applicant may request a modification of the minimum required number of  
 2919 parking spaces by providing that parking demand can be met with a reduced parking  
 2920 requirement. In such cases, the director may approve a reduction of up to fifty percent of  
 2921 the minimum required number of spaces.

2922 C. When the county has received a shell building permit application, off-street  
 2923 parking requirements shall be based on the possible tenant improvements or uses  
 2924 authorized by the ~~((zone designation))~~ zoning classification and compatible with the

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2925 limitations of the shell permit. When the range of possible uses result in different parking  
2926 requirements, the director will establish the amount of parking based on a likely range of  
2927 uses.

2928 D. Where other provisions of this code stipulate maximum parking allowed or  
2929 reduced minimum parking requirements, those provisions shall apply.

2930 E. In any development required to provide six or more parking spaces, bicycle  
2931 parking shall be provided. Bicycle parking shall be bike rack or locker-type parking  
2932 facilities unless otherwise specified.

2933 1. Off-street parking areas shall contain at least one bicycle parking space for  
2934 every twelve spaces required for motor vehicles except as follows:

2935 a. The director may reduce bike rack parking facilities for patrons when it is  
2936 demonstrated that bicycle activity will not occur at that location.

2937 b. The director may require additional spaces when it is determined that the  
2938 use or its location will generate a high volume of bicycle activity. Such a determination  
2939 will include but not be limited to the following uses:

2940 (1) Park/playfield,

2941 (2) Marina,

2942 (3) Library/museum/arboretum,

2943 (4) Elementary/secondary school,

2944 (5) Sports club, or

2945 (6) Retail business (when located along a developed bicycle trail or  
2946 designated bicycle route).

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2947           2. Bicycle facilities for patrons shall be located within 100 feet of the building  
2948 entrance and shall be designed to allow either a bicycle frame or wheels to be locked to a  
2949 structure attached to the pavement.

2950           3. All bicycle parking and storage shall be located in safe, visible areas that do  
2951 not impede pedestrian or vehicle traffic flow, and shall be well lit for nighttime use.

2952           4. When more than ten people are employed on site, enclosed locker-type  
2953 parking facilities for employees shall be provided. The director shall allocate the  
2954 required number of parking spaces between bike rack parking and enclosed locker-type  
2955 parking facilities.

2956           5. One indoor bicycle storage space shall be provided for every two dwelling  
2957 units in townhouse and apartment residential uses, unless individual garages are provided  
2958 for every unit. The director may reduce the number of bike rack parking spaces if indoor  
2959 storage facilities are available to all residents.

2960           SECTION 52. Ordinance 10870, Section 413, as amended, and K.C.C.

2961 21A.18.090 are hereby amended to read as follows:

2962           A. All land uses listed in K.C.C. 21A.08.060\_A\_ (Government/Business  
2963 Services), and in K.C.C. 21A.08.080\_A\_ (Manufacturing), hospitals, high schools,  
2964 vocational schools, universities and specialized instruction schools shall be required to  
2965 reserve one parking space of every ((20)) twenty required spaces for rideshare parking as  
2966 follows:

2967           1. The parking spaces shall be located closer to the primary employee entrance  
2968 than any other employee parking except disabled;

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2969           2. Reserved areas shall have markings and signs indicating that the space is  
2970 reserved; and

2971           3. Parking in reserved areas shall be limited to vanpools and carpools  
2972 established through ride share programs by public agencies and to vehicles meeting  
2973 minimum rideshare qualifications set by the employer(~~(;)~~).

2974           B. The director may reduce the number of required off-street parking spaces  
2975 when one or more scheduled transit routes provide service within (~~(660)~~) six hundred  
2976 sixty feet of the site. The amount of reduction shall be based on the number of scheduled  
2977 transit runs between 7:00 - 9:00(~~(AM)~~) a.m. and 4:00 - 6:00(~~(PM)~~) p.m. each business  
2978 day up to a maximum reduction as follows:

2979           1. Four percent for each run serving land uses in K.C.C. 21A.08.060A,  
2980 (Government/Business Services) and K.C.C. 21A.08.080A, (Manufacturing) up to a  
2981 maximum of forty percent; (~~and~~)

2982           2. Two percent for each run serving land uses in K.C.C. 21A.08.040A,  
2983 (Recreation/Culture), 21A.08.050A, (General Services) and 21A.08.060A,  
2984 (Retail/Wholesale) up to a maximum of twenty percent; and

2985           3. When served by transit runs scheduled every fifteen minutes or less, cottage  
2986 housing sites shall have no required parking minimum.

2987           C. All uses which are located on an existing transit route and are required under  
2988 the computation for required off-street parking spaces in K.C.C. 21A.18.030A, to  
2989 provide more than (~~(200)~~) two hundred parking spaces may be required to provide transit  
2990 shelters, bus turnout lanes or other transit improvements as a condition of permit

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2991 approval. Uses ~~((which))~~ that reduce required parking under subsection B<sub>2</sub> of this section  
2992 shall provide transit shelters if transit routes adjoin the site.

2993 SECTION 53. Ordinance 10870, Section 435, and K.C.C. 21A.20.150 are hereby  
2994 amended to read as follows:

2995 A. In the event that a billboard owner elects to relocate CB zoned billboards  
2996 outside of the CB zone, the CB ~~((zone designation))~~ zoning classification shall be  
2997 removed and that permit may not later be used to relocate a billboard in the CB zone.

2998 B. Billboards may be relocated only within the zone district identified on the  
2999 valid billboard permit, except the number of billboards permitted within non-CB zone  
3000 district may increase only as a result of billboard relocation from within the CB zone  
3001 district.

3002 SECTION 54. Ordinance 10870, Section 439, as amended, and K.C.C.  
3003 21A.22.010 are hereby amended to read as follows:

3004 The purpose of this chapter is to establish standards that minimize the impacts of  
3005 mineral extraction ~~((and))~~ or processing, coal mining, materials processing ~~((operations))~~  
3006 facilities and fossil fuel facilities upon surrounding properties by:

3007 A. Ensuring adequate review of operating aspects of mineral extraction ~~((and))~~ or  
3008 processing, coal mining, materials processing facility and fossil fuel facility sites;

3009 B. Requiring project phasing on large sites to minimize environmental impacts;

3010 C. Requiring minimum site areas large enough to provide setbacks and  
3011 mitigations necessary to protect environmental quality; and

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3012 D. Requiring periodic review of mineral extraction ~~((and))~~ or processing, coal  
3013 mining, materials processing ~~((operations))~~ facilities and fossil fuel facilities to ensure  
3014 compliance with the approved operating standards.

3015 SECTION 55. Ordinance 10870, Section 440, as amended, and K.C.C.  
3016 21A.22.020 are hereby amended to read as follows:

3017 This chapter shall only apply to the following uses or activities ~~((that are))~~:

3018 A. ~~((m))~~Mineral extraction or processing, or both, and including SIC 10 and 14;

3019 B. Coal mining, including SIC 12;

3020 C. ~~((m))~~Materials processing ~~((operations))~~ facilities; and

3021 D. Fossil fuel facilities.

3022 SECTION 56. Ordinance 10870, Section 441, and K.C.C. 21A.22.030 are hereby  
3023 amended to read as follows:

3024 ~~((Extractive))~~ Mineral extraction or processing operations, coal mine operations  
3025 and materials processing facility operations shall commence only after issuance of a  
3026 grading permit by the county.

3027 SECTION 57. Ordinance 15032, Section 26, as amended, and K.C.C.

3028 21A.22.035 are hereby amended to read as follows:

3029 A. Not later than thirty days after the department provides the notice of  
3030 application to the public required by K.C.C. 20.20.060 ~~((on))~~ for a ~~((mineral extraction or~~  
3031 ~~materials processing site))~~ use regulated under this chapter, or for an expansion of an  
3032 existing ~~((mineral extraction or materials processing site or operation))~~ use regulated  
3033 under this chapter beyond the scope of the prior environmental review, the applicant shall  
3034 hold a community meeting. The notice of application shall include notification of the

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3035 date, time and location of the community meeting. At the meeting, the applicant shall  
3036 provide information relative the proposal, including information on existing residences  
3037 and lot patterns within one-quarter mile of potential sites and on alternative haul routes.  
3038 The applicant shall also provide a preliminary evaluation at the meeting of any alternative  
3039 routes that have been provided to the applicant in writing at least five days in advance of  
3040 the meeting. The applicant shall provide to the department within fourteen days after the  
3041 community meeting a written list of meeting attendees and documentation of the meeting.

3042 B. Public notice of the community meeting required by this section shall be  
3043 prepared, posted and distributed in accordance with K.C.C. 20.20.060 at least two weeks  
3044 before the community meeting. In addition, the department shall:

3045 1. Publish a notice of the meeting in a local newspaper of general circulation in  
3046 the affected area;

3047 2. Mail the notice of the meeting to all property owners within one-quarter mile  
3048 of the proposed or expanded site or to at least twenty of the property owners nearest to  
3049 the site, whichever is greater; and

3050 3. Mail the notice of the meeting to all property owners within five hundred feet  
3051 of any proposed haul route from the site to the nearest arterial.

3052 SECTION 58. Ordinance 10870, Section 442, as amended, and K.C.C.  
3053 21A.22.040 are hereby amended to read as follows:

3054 To the maximum extent practicable, nonconforming (~~mineral extraction~~  
3055 ~~operations~~) uses regulated under this chapter shall be brought into conformance with the  
3056 operating conditions and performance standards of this chapter during permit renewal.

3057 The department shall establish a schedule for conformance during the first periodic

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3058 review of the nonconforming (~~(mineral extraction)~~) operation or facility and  
3059 incorporate(~~(d)~~) such a schedule into the permit conditions.

3060 SECTION 59. Ordinance 10870, Section 443, as amended, and K.C.C.  
3061 21A.22.050 are hereby amended to read as follows:

3062 A. In addition to the review conducted as part of the annual renewal of a mineral  
3063 extraction or processing operating permit, coal mine permit or materials processing  
3064 facility permit, the department shall conduct a periodic review of mineral extraction  
3065 (~~(and)~~) or processing, coal mine, materials processing (~~(operation)~~) facility or fossil fuel  
3066 facility site design and operating standards at five-year intervals from the date of issuance  
3067 of the permit.

3068 B. The periodic review is a Type 2 land use decision.

3069 C. The periodic review shall (~~(determine)~~):

3070 1. Determine (~~(W)~~)whether the site is operating consistent with all existing  
3071 permit conditions and, if not, establish corrective actions; and

3072 2. (~~(That)~~) Apply the most current site design and operating standards (~~(are~~  
3073 ~~applied)~~) to the site through additional or revised permit conditions as necessary to  
3074 mitigate identifiable environmental, public health and public safety impacts.

3075 SECTION 60. Ordinance 10870, Section 444, as amended, and K.C.C.  
3076 21A.22.060 are hereby amended to read as follows:

3077 Except as otherwise provided (~~(for nonconforming mineral extraction operations)~~)  
3078 in K.C.C. 21A.22.040, in addition to requirements in this title, all (~~(mineral extraction~~  
3079 ~~and materials processing operations)~~) uses regulated under this chapter shall comply with  
3080 the following standards:

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3081 A. The minimum site area (~~(of a mineral extraction or materials processing~~  
3082 ~~operation))~~) shall be ten acres;

3083 B. (~~(Mineral extraction or materials processing operations o)~~)On sites larger than  
3084 twenty acres, activities shall occur in phases to minimize environmental impacts. The  
3085 size of each phase shall be determined during the review process;

3086 C. If the department determines they are necessary to eliminate a safety hazard,  
3087 fences or alternatives to fences (~~(approved by the department,)~~) shall be:

3088 1. Provided in a manner that discourages access to areas of the site where:

3089 a. active extracting, processing, stockpiling and loading of materials is  
3090 occurring;

3091 b. boundaries are in common with residential or commercial zone property or  
3092 public lands; or

3093 c. any unstable slope or any slope exceeding a grade of forty percent is present;

3094 2. At least six feet in height above the grade measured at a point five feet  
3095 outside the fence and the fence material shall have no opening larger than two inches;

3096 3. Installed with lockable gates at all openings or entrances;

3097 4. No more than four inches from the ground to fence bottom; and

3098 5. Maintained in good repair;

3099 D. Warning and trespass signs advising of the (~~(mineral extraction or materials~~  
3100 ~~processing operation))~~ use shall be placed on the perimeter of the site adjacent to RA, UR  
3101 or R zones at intervals no greater than two hundred feet along any unfenced portion of the  
3102 site where the items noted in subsection C.1.~~((a. through e.))~~ of this section are present;

3103 E. Structural setbacks from property lines shall be as follows:

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3104 1. Buildings, structures and stockpiles used in the processing of materials shall  
3105 be no closer than:

3106 a. one hundred feet from any residential zoned properties except that the  
3107 setback may be reduced to fifty feet when the grade where such building or structures are  
3108 proposed is fifty feet or greater below the grade of the residential zoned property;

3109 b. fifty feet from any other zoned property, except when adjacent to another  
3110 ~~((mineral extraction or materials processing site))~~ use regulated under this chapter;

3111 c. the greater of fifty feet from the edge of any public street or the setback from  
3112 residential zoned property on the far side of the street; and

3113 2. Offices, scale facilities, equipment storage buildings and stockpiles, including  
3114 those for reclamation, shall not be closer than fifty feet from any property line except  
3115 when adjacent to another ~~((mineral extraction or materials processing site))~~ use regulated  
3116 under this chapter or M or F zoned property. Facilities necessary to control access to the  
3117 site, when demonstrated to have no practical alternative, may be located closer to the  
3118 property line;

3119 F. On-site clearing, grading or excavation, excluding that necessary for required  
3120 access, roadway or storm drainage facility construction or activities in accordance with  
3121 an approved reclamation plan, shall not be permitted within fifty feet of any property line  
3122 except along any portion of the perimeter adjacent to another ~~((mineral extraction or~~  
3123 ~~materials processing operation))~~ use regulated under this chapter or M or F zoned  
3124 property. If native vegetation is restored, temporary disturbance resulting from  
3125 construction of noise attenuation features located closer than fifty feet shall be permitted;

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3126 G. Landscaping consistent with type 1 screening K.C.C. chapter 21A.16, except  
3127 using only plantings native to the surrounding area, shall be provided along any portion  
3128 of the site perimeter where site disturbances (~~((such as site clearing and grading, or~~  
3129 ~~mineral extraction or materials processing is))~~ associated with a use regulated under this  
3130 chapter are performed, except where adjacent to another (~~((mineral extraction, materials~~  
3131 ~~processing or))~~ use regulated under this chapter, forestry operation or M or F-zoned  
3132 property;

3133 H. Relevant clearing and grading operating standards from K.C.C. chapter 16.82  
3134 shall be applied; and

3135 I. Lighting shall:

- 3136 1. Be limited to that required for security, lighting of structures and equipment,  
3137 and vehicle operations; and
- 3138 2. Not directly glare onto surrounding properties.

3139 SECTION 61. Ordinance 10870, Section 445, as amended, and K.C.C.  
3140 21A.22.070 are hereby amended to read as follows:

3141 Operating conditions and performance standards for all clearing and grading  
3142 activity for a use regulated under this chapter shall be as specified in K.C.C. chapter  
3143 16.82 except:

3144 A.1. Noise levels (~~((produced by a mineral extraction or materials processing~~  
3145 ~~operation))~~) shall not exceed levels specified by K.C.C. chapter 12.86;

3146 2. Hours of operation (~~((for mineral extraction and materials processing~~  
3147 ~~facilities))~~), unless otherwise specified by the director, shall be between 7:00 a.m. and

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3148 7:00 p.m. Monday through Saturday and between 10:00 a.m. and 5:00 p.m. Sunday and  
3149 holidays;

3150 3. Before approving any variation of the hours of operation, the department  
3151 shall:

3152 a. determine whether on-site operations can comply with nighttime noise  
3153 standards in accordance with K.C.C. 12.86.110, and K.C.C. 12.86.120;

3154 b. determine whether the variance would cause significant adverse noise  
3155 impacts to the community in accordance with standards and methodologies developed by  
3156 the Federal Transit Administration, Federal Highway Administration or World Health  
3157 Organization, or any combination thereof, for evaluating noise impacts, or other  
3158 comparable standards and methods; and

3159 c. require mitigation for any identified impacts before the department approves  
3160 a variation in the hours of operation; and

3161 4. The director's decision to approve a variation in the hours of operation shall  
3162 be in writing and shall include a specific finding of compliance with the noise standards,  
3163 the facts and conclusions supporting that finding and any mitigation, conditions or  
3164 limitations imposed. All decisions made under this subsection shall be compiled by the  
3165 department and made available for public inspection;

3166 B. Blasting shall be conducted under an approved blasting plan:

3167 1. Consistent with the methods specified in the Office of Surface Mining  
3168 Enforcement and Reclamation 1987 Blasting Guidance Manual in a manner that protects  
3169 from damage all structures, excluding those owned and directly used by the operator, and

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3170 persons in the vicinity of the blasting area, including, but not limited to, adherence to the  
3171 following:

3172 a. Airblast levels shall not exceed one hundred thirty-three decibels measured  
3173 by a two Hz or lower flat response system at the nearest residential property or place of  
3174 public assembly;

3175 b. Flyrock shall not be cast one-half the distance to the nearest residential  
3176 property, place of public assembly or the property boundary, whichever is less. For the  
3177 purposes of this subsection B.1.b., "property boundary" means an imaginary line exterior  
3178 to any enclosed structure, at ground surface, which separates the property of one or more  
3179 persons from that owned by others, and its vertical extension; and

3180 c. Ground motion shall not exceed ground vibration levels damaging to  
3181 structures using one of the four accepted methods in the Office of Surface Mining  
3182 Enforcement and Reclamation 1987 Blasting Guidance Manual;

3183 2. During daylight hours; and

3184 3. According to a time schedule, provided to residents within one-half mile of  
3185 the site, that features regular or predictable times, except in the case of an emergency. If  
3186 requested by a resident, the operator shall provide notice of changes in the time schedule  
3187 at least twenty four hours before the changes take effect;

3188 C.1. Dust and smoke (~~((produced by mineral extraction and materials processing~~  
3189 ~~operations))~~) shall be controlled by best management practices to comply with relevant  
3190 regulations of the Puget Sound Clean Air Agency.

3191 2. Dust and smoke (~~((from process facilities))~~) shall be controlled in accordance  
3192 with a valid operating permit from the Puget Sound Clean Air Agency, when required.

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3193 Copies of the permit shall be kept onsite and available for department and public  
3194 inspection. Copies of the Puget Sound Clean Air Agency monitoring results shall be  
3195 provided to the department on permit monitoring data submittal dates.

3196 3. Dust and smoke (~~(from process facilities)~~) shall not significantly increase the  
3197 existing levels of suspended particulates at the perimeter of the site;

3198 D. The applicant shall prevent rocks, dirt, mud and any raw or processed material  
3199 from spilling from or being tracked by trucks onto public roadways and shall be  
3200 responsible for cleaning debris or repairing damage to roadways caused by the operation;

3201 E. The applicant shall provide traffic control measures such as flaggers or  
3202 warning signs as determined by the department during all hours of operation;

3203 F. The operator shall control surface water and site discharges to comply with  
3204 K.C.C. chapter 9.04 and the surface water design manual and K.C.C. chapter 9.12 and the  
3205 stormwater pollution prevention manual. For the life of the (~~(mineral resource)~~)  
3206 operation and until site reclamation is complete, the operator shall maintain a valid  
3207 Washington state Department of Ecology National Pollutant Discharge Elimination  
3208 System individual permit or maintain coverage under the sand and gravel general permit.  
3209 The operator shall keep onsite and available for department review copies of the erosion  
3210 and sediment control plan, the applicable National Pollution Discharge Elimination  
3211 System individual or general permit and the Stormwater Pollution Prevention Plan. The  
3212 operator shall make the plans and permit available for public inspection upon request.  
3213 The operator shall provide to the department copies of the monitoring results on permit  
3214 monitoring data submittal dates. The department shall make the monitoring results  
3215 available for public inspection. If the department determines that National Pollution

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3216 Discharge Elimination System monitoring frequency or type is not adequate to meet the  
3217 demands of the site and the requirements of this subsection, the department may require  
3218 more frequent and detailed monitoring and may require a program designed to bring the  
3219 site into compliance;

3220 G. The operator shall not excavate below the contours determined through  
3221 hydrologic studies necessary to protect groundwater and the upper surface of the  
3222 saturated groundwater that could be used for potable water supply;

3223 H. If contamination of surface or ground water by herbicides is possible, to the  
3224 maximum extent practicable, mechanical means shall be used to control noxious weeds  
3225 on the site;

3226 I. Upon depletion of (~~mineral~~) resources or abandonment of the site, the  
3227 operator shall remove all structures, equipment and appurtenances accessory to  
3228 operations; and

3229 J. If the operator fails to comply with this section, the department shall require  
3230 modifications to operations, procedures or equipment until compliance is demonstrated to  
3231 the satisfaction of the department. If the modifications are inconsistent with the approved  
3232 permit conditions, the department shall revise the permit accordingly.

3233 SECTION 62. Ordinance 1488, Section 12, as amended, and K.C.C. 21A.22.081  
3234 are hereby amended to read as follows:

3235 A. A valid clearing and grading permit shall be maintained on a mineral  
3236 extraction or coal mine site until the reclamation of the site required under chapter 78.44  
3237 RCW is completed.

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3238           B. A reclamation plan approved in accordance with chapter 78.44 RCW shall be  
3239 submitted before the effective date of a zone reclassification in Mineral-zoned properties  
3240 or the acceptance of any development proposal for a subsequent use in Forest-zoned  
3241 properties. The zone reclassification shall grant potential zoning that is only to be  
3242 actualized, under K.C.C. chapter 20.22, upon demonstration of successful completion of  
3243 all requirements of the reclamation plan. Development proposals in the Forest zone for  
3244 uses subsequent to mineral extraction or coal mine operations shall not be approved until  
3245 demonstration of successful completion of all requirements of the reclamation plan  
3246 except that forestry activities may be permitted on portions of the site already fully  
3247 reclaimed.

3248           C. Mineral extraction and coal mine operations that are not required to have an  
3249 approved reclamation plan under chapter 78.44 RCW shall meet the following  
3250 requirements:

3251           1. Upon the exhaustion of minerals or materials or upon the permanent  
3252 abandonment of the quarrying or mining operation, all nonconforming buildings,  
3253 structures, apparatus or appurtenances accessory to the quarrying and mining operation  
3254 shall be removed or otherwise dismantled to the satisfaction of the director;

3255           2. Final grades shall:

3256           a. be such so as to encourage the uses permitted within the primarily  
3257 surrounding zone or, if applicable, the underlying or potential (~~(zone)~~) zoning  
3258 classification; and

3259           b. result in drainage patterns that reestablish natural conditions of water  
3260 velocity, volume, and turbidity within six months of reclamation and that precludes water

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3261 from collecting or becoming stagnant. Suitable drainage systems approved by the  
3262 department shall be constructed or installed where natural drainage conditions are not  
3263 possible or where necessary to control erosion. All constructed drainage systems shall be  
3264 designed consistent with the Surface Water Design Manual;

3265 3. All areas subject to grading or backfilling shall:

3266 a. incorporate only nonnoxious, nonflammable, noncombustible and  
3267 nonputrescible solids; and

3268 b. except for roads and areas incorporated into drainage facilities, be surfaced  
3269 with soil of a quality at least equal to the topsoil of the land areas immediately  
3270 surrounding, and to a depth of the topsoil of land area immediately surrounding six  
3271 inches, whichever is greater. The topsoil layer shall have an organic matter content of  
3272 eight to thirteen percent and a pH of 6.0 to 8.0 or matching the pH of the original  
3273 undisturbed soil layer. Compacted areas such as pit floors or compacted fill shall be  
3274 tilled or scarified before topsoil placement;

3275 4. All reclaimed slopes shall comprise an irregular sinuous appearance in both  
3276 profile and plan view and blend with adjacent topography to a reasonable extent;

3277 5. Where excavation has penetrated the seasonal or permanent water table  
3278 creating a water body or wetland:

3279 a. All side slopes below the permanent water table and banks shall be graded  
3280 or shaped as to not constitute a safety hazard;

3281 b. Natural features and plantings to provide beneficial wetland functions and  
3282 promote wildlife habitat shall be provided; and

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3283 c. Appropriate drainage controls shall be provided to stabilize the water level  
3284 and not create potential flooding hazards;

3285 6. All cleared, graded or backfilled areas, including areas surfaced with topsoil,  
3286 shall be planted with a variety of trees, shrubs, legumes and grasses indigenous to the  
3287 surrounding area and appropriate for the soil, moisture and exposure conditions;

3288 7. Waste or soil piles shall be used for grading, backfilling or surfacing if  
3289 permissible under this section, then covered with topsoil and planted in accordance with  
3290 subsection C.3. and 6. of this section. Waste or soil piles not acceptable to be used for fill  
3291 in accordance with this chapter or as top soil in accordance with subsection C.3. of this  
3292 section shall be removed from the site; and

3293 8. Where excavation has exposed natural materials that may create polluting  
3294 conditions, including, but not limited to, acid-forming coals and metalliferous rock or  
3295 soil, such conditions shall be addressed to the satisfaction of the department. The final  
3296 ground surface shall be graded so that surface water drains away from any such materials  
3297 remaining on the site.

3298 D. The department may modify any requirement of this section when not  
3299 applicable or if it conflicts with an approved subsequent use for the site.

3300 SECTION 63. Ordinance 15032, Section 34, and K.C.C. 21A.22.085 are hereby  
3301 amended to read as follows:

3302 The applicant shall mitigate adverse impacts resulting from the ((~~extraction or~~  
3303 ~~processing operations~~)) use regulated under this chapter and monitor to demonstrate  
3304 compliance with this chapter.

3305 SECTION 64. Sections 65 and 66 of this ordinance should constitute a new chapter

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3306 in K.C.C. Title 21A.

3307 NEW SECTION. SECTION 65. Within the sea level rise risk area the following  
3308 standards apply:

3309 A. All new, substantially improved, or converted residential or nonresidential  
3310 buildings shall be elevated on pilings and columns in a manner consistent with applicable  
3311 floodplain development standards in this title, K.C.C. Title 16, the Federal Emergency  
3312 Management Agency Coastal Construction Manual and other applicable requirements,  
3313 and in a manner that provides the following, at a minimum:

3314 1. The bottom of the lowest horizontal structural member of the lowest floor,  
3315 excluding the pilings or columns, is elevated to or above the sea level rise protection  
3316 elevation;

3317 2. The pile or column foundation and building attached thereto is anchored to  
3318 resist flotation, collapse and lateral movement due to the effects of flood water, wind and  
3319 other loads as prescribed in this title acting simultaneously on all building components.  
3320 Wind and water loading values shall each have a one percent chance of being equaled or  
3321 exceeded in any given year; and

3322 3. All building utilities are elevated to or above the flood protection elevation.

3323 B. A registered professional engineer licensed by the state of Washington shall  
3324 prepare the structural design, specifications and plans for the building, and shall certify  
3325 that the design and methods of construction to be used are in accordance with accepted  
3326 standards of practice for meeting the provisions of subsection A. of this section, including  
3327 applicable floodplain development standards in this title, K.C.C. Title 16, the Federal

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3328 Emergency Management Agency Coastal Construction Manual and other applicable  
3329 requirements;

3330 C. The applicant shall provide a complete Federal Emergency Management  
3331 Agency elevation certificate on the most current version of the form completed by a land  
3332 surveyor licensed by the state of Washington documenting the elevation of the bottom of  
3333 the lowest structural member of the lowest floor, excluding pilings and columns, of all  
3334 new and substantially improved buildings and additions affixed to the side of a building.  
3335 The elevation certificate should note whether or not the buildings contain a basement.  
3336 The department shall maintain the Federal Emergency Management Agency elevation  
3337 certificates required by this section for public inspection and for certification under the  
3338 National Flood Insurance Program;

3339 D. All new buildings and substantial improvements to existing buildings shall  
3340 maintain the space below the lowest floor free of obstruction. Breakaway walls are  
3341 prohibited. The space can include nonsupporting open wood lattice-work or insect  
3342 screening that is intended to collapse under wind and wave loads without causing  
3343 collapse, displacement or other structural damage to the elevated portion of the building  
3344 or supporting foundation system. The space below the lowest floor can be used only for  
3345 parking of vehicles, building access or limited storage of readily removable items. The  
3346 space shall not be used for human habitation;

3347 E. Fill for structural support of buildings is prohibited;

3348 F. All manufactured homes to be placed or substantially improved within the sea  
3349 level rise risk area shall meet the standards in subsections A. through E. of this section;  
3350 and

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3351 G. The department shall provide notice to all applicants for new development or  
3352 redevelopment located within the sea level rise risk area that the development may be  
3353 impacted by sea level rise and recommend that the applicant voluntarily consider setting  
3354 the development back further than required by this title to allow for future sea level rise.

3355 NEW SECTION. SECTION 66.

3356 A. The director may approve sea level rise risk area variances to this chapter. In  
3357 reviewing and evaluating sea level rise risk area variance applications, the director shall  
3358 consider all technical evaluations and relevant factors, including, but not limited to:

- 3359 1. The danger that materials may be swept onto other lands to the injury of  
3360 others;
- 3361 2. The danger to life and property due to coastal flooding or erosion damage;
- 3362 3. The susceptibility of the proposed building or facility and its contents to flood  
3363 damage and the effect of the damage on the individual owner;
- 3364 4. The importance of the services provided by the proposed building or facility  
3365 to the community;
- 3366 5. The necessity to the building or facility of a waterfront location;
- 3367 6. The availability of alternative locations for the proposed use that are not  
3368 subject to flooding or erosion damage;
- 3369 7. The potential of the proposed development to create an adverse effect on a  
3370 federally or state-protected species or habitat;
- 3371 8. The compatibility of the proposed use with existing and anticipated  
3372 development;

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3373 9. The relationship of the proposed use to the Comprehensive Plan, shoreline  
3374 master program and flood hazard management plan;

3375 10. The safety of access to the property in times of flooding for ordinary and  
3376 emergency vehicles;

3377 11. The expected heights, velocity, duration, rate of rise, sediment transport of  
3378 the floodwaters and effects of wave action expected at the site;

3379 12. The costs of providing governmental services during and after flood  
3380 conditions, including emergency management services and maintenance and repair of  
3381 public utilities and facilities such as sewer, gas, electrical, water systems, streets and  
3382 bridges; and

3383 13. Current and future risks from sea level rise conditions anticipated to occur  
3384 over the next fifty years.

3385 B. The director may only approve a sea level rise risk area variance upon a  
3386 determination that:

3387 1. Failure to grant the sea level rise risk area variance would result in an  
3388 exceptional hardship to the applicant;

3389 2. The granting of a sea level rise risk area variance will not result in additional  
3390 threats to public safety, extraordinary public expense, create nuisances, cause fraud on or  
3391 victimization of the public or conflict with existing laws or ordinances; and

3392 3. The sea level rise risk area variance is the minimum necessary, considering  
3393 the flood or erosion hazard, to afford relief.

3394 C. An applicant for sea level rise risk area variance shall be given a written notice  
3395 that the approval of the sea level rise risk area variance to construct a structure below the

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3396 sea level rise protection elevation established in this chapter in may result in higher future  
3397 flood insurance premium rates up to amounts as high as twenty-five dollars per one  
3398 hundred dollars of coverage and that the construction below the sea level rise protection  
3399 elevation increases risks to life and property.

3400 D.1. An application for a sea level rise risk area variance shall be submitted in  
3401 writing to the department of local services, permitting division, together with any  
3402 supporting documentation that demonstrates how the proposal meets the criteria in this  
3403 section.

3404 2. An application for a sea level rise risk area variance under this section shall  
3405 be reviewed as a Type II land use decision in accordance with K.C.C. 20.20.020.

3406 3. Sea level rise risk area variances that allow the establishment of a use not  
3407 otherwise permitted in the zone where the proposal is located shall not be permitted.

3408 4. The variance standards in K.C.C. 21A.44.030 and the alteration exception  
3409 standards in K.C.C. 21A.24.070 shall not be used for variances to the sea level rise risk  
3410 area regulations of this chapter.

3411 5. The department shall maintain in perpetuity a record of all requests for  
3412 variances, including justification for their issuance.

3413 SECTION 67. Ordinance 17539, Section 47, and K.C.C. 21A.24.072 are hereby  
3414 amended to read as follows:

3415 A. As an alternative to an alteration exception under K.C.C. 21A.24.070, during  
3416 review of an application for a single detached dwelling unit, the director may approve an  
3417 alteration to a wetland buffer, aquatic area buffer, steep slope hazard area and associated  
3418 buffer, landslide hazard area and associated buffer and critical area setback as follows:

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- 3419           1. There is no feasible alternative to the development proposal with less adverse  
3420 impact on the critical area;
- 3421           2. The alteration is the minimum necessary to accommodate residential use of the  
3422 property;
- 3423           3. The approval does not require the modification of a critical area development  
3424 standard established by this chapter;
- 3425           4. The development proposal does not pose an unreasonable threat to the public  
3426 health, safety or welfare on or off the development proposal site and is consistent with the  
3427 general purposes of this chapter and the public interest;
- 3428           5. No more than five thousand square feet or ten percent of the site, whichever is  
3429 greater, are disturbed by structures, building setbacks or other land alteration, including  
3430 grading, utility installations and landscaping, but not including the area used for a driveway  
3431 or for an on-site sewage disposal system. For purposes of this section, areas located within  
3432 the shoreline jurisdiction that are below the ordinary high water mark shall not be included  
3433 in calculating the site area;
- 3434           6. The applicant submits an approved rural stewardship plan or forest stewardship  
3435 plan prepared in accordance with this chapter that addresses the development proposal and  
3436 the proposed use of the property; and
- 3437           7. The proposal complies with K.C.C. 21A.24.125 and 21A.24.130.
- 3438           B. The applicant for the waiver of the alteration exception process shall submit any  
3439 critical areas studies, alternatives analysis and other documents requested by the  
3440 department following a preapplication review meeting.

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3441 C. Within fourteen calendar days after the department determines the application  
3442 under this section is complete, it shall provide written mailed notice of the proposed  
3443 alteration as provided in K.C.C. (~~(20.20.080.H)~~) 20.20.060.H.

3444 D. The department shall allow twenty-one calendar days for comment before  
3445 making a decision on the request under this section. The department's decision shall be  
3446 mailed to the applicant and to any other person who requests a copy. The decision shall  
3447 state the reasons for the decision and, if approved, shall include any required mitigation or  
3448 conditions.

3449 SECTION 68. Ordinance 10870, Section 478, as amended, and K.C.C.

3450 21A.24.310 are hereby amended to read as follows:

3451 The following development standards apply to development proposals and  
3452 alterations on sites containing steep slope hazard areas:

3453 A. Except as provided in subsection D. of this section, unless allowed as an  
3454 alteration exception under K.C.C. 21A.24.070, only the alterations identified in K.C.C.  
3455 21A.24.045 are allowed within a steep slope hazard area;

3456 B. A buffer is required from all edges of the steep slope hazard area. To  
3457 eliminate or minimize the risk of property damage or injury resulting from slope  
3458 instability, landsliding or erosion caused in whole or part by the development, the  
3459 department shall determine the size of the buffer based upon a critical area report  
3460 prepared by a geotechnical engineer or geologist. The department of local services shall  
3461 adopt a public rule to implement this subsection, including implementing the  
3462 requirements for development and review of a critical area report.

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3463 1. For new structures and substantial improvements to existing structures on  
3464 sites where any portion of the steep slope hazard area extends into the coastal high hazard  
3465 area or sea level rise risk area:

3466 ~~((If a))~~ a. The critical area report shall include an assessment of current and  
3467 future risks of sea level rise conditions anticipated to occur over the next fifty years and a  
3468 recommended buffer;

3469 b. If a critical area report is not submitted to the department, the minimum  
3470 buffer shall be seventy-five feet;

3471 2. For all other development not identified in subsection B.1.:

3472 a. If a critical area report is not submitted to the department, the minimum  
3473 buffer ~~((is)) shall be fifty feet((-)); and~~

3474 b. For building permits for single detached dwelling units only, the department  
3475 may waive the special study requirement and authorize buffer reductions if the  
3476 department determines that the reduction will adequately protect the proposed  
3477 development and the critical area; ~~((and))~~

3478 C. Unless otherwise provided in K.C.C. 21A.24.045 or as a necessary part of an  
3479 allowed alteration, removal of any vegetation from a steep slope hazard area or buffer is  
3480 prohibited; and

3481 D. All alterations are allowed in the following circumstance:

3482 1. Slopes which are forty percent or steeper with a vertical elevation change of  
3483 up to twenty feet if no adverse impact will result from the exemption based on King  
3484 County's review of and concurrence with a soils report prepared by a geologist or  
3485 geotechnical engineer; and

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3486           2. The approved regrading of any slope which was created through previous  
3487 legal grading activities. Any slope which remains forty percent or steeper following site  
3488 development shall be subject to all requirements for steep slopes.

3489           SECTION 69. Ordinance 15051, Section 179, as amended, and K.C.C.  
3490 21A.24.316 are hereby amended to read as follows:

3491           The following development standards apply to development proposals and  
3492 alterations on sites containing critical aquifer recharge areas:

3493           A. Except as otherwise provided in subsection H. of this section, the following  
3494 new development proposals and alterations are not allowed on a site located in a category  
3495 I critical aquifer recharge area:

- 3496           1. Transmission pipelines carrying petroleum or petroleum products;
- 3497           2. Sand and gravel, and hard rock mining unless:
  - 3498           a. the site has mineral zoning as of January 1, 2005; or
  - 3499           b. mining is a permitted use on the site and the critical aquifer recharge area  
3500 was mapped after the date a complete application for mineral extraction on the site was  
3501 filed with the department;
- 3502           3. Mining of any type below the upper surface of the saturated ground water that  
3503 could be used for potable water supply;
- 3504           4. Disposal of radioactive wastes, as defined in chapter 43.200 RCW;
- 3505           5. Hydrocarbon extraction;
- 3506           6. Commercial wood treatment facilities on permeable surfaces;
- 3507           7. Underground storage tanks, including tanks that are exempt from the  
3508 requirements of chapter 173 WAC, with hazardous substances, as defined in chapter

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3509 70.105 RCW, that do not comply with standards of chapter 173-360 WAC and K.C.C.

3510 Title 17;

3511 8. Above-ground storage tanks for hazardous substances, as defined in chapter  
3512 70.105 RCW, unless protected with primary and secondary containment areas and a spill  
3513 protection plan;

3514 9. Golf courses;

3515 10. Cemeteries;

3516 11. Wrecking yards;

3517 12. Landfills for hazardous waste, municipal solid waste or special waste, as  
3518 defined in K.C.C. chapter 10.04; and

3519 13. On lots smaller than one acre, an on-site septic system, unless:

3520 a. the system is approved by the Washington state Department of Health and  
3521 has been listed by the Washington State Department of Health as meeting treatment  
3522 standard N as provided in WAC chapter 426-~~(172A)~~272A; or

3523 b. the Seattle-King County department of public health determines that the  
3524 systems required under subsection A.13.a. of this section will not function on the site.

3525 B. Except as otherwise provided in subsection H. of this section, the following  
3526 new development proposals and alterations are not allowed on a site located in a category  
3527 II critical aquifer recharge area:

3528 1. Mining of any type below the upper surface of the saturated ground water that  
3529 could be used for potable water supply;

3530 2. Disposal of radioactive wastes, as defined in chapter 43.200 RCW;

3531 3. Hydrocarbon extraction;

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- 3532 4. Commercial wood treatment facilities located on permeable surfaces;
- 3533 5.a. Except for a category II critical aquifer recharge area located over an
- 3534 aquifer underlying an island that is surrounded by saltwater, underground storage tanks
- 3535 with hazardous substances, as defined in chapter 70.105 RCW, that do not meet the
- 3536 requirements of chapter 173-360 WAC and K.C.C. Title 17; and
- 3537 b. For a category II critical aquifer recharge area located over an aquifer
- 3538 underlying an island that is surrounded by saltwater, underground storage tanks,
- 3539 including underground storage tanks exempt from the requirements of chapter 173-360
- 3540 WAC, with hazardous substances, as defined in chapter 70.105 RCW, that do not comply
- 3541 with the standards in chapter 173-360 WAC and K.C.C. Title 17;
- 3542 6. Above-ground storage tanks for hazardous substances, as defined in chapter
- 3543 70.105 RCW, unless protected with primary and secondary containment areas and a spill
- 3544 protection plan;
- 3545 7. Wrecking yards;
- 3546 8. Landfills for hazardous waste, municipal solid waste, or special waste, as
- 3547 defined in K.C.C. chapter 10.04; and
- 3548 9. On lots smaller than one acre, an on-site septic systems, unless:
- 3549 a. the system is approved by the Washington state Department of Health and
- 3550 has been listed by the Washington state Department of Health as meeting treatment
- 3551 standard N as provided in WAC chapter 426-~~((172A))~~272A; or
- 3552 b. the Seattle-King County department of public health determines that the
- 3553 systems required under subsection B.9.a. of this section will not function on the site.

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3554 C. Except as otherwise provided in subsection H. of this section, the following  
3555 new development proposals and alterations are not allowed on a site located in a category  
3556 III critical aquifer recharge area:

- 3557 1. Disposal of radioactive wastes, as defined in chapter 43.200 RCW;
- 3558 2. Hydrocarbon extraction;
- 3559 3. Commercial wood treatment facilities located on permeable surfaces;
- 3560 4. Underground storage tanks, including tanks exempt from the requirements of  
3561 chapter 173-360 WAC, with hazardous substances, as defined in chapter 70.105 RCW,  
3562 that do not comply with the requirements of chapter 173-360 WAC and K.C.C. Title 17;
- 3563 5. Above ground storage tanks for hazardous substances, as defined in chapter  
3564 70.105 RCW, unless protected with primary and secondary containment areas and a spill  
3565 protection plan;
- 3566 6. Wrecking yards; and
- 3567 7. Landfills for hazardous waste, municipal solid waste, or special waste, as  
3568 defined in K.C.C. chapter 10.04.

3569 D. The following standards apply to development proposals and alterations that  
3570 are substantial improvements on a site located in a critical aquifer recharge area:

- 3571 1. The owner of an underground storage tank, including a tank that is exempt  
3572 from the requirements of chapter 173 WAC, in a category I or III critical aquifer recharge  
3573 area or a category II critical aquifer recharge area located over an aquifer underlying ~~((an~~  
3574 ~~island that is surrounded by saltwater))~~ Vashon-Maury Island shall either bring the tank  
3575 into compliance with the standards of chapter 173 WAC and K.C.C. Title 17 or properly  
3576 decommission or remove the tank; and

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3577           2. The owner of an underground storage tank in a category II critical aquifer  
3578 recharge area not located on located over an aquifer underlying ~~((an island that is~~  
3579 ~~surrounded by saltwater))~~ Vashon-Maury Island shall bring the tank into compliance with  
3580 the standards of chapter 173-360 WAC and K.C.C. Title 17 or shall properly  
3581 decommission or remove the tank.

3582           E. In any critical aquifer recharge area, the property owner shall properly  
3583 decommission an abandoned well.

3584           F. On a site located in a critical aquifer recharge area within the urban growth  
3585 area, a development proposal for new residential development, including, but not limited  
3586 to, a subdivision, short subdivision, or dwelling unit, shall incorporate best management  
3587 practices included in the King County Surface Water Design Manual into the site design  
3588 in order to infiltrate stormwater runoff to the maximum extent practical.

3589           G. ~~((On an island surround by saltwater,))~~ For critical aquifer recharge areas on  
3590 Vashon-Maury Island:

3591           1. No new groundwater wells are permitted within a coastal high hazard area. A  
3592 rainwater catchment system may be used as an alternative water supply source for a  
3593 single family residence if the requirements of K.C.C. 13.04.070 are met;

3594           2. All new groundwater wells within a sea level rise risk area shall include a  
3595 surface seal that prevents risks of saltwater contamination caused by sea level rise  
3596 conditions anticipated to occur over the next fifty years; and

3597           3. ((†))The owner of a new well located within ((two hundred feet of the  
3598 ordinary high water mark of the marine shoreline and within a critical aquifer recharge  
3599 area)) the sea level rise risk area shall test the well for chloride levels using testing

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3600 protocols approved by the Washington state Department of Health. The owner shall  
3601 report the results of the test to Seattle-King County department of public health and to the  
3602 department of natural resources and parks. If the test results indicate saltwater intrusion  
3603 is likely to occur, the department of natural resources and parks, in consultation with  
3604 Seattle-King County department of public health, shall recommend appropriate measures  
3605 in addition to the minimum requirements of this title to prevent saltwater intrusion.

3606 H. On a site greater than twenty acres, the department may approve a  
3607 development proposal otherwise prohibited by subsections A., B. and C. of this section if  
3608 the applicant demonstrates through a critical area((s)) report that the development  
3609 proposal is located outside the critical aquifer recharge area and that the development  
3610 proposal will not cause a significant adverse environmental impact to the critical aquifer  
3611 recharge area.

3612 I. The provisions relating to underground storage tanks in subsections A. through  
3613 D. of this section apply only when the proposed regulation of underground storage tanks  
3614 has been submitted to and approved by the Washington state department of ecology, in  
3615 accordance with 90.76.040 RCW and WAC 173-360-530.

3616 SECTION 70. Ordinance 15051, Section 185, as amended, and K.C.C.  
3617 21A.24.325 are hereby amended to read as follows:

3618 A. Except as otherwise provided in this section, buffers shall be provided from the  
3619 wetland edge as follows:

3620 1. The buffers shown on the following table apply unless modified in accordance  
3621 with subsections B., C., D. and E. of this section:

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WETLAND CATEGORY AND CHARACTERISTICS	INTENSITY OF IMPACT OF ADJACENT LAND USE		
	HIGH IMPACT	MODERATE IMPACT	LOW IMPACT
<b>Category I</b>			
Wetlands of High Conservation Value	250 feet	190 feet	125 feet
Bog	250 feet	190 feet	125 feet
Estuarine	200 feet	150 feet	100 feet
Coastal Lagoon	200 feet	150 feet	100 feet
Forested	Buffer width to be based on score for habitat functions or water quality functions		
Habitat score from 8 to 9 points (high level of function)	300 feet	225 feet	150 feet
Habitat score from 6 to 7 points (moderate level of function)	150 feet	110 feet	75 feet
Category I wetlands not meeting any of the criteria above	100 feet	75 feet	50 feet
<b>Category II</b>			
Estuarine	150 feet	110 feet	75 feet
Habitat score from 8 to 9 points (high level of function)	300 feet	225 feet	150 feet

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Habitat score from 6 to 7 points (moderate level of function)	150 feet	110 feet	75 feet
Category II wetlands not meeting any of the criteria above	100 feet	75 feet	50 feet
<b>Category III</b>			
Habitat score from 8 to 9 points (high level of function)	300 feet	225 feet	150 feet
Habitat score from 6 to 7 points (moderate level of function)	150 feet	110 feet	75 feet
Category III wetlands not meeting any of the criteria above	80 feet	60 feet	40 feet
<b>Category IV</b>	50 feet	40 feet	25 feet

3622 2. For purposes of this subsection A., unless the director determines a lesser level  
 3623 of impact is appropriate based on information provided by the applicant, the intensity of  
 3624 impact of the adjacent land use is determined as follows:

3625 a. High impact includes:

3626 (1) sites zoned commercial or industrial;

3627 (2) commercial, institutional or industrial use on a site regardless of the  
 3628 zoning ((~~designation~~)) classification;

3629 (3) nonresidential use on a site zoned for residential use;

3630 (4) high-intensity active recreation use on a site regardless of zoning, such as  
 3631 golf courses, ball fields and similar use;

3632 (5) all sites within the Urban Growth Area; or

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3633 (6) Residential zoning greater than one dwelling unit per acre;

3634 b. Moderate impact includes:

3635 (1) residential uses on sites zoned residential one dwelling unit per acre or less;

3636 (2) residential use on a site zoned rural area, agriculture or forestry;

3637 (3) agricultural uses without an approved farm management plan;

3638 (4) utility corridors or right-of-way shared by several utilities, including

3639 maintenance roads; or

3640 (5) moderate-intensity active recreation or open space use, such as paved trails,

3641 parks with biking, jogging and similar use; and

3642 c. Low impact includes:

3643 (1) forestry use on a site regardless of zoning (~~(designation)~~) classification;

3644 (2) passive recreation uses, such as unpaved trails, nature viewing areas, fishing

3645 and camping areas, and other similar uses that do not require permanent structures, on a site

3646 regardless of zoning;

3647 (3) agricultural uses carried out in accordance with an approved farm

3648 management plan and in accordance with K.C.C. 21A.24.045.D.53. and K.C.C.

3649 21A.24.045.D.54.; or

3650 (4) utility corridors without a maintenance road and little or no vegetation

3651 maintenance.

3652 B. The department may approve a modification of the minimum buffer width

3653 required by this section by averaging the buffer width if:

3654 1. The department determines that:

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3655 a. the buffer averaging will improve wetland protection if the wetland has  
3656 significant differences in characteristics that effect habitat functions, such as a wetland with  
3657 a forested component adjacent to a degraded emergent component or a "dual-rated"  
3658 wetland with a Category I area adjacent to a lower-rated area; or

3659 b. averaging includes the corridors of a wetland complex; and

3660 2. The resulting buffer meets the following standards:

3661 a. the total area of the buffer after averaging is equivalent to or greater than the  
3662 area of the buffer before averaging;

3663 b. the additional buffer is contiguous with the standard buffer;

3664 c. the buffer at its narrowest point is never less than either seventy-five percent  
3665 of the required width or seventy-five feet for Category I and II, fifty feet for Category III,  
3666 and twenty-five feet for Category IV, whichever is greater;

3667 d. the averaged buffer will not result in degradation of wetland functions and  
3668 values as demonstrated by a critical area((s)) report from a qualified wetland professional;  
3669 and

3670 e. the buffer is increased adjacent to the higher functioning area of habitat or  
3671 more sensitive portion of the wetland and decreased adjacent to the lower-functioning or  
3672 less-sensitive portion as demonstrated by a critical area((s)) report from a qualified wetland  
3673 professional.

3674 C. Wetland buffer widths shall also be subject to modifications under the following  
3675 special circumstances:

3676 1. For wetlands containing documented habitat for endangered, threatened or  
3677 species of local importance, the following shall apply:

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3678           a. the department shall establish the appropriate buffer, based on a habitat  
3679 assessment, to ensure that the buffer provides adequate protection for the sensitive species;  
3680 and

3681           b. the department may apply the buffer reduction rules in subsection C.6. of this  
3682 section and the buffer averaging rules in subsection B. of this section;

3683           2. For a wetland buffer that includes a steep slope hazard area or landslide hazard  
3684 area, the buffer width is the greater of the buffer width required by the wetland's category  
3685 in this section or the top of the hazard area;

3686           3. For a wetland complex located outside the Urban Growth Area established by  
3687 the King County Comprehensive Plan or located within the Urban Growth Area in a basin  
3688 designated as "high" on the Basin and Shoreline Conditions Map, which is included as  
3689 Attachment A to Ordinance 15051, the buffer width is determined as follows:

3690           a. the buffer width for each individual wetland in the complex is the same width  
3691 as the buffer width required for the category of wetland;

3692           b. if the buffer of a wetland within the complex does not touch or overlap with at  
3693 least one other wetland buffer in the complex, a corridor is required from the buffer of that  
3694 wetland to one other wetland buffer in the complex considering the following factors:

3695           (1) the corridor is designed to support maintaining viable wildlife species that  
3696 are commonly recognized to exclusively or partially use wetlands and wetland buffers  
3697 during a critical life cycle stage, such as breeding, rearing or feeding;

3698           (2) the corridor minimizes fragmentation of the wetlands;

3699           (3) higher category wetlands are connected through corridors before lower  
3700 category wetlands; and

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3701 (4) the corridor width is a least twenty-five percent of the length of the corridor,  
3702 but no less than twenty-five feet in width; and

3703 (5) shorter corridors are preferred over longer corridors;

3704 c. wetlands in a complex that are connected by an aquatic area that flows  
3705 between the wetlands are not required to be connected through a corridor;

3706 d. the department may exclude a wetland from the wetland complex if the  
3707 applicant demonstrates that the wetland is unlikely to provide habitat for wildlife species  
3708 that are commonly recognized to exclusively or partially use wetlands and wetland buffers  
3709 during a critical life cycle stage, such as breeding, rearing or feeding; and

3710 e. the alterations allowed in a wetland buffer in K.C.C. 21A.24.045 are allowed  
3711 in corridors subject to the same conditions and requirements as wetland buffers as long as  
3712 the alteration is designed so as not to disrupt wildlife movement through the corridor;

3713 4. Where a legally established roadway transects a wetland buffer, the department  
3714 may approve a modification of the minimum required buffer width to the edge of the  
3715 roadway if the part of the buffer on the other side of the roadway sought to be reduced:

3716 a. does not provide additional protection of the proposed development or the  
3717 wetland; and

3718 b. provides insignificant biological, geological or hydrological buffer functions  
3719 relating to the other portion of the buffer adjacent to the wetland;

3720 5. If the site has an approved rural stewardship plan under K.C.C. 21A.24.055, the  
3721 buffer widths shall be established under the rural stewardship plan and shall not exceed the  
3722 standard for a low impact land use, unless the department determines that a larger buffer is  
3723 necessary to achieve no net loss of wetland ecological function; and

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3724 6. The buffer widths required for proposed land uses with high intensity impacts  
 3725 to wetlands can be reduced to those required for moderate intensity impacts under the  
 3726 following conditions:

3727 a. For wetlands that score moderate or high for habitat, which means six points  
 3728 or higher, the width of the buffer can be reduced if both of the following criteria are met:

3729 (1) A relatively undisturbed vegetated corridor at least one-hundred feet wide  
 3730 is protected between the wetland and any other Priority Habitats as defined by the  
 3731 Washington state Department of Fish and Wildlife in the priority habitat and species list.  
 3732 The corridor must be protected for the entire distance between the wetland and the  
 3733 priority habitat and legally recorded via a conservation easement; and

3734 (2) Measures to minimize the impacts of different land uses on wetlands as  
 3735 identified in subsection C.6.b. of this section are applied; and

3736 b. For wetlands that score low for habitat, which means less than six points, the  
 3737 buffer width can be reduced to that required for moderate intensity impacts by applying  
 3738 measures to minimize impacts of the proposed land uses, as follows:

<b>Disturbance</b>	<b>Measures to minimize impacts</b>
Lights	Direct lights away from wetland.
Noise	Locate activity that generates noise away from wetland. If warranted, enhance existing buffer with native vegetation plantings adjacent to noise source. For activities that generate relatively continuous, potentially disruptive noise, such as certain heavy industry or mining, establish an additional ten-foot heavily

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	vegetated buffer strip immediately adjacent to the outer wetland buffer.
Toxic runoff	Route all new untreated runoff away from wetland while ensuring wetland is not dewatered. Establish covenants limiting use of pesticides within 150 feet of wetland. Apply integrated pest management.
Stormwater runoff	Retrofit stormwater detention and treatment for roads and existing adjacent development. Prevent channelized flow from lawns that directly enters the buffer. Use low impact intensity development techniques identified in the King County Surface Water Design Manual.
Change in water regime	Infiltrate or treat, detain and disperse into buffer new runoff from impervious surfaces and new lawns.
Pets and human disturbance	Use privacy fencing or plant dense vegetation to delineate buffer edge and to discourage disturbance using vegetation appropriate for the ecoregion. Place wetland and its buffer in a separate tract or protect with a conservation easement.
Dust	Use best management practices to control dust.

3739 D. The department may approve a modification to the buffers established in  
3740 subsection A. of this section if the wetland was created or its characterization was upgraded  
3741 as part of a voluntary enhancement or restoration project.

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3742 E. If the site is located within the shoreline jurisdiction, the department shall  
3743 determine that a proposal to reduce wetland buffers under this section will result in no net  
3744 loss of shoreline ecological functions.

3745 SECTION 71. Ordinance 3688, Section 303, as amended, and K.C.C.  
3746 21A.25.050 are hereby amended to read as follows:

3747 A. The requirements of the shoreline master program apply to all uses and  
3748 development occurring within the shoreline jurisdiction. The King County shoreline  
3749 jurisdiction consists of shorelines, shorelines of statewide significance, and shorelands as  
3750 defined in RCW 90.58.030 and K.C.C. chapter 21A.06, and the one-hundred-year  
3751 floodplain.

3752 B. The shoreline jurisdiction does not include tribal reservation lands and lands  
3753 held in trust by the federal government for tribes. Nothing in the King County shoreline  
3754 master program or action taken under that program shall affect any treaty right to which  
3755 the United States is a party.

3756 C. The lakes and segments of rivers and streams constituting the King County  
3757 shoreline jurisdiction are set forth in Attachment ~~((K))~~ H to ~~((Ordinance 17485))~~ this  
3758 ordinance. The King County shoreline jurisdiction is shown on a map adopted in chapter  
3759 6 of the King County Comprehensive Plan. If there is a discrepancy between the map  
3760 and the criteria established in subsection A. of this section, the criteria shall constitute the  
3761 official King County shoreline jurisdiction. The county shall update the shoreline master  
3762 program to reflect the new designation within three years of the discovery of the  
3763 discrepancy.

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3764            SECTION 72. Ordinance 10870, Section 522, and K.C.C. 21A.28.120 are hereby  
3765 amended to read as follows:

3766            All new development shall be served by adequate vehicular access as follows:

3767            A. The property upon which the development proposed is to be located has direct  
3768 access to:

3769            1. A public or private street that meets county road standards or is formally  
3770 declared acceptable by the county road engineer; or

3771            2. The property has access to such a street over a private driveway approved by  
3772 the county;

3773            B. The proposed circulation system of a proposed subdivision, short subdivision  
3774 or binding site plan shall intersect with existing and anticipated streets abutting the site at  
3775 safe and convenient locations, as determined by the department and the county road  
3776 engineer. Proposals for subdivisions or binding site plans resulting in thirty or more lots  
3777 and a single vehicular entry point should consider provisions for secondary emergency  
3778 vehicle access; and

3779            C. Every lot upon which one or more buildings is proposed to be erected or  
3780 traffic generating use is proposed to be established, shall establish safe access as follows:

3781            1. Safe passage from the street right-of-way to building entrances for transit  
3782 patrons and other pedestrians, in accordance with the design standards set forth in K.C.C.  
3783 chapter 21A.18;

3784            2. Direct access from the street right-of-way, fire lane or a parking space to any  
3785 part of the property as needed to provide public services in accordance with adopted

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3786 standards (e.g. fire protection, emergency medical service, mail delivery or trash  
3787 collection); and

3788 3. Direct access from the street right-of-way, driveway, alley or other means of  
3789 ingress/egress approved by King County, to all required off-street parking spaces on the  
3790 premises.

3791 SECTION 73. Ordinance 10870, Section 539, as amended, and K.C.C.  
3792 21A.32.020 are hereby amended to read as follows:

3793 A. ~~((With the exception of))~~ This chapter shall apply to all nonconformances,  
3794 except:

3795 1. ~~((n))~~Nonconforming ~~((extractive))~~ operations ~~((identified in))~~ regulated by  
3796 K.C.C. chapter 21A.22~~((, all nonconformances shall be subject to the provisions of this~~  
3797 ~~chapter))~~; and

3798 2. Fossil fuel facilities regulated by K.C.C. 21A.08.100.

3799 B. This chapter does not supersede or relieve a property owner from compliance  
3800 with((:

3801 1. ~~The International Building and Fire Codes; or~~

3802 2. ~~The provisions of this code beyond the specific nonconformance addressed by~~  
3803 ~~this chapter~~) local, state and federal regulations and laws that apply to the property and  
3804 structures and uses thereon.

3805 SECTION 74. Ordinance 13274, Section 1, as amended, and K.C.C. 21A.37.010  
3806 are hereby amended to read as follows:

3807 A. The purpose of the transfer of development rights program is to transfer  
3808 residential density from eligible sending sites to eligible receiving sites through a

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3809 voluntary process that permanently preserves urban, rural((;)) and resource ((~~and urban~~  
3810 ~~separator~~)) lands that provide a public benefit. The TDR provisions are intended to  
3811 supplement land use regulations, resource protection efforts and open space acquisition  
3812 programs and to encourage increased residential development density or increased  
3813 commercial square footage, especially inside cities, where it can best be accommodated  
3814 with the least impacts on the natural environment and public services by:

3815           1. Providing an effective and predictable incentive process for property owners  
3816 of rural, resource and urban separator land to preserve lands with a public benefit as  
3817 described in K.C.C. 21A.37.020; and

3818           2. Providing an efficient and streamlined administrative review system to ensure  
3819 that transfers of development rights to receiving sites are evaluated in a timely way and  
3820 balanced with other county goals and policies, and are adjusted to the specific conditions  
3821 of each receiving site.

3822           B. The TDR provisions in this chapter shall only apply to TDR receiving site  
3823 development proposals submitted on or after September 17, 2001, and applications for  
3824 approval of TDR sending sites submitted on or after September 17, 2001.

3825           SECTION 75. Ordinance 13274, Section 4, as amended, and K.C.C. 21A.37.020  
3826 are hereby amended to read as follows:

3827           A. For the purpose of this chapter, sending site means the entire tax lot or lots  
3828 qualified under ((~~subsection B. of~~) this subsection. Sending sites ((~~may only be located~~  
3829 ~~within rural or resource lands or urban separator areas with R-1 zoning, as designated by~~  
3830 ~~the King County Comprehensive Plan, and shall meet~~)) shall:

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3831           1. Contain a public benefit such that preservation of that benefit by transferring  
3832 residential development rights to another site is in the public interest;

3833           2. Meet at least one of the following criteria:

3834           a. designation in the King County Comprehensive Plan or a functional plan as  
3835 an agricultural production district or zoned A;

3836           b. designation in the King County Comprehensive Plan or a functional plan as  
3837 forest production district or zoned F;

3838           c. designation in the King County Comprehensive Plan as Rural Area, zoned  
3839 RA-2.5, RA-5 or RA-10, and meeting the definition in RCW 84.34.020 of open space, of  
3840 farm and agricultural land or of timber land;

3841           d. designation in the King County Comprehensive Plan or a functional plan as  
3842 a proposed Rural Area or Natural Resource Land regional trail or Rural Area or Natural  
3843 Resource Land open space site, through either:

3844           (1) designation of a specific site; or

3845           (2) identification of proposed Rural Area or Natural Resource Land regional  
3846 trail or Rural Area or Natural Resource Land open space sites which meet adopted  
3847 standards and criteria, and for Rural Area or Natural Resource Land open space sites,  
3848 meet the definition of open space land, as defined in RCW 84.34.020;

3849           e. identification as habitat for federally listed endangered or threatened species  
3850 in a written determination by the King County department of natural resources and parks,  
3851 Washington state Department of Fish and Wildlife, United States Fish and Wildlife  
3852 Services or a federally recognized tribe that the sending site is appropriate for  
3853 preservation or acquisition;

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3854 f. designation in the King County Comprehensive Plan as urban separator and  
3855 zoned R-1; or

3856 g.(1) designation in the King County Comprehensive Plan as urban residential  
3857 medium or urban residential high;

3858 (2) zoned R-4, R-6, R-8, R-12, R-18, R-24 or R-48; and

3859 (3) approved for conservation futures tax funding by the King County  
3860 council;

3861 3. Consist of one or more contiguous lots that have a combined area that meets  
3862 or exceeds the minimum lot area for construction requirements in K.C.C. 21A.12.100 for  
3863 the zone in which the sending site is located. For purposes of this subsection, lots divided  
3864 by a street are considered contiguous if the lots would share a common lot line if the  
3865 street was removed. This provision may be waived by the interagency committee if the  
3866 total acreage of a rural or resource sending site application exceeds one hundred acres;  
3867 and

3868 4. Not be in public ownership, ((E))except:

3869 a. as provided in K.C.C. 21A.37.110.C.((,-or));

3870 b. for lands zoned RA that are managed by the Washington state Department  
3871 of Natural Resources as state grant or state forest lands((,-land in public ownership may  
3872 not be sending sites. If the sending site consists of more than one tax lot, the lots must be  
3873 contiguous and the area of the combined lots must meet the minimum lot area for  
3874 construction requirements in K.C.C. 21A.12.100 for the zone in which the sending site is  
3875 located. For purposes of this section, lots divided by a street are considered contiguous if  
3876 the lots would share a common lot line if the street was removed; this provision may be

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3877 waived by the interagency committee if the total acreage of a rural or resource sending  
3878 site application exceeds one hundred acres. A sending site shall be maintained in a  
3879 condition that is consistent with the criteria in this section under which the sending was  
3880 qualified.

3881 ~~B. Qualification of a sending site shall demonstrate that the site contains a public~~  
3882 ~~benefit such that preservation of that benefit by transferring residential development~~  
3883 ~~rights to another site is in the public interest. A sending site must meet at least one of the~~  
3884 ~~following criteria:~~

3885 ~~1. Designation in the King County Comprehensive Plan or a functional plan as~~  
3886 ~~an agricultural production district or zoned A;~~

3887 ~~2. Designation in the King County Comprehensive Plan or a functional plan as~~  
3888 ~~forest production district or zoned F;~~

3889 ~~3. Designation in the King Count Comprehensive Plan as rural residential,~~  
3890 ~~zoned RA 2.5, RA 5 or RA 10, and meeting the definition in RCW 84.34.020 of open~~  
3891 ~~space, farm and agricultural land, or timber land;~~

3892 ~~4. Designation in the King County Comprehensive Plan, or a functional plan as~~  
3893 ~~a proposed rural or resource area regional trail or rural or resource area open space site,~~  
3894 ~~through either:~~

3895 ~~a. designation of a specific site; or~~

3896 ~~b. identification of proposed rural or resource area regional trail or rural or~~  
3897 ~~resource area open space sites which meet adopted standards and criteria, and for rural or~~  
3898 ~~resource area open space sites, meet the definition of open space land, as defined in RCW~~  
3899 ~~84.34.020;~~

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3900 ~~5. Identification as habitat for federal listed endangered or threatened species in~~  
3901 ~~a written determination by the King County department of natural resources and parks,~~  
3902 ~~Washington state Department of Fish and Wildlife, United States Fish and Wildlife~~  
3903 ~~Services or a federally recognized tribe that the sending site is appropriate for~~  
3904 ~~preservation or acquisition; or~~

3905 ~~6. Designation in the King County Comprehensive Plan as urban separator and~~  
3906 ~~zoned R-1)); or~~

3907 c. for lands that are managed by King County for purposes of residential or  
3908 commercial development.

3909 ~~((C:))~~ B. For the purposes of the TDR program, acquisition means obtaining fee  
3910 simple rights in real property((:)) or a ~~((less than a fee simple))~~ property right in a form  
3911 that preserves in perpetuity the public benefit supporting the designation or qualification  
3912 of the property as a sending site. A sending site shall be maintained in a condition that is  
3913 consistent with the criteria in this section under which the sending was qualified.

3914 ~~((D:))~~ C. If a sending site has any outstanding code violations, the person  
3915 responsible for code compliance should resolve these violations, including any required  
3916 abatement, restoration, or payment of civil penalties, before a TDR sending site may be  
3917 qualified by the interagency review committee created under K.C.C. 21A.37.070.  
3918 However, the interagency may qualify and certify a TDR sending site with outstanding  
3919 code violations if the person responsible for code compliance has made a good faith  
3920 effort to resolve the violations and the proposal is in the public interest.

3921 ~~((E:))~~ D. For lots on which the entire lot or a portion of the lot has been cleared or  
3922 graded in accordance with a Class II, III or IV special forest practice as defined in chapter

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3923 76.09 RCW within the six years (~~(prior to)~~) before application as a TDR sending site, the  
3924 applicant must provide an affidavit of compliance with the reforestation requirements of  
3925 the Forest Practices Act, and any additional reforestation conditions of their forest  
3926 practice permit. Lots on which the entire lot or a portion of the lot has been cleared or  
3927 graded without any required forest practices or county authorization, shall be not  
3928 qualified or certified as a TDR sending site for six years unless the six-year moratorium  
3929 on development applications has been lifted or waived or the landowner has a  
3930 reforestation plan approved by the Washington state Department of Natural Resources  
3931 and King County.

3932 SECTION 76. Ordinance 13274, Section 6, as amended, and K.C.C. 21A.37.040  
3933 are hereby amended to read as follows:

3934 A. The number of residential development rights that an unincorporated sending  
3935 site is eligible to send to a receiving site shall be determined by applying the TDR  
3936 sending site base density established in subsection D. of this section to the area of the  
3937 sending site, after deducting the area associated with any existing development, any  
3938 retained development rights and any portion of the sending site already in a conservation  
3939 easement or other similar encumbrance. For each existing dwelling unit or retained  
3940 development right, the sending site area shall be reduced by an area equivalent to the base  
3941 density for that zone under K.C.C. 21A.12.030.

3942 B. Any fractions of development rights that result from the calculations in  
3943 subsection A. of this section shall not be included in the final determination of total  
3944 development rights available for transfer.

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3945 C. For purposes of calculating the amount of development rights a sending site  
3946 can transfer, the amount of land contained within a sending site shall be determined as  
3947 follows:

3948 1. If the sending site is an entire tax lot, the square footage or acreage shall be  
3949 determined:

3950 a. by the King County department of assessments records; or

3951 b. by a survey funded by the applicant that has been prepared and stamped by a  
3952 surveyor licensed in the state of Washington; and

3953 2. If the sending site consists of a lot that is divided by a zoning boundary, the  
3954 square footage or acreage shall be calculated separately for each zoning classification.  
3955 The square footage or acreage within each zoning classification shall be determined by  
3956 the King County record of the action that established the zoning and property lines, such  
3957 as an approved lot line adjustment. When such records are not available or are not  
3958 adequate to determine the square footage or acreage within each zoning classification, the  
3959 department of local services, permitting division, shall calculate the square footage or  
3960 acreage through the geographic information system (GIS) mapping system.

3961 D. For the purposes of the transfer of development rights (TDR) program only,  
3962 the following TDR sending site base densities apply:

3963 1. Sending sites designated in the King County Comprehensive Plan as urban  
3964 separator and zoned R-1 shall have a base density of four dwelling units per acre;

3965 2. Sending sites zoned RA-2.5 shall have a base density of one unit for each two  
3966 and one-half acres. Sending sites zoned RA-2.5 that are vacant and are smaller than 1.25

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3967 acres shall be allocated one additional TDR for each vacant lot that is smaller than 1.25  
3968 acres;

3969 3. Sending sites zoned RA-5 or RA-10 shall have a base density of one dwelling  
3970 unit per five acres. Vacant sending sites that are zone RA-5 and are smaller than two and  
3971 one-half acres or that are zoned RA-10 and are smaller than five acres shall be allocated  
3972 ~~((one))~~ one additional TDR for each vacant lot that is smaller than two and one-half acres  
3973 or five acres, respectively;

3974 4. Sending sites zoned RA and that have a designation under the King County  
3975 Shoreline Master Program of conservancy or natural shall be allocated one additional  
3976 TDR;

3977 5. Sending sites zoned A-10 and A-35 shall have a base density of one dwelling  
3978 unit per five acres for transfer purposes only;

3979 6. Sending sites zoned F within the forest production district shall have a base  
3980 density of one dwelling unit per eighty acres or one dwelling unit per each lot that is  
3981 between fifteen and eighty acres in size; or

3982 7. Sending sites in the urban unincorporated area that meet the criteria in K.C.C.  
3983 21A.37.020.A.2.g. shall be allocated TDRs that are equivalent to the zoning base density  
3984 established in K.C.C. 21A.12.030 for every one acre of gross land area.

3985 E. A sending site zoned RA, A or F may send one development right for every  
3986 legal lot larger than five thousand square feet that was created on or before September 17,  
3987 2001, if that number is greater than the number of development rights determined under  
3988 subsection A. of this section. A sending site zoned R-1 may send one development right  
3989 for every legal lot larger than two thousand five hundred square feet that was created on

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3990 or before September 17, 2001, if that number is greater than the number of development  
3991 rights determined under subsection A. of this section.

3992 F. The number of development rights that a King County unincorporated rural or  
3993 natural resources land sending site is eligible to send to a King County incorporated  
3994 urban area receiving site shall be determined through the application of a conversion ratio  
3995 established by King County and the incorporated municipal jurisdiction. The conversion  
3996 ratio will be applied to the number of available sending site development rights  
3997 determined under subsection A. or E. of this section.

3998 G. Development rights from one sending site may be allocated to more than one  
3999 receiving site and one receiving site may accept development rights from more than one  
4000 sending site.

4001 H. The determination of the number of residential development rights a sending  
4002 site has available for transfer to a receiving site shall be valid for transfer purposes only,  
4003 shall be documented in a TDR qualification report prepared by the department of natural  
4004 resources and parks and sent to the applicant. The qualification report and shall be  
4005 considered a final determination, not to be revised due to changes to the sending site's  
4006 zoning, and shall be valid unless conditions on the sending site property that would affect  
4007 the number of development rights the sending site has available for transfer have  
4008 changed.

4009 I. Each residential transferable development right that originates from a sending  
4010 site zoned RA, A or F shall be designated "Rural" and is equivalent to two additional  
4011 units above base density in eligible receiving sites located in unincorporated urban King  
4012 County. Each residential transferable development right that originates from a sending

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4013 site zoned R-1 urban separator shall be designated "Urban" and is equivalent to one  
4014 additional unit above base density. Each residential transferable development right that  
4015 originates from a sending site in urban unincorporated area lands meeting the criteria in  
4016 K.C.C. 21A.37.020.A.2.g. shall be designated "Urban" and is equivalent to one additional  
4017 unit above the base density.

4018 SECTION 77. Ordinance 13274, Section 7, as amended, and K.C.C. 21A.37.070  
4019 are hereby amended to read as follows:

4020 A. An interagency review committee, chaired by the department of local services  
4021 permitting division manager and the director of the department of natural resources and  
4022 parks, or designees, shall be responsible for qualification of sending sites.

4023 Determinations on sending site certifications made by the committee are appealable to the  
4024 examiner under K.C.C. 20.22.040. The department of natural resources and parks shall  
4025 be responsible for preparing a TDR qualification report, which shall be signed by the  
4026 director of the department of natural resources and parks or designee, documenting the  
4027 review and decision of the committee. The qualification report shall:

4028 1. Specify all deficiencies of an application, if the decision of the committee is  
4029 to disqualify the application;

4030 2. For all qualifying applications, provide a determination as to whether or not  
4031 additional residential dwelling units and associated accessory units may be  
4032 accommodated in accordance with K.C.C. 21A.37.050.A.; and

4033 3. Be issued a TDR certification letter within sixty days of the date of submittal  
4034 of a completed sending site certification application.

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4035 B. Responsibility for preparing a completed application rests exclusively with the  
4036 applicant. Application for sending site certification shall include:

4037 1. A legal description of the site;

4038 2. A title report;

4039 3. A brief description of the site resources and public benefit to be preserved;

4040 4. A site plan showing the existing and proposed dwelling units, nonresidential  
4041 structures, driveways, submerged lands and any area already subject to a conservation  
4042 easement or other similar encumbrance;

4043 5. Assessors map or maps of the lot or lots;

4044 6. A statement of intent indicating whether the property ownership, after TDR  
4045 certification, will be retained in private ownership or dedicated to King County or another  
4046 public or private nonprofit agency;

4047 7. Any or all of the following written in conformance with criteria established  
4048 through a public rule consistent with K.C.C. chapter 2.98, if the site is qualifying as  
4049 habitat for a threatened or endangered species:

4050 a. a wildlife habitat conservation plan;

4051 b. a wildlife habitat restoration plan; or

4052 c. a wildlife present conditions report;

4053 8. If the site qualifies as an urban unincorporated area sending site meeting the  
4054 criteria in K.C.C. 21A.37.020.A.2.g.;

4055 9. A forest stewardship plan, written in conformance with criteria established  
4056 through a public rule consistent with K.C.C. chapter 2.98, if required under K.C.C.  
4057 21A.37.060.B.3. and 6.;

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4058            ~~((9.))~~ 10. An affidavit of compliance with the reforestation requirements of the  
4059 Forest Practices Act and any additional reforestation conditions of the forest practices  
4060 permit for the site, if required under K.C.C. 21A.37.020.~~((E))~~D.;

4061            ~~((10.))~~ 11. A completed density calculation worksheet for estimating the number  
4062 of available development rights; and

4063            ~~((11.))~~ 12. The application fee consistent with K.C.C. ~~((27.36.020))~~ 27.10.170.

4064            SECTION 78. Ordinance 13733, Section 8, as amended, and K.C.C. 21A.37.100  
4065 are hereby amended to read as follows:

4066            The purpose of the TDR bank is to assist in the implementation of the transfer of  
4067 development rights (TDR) program by bridging the time gap between willing sellers and  
4068 buyers of development rights by purchasing and selling development rights, purchasing  
4069 conservation easements, and facilitating interlocal TDR agreements with cities in King  
4070 County through the provision of amenity funds. The TDR bank may acquire  
4071 development rights and conservation easements only from sending sites located in the  
4072 rural area or in an agricultural or forest ~~((production district as designated))~~ land use  
4073 designation in the King County Comprehensive Plan, or in the urban unincorporated area  
4074 only from sites meeting the criteria in K.C.C. 21A.37.020.A.2.g. Development rights  
4075 purchased from the TDR bank may only be used for receiving sites in cities or in the  
4076 urban unincorporated area as designated in the King County Comprehensive Plan.

4077            SECTION 79. Ordinance 13733, Section 10, as amended, and K.C.C.  
4078 21A.37.110 are hereby amended to read as follows:

4079            A. The TDR bank may purchase development rights from qualified sending sites  
4080 at prices not to exceed fair market value and to sell development rights at prices not less

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4081 than fair market value, except as allowed in K.C.C. 21A.37.130. The TDR bank may  
4082 accept donations of development rights from qualified TDR sending sites.

4083           B. The TDR bank may purchase a conservation easement only if the property  
4084 subject to the conservation easement is qualified as a sending site as evidenced by a TDR  
4085 qualification report, the conservation easement restricts development of the sending site  
4086 in the manner required by K.C.C. 21A.37.060 and the development rights generated by  
4087 encumbering the sending site with the conservation easement are issued to the TDR bank  
4088 at no additional cost.

4089           C. Any development rights, generated by encumbering property with a  
4090 conservation easement, may be issued to the TDR bank if:

4091           1.a. The conservation easement is acquired through a county park, open space,  
4092 trail, agricultural, forestry or other natural resource acquisition program for a property  
4093 that is qualified as a TDR sending site as evidenced by a TDR qualification report; or

4094           b. the property is acquired by the county with the intent of conveying the  
4095 property encumbered by a reserved conservation easement. The number of development  
4096 rights generated by this reserved conservation easement shall be determined by the TDR  
4097 qualification report; and

4098           2. Under either subsection C.1.a. or b. of this section, there will be no additional  
4099 cost to the county for acquiring the development rights.

4100           D. The TDR bank may use funds to facilitate development rights transfers.  
4101 These expenditures may include, but are not limited to, establishing and maintaining  
4102 internet web pages, marketing TDR receiving sites, procuring title reports and appraisals  
4103 and reimbursing the costs incurred by the department of natural resources and parks,

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4104 water and land resources division, or its successor, for administering the TDR bank fund  
4105 and executing development rights purchases and sales.

4106 E. The TDR bank fund may be used to cover the cost of providing staff support  
4107 for identifying and qualifying sending and receiving sites, and the costs of providing staff  
4108 support for the TDR interagency review committee.

4109 F. Upon approval of the TDR executive board, proceeds from the sale of TDR  
4110 bank development rights shall be available for acquisition of additional development  
4111 rights and as amenity funds to facilitate interlocal TDR agreements with cities in King  
4112 County and for projects in receiving areas located in urban unincorporated King County.  
4113 Amenity funds provided to a city from the sale of TDR bank development rights to that  
4114 city are limited to one-third of the proceeds from the sale.

4115 SECTION 80. Ordinance 13733, Section 12, as amended, and K.C.C.  
4116 21A.37.130 are hereby amended to read as follows:

4117 A.1. The sale of development rights by the TDR bank shall be at a price that  
4118 equals or exceeds the fair market value of the development rights, except as provided in  
4119 subsection A.2. of this section. The fair market value of the development rights shall be  
4120 established by the department of natural resources and shall be based on the amount the  
4121 county paid for the development rights and the prevailing market conditions.

4122 2.a. The department of natural resources and parks shall undertake a "TDR for  
4123 Affordable Housing" pilot program, in which transferrable development rights necessary  
4124 to construct up to one hundred total units shall be sold at the administrative cost incurred  
4125 by the county or fifteen percent of the fair market value of the development rights,  
4126 whichever is less.

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4127            b. In order to qualify for this program, all units built using the development  
4128 rights must be either:

4129            (1) rental housing permanently priced to serve households with a total  
4130 household income at or below forty percent of the median income for the county as  
4131 defined by the United States Department of Housing and Urban Development, adjusted  
4132 for household size. A covenant on the property that specifies the income level being  
4133 served, rent levels and requirements for reporting to King County shall be recorded at  
4134 final approval; or

4135            (2) housing reserved for income- and asset-qualified home buyers with total  
4136 household income at or below forty percent of the median income for the county as  
4137 defined by the United Stated Department of Housing and Urban Development, adjusted  
4138 for household size. The units shall be limited to owner-occupied housing with prices  
4139 restricted based on typical underwriting ratios and other lending standards, and with no  
4140 restriction placed on resale. Final approval conditions shall specify requirements for  
4141 reporting to King County on both buyer eligibility and housing prices.

4142            c. In unincorporated King County, in the R-4 through R-48 zones,  
4143 development rights to build units through this pilot program shall only be sold for units  
4144 between one hundred fifty percent and two hundred percent of the receiving site's base  
4145 density as set forth in K.C.C. 21A.12.030.

4146            d.(1) The department of natural resources and parks shall track the sale of  
4147 development rights and completion of units constructed through this program. When the  
4148 one hundred unit threshold is reached, the department shall, within six months of that  
4149 date, transmit a report to the council that includes, but is not limited to:

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4150                   (a) the location of the receiving sites where development rights under this  
4151 pilot program were used;

4152                   (b) lessons learned from the pilot program, including feedback from  
4153 developers who purchased development rights through the program; and

4154                   (c) a recommendation on whether to make the pilot program permanent,  
4155 repeal the program, or modify the program.

4156                   (2) the report shall be accompanied by a proposed ordinance effectuating the  
4157 recommendation in subsection d.1.c of this section.

4158                   (3) the report and proposed ordinance shall be filed in the form of a paper  
4159 original and an electronic copy with the clerk of the council, who shall retain the original  
4160 and provide an electronic copy to all councilmembers, the council chief of staff and the  
4161 lead staff to the mobility and environment committee or its successor.

4162                   B. When selling development rights, the TDR bank may select prospective  
4163 purchasers based on the price offered for the development rights, the number of  
4164 development rights offered to be purchased, and the potential for the sale to achieve the  
4165 purposes of the TDR program.

4166                   C. The TDR bank may sell development rights only in whole or half increments  
4167 to incorporated receiving sites through an interlocal agreement or, after the county enacts  
4168 legislation that complies with chapter 365-198 WAC, to incorporated receiving sites in a  
4169 city that has enacted legislation that complies with chapter 365-198 WAC. The TDR  
4170 bank may sell development rights only in whole increments to unincorporated King  
4171 County receiving sites.

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4172 D. All offers to purchase development rights from the TDR bank shall be in  
4173 writing, shall include a certification that the development rights, if used, shall be used  
4174 only inside an identified city or within the urban unincorporated area, include a minimum  
4175 ten percent down payment with purchase option, shall include the number of  
4176 development rights to be purchased, location of the receiving site, proposed purchase  
4177 price and the required date or dates for completion of the sale, not later than three years  
4178 after the date of receipt by King County of the purchase offer.

4179 E. Payment for purchase of development rights from the TDR bank shall be in  
4180 full at the time the development rights are transferred unless otherwise authorized by the  
4181 department of natural resources and parks.

4182 SECTION 81. Ordinance 10870, Section 577, as amended, and K.C.C.  
4183 21A.38.040 are hereby amended to read as follows:

4184 Special district overlays shall be ~~((designated))~~ classified on the official ~~((area))~~  
4185 zoning map~~((s))~~ and as a notation in the department's electronic parcel record, as follows:

4186 A. A special district overlay shall be ~~((designated))~~ classified through the area  
4187 zoning process as provided in K.C.C. chapters 20.12 and 20.18. ~~((Designation))~~  
4188 Classification of an overlay district shall include policies that prescribe the purposes and  
4189 location of the overlay;

4190 B. A special district overlay shall be applied to land through an area zoning  
4191 process as provided in K.C.C. chapters 20.12 and 20.18 and shall be indicated on the  
4192 zoning map and as a notation in the department's electronic parcel record and shall be  
4193 designated in Appendix B of Ordinance 12824 as maintained by the department of local

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4194 services, permitting division, with the suffix "-SO" following the map symbol of the  
4195 underlying zone or zones;

4196 C. The special district overlays in this chapter are the only overlays authorized by  
4197 the code. New or amended overlays to carry out new or different goals or policies shall  
4198 be adopted as part of this chapter and be available for use in all appropriate community,  
4199 subarea or neighborhood planning areas;

4200 D. The special district overlays in this chapter may waive, modify and substitute  
4201 for the range of permitted uses and development standards established by this title for any  
4202 use or underlying zone;

4203 E. Unless they are specifically modified by this chapter, the standard  
4204 requirements of this title and other county ordinances and regulations govern all  
4205 development and land uses within special district overlays;

4206 F. A special district overlay on an individual site may be modified by property-  
4207 specific development standards as provided in K.C.C. 21A.38.030;

4208 G. A special district overlay may not be deleted by a zone reclassification; and

4209 H. Special district overlay development standards may be modified or waived  
4210 through the consideration of a variance, subject to the variance criteria in K.C.C.  
4211 21A.44.030.

4212 SECTION 82. Ordinance 10870, Section 578, as amended, and K.C.C.  
4213 21A.38.050 are hereby amended to read as follows:

4214 A. The purpose of the pedestrian-oriented commercial development special  
4215 district overlay is to provide for high-density, pedestrian-oriented retail ~~((A))~~ and  
4216 employment uses. The ~~((P))~~ pedestrian-oriented commercial districts shall only be

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4217 established in areas designated (~~within a community, subarea, or neighborhood plan as~~  
4218 ~~an urban activity center~~) as a center on the adopted Urban Centers map of the King  
4219 County Comprehensive Plan and zoned CB, RB or O.

4220 B. Permitted uses shall be those uses permitted in the underlying zone, excluding  
4221 the following:

- 4222 1. Motor vehicle, boat and mobile home dealer;
  - 4223 2. Gasoline service station;
  - 4224 3. (~~Drive-through retail and service u~~) Uses with drive-through facilities,  
4225 except SIC Industry Number 5812 (Eating places) in buildings existing before July 2017;
  - 4226 4. (~~Car washes~~) SIC Industry Group 598 (Fuel dealers);
  - 4227 5. (~~Retail and service u~~)Uses with outside storage, e.g. lumber yards,  
4228 miscellaneous equipment rental or machinery sales;
  - 4229 6. (~~Wholesale uses~~) Bulk retail;
  - 4230 7. Recreation/cultural uses as set forth in K.C.C. 21A.08.040, except parks,  
4231 sports clubs, theaters, libraries and museums;
  - 4232 8. SIC Major Group 75 (Automotive repair, services and parking) except 7521  
4233 (automobile parking; but excluding tow-in parking lots);
  - 4234 9. SIC Major Group 76 (Miscellaneous repair services), except 7631 (Watch,  
4235 clock and jewelry repair);
  - 4236 10. SIC Major Group 78 (Motion pictures)(~~, except 7832 (theater) and 7841~~  
4237 ~~(video tape rental)~~);
  - 4238 11. SIC Major Group 80 (Health services), except offices and outpatient clinics  
4239 (801-804);
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- 4240 12. SIC Industry Group 421 (Trucking and courier service);
- 4241 13. Public agency archive((s));
- 4242 14. Self-service storage;
- 4243 15. Manufacturing land uses as set forth in K.C.C. 21A.08.080, except SIC
- 4244 Industry Code 2759 (Commercial printing); ((and))
- 4245 16. Resource land uses as set forth in K.C.C. 21A.08.090;
- 4246 17. SIC Industry Code 7261 (Funeral home/crematory);
- 4247 18. Cemetery, columbarium or mausoleum;
- 4248 19. Interim recycling facility;
- 4249 20. Utility facility, except underground water, gas or wastewater pipelines; and
- 4250 21. Vector waste receiving facility.

4251 C. The following development standards shall apply to ((uses)) development

4252 located in pedestrian-oriented commercial overlay districts:

4253 1. ~~((Every use shall be subject to pedestrian-oriented use limitations and street~~

4254 ~~facade development standards (e.g. placement and orientation of buildings with respect to~~

4255 ~~streets and sidewalks, arcades or marquees) identified and adopted through an applicable~~

4256 ~~community, subarea or, neighborhood plan, or the area zoning process;~~

4257 2.) For properties that have frontage on ~~((pedestrian street(s) or routes as~~

4258 ~~designated in an applicable plan or area zoning process))~~ a public street, the following

4259 conditions shall apply:

4260 a. main building entrances shall be oriented to the ~~((pedestrian))~~ public street;

4261 b. at the ground floor (at grade), buildings shall be located no more than ~~((5))~~

4262 five feet from the sidewalk or sidewalk improvement, but shall not encroach on the

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4263 public right-of-way. For buildings existing before the effective date of this section of this  
4264 ordinance with setbacks greater than five feet and that have substantial improvements  
4265 made to them after the effective date of this section of this ordinance, a minimum five-  
4266 foot-wide pedestrian walkway shall be constructed that connects the main building  
4267 entrance to the public sidewalk or sidewalk improvement;

4268 c. building facades shall comprise at least ~~((75%))~~ seventy-five percent of the  
4269 total ~~((pedestrian))~~ street frontage for a property and if applicable, at least ~~((75%))~~  
4270 seventy-five percent of the total pedestrian route frontage for a property;

4271 d. minimum ~~((side))~~ interior setbacks of the underlying zoning are waived;

4272 e. building facades ~~((of ground floor retail, general business service, and~~  
4273 ~~professional office land uses))~~ that front onto a ~~((pedestrian))~~ street ~~((or route))~~ shall  
4274 ~~((include))~~ incorporate windows into at least thirty percent of the building facade surface  
4275 area and overhead protection above all building entrances and along at least fifty percent  
4276 of length of the building facade, which may extend over the sidewalk if it does not  
4277 impede use of the sidewalk by the public;

4278 f. ground floor building facades ~~((along a pedestrian street or route, that are~~  
4279 ~~without ornamentation or are))~~ shall include ornamentation such as decorative  
4280 architectural treatments or finishes, pedestrian scale lighting, and window and door trim;  
4281 and

4282 g. buildings facades shall not be comprised of uninterrupted glass curtain walls  
4283 or mirrored glass ~~((are not permitted));~~ ~~((and~~

4284 ~~g.))~~ 2. vehicle access shall be limited to the rear access alley or rear access  
4285 street where such an alley or street exists~~((-));~~

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4286           3. Floor/lot area ratio shall not exceed 5:1, including the residential component  
4287 of mixed use developments, but not including parking structures;

4288           4. Building setback and height requirements may be waived through the  
4289 application of residential density incentives under K.C.C. chapter 21A.34 or the transfer  
4290 of development rights under K.C.C. chapter 21A.37, except for areas within fifty feet of  
4291 the perimeter of any special district overlay area abutting an R-12 or lower density  
4292 residential zone;

4293           5. The landscaping requirements of K.C.C. chapter 21A.16 (~~may be waived if~~  
4294 ~~landscaping conforms to a special district overlay landscaping plan adopted as part of the~~  
4295 ~~area zoning. The overlay district landscaping plan shall include features addressing street~~  
4296 ~~trees, and other design amenities (e.g. landscaped plazas or parks))~~) shall apply to all new  
4297 development and to buildings existing before the effective date of this section of this  
4298 ordinance that have substantial improvements made to them after the effective date of  
4299 this section of this ordinance; and

4300           6. (~~On designated pedestrian streets, sidewalk width requirements shall be~~  
4301 ~~increased to a range of ten to twelve feet wide including sidewalk landscaping and other~~  
4302 ~~amenities. The sidewalk widths exceeding the amount required in the King County Road~~  
4303 ~~Standards may occur on private property adjoining the public street right of way; and~~

4304           7.)) Off-street parking requirements K.C.C. 21A.18.110 (~~are modified as~~  
4305 ~~follows for all nonresidential uses:~~

4306           a. ~~No less than one space for every 1000 square feet of floor area shall be~~  
4307 ~~provided;~~

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4308           b. ~~No more than seventy five percent of parking shall be on site surface~~  
4309 ~~parking. Such parking shall be placed in the interior of the lot, or at the rear of the~~  
4310 ~~building it serves; and~~

4311           c. ~~At least twenty five percent of the required parking shall be enclosed in an~~  
4312 ~~on site parking structure or located at an off site common parking facility, provided that~~  
4313 ~~this requirement is waived when the applicant signs a no protest agreement to participate~~  
4314 ~~in any improvement district for the future construction of such facilities)) shall apply,~~  
4315 ~~except that the relief from K.C.C. 21A.18.110.A.4. that may be granted by the director~~  
4316 ~~shall only allow use of on-street parallel parking in front of or adjacent to the subject~~  
4317 ~~parcel for the parking spaces that cannot be accommodated to the rear or sides of~~  
4318 ~~buildings.~~

4319           NEW SECTION. SECTION 83. There is hereby added to K.C.C. chapter 21A.38  
4320 a new section to read as follows:

4321           A. The purpose of the Martin Luther King Jr. Way South Mixed-Use Special  
4322 District Overlay is to facilitate linkages to the existing Martin Luther King Jr Way South  
4323 Neighborhood Business Center, incentivize commercial opportunities close to existing  
4324 high-density housing, incentivize commercial development by allowing more uses than  
4325 traditionally found in mixed-use developments and provide flexibility in current square  
4326 footage limitations.

4327           B. The following development standards shall be applied to all development  
4328 proposals within the Martin Luther King Jr. Way South Mixed-Use Special District  
4329 Overlay:

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4330 1. New buildings shall be limited to mixed-use as defined in K.C.C.

4331 21A.06.753;

4332 2. A professional office as defined in K.C.C. 21A.06.910 is an allowed use as  
4333 part of a mixed-use building in subsection B.1. of this section; and

4334 3. Any nonresidential component of the building that is personal services  
4335 allowed in the zone under K.C.C. 21A.08.050 or retail use allowed in the zone under  
4336 K.C.C. 21A.08.070 shall comply with K.C.C. 21A.12.230, except that K.C.C.  
4337 21A.12.230.A., B. and C. do not apply to the development.

4338 SECTION 84. Ordinance 17485, Section 43, as amended, and K.C.C. 21A.38.260  
4339 are hereby amended to read as follows:

4340 A. The purpose of the Fall City business district special district overlay is to allow  
4341 commercial development in Fall City to occur with on-site septic systems until such time as  
4342 an alternative wastewater system is available. The special district shall only be established  
4343 in areas of Fall City zoned CB and shall be evaluated to determine if it is applicable to  
4344 other rural commercial centers.

4345 B. The standards of this title and other county codes shall be applicable to  
4346 development within the Fall City business district special district overlay except as follows:

4347 1. The permitted uses in K.C.C. Chapter 21A.08 do not apply and are replaced  
4348 with the following:

4349 a. Residential land uses as set forth in K.C.C. 21A.08.030:

4350 i. As a permitted use:

4351 (A) Multifamily residential units shall only be allowed on the upper floors of  
4352 buildings; and

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- 4353 (B) Home occupations under K.C.C. chapter 21A.30;
- 4354 ii. As a conditional use:
- 4355 (A) Bed and Breakfast (five rooms maximum); and
- 4356 (B) Hotel/Motel.
- 4357 b. Recreational/cultural land uses as set forth in K.C.C. ~~((21A.08.030))~~
- 4358 21A.08.040:
- 4359 i. As a permitted use:
- 4360 (A) Library;
- 4361 (B) Museum; ~~((and))~~
- 4362 (C) Arboretum; and
- 4363 (D) Park.
- 4364 ii. As a conditional use:
- 4365 (A) Sports Club/Fitness Center;
- 4366 (B) Amusement/Recreation Services/Arcades (Indoor);
- 4367 (C) Bowling Center
- 4368 c. General services land uses as set forth in K.C.C. 21A.08.050:
- 4369 i. As a permitted use:
- 4370 (A) General Personal Services, except escort services;
- 4371 (B) Funeral Home;
- 4372 (C) Appliance/Equipment Repair;
- 4373 (D) Medical or Dental Office/Outpatient Clinic;
- 4374 (E) Medical or Dental Lab;
- 4375 (F) Day Care I;

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- 4376 (G) Day Care II;
- 4377 (H) Veterinary Clinic;
- 4378 (I) Social Services;
- 4379 (J) Animal Specialty Services;
- 4380 (K) Artist Studios;
- 4381 (L) Nursing and Personal Care Facilities;
- 4382 ii. As a conditional use:
  - 4383 (A) Theater (Movie or Live Performance);
  - 4384 (B) Religious Use;
- 4385 d. Government/Business services land uses as set forth in K.C.C. 21A.08.060:
  - 4386 i. As a permitted use:
    - 4387 (A) General Business Service;
    - 4388 (B) Professional Office: Bank, Credit Union, Insurance Office.
  - 4389 ii. As a conditional use:
    - 4390 (A) Public Agency or Utility Office;
    - 4391 (B) Police Substation;
    - 4392 (C) Fire Station;
    - 4393 (D) Utility Facility;
    - 4394 (E) Self Service Storage;
- 4395 e. Retail/commercial land uses as set forth in K.C.C. 21A.08.070:
  - 4396 i. As a permitted use on the ground floor:
    - 4397 (A) Food Store;
    - 4398 (B) Drug Store/Pharmacy;

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4399 (C) Retail Store: includes florist, book store, apparel and accessories store,  
4400 furniture/home furnishings store, antique/recycled goods store, sporting goods store, video  
4401 store, art supply store, hobby store, jewelry store, toy store, game store, photo store,  
4402 electronic/appliance store, fabric shops, pet shops, and other retail stores (excluding adult-  
4403 only retail);

4404 (D) Eating and Drinking Places, including coffee shops and bakeries;

4405 (E) Remote tasting rooms.

4406 ii. As a conditional use:

4407 (A) Liquor Store or Retail Store Selling Alcohol;

4408 (B) Hardware/Building Supply Store;

4409 (C) Nursery/Garden Center;

4410 (D) Department Store;

4411 (E) Auto Dealers (indoor sales rooms only);

4412 f. Manufacturing land uses as set forth in K.C.C. 21A.08.080 are not allowed.

4413 g. Resource land uses as set forth in K.C.C. 21A.08.090:

4414 i. As a permitted use:

4415 (A) Solar photovoltaic/solar thermal energy systems;

4416 (B) Private storm water management facilities;

4417 (C) Growing and Harvesting Crops (within rear/internal side yards or roof  
4418 gardens, and with organic methods only);

4419 (D) Raising Livestock and Small Animals (per the requirements of Section  
4420 21A.30 of the Zoning Code)

4421 ii. As a conditional use: Wind Turbines

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4422 h. Regional land uses as set forth in K.C.C. 21A.08.100 with a special use permit:  
4423 Communication Facility.

4424 2. The densities and dimensions set forth in K.C.C. chapter 21A.12 apply, except  
4425 as follows:

4426 a. Residential density is limited to six dwelling units per acre. For any building  
4427 with more than ten dwelling units, at least ten percent of the dwelling units shall be  
4428 classified as affordable under 21A.34.040F.1;

4429 b. Buildings are limited to two floors, plus an optional basement;

4430 c. The elevation of the ground floor may be elevated a maximum of six feet  
4431 above the average grade of the site along the front facade of the building;

4432 d. If the ground floor is designed to accommodate non-residential uses, the  
4433 elevation of the ground floor should be placed near the elevation of the sidewalk to  
4434 minimize the need for stairs and ADA ramps;

4435 e. If the ground floor is designed to accommodate non-residential space, the  
4436 height of the ceiling, as measured from finished floor, shall be no more than eighteen feet;

4437 f. Building height shall not exceed forty feet, as measured from the average  
4438 grade of the site along the front facade of the building.

4439 NEW SECTION. SECTION 85. There is hereby added to K.C.C. chapter 21A.38  
4440 a new section to read as follows:

4441 A. The purpose of the Bear Creek office and retail special district overlay is to  
4442 provide additional commercial opportunities to support area residents and the local  
4443 economy and to provide retail options for employees of the office zones.

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4444 B. Allowed uses within the special district overlay shall be those uses allowed in  
4445 the office zone in K.C.C. chapter 21A.08 and the following permitted land uses:

- 4446 1. Building materials and hardware stores;
- 4447 2. Retail nursery, garden center and farm supply stores;
- 4448 3. Department and variety stores;
- 4449 4. SIC Major Group 54 - Food stores;
- 4450 5. SIC Industry Group 553 - Auto supply stores;
- 4451 6. SIC Industry Group 554 - Gasoline service stations;
- 4452 7. SIC Major Group 56 - Apparel and accessory stores;
- 4453 8. Furniture and home furnishings stores;
- 4454 9. SIC Major Group 58 - Eating and drinking places;
- 4455 10. Drug store;
- 4456 11. SIC Industry Group 592 - Liquor stores;
- 4457 12. SIC Industry Group 593 - Used goods: antiques/secondhand shops;
- 4458 13. Sporting goods and related stores;
- 4459 14. Book, stationary, video and art supply stores, except adult use facilities;
- 4460 15. Jewelry stores;
- 4461 16. Hobby, toy and games shops;
- 4462 17. Photographic and electronic shops;
- 4463 18. Fabric shops;
- 4464 19. Florist shops;
- 4465 20. Personal medical supply stores;
- 4466 21. Pet shops; and

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4467 22. General services - Daycare II.

4468 SECTION 86. Ordinance 12627, Section 1, and K.C.C. 21A.55.010 are hereby  
4469 amended to read as follows:

4470 ~~((Purpose:))~~ The purpose of this section is to provide for "demonstration  
4471 projects" as a mechanism to test and evaluate alternative development standards and  
4472 processes ~~((prior to))~~ before amending King County policies and regulations. Alternative  
4473 development standards might include standards affecting building and/or site design  
4474 requirements. Alternative processes might include permit review prioritization,  
4475 alternative review and revision scheduling, or staff and peer review practices. All  
4476 demonstration projects shall have broad public benefit through the testing of new  
4477 development regulations and shall not be used solely to benefit individual property  
4478 owners seeking relief from King County development standards. A demonstration  
4479 project shall be ~~((designated))~~ classified by the ~~((M))~~ metropolitan King County  
4480 ~~((C))~~ council. ~~((Designation))~~ Classification of each new demonstration project shall  
4481 occur through an ordinance which amends this code and shall include provisions that  
4482 prescribe the purpose~~((s))~~ or purposes and location~~((s))~~ or locations of the  
4483 demonstration project. Demonstration projects shall be located in urban areas, ~~((and/or))~~  
4484 rural areas or natural resource lands, or any combination thereof, which are deemed most  
4485 suitable for the testing of the proposed alternative development regulations. Within such  
4486 areas development proposals may be undertaken to test the efficacy of alternative  
4487 regulations that are proposed to facilitate increased quality of development and/or  
4488 increased efficiency in the development review processes.

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4489            SECTION 87. Ordinance 12627, Section 2, as amended, and K.C.C. 21A.55.020

4490 are hereby amended to read as follows:

4491            A. In establishing any demonstration project, the council shall specify the  
4492 following:

- 4493            1. The purpose of the demonstration project;
- 4494            2. The location or locations of the demonstration project;
- 4495            3. The scope of authority to modify standards and the lead agency, department  
4496 or division with authority to administer the demonstration project;
- 4497            4. The development standards established by this title or other titles of the King  
4498 County Code that affect the development of property that are subject to administrative  
4499 modifications or waivers;
- 4500            5. The process through which requests for modifications or waivers are  
4501 reviewed and any limitations on the type of permit or action;
- 4502            6. The criteria for modification or waiver approval;
- 4503            7. The effective period for the demonstration project and any limitations on  
4504 extensions of the effective period;
- 4505            8. The scope of the evaluation of the demonstration project and the date by  
4506 which the executive shall submit an evaluation of the demonstration project; and
- 4507            9. The date by which the executive shall submit an evaluation of specific  
4508 alternative standards and, if applicable, proposed legislation.

4509            B. A demonstration project shall be (~~(designated)~~) classified by the  
4510 ~~(M)~~metropolitan King County ~~(C)~~council through the application of a demonstration  
4511 project overlay to properties in a specific area or areas. A demonstration project shall be

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4512 indicated on the zoning map ~~((ø))~~ and as a notation in the geographic information system  
4513 data layers maintained by the department of local services, permitting division, by the  
4514 suffix "-DPA" (meaning demonstration project area) following the map symbol of the  
4515 underlying zone or zones. Within a ~~((designated))~~ classified demonstration project area,  
4516 approved alternative development regulations may be applied to development  
4517 applications.

4518 SECTION 88. Ordinance 12627, Section 3, and K.C.C. 21A.55.030 are hereby  
4519 amended to read as follows:

4520 A. The demonstration projects set forth in this chapter are the only authorized  
4521 demonstration projects. New or amended demonstration projects to carry out new or  
4522 different goals or policies shall be adopted as part of this chapter.

4523 B. Demonstration projects must be consistent with the King County  
4524 Comprehensive Plan. ~~((Designation))~~ Classification of a demonstration project and its  
4525 provisions to waive or modify development standards must not require nor result in  
4526 amendment of the ~~((e))~~Comprehensive ~~((p))~~Plan nor the ~~((e))~~Comprehensive Plan land  
4527 use map.

4528 C. Unless they are specifically modified or waived pursuant to the provisions of  
4529 this chapter, the standard requirements of this title and other county ordinances and  
4530 regulations shall govern all development and land uses within a demonstration project  
4531 area. Property-specific development standards (P-suffix conditions) as provided in  
4532 K.C.C. chapter 21A.38 shall supersede any modifications or waivers allowed by the  
4533 provisions of this chapter.

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4534 D. Demonstration project sites should be selected so that any resulting amended  
4535 development standards or processes can be applied to similar areas or developments.  
4536 Similar areas could include those with similar mixes of use and zoning. Similar  
4537 developments could include types of buildings such as commercial or multifamily and  
4538 types of development such as subdivisions or redevelopment.

4539 SECTION 89. Ordinance 13332, Section 33, as amended, and K.C.C. 27.10.180  
4540 are hereby amended to read as follows:

4541 Fees for zoning or ~~((e))~~Comprehensive ~~((p))~~Plan or map modification shall be  
4542 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  
environment redesignation
- C. Other zoning reclassification requests including shoreline \$9,135.00  
environment redesignation, deletion of special district overlay, or  
amendment or deletion of p-suffix conditions

4543 D. If a site-specific amendment is implemented as part of ~~((the))~~ a Comprehensive  
4544 Plan ~~((amendment process))~~ update, the application fee will be credited toward the zoning  
4545 reclassification fee, provided that the application for zoning reclassification is filed within  
4546 one year of the effective date of the site-specific land use map amendment.

4547 SECTION 90. The following are hereby repealed:

- 4548 A. Ordinance 10870, Section 580, as amended, and K.C.C. 21A.38.070;

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4549 B. Ordinance 12171, Section 7, and K.C.C. 21A.38.110;

4550 C. Ordinance 12823, Section 9, and K.C.C. 21A.38.140; and

4551 D. Ordinance 12823, Section 19, as amended, and K.C.C. 21A.38.240.

4552 SECTION 91. K.C.C. 20.12.100, as amended by this ordinance, is hereby

4553 recodified as a new section in K.C.C. chapter 4.56.

4554 SECTION 92. Ordinance 10810, Section 1, as amended, and K.C.C. 20.12.100

4555 are hereby amended to read as follows:

4556 A. The 2019 real property asset management plan, ~~((formerly called the county~~  
4557 ~~space plan,))~~ dated September 1, 2019, and consisting of real property asset management  
4558 policies, practices and strategies, including planning policies, locations of county agencies  
4559 and implementation plans, planned moves and references to King County space standards,  
4560 is ~~((adopted as a component of the capital facilities element of))~~ intended to implement the  
4561 capital facilities element of the King County Comprehensive Plan. The real property asset  
4562 management plan dated September 1, 2019, shall guide facility planning processes,  
4563 decisions and implementation.

4564 B. The executive shall ~~((update))~~ transmit to the council a proposed ordinance  
4565 updating the real property asset management plan, including the current and future space  
4566 needs and implementation plans of the real property asset management plan; ~~((and submit~~  
4567 ~~them to the council as amendments to the real property asset management plan))~~

4568 1. ((b))By the first business day in September ((1)) of every fourth year,  
4569 beginning ((on September 1, 2019, and also)) 2023; or

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4570            2. ~~((w))~~ Within ninety days of any significant change in the county's ~~((space plan))~~  
4571 inventory, such as a move, sale, purchase or other change, affecting fifty thousand or more  
4572 square feet of useable space.

4573            C.1. The council may amend the executive's proposed real property asset  
4574 management plan during the council's review.

4575            2. The council may at any time introduce and adopt an ordinance to modify the  
4576 policies within the real property asset management plan.

4577            SECTION 93. The executive shall submit sections 68, 69, 70 and 71 of this  
4578 ordinance, amendments to King County Comprehensive Plan chapter six in Attachment  
4579 A to this ordinance and amendments to the Shoreline Master Program in Attachments E  
4580 and H to this ordinance to the state Department of Ecology for its approval, as provided  
4581 in RCW 90.58.090.

4582            SECTION 94. Sections 68, 69, 70 and 71 of this ordinance, amendments to King  
4583 County Comprehensive Plan chapter six in Attachment A to this ordinance and  
4584 amendments to the Shoreline Master Program in Attachments E and H to this ordinance  
4585 take effect within the shoreline jurisdiction fourteen days after the state Department of  
4586 Ecology provides written notice of final action stating that the proposal is approved, in  
4587 accordance with RCW 90.58.090. The executive shall provide the written notice of final  
4588 action to the clerk of the council.

4589            SECTION 95. Severability. If any provision of this ordinance or its application

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4590 to any person or circumstance is held invalid, the remainder of the ordinance or the  
4591 application of the provision to other persons or circumstances is not affected.  
4592

Ordinance 19146 was introduced on 10/9/2019 and passed as amended by the Metropolitan King County Council on 7/24/2020, by the following vote:

Yes: 9 - Ms. Balducci, Mr. Dembowski, Mr. Dunn, Ms. Kohl-Welles, Ms. Lambert, Mr. McDermott, Mr. Upthegrove, Mr. von Reichbauer and Mr. Zahilay

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

DocuSigned by:  
*Claudia Balducci*  
F8830816F1C4427...

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Claudia Balducci, Chair

ATTEST:

DocuSigned by:  
*Melani Pedroza*  
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Melani Pedroza, Clerk of the Council

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 8/10/2020.

DocuSigned by:  
*Dow Constantine*  
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Dow Constantine, County Executive

**Attachments:** A. 2020 Upd 2016 KCCP & 2017 Vashon-Maury Isl CSA Subarea PI 7/20/20, B. App C Transport 2020 upd 2016 KCCP 7/20/20, C. App C1 Transport Needs Report, 2020 upd 2016 KCCP 7/20/20, D. Amds to Land Use & Zoning Maps, 2020 upd 2016 KCCP 7/20/20, E. Amds to Shorelines of State Map, 2020 upd 2016 KCCP & SMP 7/20/20, F. Skyway-West Hill Land Use Strategy, Phase 1 of the Skyway-West Hill CSA Subarea PI 7/20/20, G. Apps to the Skyway-West Hill Land Use Strategy 7/20/20, H. Shoreline Jurisdiction, Streams & Lakes Segments, 2020 upd 2016 KCCP & SMP 7/20/20, I. Tech App S-Public Participation Summary 2020 Upd, J. Upd 2012 KCCP, as adptd by Ord 17485 7/20/20

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