



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

October 10, 2006

Ordinance 15606

Proposed No. 2006-0113.3

Sponsors Constantine

1 AN ORDINANCE relating to zoning; amending Ordinance
2 14047, Section 10, and K.C.C. 20.18.180, Ordinance 12196,
3 Section 9, as amended, and K.C.C. 20.20.020, Ordinance
4 12196, Section 11, as amended, and K.C.C. 20.20.040,
5 Ordinance 15245, Section 1, and K.C.C. 21A.06.162,
6 Ordinance 15051, Section 74, and K.C.C. 21A.06.732,
7 Ordinance 10870, Section 191, and K.C.C. 21A.06.755,
8 Ordinance 10870, Section 330, and K.C.C. 21A.08.030,
9 Ordinance 10870, Section 331, as amended, and K.C.C.
10 21A.08.040, Ordinance 10870, Section 332, as amended, and
11 K.C.C. 21A.08.050, Ordinance 10870, Section 333, as
12 amended, and K.C.C. 21A.08.060, Ordinance 10870, Section
13 334, as amended, and K.C.C. 21A.08.070, Ordinance 10870,
14 Section 354, as amended, and K.C.C. 21A.12.170, Ordinance
15 10870, Section 364, as amended, and K.C.C. 21A.14.040,
16 Ordinance 10870, Section 378, as amended, and K.C.C.
17 21A.14.180, Ordinance 10870, Section 536, as amended, and

18 K.C.C. 21A.30.080, Ordinance 10870, Section 537, and K.C.C.
19 21A.30.090, Ordinance 13130, Section 4, and K.C.C.
20 21A.32.055, Ordinance 13130, Section 5, and K.C.C.
21 21A.32.065, Ordinance 13274, Section 5, as amended, and
22 K.C.C. 21A.37.030, Ordinance 10870, Section 579, as
23 amended, and K.C.C. 21A.38.060, Ordinance 12823, Section
24 16, and K.C.C. 21A.38.210, Ordinance 12823, Section 19, and
25 K.C.C. 21A.38.240, Ordinance 10870, Section 583, as
26 amended, and K.C.C. 21A.39.020, Ordinance 10870, Section
27 584, as amended, and K.C.C. 21A.39.030, Ordinance 13130,
28 Section 11, and K.C.C. 21A.42.190 and Ordinance 13275,
29 Section 1, as amended, and K.C.C. 21A.55.050, adding new
30 sections to K.C.C. chapter 21A.06 and adding a new section to
31 K.C.C. chapter 21A.30.

32
33

34 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

35 SECTION 1. Ordinance 14047, Section 10, and K.C.C. 20.18.180 are each hereby
36 amended to read as follows:

37 **The four to one program – criteria for amending the urban growth area to**
38 **achieve open space.** Rural area land may be added to the urban growth area in accordance
39 with the following criteria:

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

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

44 2. The land shall not be zoned agriculture (A);

45 3. The land added to the urban growth area shall be physically contiguous to
46 urban growth area as adopted in 1994 and not in an area where a contiguous band of public
47 open space, parks or watersheds already exists along the urban growth area boundary;

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

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

52 6. All urban facilities shall be located in the urban area except as permitted in
53 subsection E₂ of this section;

54 7. Open space areas shall retain a rural designation;

55 8. The minimum depth of the open space buffer shall be one half of the property
56 width, shall generally parallel the urban growth area boundary and shall be configured in
57 such a way as to connect with open space on adjacent properties;

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

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

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

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

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

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

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

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

77 2. Provision of regional open space connections;

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

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

81 5. The size of open space dedication and connection to other open space
82 dedications along the urban growth area boundary; and

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

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

- 90 1. Trails;
- 91 2. Natural appearing stormwater facilities;
- 92 3. Compensatory mitigation of wetland losses on the urban designated portion of
93 the project, consistent with the King County Comprehensive Plan and ~~((the sensitive areas
94 ordinance))~~ K.C.C. chapter 21A.24; and
- 95 4. Active recreation uses not to exceed five percent of the total open space area.

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

101 SECTION 2. Ordinance 12196, Section 9, as amended, and K.C.C. 20.20.020 are
102 each hereby amended to read as follows:

103 **Classifications of land use decision processes.**

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

108 1. Type 1 decisions are made by the director, or his or her designee, ("director")
109 of the department of development and environmental services ("department"). Type 1
110 decisions are nonappealable administrative decisions.

111 2. Type 2 decisions are made by the director. Type 2 decisions are discretionary
112 decisions that are subject to administrative appeal.

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

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

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

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

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

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

TYPE 1	(Decision by director,	Temporary use permit for a homeless encampment under
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	<p>no administrative appeal)</p>	<p>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; 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.</p>
<p>TYPE 2¹</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 permit²; building permit, site development permit or clearing and grading permit for which the department has issued a determination of significance; reuse of public schools;</p>

		reasonable use exceptions under K.C.C. 21A.24.070.B; preliminary determinations under K.C.C. 20.20.030.B; ((sensitive areas)) <u>alteration</u> exceptions and decisions to require studies or to approve, condition or deny a development proposal based on 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.
TYPE 3 ¹	(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 ^{1,3}	(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.

130 ¹ See K.C.C. 20.44.120.C. for provisions governing procedural and substantive SEPA

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

132 ² When an application for a shoreline permit is combined with other permits requiring
133 Type 3 or 4 land use decisions under K.C.C. 25.32.080, the examiner, not the director,
134 makes the decision. A shoreline permit, including a shoreline variance or conditional
135 use, is appealable to the state Shorelines Hearings Board and not to the hearing examiner.

136 ³ Approvals that are consistent with the Comprehensive Plan may be considered by the
137 council at any time. Zone reclassifications that are not consistent with the
138 Comprehensive Plan require a site-specific land use map amendment and the council's
139 hearing and consideration shall be scheduled with the amendment to the Comprehensive
140 Plan under K.C.C. 20.18.040 and 20.18.060.

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

142 SECTION 3. Ordinance 12196, Section 11, as amended, and K.C.C. 20.20.040
143 are each hereby amended to read as follows:

144 **Application requirements.**

145 A. The department shall not commence review of any application (~~(set forth)~~) as
146 provided in this chapter until the applicant has submitted the materials and fees specified
147 for complete applications. Applications for land use permits requiring Type 1, 2, 3 or 4
148 decisions shall be considered complete as of the date of submittal upon determination by
149 the department that the materials submitted meet the requirements of this section. Except
150 as provided in K.C.C. 20.20.040.B, all land use permit applications described in K.C.C.
151 20.20.020 Exhibit A shall include the following:

152 1. An application form provided by the department and completed by the
153 applicant that allows the applicant to file a single application form for all land use permits

154 requested by the applicant for the development proposal at the time the application is
155 filed;

156 2. Designation of who the applicant is, except that this designation shall not be
157 required as part of a complete application for purposes of this section when a public
158 agency or public or private utility is applying for a permit for property on which the
159 agency or utility does not own an easement or right-of-way and the following three
160 requirements are met:

161 a. the name of the agency or private or public utility is shown on the
162 application as the applicant;

163 b. the agency or private or public utility includes in the complete application
164 an affidavit declaring that notice of the pending application has been given to all owners
165 of property to which the application applies, on a form provided by the department; and

166 c. the form designating who the applicant is submitted to the department before
167 permit approval;

168 3.a. A certificate of sewer availability or site design approval for an on-site
169 sewage system by the Seattle-King County department of public health, as required by
170 the King County board of health code title 13: or

171 b. for public schools and public schools facilities located in rural areas, a finding
172 by King County that no cost-effective alternative technologies are feasible, a certificate
173 of sewer availability, and a letter from the sewer utility indicating compliance with the
174 tightline sewer provisions in the zoning code, as required by K.C.C. chapter 13.24;

175 4. If the development proposal requires a source of potable water, a current
176 certificate of water availability consistent with K.C.C. chapter 13.24 or documentation of
177 an approved well by the Seattle-King County department of public health;

178 5. A fire district receipt pursuant to K.C.C. Title 17, if required by K.C.C.
179 chapter 21A.40;

180 6. A site plan, prepared in a form prescribed by the director;

181 7. Proof that the lot or lots to be developed are recognized as a lot under ((~~this~~
182 ~~title~~)) K.C.C. Title 19A;

183 8. A ((~~sensitive~~)) critical areas affidavit, if required by K.C.C. chapter 21A.24;

184 9. A completed environmental checklist, if required by K.C.C. chapter 20.44;

185 10. Payment of any development permit review fees, excluding impact fees
186 collectible pursuant to K.C.C. Title 27;

187 11. A list of any permits or decisions applicable to the development proposal
188 that have been obtained before filing the application or that are pending before the county
189 or any other governmental entity;

190 12. Certificate of transportation concurrency from the department of
191 transportation if required by K.C.C. chapter 14.70. The certificate of transportation
192 concurrency may be for less than the total number of lots proposed by a preliminary plat
193 application only if:

194 a. at least seventy-five percent of the lots proposed have a certificate of
195 transportation concurrency at the time of application for the preliminary plat;

196 b. a certificate of transportation concurrency is provided for any remaining lots
197 proposed for the preliminary plat application before the expiration of the preliminary plat
198 and final recording of the additional lots; and

199 c. the applicant signs a statement that the applicant assumes the risk that the
200 remaining lots proposed might not be granted.

201 13. Certificate of future connection from the appropriate purveyor for lots
202 located within the urban growth area that are proposed to be served by on-site or
203 community sewage system and group B water systems or private well, if required by
204 K.C.C. 13.24.136 through 13.24.140;

205 14. A determination if drainage review applies to the project pursuant to K.C.C.
206 chapter 9.04 and, if applicable, all drainage plans and documentation required by the
207 Surface Water Design Manual adopted pursuant to K.C.C. chapter 9.04;

208 15. Current assessor's maps and a list of tax parcels to which public notice must
209 be given as provided in this chapter, for land use permits requiring a Type 2, 3 or 4
210 decision;

211 16. Legal description of the site;

212 17. Variances obtained or required under K.C.C. Title 21A to the extent known
213 at the date of application; and

214 18. For site development permits only, a phasing plan and a time schedule, if the
215 site is intended to be developed in phases or if all building permits will not be submitted
216 within three years.

217 B. A permit application is complete for purposes of this section when it meets the
218 procedural submission requirements of the department and is sufficient for continued

219 processing even though additional information may be required or project modifications
220 may be undertaken subsequently. The determination of completeness shall not preclude
221 the department from requesting additional information or studies either at the time of
222 notice of completeness or subsequently if new or additional information is required or
223 substantial changes in the proposed action occur, as determined by the department.

224 C. Additional complete application requirements for the following land use
225 permits are ((set forth)) in the following sections of the King County Code:

- 226 1. Clearing and grading permits, K.C.C. 16.82.060.
- 227 2. Construction permits, K.C.C. 16.04.052.
- 228 3. Mobile home permits, K.C.C. 16.04.093.
- 229 4. Subdivision applications, short subdivision applications and binding site plan
230 applications, K.C.C. 19A.08.150.

231 D. The director may specify the requirements of the site plan required to be
232 submitted for various permits and may waive any of the specific submittal requirements
233 listed herein that are determined to be unnecessary for review of an application.

234 E. The applicant shall attest by written oath to the accuracy of all information
235 submitted for an application.

236 F. Applications shall be accompanied by the payment of the applicable filing
237 fees, if any, as established by K.C.C. Title 27.

238 SECTION 4. Ordinance 15245, Section 1, and K.C.C. 21A.06.162 are each
239 hereby amended to read as follows:

240 **Camps, recreational and retreat.** Camps, recreational and retreat:
241 Establishments primarily engaged in operating recreational and retreat camps that offer a

242 variety of active recreational activities such as trail riding, hiking, hunting, water-related
243 activities such as swimming, kayaking, canoeing, rafting and fishing, and other similar
244 outdoor activities, as well as, more passive activities based on the enjoyment of the
245 natural setting. Recreational and retreat camps may provide overnight accommodation
246 facilities, such as cabins and designated campsites, and other amenities for site users,
247 such as meeting and assembly spaces, food services, recreational facilities and equipment
248 and medical/health stations. Recreational and retreat camps do not include
249 establishments that have as a primary purpose the treatment of addictions, correctional or
250 disciplinary training, or housing for homeless persons.

251 NEW SECTION. SECTION 5. A new section is hereby added to K.C.C. chapter
252 21A.06 to read as follows:

253 **Clustering.** Clustering: development of a subdivision at the existing zoned
254 density that reduces the size of individual lots and creates natural open space for the
255 preservation of critical areas, parks and permanent open space or as a reserve for future
256 development.

257 SECTION 6. Ordinance 15051, Section 74, and K.C.C. 21A.06.732 are each
258 hereby amended to read as follows:

259 **Manufactured home or mobile home.** Manufactured home or mobile home: a
260 structure, transportable in one or more sections, that in the traveling mode is eight body feet
261 or more in width or thirty-two body feet or more in length; or when erected on site, is three-
262 hundred square feet or more in area; which is built on a permanent chassis and is
263 designated for use with or without a permanent foundation when attached to the required
264 utilities; which contains plumbing, heating, air-conditioning and electrical systems; and

265 shall include any structure that meets all the requirements of this section, or of chapter 296-
266 150M WAC, except the size requirements for which the manufacturer voluntarily complies
267 with the standards and files the certification required by the federal Department of Housing
268 and Urban Development. The term "manufactured home" or "mobile home" does not
269 include a "recreational vehicle."

270 SECTION 7. Ordinance 10870, Section 191 and K.C.C. 21A.06.755 are each
271 hereby amended to read as follows:

272 **Mobile home.** (~~Mobile home: a structure transportable in one or more sections;~~
273 ~~that in the traveling mode is eight body feet or more in width or 32 body feet or more in~~
274 ~~length; or when erected on site, is 320 square feet or more in area; built on a permanent~~
275 ~~chassis; designed to be used as a dwelling unit, with or without permanent foundation,~~
276 ~~when connected to the required utilities; which contains plumbing, heating, air-~~
277 ~~conditioning and electrical systems; and shall include any structure that meets all the~~
278 ~~requirements of this section, or of WAC 296-150B, except the size requirements for which~~
279 ~~the manufacturer voluntarily complies with the standards and files the certification required~~
280 ~~by the Department of Housing and Urban Development ("HUD").~~) See manufactured
281 home.

282 NEW SECTION. SECTION 8. A new section is hereby added to K.C.C. chapter
283 21A.06 to read as follows:

284 **Recreation, active.** Recreation, active: structured individual or team activity that
285 requires the use of special facilities, courses, fields or equipment. Active recreation
286 requires a significant level of development, use and programming. Active recreation
287 includes, but is not limited to, organized sporting events, such as baseball, football,

288 soccer, golf, hockey, tennis and skateboarding, and to large-scale group picnics,
 289 gatherings and social events.

290 NEW SECTION. SECTION 9. A new section is hereby added to K.C.C. chapter
 291 21A.06 to read as follows:

292 **Recreation, passive.** Recreation, passive: recreational activities that do not
 293 require prepared facilities like sports fields or pavilions. Passive recreational activities
 294 place minimal stress on a site's resources and are highly compatible with natural resource
 295 protection. Passive recreation include, but is not limited to, camping, hiking, wildlife
 296 viewing, observing and photographing nature, picnicking, walking, bird watching,
 297 historic and archaeological exploration, swimming, bicycling, running/jogging, climbing,
 298 horseback riding and fishing.

299 NEW SECTION. SECTION 10. A new section is hereby added to K.C.C. chapter
 300 21A.06 to read as follows:

301 **Recreation facilities, passive.** Recreation facilities, passive: facilities to support
 302 passive recreation that do not involve significant levels of infrastructure or development,
 303 including, but not limited to, open fields, trails, children's play equipment and picnic sites
 304 for a small number of people.

305 SECTION 11. Ordinance 10870, Section 330, as amended, and K.C.C.
 306 21A.08.030 are each hereby amended to read as follows:

307 **21A.08.030 Residential land uses.**

308 A. Residential land uses.

KEY	RESOURCE			RESIDENTIAL				COMMERCIAL/INDUSTRIAL								
P-Permitted Use	A	F	M	R	U	R	U	R	N	B	C	B	R	B	O	I
C-Conditional Use	G	O	I	U	R	E	R	E	E	U	O	U	E	U	F	N

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S-Special Use		Z	R	R	N	R	B	S	B	S	I	S	M	S	G	S	F	D
		O	I	E	E	A	A	E	A	I	G	I	M	I	I	I	I	U
		N	C	S	R	L	N	R	N	D	H	N	U	N	O	N	C	S
		E	U	T	A			V		E	B	E	N	E	N	E	E	T
			L		L			E		N	O	S	I	S	A	S		R
			T							T	R	S	T	S	L	S		I
			U							I	H		Y					A
			R							A	O							L
			E							L	O							
											D							
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I					
	DWELLING UNITS, TYPES:																	
*	Single Detached	P C13	P2		P C13	P C13	P C13	P C13	P17									
*	Townhouse				C4	C4	P C12	P	P3	P3	P3	P3						
*	Apartment				C4	C4	P5 C4	P	P3	P3	P3	P3						
*	Mobile Home Park				S14		C8	P										
*	Cottage Housing						C16											
	GROUP RESIDENCES:																	
*	Community Residential Facility-I				C	C	P15 C	P	P3	P3	P3	P3						
*	Community Residential Facility-II							P	P3	P3	P3	P3						
*	Dormitory				C6	C6	C6	P										
*	Senior Citizen Assisted Housing					P4	P4	P	P3	P3	P3	P3						
	ACCESSORY																	

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USES:											
*	Residential	P7	P7		P7	P7	P7	P7	P7	P7	P7
	Accessory Uses										
*	Home Occupation	P	P		P	P	P	P	P	P	P
*	Home Industry	C			C	C	C				
TEMPORARY											
LODGING:											
7011	Hotel/Motel (1)								P	P	P
*	Bed and Breakfast	P9			P10	P10	P10	P10	P10	P11	P11
	Guesthouse	C10									
7041	Organization									P	
	Hotel/Lodging										
	Houses										
GENERAL CROSS		Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070;									
REFERENCES:		Development Standards, see K.C.C. chapters 21A.12 through 21A.30;									
		General Provisions, see K.C.C. chapters 21A.32 through 21A.38;									
		Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44;									
		(*)Definition of this specific land use, see K.C.C. chapter 21A.06.									

309

B. Development conditions.

310

1. Except bed and breakfast guesthouses.

311

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

312

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

313

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

314

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

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disposal systems and driveways. Additional site disturbance for raising livestock, up to

316

the smaller of thirty-five percent of the lot or seven acres, may be approved only if a farm

317

management (conservation) plan is prepared in accordance with K.C.C. chapter 21A.30.

318

Animal densities shall be based on the area devoted to animal care and not the total area

319

of the lot;

320 b. A forest management plan shall be required for any new residence in the
321 forest production district, ~~((which))~~ that shall be reviewed and approved by the King
322 County department of natural resources and parks prior to building permit issuance; and

323 c. A fire protection plan for the subject property is required and shall be
324 reviewed and approved by the Washington state department of natural resources with the
325 concurrence of the fire marshal for each residential use. This plan shall be developed in
326 such a manner as to protect the adjoining forestry uses from a fire that might originate
327 from the residential use. This plan shall provide for setbacks from existing forestry uses
328 and maintenance of approved fire trails or other effective fire line buffers on perimeters
329 with forest land.

330 3. Only as part of a mixed use development subject to the conditions of K.C.C.
331 chapter 21A.14, except that in the NB zone on properties with a land use designation of
332 commercial outside of center (CO) in the urban areas, stand-alone townhouse
333 developments are permitted subject to K.C.C. 21A.12.040, 21A.14.030, 21A.14.060 and
334 21A.14.180.

335 4.a. Only in a building listed on the National Register as an historic site or
336 designated as a King County landmark subject to the provisions of K.C.C. 21A.32.

337 b. In the R-1 zone, apartment units are permitted, provided that:

338 (1) The proposal shall be subject to a conditional use permit when exceeding
339 base density,

340 (2) At least fifty percent of the site is constrained by unbuildable ~~((sensitive))~~
341 critical areas. For purposes of this section, unbuildable ~~((sensitive))~~ critical areas shall
342 include wetlands, streams and slopes forty percent or steeper and associated buffers; and

343 (3) The density does not exceed a density of eighteen units per acre of net
344 buildable area as defined in K.C.C. 21A.06.797; or

345 c. In the R-4 through R-8 zones, apartment units are permitted, provided that
346 the proposal shall be subject to a conditional use permit when exceeding base density,
347 and provided that the density does not exceed a density of eighteen units per acre of net
348 buildable area as defined in K.C.C. 21A.06.797.

349 5. Apartment units are permitted outright as follows:

350 a. In the R-1 zone when at least fifty percent of the site is constrained by
351 unbuildable (~~(sensitive))~~ critical areas (~~(which))~~ that for purposes of this section, includes
352 wetlands, streams and slopes forty percent or steeper and associated buffers, and provided
353 that the density does not exceed a density of eighteen units per acre of net buildable area
354 as defined in K.C.C. 21A.06.797; or

355 b. In the R-4 through R-8 zones, provided that the density does not exceed
356 eighteen units per acre of net buildable area as defined in K.C.C. 21A.06.797.

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

358 7.a. Accessory dwelling units:

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

360 (2) Only in the same building as the primary dwelling unit on an urban lot
361 that is less than ten thousand square feet in area, on a rural lot that is less than the
362 minimum lot size, or on a lot containing more than one primary dwelling;

363 (3) The primary dwelling unit or the accessory dwelling unit shall be owner
364 occupied;

365 (4)(a) One of the dwelling units shall not exceed a floor area of one thousand
366 square feet except when one of the dwelling units is wholly contained within a basement
367 or attic, and

368 (b) When the primary and accessory dwelling units are located in the same
369 building, only one entrance may be located on each street side of the building;

370 (5) One additional off-street parking space shall be provided;

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

373 (7) An applicant seeking to build an accessory dwelling unit shall file a notice
374 approved by the department of executive services, records, elections and licensing
375 services division, ~~((which))~~ that identifies the dwelling unit as accessory. The notice shall
376 run with the land. The applicant shall submit proof that the notice was filed before the
377 department shall approve any permit for the construction of the accessory dwelling unit.
378 The required contents and form of the notice shall be set forth in administrative rules. If
379 an accessory dwelling unit in a detached building in the rural zone is subsequently
380 converted to a primary unit on a separate lot, neither the original lot ~~((or))~~ nor the new lot
381 may have an additional detached accessory dwelling unit constructed unless the lot is at
382 least twice the minimum lot area required in the zone.

383 (8) Accessory dwelling units and accessory living quarters are not allowed in
384 the F zone.

385 (9) In the A zone, one accessory dwelling unit is allowed on any lot under
386 twenty acres in size, and two accessory dwelling units are allowed on lots that are twenty

387 acres or more, provided that the accessory dwelling units are occupied only by farm
388 workers and the units are constructed in conformance with the State Building Code.

389 b. One single or twin engine, noncommercial aircraft shall be permitted only
390 on lots that abut, or have a legal access that is not a county right-of-way, to a waterbody
391 or landing field, provided there is:

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

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

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

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

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

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

401 b. There shall be no more than five guests per night.

402 10. Only as an accessory to the permanent residence of the operator, and:

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

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

405 except that a structure that satisfies the standards of the Uniform Building Code as

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

407 night.

408 11. Only if part of a mixed use development, and subject to the conditions of

409 K.C.C. 21A.08.030B.10.

410 12. Townhouses are permitted, but shall be subject to a conditional use permit if
411 exceeding base density.

412 13. Required before approving more than one dwelling on individual lots,
413 except on lots in subdivisions, short subdivisions or binding site plans approved for
414 multiple unit lots, and except as provided for accessory dwelling units in K.C.C.
415 21A.08.030B.7.

416 14. No new mobile home parks are allowed in a rural zone.

417 15. Limited to domestic violence shelter facilities.

418 16. Only in the R4-R8 zones limited to:

419 a. developments no larger than one acre;

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

422 c. All units must be cottage housing units with no less than three units and no
423 more than sixteen units, provided that if the site contains an existing home that is not
424 being demolished, the existing house is not required to comply with the height limitation
425 in subsection B.25. of this section or the floor area and footprint limits in K.C.C.

426 21A.14.025.B.

427 17. The development for a detached single-family residence shall be consistent
428 with the following:

429 a. The lot must have legally existed prior to March 1, 2005;

430 b. The lot has a comprehensive plan land use designation of Rural
431 Neighborhood or Rural Residential; and

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

433 SECTION 12. Ordinance 10870, Section 331, as amended, and K.C.C.

434 21A.08.040 are each hereby amended to read as follows:

435 **Recreational/cultural land uses.**

436 A. Recreational/cultural land uses.

KEY		RESOURCE			RESIDENTIAL				COMMERCIAL/INDUSTRIAL				
P-Permitted Use	Z O N E	A	F	M	R	U R	U	R	N B	C B	R B	O	I
C-Conditional Use		G	O	I	U	R E	R	E	E U	O U	E U	F	N
S-Special Use		R	R	N	R	B S	B	S	I S	M S	G S	F	D
		I	E	E	A	A E	A	I	G I	M I	I I	I	U
		C	S	R	L	N R	N	D	H N	U N	O N	C	S
		U	T	A		V		E	B E	N E	N E	E	T
		L		L		E		N	O S	I S	A S		R
		T						T	R S	T S	L S		I
		U						I	H	Y			A
		R						A	O				L
		E						L	O				
									D				
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12	NB	CB	RB	O	I
								-48					
PARK/RECREATION:													
*	Park	P1	P1	P1	P1	P1	P1	P1	P	P	P	P	P13
	Large Active Recreation and Multiuse Park		P1	P1	P1	P1	P1	P1	P	P	P	P	P13
*	Trails	P	P	P	P	P	P	P	P	P	P	P	P
*	Campgrounds		P16 C16 a	P16	P16 C16 a	P16 C16 a							P16 C16 a
*	Destination Resorts		S		S18	C					C		
*	Marina		C 3		C4	C4	C4	C4	P5	P	P	P	P

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*	Recreational Vehicle Park		P19	P19	C2 (<u>7</u>)) <u>an</u> <u>d</u> 1 8 P1 9	C2 P19						
*	Sports Club (17)				C4, 18	C4	C4	C4	C	P	P	
*	Ski Area		S		S18							
*	Recreational Camp		C		P24 C							
AMUSEMENT/ENTERTAINMENT:												
*	Adult Entertainment Business									P6	P6	P6
*	Theater									P	P	P P25
7833	Theater, Drive-in										C	
793	Bowling Center									P	P	P
*	Golf Facility				C7 (<u>7</u>)) <u>an</u> <u>d</u> 18	P7	P7	P7				

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7999 (14)	Amusement and Recreation Services		P21	P21	P8 (<u>5</u>)) <u>P2</u> 1, C1 5(<u>5</u>) <u>an</u> <u>d</u> 18	P8 (<u>5</u>)) <u>P2</u> 1(<u>5</u>) C1 <u>P2</u> 2 C1 5 C1 5	P8(21(<u>P2</u> <u>P2</u> 2 C1 5 C1 5	P8, (<u>5</u>) <u>P2</u> 2 C1 5	P2 1(<u>5</u>) <u>P2</u> 2	P	P	P21	P21
*	Shooting Range		C9		C9 (<u>5</u>)) <u>an</u> <u>d</u> 18						C10		P10
*	Amusement Arcades									P	P		
7996	Amusement Park										C		
*	Outdoor Performance Center		S		C12 S18		P20 P20				S		
CULTURAL:													
823	Library				P11 C	P11 C	P11 C P11 C	P	P	P	P		
841	Museum	C2 3	C23		P11 C	P11 C	P11 C P11 C	P	P	P	P	P	P

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842	Arboretum	P	P		P	P	P	P	P	P	P	P
*	Conference Center				P11 C12	P11 C12	P11 C	P11 C	P		P	P

<p>GENERAL CROSS</p> <p>REFERENCES:</p>	<p>Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070;</p> <p>Development Standards see K.C.C. chapters 21A.12 through 21A.30;</p> <p>General Provisions, see K.C.C. chapters 21A.32 through 21A.38;</p> <p>Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44;</p> <p>(*)Definition of this specific Land Use, see K.C.C. chapter 21A.06.</p>
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- 437 B. Development conditions.
- 438 1. The following conditions and limitations shall apply, where appropriate:
- 439 a. No stadiums on sites less than ten acres;
- 440 b. Lighting for structures and fields shall be directed away from residential
- 441 areas;
- 442 c. Structures or service yards shall maintain a minimum distance of fifty feet
- 443 from property lines adjoining residential zones, except for structures in on-site recreation
- 444 areas required in K.C.C. 21A.14.180 and 21A.14.190. Setback requirements for
- 445 structures in these on-site required recreation areas shall be maintained in accordance
- 446 with K.C.C. 21A.12.030;
- 447 d. Facilities in the A zone shall be limited to trails and trailheads, including
- 448 related accessory uses such as parking and sanitary facilities; and
- 449 e. Overnight camping is allowed only in an approved campground.
- 450 2. Recreational vehicle parks are subject to the following conditions and
- 451 limitations:
- 452 a. The maximum length of stay of any vehicle shall not exceed one hundred
- 453 eighty days during a three-hundred-sixty-five-day period;

454 b. The minimum distance between recreational vehicle pads shall be no less
455 than ten feet; and

456 c. Sewage shall be disposed in a system approved by the Seattle-King County
457 health department.

458 3. Limited to day moorage. The marina shall not create a need for off-site
459 public services beyond those already available before the date of application.

460 4. Not permitted in the RA-10 or RA-20 zones. Limited to recreation facilities
461 subject to the following conditions and limitations:

462 a. The bulk and scale shall be compatible with residential or rural character of
463 the area;

464 b. For sports clubs, the gross floor area shall not exceed ten thousand square
465 feet unless the building is on the same site or adjacent to a site where a public facility is
466 located or unless the building is a nonprofit facility located in the urban area; and

467 c. Use is limited to residents of a specified residential development or to sports
468 clubs providing supervised instructional or athletic programs.

469 5. Limited to day moorage.

470 6.a. Adult entertainment businesses shall be prohibited within three hundred
471 thirty feet of any property zoned RA, UR or R or containing schools, licensed daycare
472 centers, public parks or trails, community centers, public libraries or churches. In
473 addition, adult entertainment businesses shall not be located closer than three thousand
474 feet to any other adult entertainment business. These distances shall be measured from
475 the property line of the parcel or parcels proposed to contain the adult entertainment

476 business to the property line of the parcels zoned RA, UR or R or that contain the uses
477 identified in this subsection B.6.a.

478 b. Adult entertainment businesses shall not be permitted within an area likely
479 to be annexed to a city subject to an executed interlocal agreement between King County
480 and a city declaring that the city will provide opportunities for the location of adult
481 businesses to serve the area. The areas include those identified in the maps attached to
482 Ordinance 13546.

483 7. Clubhouses, maintenance buildings, equipment storage areas and driving
484 range tees shall be at least fifty feet from residential property lines. Lighting for practice
485 greens and driving range ball impact areas shall be directed away from adjoining
486 residential zones. Applications shall comply with adopted best management practices for
487 golf course development. Within the RA zone, those facilities shall be permitted only in
488 the RA-5 and RA-2.5 zones. Not permitted in designated rural forest focus area,
489 regionally significant resource areas or locally significant resource areas. Ancillary
490 facilities associated with a golf course are limited to practice putting greens, maintenance
491 buildings and other structures housing administrative offices or activities that provide
492 convenience services to players. These convenience services are limited to a pro shop,
493 food services and dressing facilities and shall occupy a total of no more than ten thousand
494 square feet. Furthermore, the residential density that is otherwise permitted by the zone
495 shall not be used on other portions of the site through clustering or on other sites through
496 the transfer of density provision. This residential density clustering or transfer limitation
497 shall be reflected in a deed restriction that is recorded at the time applicable permits for
498 the development of the golf course are issued.

- 499 8. Limited to a golf driving range only as:
- 500 a. an accessory to golf courses; or
- 501 b. an accessory to a large active recreation and multiuse park.
- 502 9.a. New structures and outdoor ranges shall maintain a minimum distance of
- 503 fifty feet from property lines adjoining residential zones, but existing facilities shall be
- 504 exempt.
- 505 b. Ranges shall be designed to prevent stray or ricocheting projectiles, pellets
- 506 or arrows from leaving the property.
- 507 c. Site plans shall include: safety features of the range; provisions for reducing
- 508 sound produced on the firing line; elevations of the range showing target area, backdrops
- 509 or butts; and approximate locations of buildings on adjoining properties.
- 510 d. Subject to the licensing provisions of K.C.C. Title 6.
- 511 10.a. Only in an enclosed building, and subject to the licensing provisions of
- 512 K.C.C. Title 6;
- 513 b. Indoor ranges shall be designed and operated so as to provide a healthful
- 514 environment for users and operators by:
- 515 (1) installing ventilation systems that provide sufficient clean air in the user's
- 516 breathing zone, and
- 517 (2) adopting appropriate procedures and policies that monitor and control
- 518 exposure time to airborne lead for individual users.
- 519 11. Only as accessory to a park or in a building listed on the National Register
- 520 as an historic site or designated as a King County landmark subject to K.C.C. chapter
- 521 21A.32.

522 12. Only as accessory to a nonresidential use established through a discretionary
523 permit process, if the scale is limited to ensure compatibility with surrounding
524 neighborhoods. This condition applies to the UR zone only if the property is located
525 within a designated unincorporated rural town.

526 13. Subject to the following:

527 a. The park shall abut an existing park on one or more sides, intervening roads
528 notwithstanding;

529 b. No bleachers or stadiums are permitted if the site is less than ten acres, and
530 no public amusement devices for hire are permitted;

531 c. Any lights provided to illuminate any building or recreational area shall be
532 so arranged as to reflect the light away from any premises upon which a dwelling unit is
533 located; and

534 d. All buildings or structures or service yards on the site shall maintain a
535 distance not less than fifty feet from any property line and from any public street.

536 14. Excluding amusement and recreational uses classified elsewhere in this
537 chapter.

538 15. Limited to golf driving ranges and subject to subsection B.7. of this section.

539 16. Subject to the following conditions:

540 a. The length of stay per party in campgrounds shall not exceed one hundred
541 eighty days during a three-hundred-sixty-five-day period; and

542 b. Only for campgrounds that are part of a proposed or existing county park,
543 ~~((which))~~ that are subject to review and public meetings through the department of natural
544 resources and parks.

545 17. Only for stand-alone sports clubs that are not part of a park.

546 18. Subject to review and approval of conditions to comply with trail corridor
547 provisions of K.C.C. chapter 21A.14 when located in an RA zone and in an equestrian
548 community designated by the Comprehensive Plan.

549 19. Only as an accessory to a large active recreation and multiuse park.

550 20. Only as an accessory to a large active recreation and multiuse park with the
551 floor area of an individual outdoor performance center stage limited to three thousand
552 square feet.

553 21. Only as an accessory to a park, or a large active recreation and multiuse park
554 in the RA zones, and limited to:

- 555 a. rentals of sports and recreation equipment; and
- 556 b. a total floor area of seven hundred and fifty square feet.

557 22. Only as an accessory to a large active recreation and multiuse park and
558 limited to:

- 559 a. water slides, wave pools and associated water recreation facilities; and
- 560 b. rentals of sports and recreation equipment.

561 23. Limited to natural resource and heritage museums and only allowed in a
562 farm or forestry structure, including but not limited to barns or sawmills, existing as of
563 December 31, 2003.

564 24. Use is permitted without a conditional use permit only when in compliance
565 with all of the following conditions:

- 566 a. The use is limited to camps for youths or for persons with special needs due
567 to a disability, as defined by the American With Disabilities Act of 1990, or due to a

568 medical condition and including training for leaders for those who use the camp (~~and~~
569 ~~shall not have as a primary purpose:~~

- 570 ~~(1) treatment for addictions,~~
- 571 ~~(2) correctional or disciplinary training, or~~
- 572 ~~(3) housing for homeless persons));~~

573 b. Active recreational activities shall not involve the use of motorized vehicles
574 such as cross-country motorcycles or all-terrain vehicles or the use of firearms. The
575 prohibition on motorized vehicles does not apply to such vehicles that may be necessary
576 for operation and maintenance of the facility or to a client-specific vehicle used as a
577 personal mobility device;

578 c.(1) Except as provided in subsection B.24.c.(2)(b) of this section, the number
579 of overnight campers, not including camp personnel, in a new camp shall not exceed:

- 580 (a) one hundred and fifty for a camp between twenty and forty acres; or
- 581 (b) for a camp greater than forty acres, but less than two hundred and fifty
582 acres, the number of users allowed by the design capacity of a water system and on-site
583 sewage disposal system approved by the department of health, Seattle/King County, up to
584 a maximum of three hundred and fifty; and

585 (2) Existing camps shall be subject to the following:

- 586 (a) For a camp established prior to August 11, 2005, with a conditional use
587 permit and is forty acres or larger, but less than one hundred and sixty acres, the number
588 of overnight campers, not including camp personnel, may be up to one hundred and fifty
589 campers over the limit established by subsection B.24.c.(1)(b) of this section.

590 (b) For a camp established prior to August 11, 2005, with a conditional use
591 permit and is one hundred and sixty acres or larger, but less than two hundred acres, the
592 number of overnight campers, not including camp personnel, may be up to three hundred
593 and fifty campers over the limit established by subsection B.24.c.(1)(b) of this section.
594 The camp may terminate operations at its existing site and establish a new camp if the
595 area of the camp is greater than two hundred and fifty acres and the number of overnight
596 campers, not including camp personnel, shall not exceed seven hundred.

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

599 e. The camp facilities, such as a medical station, food service hall, and activity
600 rooms, shall be of a scale to serve overnight camp users;

601 f. The minimum size of parcel for such use shall be twenty acres;

602 g. Except for any permanent caretaker residence, all new structures where
603 camp users will be housed, fed or assembled shall be no less than fifty feet from
604 properties not related to the camp;

605 h. In order to reduce the visual impacts of parking areas, sports and activity
606 fields or new structures where campers will be housed, fed or assembled, the applicant
607 shall provide a Type 3 landscape buffer no less than twenty feet wide between the nearest
608 property line and such parking area, field, or structures, by retaining existing vegetation
609 or augmenting as necessary to achieve the required level of screening;

610 i. If the site is adjacent to an arterial roadway, access to the site shall be
611 directly onto said arterial unless direct access is unsafe due inadequate sight distance or
612 extreme grade separation between the roadway and the site;

613 j. If direct access to the site is via local access streets, transportation demand
 614 management measures, such as use of carpools, buses or vans to bring in campers, shall
 615 be used to minimize traffic impacts;

616 k. Any lights provided to illuminate any building or recreational area shall be
 617 so arranged as to reflect the light away from any adjacent property; and

618 l. A community meeting shall be convened by the applicant prior to submittal
 619 of an application for permits to establish a camp, or to expand the number of camp users
 620 on an existing camp site as provided in subsection B.24.c.(2)(b) of this section. Notice of
 621 the meeting shall be provided at least two weeks in advance to all property owners within
 622 five hundred feet (or at least twenty of the nearest property owners, whichever is greater).
 623 The notice shall at a minimum contain a brief description of the project and the location,
 624 as well as, contact persons and numbers.

625 25. Limited to theaters primarily for live productions located within a Rural
 626 Town designated by the King County Comprehensive Plan.

627 SECTION 13. Ordinance 10870, Section 332, as amended, and K.C.C.
 628 21A.08.050 are each hereby amended to read as follows:

General services land uses.

A. General services land uses.

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

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		T U R E						T I A L	R H O D	S Y	S L S		I A L
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I
	PERSONAL SERVICES:												
72	General Personal Service						C25	C25	P	P	P	P3	P3
7216	Drycleaning Plants												P
7218	Industrial Launderers												P
7261	Funeral Home/Crematory					C4	C4	C4		P	P		
*	Cemetery, Columbarium or Mausoleum				P24 C5((g) and 31	P24 C5	P24 C5	P24 C5	P24	P24	P24 C5	P24	
*	Day Care I	P6			P6	P6	P6	P	P	P	P	P7	P7
*	Day Care II				P8 C	P8 C	P8 C	P8 C	P	P	P	P7	P7
074	Veterinary Clinic	P9			P9 C10 (g) and 31	P9 C10			P10	P10	P10		P
753	Automotive Repair (1)								P11	P	P		P
754	Automotive Service								P11	P	P		P
76	Miscellaneous Repair	C33			P32 C33	P32	P32	P32	P32	P	P		P

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866	Church, Synagogue, Temple				P12 C27 (g) and 31	P12 C	P12 C	P12 C	P	P	P	P
83	Social Services (2)				P12 C13 (g) and 31	P12 C13	P12 C13	P12 C13	P13	P	P	P
*	Stable	P14 C			P14 C31	P14 C	P14 C					
*	Kennel or Cattery	P9			C	C				C	P	
*	Theatrical Production Services									P30	P28	
*	Artist Studios				P28	P28	P28	P28	P	P	P	P29 P
*	Interim Recycling Facility				P21	P21	P21	P21	P22	P22	P	P21 P
*	Dog training facility	C34			C34	C34			P	P	P	P
HEALTH SERVICES:												
801-04	Office/Outpatient Clinic				P12 C13	P12 C13	P12 C13	P12 C13	P	P	P	P P
805	Nursing and Personal Care Facilities							C		P	P	
806	Hospital							C13 C13		P	P	C
807	Medical/Dental Lab									P	P	P P
808-09	Miscellaneous Health									P	P	P
EDUCATION SERVICES:												

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* Elementary School			P(16) 15() <u>and</u> 31	P	P	P		P16c	P16c	P16c
* Middle/Junior High School			P16 C15 (6) <u>and</u> 31	P	P	P		P16c	P16c	P16c
* Secondary or High School			P16 C15 (6) <u>and</u> 26() <u>and</u> 31	P26	P26	P26		P16c C	P16c C	P16c
* Vocational School			P13 C31	P13 C	P13 C	P13 C			P	P17 P
* Specialized Instruction School	P18		P19 C20 (6) <u>and</u> 31	P19 C20	P19 C20	P19 C20	P	P	P	P17 P
* School District Support Facility			<u>P16</u> <u>C15</u> C23 (6) <u>and</u> 31 (P 16 C15	P23 C	P23 C	P23 C	C	P	P	P P

)						
GENERAL CROSS	Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070;								
REFERENCES:	Development Standards, see K.C.C. chapters 21A.12 through 21A.30;								
	General Provisions, see K.C.C. chapters 21A.32 through 21A.38;								
	Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44;								
	(*)Definition of this specific Land Use, see K.C.C. chapter 21A.06.								

- 631 B. Development conditions.
- 632 1. Except SIC Industry No. 7534-Tire Retreading, see manufacturing permitted
- 633 use table.
- 634 2. Except SIC Industry Group Nos.:
- 635 a. 835-Day Care Services, and
- 636 b. 836-Residential Care, which is otherwise provided for on the residential
- 637 permitted land use table.
- 638 3. Limited to SIC Industry Group and Industry Nos.:
- 639 a. 723-Beauty Shops;
- 640 b. 724-Barber Shops;
- 641 c. 725-Shoe Repair Shops and Shoeshine Parlors;
- 642 d. 7212-Garment Pressing and Agents for Laundries and Drycleaners; and
- 643 e. 217-Carpet and Upholstery Cleaning.
- 644 4. Only as an accessory to a cemetery, and prohibited from the UR zone only if
- 645 the property is located within a designated unincorporated Rural Town.
- 646 5. Structures shall maintain a minimum distance of one hundred feet from
- 647 property lines adjoining residential zones.
- 648 6. Only as an accessory to residential use, and:

649 a. Outdoor play areas shall be completely enclosed by a solid wall or fence,
650 with no openings except for gates, and have a minimum height of six feet; and

651 b. Outdoor play equipment shall maintain a minimum distance of twenty feet
652 from property lines adjoining residential zones.

653 7. Permitted as an accessory use. See commercial/industrial accessory, K.C.C.
654 21A.08.060.A.

655 8. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32,
656 or an accessory use to a school, church, park, sport club or public housing administered
657 by a public agency, and:

658 a. Outdoor play areas shall be completely enclosed by a solid wall or fence,
659 with no openings except for gates and have a minimum height of six feet;

660 b. Outdoor play equipment shall maintain a minimum distance of twenty feet
661 from property lines adjoining residential zones;

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

664 d. Hours of operation may be restricted to assure compatibility with
665 surrounding development.

666 9.a. As a home occupation only, but the square footage limitations in K.C.C.
667 chapter 21A.30 for home occupations apply only to the office space for the veterinary
668 clinic, office space for the kennel or office space for the cattery, and:

669 (1) Boarding or overnight stay of animals is allowed only on sites of five
670 acres or more;

671 (2) No burning of refuse or dead animals is allowed;

672 (3) The portion of the building or structure in which animals are kept or
673 treated shall be soundproofed. All run areas, excluding confinement areas for livestock,
674 shall be surrounded by an eight-foot-high solid wall and the floor area shall be surfaced
675 with concrete or other impervious material; and

676 (4) The provisions of K.C.C. chapter 21A.30 relative to animal keeping are
677 met.

678 b. The following additional provisions apply to kennels or catteries in the A
679 zone:

680 (1) Impervious surface for the kennel or cattery shall not exceed twelve
681 thousand square feet;

682 (2) Obedience training classes are not allowed except as provided in
683 subsection B.34. of this section; and

684 (3) Any buildings or structures used for housing animals and any outdoor
685 runs shall be set back one hundred and fifty feet from property lines.

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

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

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

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

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

696 13. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter
697 21A.32.

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

701 15. Limited to projects (~~which~~) that do not require or result in an expansion of
702 sewer service outside the urban growth area, unless a finding is made that no cost-
703 effective alternative technologies are feasible, in which case a tightline sewer sized only
704 to meet the needs of the public school, as defined in RCW 28A.150.010, or the school
705 facility and serving only the public school or the school facility may be used. New public
706 high schools shall be permitted subject to the review process (~~set forth~~) in K.C.C.
707 21A.42.140.

708 16.a. For middle or junior high schools and secondary or high schools or school
709 facilities, only as a reuse of a public school facility or school facility subject to K.C.C.
710 chapter 21A.32. An expansion of such a school or a school facility shall be subject to
711 approval of a conditional use permit and the expansion shall not require or result in an
712 extension of sewer service outside the urban growth area, unless a finding is made that no
713 cost-effective alternative technologies are feasible, in which case a tightline sewer sized
714 only to meet the needs of the public school, as defined in RCW 28A.150.010, or the
715 school facility may be used.

716 b. Renovation, expansion, modernization or reconstruction of a school, a
717 school facility, or the addition of relocatable facilities, is permitted but shall not require

718 or result in an expansion of sewer service outside the urban growth area, unless a finding
719 is made that no cost-effective alternative technologies are feasible, in which case a
720 tightline sewer sized only to meet the needs of the public school, as defined in RCW
721 28A.150.010, or the school facility may be used.

722 c. In CB, RB and O, for K-12 schools with no more than one hundred students.

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

724 18. Limited to resource management education programs.

725 19. Only as an accessory to residential use, and:

726 a. Students shall be limited to twelve per one-hour session;

727 b. All instruction must be within an enclosed structure; and

728 c. Structures used for the school shall maintain a distance of twenty-five feet

729 from property lines adjoining residential zones.

730 20. Subject to the following:

731 a. Structures used for the school and accessory uses shall maintain a minimum
732 distance of twenty-five feet from property lines adjoining residential zones;

733 b. On lots over two and one-half acres:

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

736 (2) Sale of food prepared in the instructional courses is permitted with
737 Seattle-King County department of public health approval, if total floor area for food
738 sales is limited to one thousand square feet and is located in the same structure as the
739 school; and

740 (3) Other incidental student-supporting uses are allowed, if such uses are
741 found to be both compatible with and incidental to the principal use; and

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

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

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

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

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

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

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

761 21. Limited to drop box facilities accessory to a public or community use such
762 as a school, fire station or community center.

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

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

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

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

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

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

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

778 28. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter
779 21A.32 or as a joint use of an existing public school facility.

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

781 30. Adult use facilities shall be prohibited within six hundred sixty feet of any
782 residential zones, any other adult use facility, school, licensed daycare centers, parks,
783 community centers, public libraries or churches that conduct religious or educational
784 classes for minors.

785 31. Subject to review and approval of conditions to comply with trail corridor
786 provisions of K.C.C. chapter 21A.14 when located in an RA zone and in an equestrian
787 community designated by the Comprehensive Plan.

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

789 a. as an accessory to a large active recreation and multiuse park in the urban
790 growth area; or

791 b. as an accessory to a park, or a large active recreation and multiuse park in
792 the RA zones, and limited to a total floor area of seven hundred fifty square feet.

793 33. Accessory to agricultural or forestry uses provided:

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

796 b. the lot is at least five acres.

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

800 34. Subject to the following:

801 a. the lot is at least five acres.

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

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

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

810 SECTION 14. Ordinance 10870, Section 333, as amended, and K.C.C.
 811 21A.08.060 are each hereby amended to read as follows:

812 **Government/business services land uses.**

813 A. Government/business services land uses.

KEY		RESOURCE			RESIDENTIAL				COMMERCIAL/INDUSTRIAL								
P-Permitted Use		A	F	M	R	U	R	U	R	N	B	C	B	R	B	O	I
C-Conditional Use		G	O	I	U	R	E	R	E	E	U	O	U	E	U	F	N
S-Special Use	Z	R	R	N	R	B	S	B	S	I	S	M	S	G	S	F	D
	O	I	E	E	A	A	E	A	I	G	I	M	I	I	I	I	U
	N	C	S	R	L	N	R	N	D	H	N	U	N	O	N	C	S
	E	U	T	A			V		E	B	E	N	E	N	E	E	T
		L		L			E		N	O	S	I	S	A	S		R
		T							T	R	S	T	S	L	S		I
		U							I	H	Y						A
		R							A	O							L
		E							L	O							
										D							
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1- 8	R12 -48	NB	CB	RB	O	I (30)				
	GOVERNMENT SERVICES:																
*	Public agency or utility office				P3 C5	P3 C5	P3 C	P3 C	P	P	P	P	P16				
*	Public agency or utility yard				P27	P27	P27	P27			P		P				
*	Public agency archives										P	P	P				
921	Court									P4	P	P					

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9221	Police Facility				P7	P7	P7	P7	P7	P	P	P	P
9224	Fire Facility				C6(()) <u>and</u> 33	C6	C6	C6	P	P	P	P	P
*	Utility Facility	P29 C2 8	P29 C2 8	P29 C2 8	P29 C28 (<u>g</u>) <u>and</u> 33	P29 C28	P29 C2 8	P29 C28	P	P	P	P	P
*	Commuter Parking Lot				C 33 P19	C P19	C P19	C 19	P	P	P	P	P35
*	Private Stormwater Management Facility	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8
*	Vactor Waste Receiving Facility	P	P	P	P18	P18	P18	P18	P31	P31	P31	P31	P
BUSINESS SERVICES:													
*	Construction and Trade				P34						P	P9	P
*	Individual Transportation and Taxi									P25	P	P10	P
421	Trucking and Courier Service									P11	P12	P13	P
*	Warehousing, (1) and Wholesale Trade												P
*	Self-service Storage							C14	P37	P	P	P	P
4221	Farm Product	P15			P15	P15,							P
4222	Warehousing, Refrigeration and Storage	C3 6			((<u>g</u>) <u>and</u> 33 C36	C36							
*	Log Storage	P15	P		P26 (<u>g</u>) <u>and</u>								P

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				33									
47	Transportation Service											P	
473	Freight and Cargo Service									P	P	P	
472	Passenger Transportation Service								P	P	P		
48	Communication Offices									P	P	P	
482	Telegraph and other Communications								P	P	P	P	
*	General Business Service							P	P	P	P	P16	
*	Professional Office							P	P	P	P	P16	
7312	Outdoor Advertising Service									P	P17	P	
735	Miscellaneous Equipment Rental								P17	P	P17	P	
751	Automotive Rental and Leasing								P	P		P	
752	Automotive Parking							P20	P20	P21	P20	P	
*	Off-Street Required Parking Lot				P32	P32	P32	P32	P32	P32	P32	P32	
7941	Professional Sport Teams/Promoters									P	P		
873	Research, Development and Testing									P2	P2	P2	
*	Heavy Equipment and Truck Repair											P	
ACCESSORY USES:													
*	Commercial/Industrial Accessory Uses			P	P22				P22	P22	P	P	P
*	Helistop					C23	C2	C23	C23	C23	C24	C2	C2

GENERAL Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070;
CROSS Development Standards, see chapters 21A.12 through 21A.30; General Provisions, see K.C.C. chapters 21A.32 through 21A.38;
REFERENCE Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44;

(*) Definition of this specific land use, see K.C.C. chapter 21A.06.

- 814 B. Development conditions.
- 815 1. Except self-service storage.
- 816 2. Except SIC Industry No. 8732-Commercial Economic, Sociological, and
817 Educational Research, see general business service/office.
- 818 3.a. Only as a re-use of a public school facility or a surplus nonresidential
819 facility subject to the provisions of K.C.C. chapter 21A.32; or
- 820 b. only when accessory to a fire facility and the office is no greater than one
821 thousand five hundred square feet of floor area.
- 822 4. Only as a re-use of a surplus nonresidential facility subject to K.C.C. chapter
823 21A.32.
- 824 5. New utility office locations only if there is no commercial/industrial zoning
825 in the utility district, and not in the RA-10 or RA-20 zones unless it is demonstrated that
826 no feasible alternative location is possible, and provided further that this condition
827 applies to the UR zone only if the property is located within a designated unincorporated
828 Rural Town.
- 829 6.a. All buildings and structures shall maintain a minimum distance of twenty
830 feet from property lines adjoining residential zones;
- 831 b. Any buildings from which fire-fighting equipment emerges onto a street
832 shall maintain a distance of thirty-five feet from such street;
- 833 c. No outdoor storage; and
- 834 d. Excluded from the RA-10 and RA-20 zones unless it is demonstrated that no
835 feasible alternative location is possible.
- 836 7. Limited to storefront police offices. Such offices shall not have:

- 837 a. holding cells,
- 838 b. suspect interview rooms (except in the NB zone), or
- 839 c. long-term storage of stolen properties.
- 840 8. Private stormwater management facilities serving development proposals
- 841 located on commercial/industrial zoned lands shall also be located on
- 842 commercial/industrial lands, unless participating in an approved shared facility drainage
- 843 plan. Such facilities serving development within an area designated urban in the King
- 844 County Comprehensive Plan shall only be located in the urban area.
- 845 9. No outdoor storage of materials.
- 846 10. Limited to office uses.
- 847 11. Limited to self-service household moving truck or trailer rental accessory to
- 848 a gasoline service station.
- 849 12. Limited to self-service household moving truck or trailer rental accessory to
- 850 a gasoline service station and SIC Industry No. 4215-Courier Services, except by air.
- 851 13. Limited to SIC Industry No. 4215-Courier Services, except by air.
- 852 14. Accessory to an apartment development of at least twelve units provided:
- 853 a. The gross floor area in self service storage shall not exceed the total gross
- 854 floor area of the apartment dwellings on the site;
- 855 b. All outdoor lights shall be deflected, shaded and focused away from all
- 856 adjoining property;
- 857 c. The use of the facility shall be limited to dead storage of household goods;
- 858 d. No servicing or repair of motor vehicles, boats, trailers, lawn mowers or
- 859 similar equipment;

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

862 f. No residential occupancy of the storage units;

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

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

866 15.a. The floor area devoted to warehousing, refrigeration or storage shall not
867 exceed two thousand square feet;

868 b. Structures and areas used for warehousing, refrigeration and storage shall
869 maintain a minimum distance of seventy-five feet from property lines adjoining
870 residential zones; and

871 c. Warehousing, refrigeration and storage is limited to agricultural products
872 and sixty percent or more of the products must be grown or processed in the Puget Sound
873 counties. At the time of the initial application, the applicant shall submit a projection of
874 the source of products to be included in the warehousing, refrigeration or storage.

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

876 17. No outdoor storage.

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

879 19. Limited to new commuter parking lots designed for thirty or fewer parking
880 spaces or commuter parking lots located on existing parking lots for churches, schools, or
881 other permitted nonresidential uses (~~which~~) that have excess capacity available during

882 commuting; provided that the new or existing lot is adjacent to a designated arterial that
883 has been improved to a standard acceptable to the department of transportation;

884 20. No tow-in lots for damaged, abandoned or otherwise impounded vehicles.

885 21. No dismantling or salvage of damaged, abandoned or otherwise impounded
886 vehicles.

887 22. Storage limited to accessory storage of commodities sold at retail on the
888 premises or materials used in the fabrication of commodities sold on the premises.

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

892 24. Allowed as accessory to an allowed use.

893 25. Limited to private road ambulance services with no outside storage of
894 vehicles.

895 26. Limited to two acres or less.

896 27a. Utility yards only on sites with utility district offices; or

897 b. Public agency yards are limited to material storage for road maintenance
898 facilities.

899 28. Limited to bulk gas storage tanks (~~which~~) that pipe to individual residences
900 but excluding liquefied natural gas storage tanks.

901 29. Excluding bulk gas storage tanks.

902 30. For I-zoned sites located outside the urban growth area designated by the
903 King County Comprehensive Plan, uses shall be subject to the provisions for rural
904 industrial uses (~~as set forth~~) in K.C.C. chapter 21A.12.

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

908 32. Provided:

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

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

913 c. Off-street required parking must be located on a lot (~~(which)~~) that would
914 permit, either outright or through a land use permit approval process, the land use the off-
915 street parking will serve.

916 33. Subject to review and approval of conditions to comply with trail corridor
917 provisions of K.C.C. chapter 21A.14 when located in an RA zone and in an equestrian
918 community designated by the Comprehensive Plan.

919 34. Limited to landscape and horticultural services (SIC 078) that are accessory
920 to a use classified as retail nurseries, lawn and garden supply store (SIC 5261) and
921 provided that construction equipment for the accessory use shall not be stored on the
922 premises.

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

925 36. Accessory to agricultural uses provided:

926 a. In the RA zones and on lots less than thirty-five acres in the A zone, the floor
927 area devoted to warehousing, refrigeration or storage shall not exceed three thousand five

928 hundred square feet unless located in a farm structure, including but not limited to barns,
929 existing as of December 31, 2003;

930 b. On lots at least thirty-five acres in the A zones, the floor area devoted to
931 warehousing, refrigeration or storage shall not exceed seven thousand square feet unless
932 located in a farm structure, including but not limited to barns, existing as of December
933 31, 2003;

934 c. In the A zones, structures and areas used for warehousing, refrigeration and
935 storage shall be located on portions of agricultural lands that are unsuitable for other
936 agricultural purposes, such as areas within the already developed portion of such
937 agricultural lands that are not available for direct agricultural production, or areas without
938 prime agricultural soils;

939 d. Structures and areas used for warehousing, refrigeration or storage shall
940 maintain a minimum distance of seventy-five feet from property lines adjoining
941 residential zones; and

942 e. Warehousing, refrigeration and storage is limited to agricultural products
943 and sixty percent or more of the products must be grown or processed in the Puget Sound
944 counties. At the time of the initial application, the applicant shall submit a projection of
945 the source of products to be included in the warehousing, refrigeration or storage.

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

949 SECTION 15. Ordinance 10870, Section 334, as amended, and K.C.C.
950 21A.08.070 are each hereby amended to read as follows:

951

Retail land uses.

952

A. Retail land uses.

KEY		RESOURCE			RESIDENTIAL				COMMERCIAL/INDUSTRIAL								
P-Permitted Use		A	F	M	R	U	R	U	R	N	B	C	B	R	B	O	I
C-Conditional Use		G	O	I	U	R	E	R	E	E	U	O	U	E	U	F	N
S-Special Use	Z	R	R	N	R	B	S	B	S	I	S	M	S	G	S	F	D
	O	I	E	E	A	A	E	A	I	G	I	M	I	I	I	I	U
	N	C	S	R	L	N	R	N	D	H	N	U	N	O	N	C	S
	E	U	T	A			V		E	B	E	N	E	N	E	E	T
	L			L			E		N	O	S	I	S	A	S		R
	T								T	R	S	T	S	L	S		I
	U								I	H		Y					A
	R								A	O							L
	E								L	O							
										D							
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12	NB	CB	RB	O	I				
								-48					(30)				
*	Building, Hardware and Garden Materials	P19			P21 C1				P2	P	P						
*	Forest Products Sales	P3(☹)) and 4	P4		P3(☹) and 4						P						
*	Department and Variety Stores						C14	C14	P5	P	P						
54	Food Stores				C13		C15	C15	P	P	P	C	P6				
*	Agricultural Product	P20 C7	P4		P20(☹)) C7	P3	P3										

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	Sales											
*	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 Drinking Places			C22 P24		C16 P23	C16 P23	P10	P	P	P	P
*	Drug Stores					C15	C15	P	P	P		C
592	Liquor Stores								P	P		
593	Used Goods: Antiques/ Secondhand Shops								P	P		
*	Sporting Goods and Related Stores		P2 5	P25	P25	P25	P25	P25	P	P	P2 5	P2 5
*	Book,					C15	C15	P	P	P		

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	Stationery, Video and Art Supply Stores										
*	Jewelry Stores							P	P		
*	Monuments, Tombstones , and Gravestones								P		
*	Hobby, Toy, Game Shops						P	P	P		
*	Photographi c and Electronic Shops						P	P	P		
*	Fabric Shops							P	P		
598	Fuel Dealers							C11	P		P
*	Florist Shops					C15	C15	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	P17	P1 7		P17	P17	P17(() and 18				P

GENERAL	Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070;
CROSS	Development Standards, see K.C.C. chapters 21A.12 through 21A.30;
REFERENCES:	General Provisions, see K.C.C. chapters 21A.32 through 21A.38;
	Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44;
	(*Definition of this specific land use, see K.C.C. chapter 21A.06.

- 953 B. Development conditions.
- 954 1. Only feed stores and garden supply stores.
- 955 2. Only hardware and garden materials stores shall be permitted.
- 956 3.a. Limited to products grown on site.
- 957 b. Covered sales areas shall not exceed a total area of five hundred square feet.
- 958 4. No permanent structures or signs.
- 959 5. Limited to SIC Industry No. 5331-Variety Stores, and further limited to a
- 960 maximum of two thousand square feet of gross floor area.
- 961 6. Limited to a maximum of two thousand square feet of gross floor area.
- 962 7.a. The floor area devoted to retail sales shall not exceed three thousand five
- 963 hundred square feet unless it is located in an agricultural structure, such as a barn,
- 964 existing as of December 31, 2003.
- 965 b. Forty percent or more of the gross sales of agricultural product sold through
- 966 the store must be sold by the producers of primary agricultural products.
- 967 c. Sixty percent or more of the gross sales of agricultural products sold through
- 968 the store shall be derived from products grown or produced in the Puget Sound counties.
- 969 At the time of the initial application, the applicant shall submit a reasonable projection of
- 970 the source of product sales.
- 971 d. Sales shall be limited to agricultural products and locally made arts and
- 972 crafts.

973 e. Storage areas for agricultural products may be included in a farm store
974 structure or in any accessory building.

975 f. Outside lighting is permitted if no off-site glare is allowed.

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

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

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

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

980 12. Excluding vehicle and livestock auctions.

981 13. Only as accessory to a winery or brewery, and limited to sales of products
982 produced on site and incidental items where the majority of sales are generated from
983 products produced on site.

984 14. Not in R-1 and limited to SIC Industry No. 5331-Variety Stores, limited to a
985 maximum of five thousand square feet of gross floor area, and subject to K.C.C.
986 21A.12.330.

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

989 16. Not permitted in R-1 and excluding SIC Industry No. 5813-Drinking Places,
990 and limited to a maximum of five thousand square feet of gross floor area and subject to
991 K.C.C. 21A.12.230 except as provided in subsection B.23. of this section.

992 17. Retail sale of livestock is permitted only as accessory to raising livestock.

993 18. Limited to the R-1 zone.

994 19. Limited to the sale of livestock feed, hay and livestock veterinary supplies
995 with a covered sales area of not more than two thousand square feet. The square foot

996 limitation does not include areas for storing livestock feed, hay or veterinary supplies or
997 covered parking areas for trucks engaged in direct sale of these products from the truck.

998 20.a. The floor area devoted to retail sales shall not exceed two thousand square
999 feet unless it is located in an agricultural structure, such as a barn, existing as of
1000 December 31, 2003.

1001 b. Forty percent or more of the gross sales of agricultural products sold
1002 through the store must be sold by the producers of primary agricultural products.

1003 c. Sixty percent or more of the gross sales of agricultural products sold through
1004 the store over a five-year period shall be derived from products grown or produced in the
1005 Puget Sound counties. At the time of the initial application, the applicant shall submit a
1006 projection of the source of product sales.

1007 d. Sales shall be limited to agricultural products and locally-made arts and
1008 crafts.

1009 e. Storage areas for agricultural products may be included in a farm store
1010 structure or in any accessory building.

1011 f. Outside lighting is permitted if no off-site glare is allowed.

1012 21. Limited to hay sales.

1013 22. Only as:

1014 a. an accessory use to a winery or brewery, limited to the tasting of products
1015 produced on site;

1016 b. an accessory use to a permitted manufacturing or retail land use, limited to
1017 espresso stands to include sales of beverages and incidental food items, and not to include
1018 drive-through sales; or

1019 c. an accessory use to a large active recreation and multiuse park, limited to a
1020 total floor area of three thousand five hundred square feet.

1021 23. Only as:

1022 a. an accessory to a large active recreation and multiuse park; or

1023 b. an accessory to a park and limited to a total floor area of one thousand five
1024 hundred square feet.

1025 24. Accessory to a park, limited to a total floor area of seven hundred fifty
1026 square feet.

1027 25. Only as an accessory to:

1028 a. a large active recreation and multiuse park in the urban growth area; or

1029 b. a park, or a large active recreation and multiuse park in the RA zones, and
1030 limited to a total floor area of seven hundred and fifty square feet.

1031 SECTION 16. Ordinance 10870, Section 354, as amended, and K.C.C.

1032 21A.12.170 are each hereby amended to read as follows:

1033 **Setbacks – ((P))projections and structures allowed.** Provided that the required
1034 setbacks from regional utility corridors of K.C.C. 21A.12.140, the adjoining half-street or
1035 designated arterial setbacks of K.C.C. 21A.12.160 and the sight distance requirements of
1036 K.C.C. 21A.12.210 are maintained, structures may extend into or be located in required
1037 setbacks, including setbacks as required by K.C.C. 21A.12.220B, as follows:

1038 A. Fireplace structures, bay or garden windows, enclosed stair landings, closets,
1039 or similar structures may project into any setback, provided such projections are:

1040 1. Limited to two per facade;

1041 2. Not wider than ten feet; and

1042 3. Not more than twenty-four inches into an interior setback or thirty inches into
1043 a street setback;

1044 B. Uncovered porches and decks (~~which~~) that exceed eighteen inches above the
1045 finished grade may project:

1046 1. Eighteen inches into interior setbacks(~~(-)~~); and

1047 2. Five feet into the street setback;

1048 C. Uncovered porches and decks not exceeding eighteen inches above the
1049 finished grade may project to the property line;

1050 D. Eaves may not project more than:

1051 1. Eighteen inches into an interior setback(~~(-)~~);

1052 2. Twenty-four inches into a street setback(~~(-)~~); or

1053 3. Eighteen inches across a lot line in a zero-lot-line development;

1054 E. Fences with a height of six feet or less may project into or be located in any
1055 setback(~~(-)~~);

1056 F. Rockeries, retaining walls and curbs may project into or be located in any
1057 setback provided these structures:

1058 1. Do not exceed a height of six feet in the R-1 through R-18, UR, RA and
1059 resource zones(~~(-)~~);

1060 2. Do not exceed a height of eight feet in the R-24 and R-48 zones(~~(-)~~); and

1061 3. Do not exceed the building height for the zone in commercial/industrial
1062 zones, measured in accordance with the standards established in the King County

1063 Building Code, Title 16;

1064 G. Fences located on top of rockeries, retaining walls or berms are subject to the
1065 requirements of K.C.C. 21A.14.220;

1066 H. Telephone, power, light and flag poles;

1067 I. The following may project into or be located within a setback, but may only
1068 project into or be located within a five foot interior setback area if an agreement
1069 documenting consent between the owners of record of the abutting properties is recorded
1070 with the King County department of records and elections prior to the installment or
1071 construction of the structure:

1072 1. Sprinkler systems, electrical and cellular equipment cabinets and other
1073 similar utility boxes and vaults((;));

1074 2. Security system access controls((;));

1075 3. Structures, except for buildings, associated with trails and on-site recreation
1076 spaces and play areas required in K.C.C. 21A.14.180 and K.C.C. 21A.14.190 such as
1077 benches, picnic tables and drinking fountains((;)); and

1078 4. ((§))Surface water management facilities as required by K.C.C. 9.04;

1079 J. Mailboxes and newspaper boxes may project into or be located within street
1080 setbacks;

1081 K. Fire hydrants and associated appendages;

1082 L. Metro bus shelters may be located within street setbacks((;));

1083 M. Unless otherwise allowed in K.C.C. 21A.20.080, free standing and monument
1084 signs four feet or less in height, with a maximum sign area of twenty square feet may
1085 project into or be located within street setbacks; ((and))

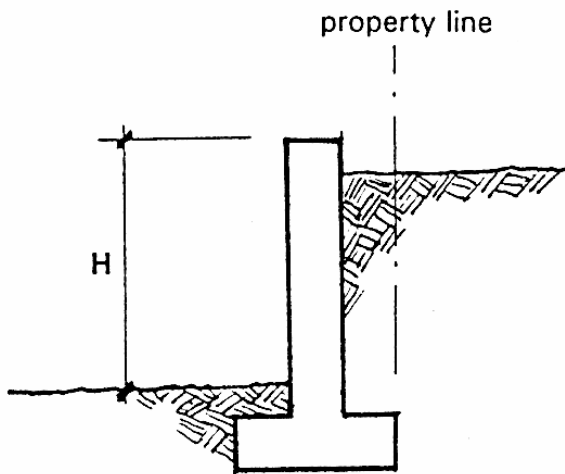
1086 N. On a parcel in the RA zone, in the interior setback that adjoins a property
1087 zoned NB or CB, structures housing refrigeration equipment that extends no more than
1088 ten feet into the setback and is no more than sixty feet in length; and

1089 O. Stormwater conveyance and control facilities, both above and below ground,
1090 provided such projections are:

1091 1. Consistent with setback, easement and access requirements specified in the
1092 Surface Water Design Manual((?)); or

1093 2. In the absence of said specifications, not within five feet of the property line.

RETAINING WALL IN SETBACK



H max. 6' in R1 - R18, UR, RA & Resource Zones

H max. 8' in R24 and R 48 Zones, and not to exceed building height requirement in Commerical/Industrial Zones

1094 SECTION 17. Ordinance 10870, Section 364, as amended, and K.C.C.
1095

1096 21A.14.040 are each hereby amended to read as follows:

1097 **Lot segregations - clustered development.** Residential lot clustering is allowed
1098 in the R, UR and RA zones. If residential lot clustering is proposed, the following
1099 requirements shall be met:

1100 A. In the R zones, any designated open space tract resulting from lot clustering
1101 shall not be altered or disturbed except as specified on recorded documents creating the
1102 open space. Open spaces may be retained under ownership by the subdivider, conveyed

1103 to residents of the development or conveyed to a third party. If access to the open space
1104 is provided, the access shall be located in a separate tract;

1105 B. In the RA zone:

1106 1. No more than eight lots of less than two and one-half acres shall be allowed
1107 in a cluster;

1108 2. No more than eight lots of less than two and one-half acres shall be served by
1109 a single cul-de-sac street;

1110 3. Clusters containing two or more lots of less than two and one-half acres,
1111 whether in the same or adjacent developments, shall be separated from similar clusters by
1112 at least one hundred twenty feet;

1113 4. The overall amount, and the individual degree of clustering shall be limited to
1114 a level that can be adequately served by rural facilities and services, including, but not
1115 limited to, on-site sewage disposal systems and rural roadways;

1116 5. A fifty-foot Type II landscaping screen, as defined in K.C.C. 21A.16.040,
1117 shall be provided along the frontage of all public roads. The planting materials shall
1118 consist of species that are native to the Puget Sound region. Preservation of existing
1119 healthy vegetation is encouraged and may be used to augment new plantings to meet the
1120 requirements of this section;

1121 6. Except as provided in subsection B.7. of this section, open space tracts
1122 created by clustering in the RA zone shall be designated as permanent open space.
1123 Acceptable uses within open space tracts are passive recreation, with no development of
1124 active recreational facilities, natural-surface pedestrian and equestrian foot trails and

1125 passive recreational facilities. A resource tract created under K.C.C. 16.82.152.E. may be
1126 considered an open space tract for purposes of this subsection B.6;

1127 7. In the RA zone a resource land tract may be created through a cluster
1128 development in lieu of an open space tract. A resource tract created under K.C.C.
1129 16.82.152.E. may be considered a resource tract for purposes of this subsection B.7. The
1130 resource land tract may be used as a working forest or farm if the following provisions
1131 are met:

1132 a. Appropriateness of the resource land tract for forestry or agriculture has
1133 been determined by the county;

1134 b. The subdivider shall prepare a forest management plan, (~~which~~) that must
1135 be reviewed and approved by the King County department of natural resources and parks,
1136 or a farm management plan, if a plan is required under K.C.C. chapter 21A.30, (~~which~~)
1137 that must be developed by the King Conservation District. The criteria for management
1138 of a resource land tract established through a cluster development in the RA zone shall be
1139 set forth in a public rule. The criteria must assure that forestry or farming will remain as
1140 a sustainable use of the resource land tract and, except as otherwise provided for resource
1141 tracts created pursuant to K.C.C. 16.82.152.E, that structures supportive of forestry and
1142 agriculture may be allowed in the resource land tract. The criteria must also set
1143 impervious surface limitations and identify the type of buildings or structures that will be
1144 allowed within the resource land tract;

1145 c. The recorded plat or short plat shall designate the resource land tract as a
1146 working forest or farm;

1147 d. Resource land tracts that are conveyed to residents of the development shall
1148 be retained in undivided interest by the residents of the subdivision or short subdivision;

1149 e. A homeowners association shall be established to assure implementation of
1150 the forest management plan or farm management plan if the resource land tract is retained
1151 in undivided interest by the residents of the subdivision or short subdivision;

1152 f. The subdivider shall file a notice with the King County department of
1153 executive services, records, elections and licensing services division. The required
1154 contents and form of the notice shall be set forth in a public rule. The notice shall inform
1155 the property owner or owners that the resource land tract is designated as a working
1156 forest or farm, ~~((which))~~ that must be managed in accordance with the provisions
1157 established in the approved forest management plan or farm management plan;

1158 g. The subdivider shall provide to the department proof of the approval of the
1159 forest management plan or farm management plan and the filing of the notice required in
1160 subsection B.7.f. of this section before recording of the final plat or short plat;

1161 h. The notice shall run with the land; and

1162 i. Natural-surface pedestrian and equestrian foot trails, passive recreation, and
1163 passive recreational facilities, with no development of active recreational facilities, are
1164 allowed uses in resource land tracts; and

1165 ~~8. ((For purposes of this section, passive recreational facilities include trail
1166 access points, small-scale parking areas and restroom facilities; and~~

1167 ~~9.))~~ The requirements of subsection B.1., 2, or 3. of this subsection may be
1168 modified or waived by the director if the property is encumbered by critical areas
1169 containing habitat for, or there is the presence of, species listed as threatened or

1170 endangered under the Endangered Species Act when it is necessary to protect the habitat;
1171 and

1172 C. In the R-1 zone, open space tracts created by clustering required by K.C.C.
1173 21A.12.030 shall be located and configured to create urban separators and greenbelts as
1174 required by the Comprehensive Plan, or subarea plans or open space functional plans, to
1175 connect and increase protective buffers for critical areas, to connect and protect wildlife
1176 habitat corridors designated by the Comprehensive Plan and to connect existing or
1177 planned public parks or trails. The department may require open space tracts created
1178 under this subsection to be dedicated to an appropriate managing public agency or
1179 qualifying private entity such as a nature conservancy. In the absence of such a
1180 requirement, open space tracts shall be retained in undivided interest by the residents of
1181 the subdivision or short subdivision. A homeowners association shall be established for
1182 maintenance of the open space tract.

1183 SECTION 18. Ordinance 10870, Section 378, as amended, and K.C.C.
1184 21A.14.180 are each hereby amended to read as follows:

1185 **On-site recreation - space required.**

1186 A. Residential developments of more than four units in the UR and R-4 through
1187 R-48 zones, stand-alone townhouse developments in the NB zone on property designated
1188 commercial outside of center in the urban area of more than four units, and mixed-use
1189 developments of more than four units, shall provide recreation space for leisure, play and
1190 sport activities as follows:

1191 1. Residential subdivision, townhouses and apartments developed at a density of
1192 eight units or less per acre: three hundred ninety square feet per unit;

- 1193 2. Mobile home park: two hundred sixty square feet per unit; ~~((and))~~
- 1194 3. Residential subdivisions developed at a density of greater than eight units per
- 1195 acre: one hundred seventy square feet per unit; and
- 1196 4. Apartments~~((;))~~ and townhouses developed at a density of greater than eight
- 1197 units per acre~~((;))~~ and mixed use:
- 1198 a. Studio and one bedroom: ninety square feet per unit;
- 1199 b. Two bedrooms: one hundred seventy square feet per unit; and
- 1200 c. Three or more bedrooms: one hundred seventy square feet per unit.
- 1201 B. Recreation space shall be placed in a designated recreation space tract if part
- 1202 of a subdivision. The tract shall be dedicated to a homeowner's association or other
- 1203 workable organization acceptable to the director, to provide continued maintenance of the
- 1204 recreation space tract consistent with K.C.C. 21A.14.200.
- 1205 C. Any recreation space located outdoors that is not part of a storm water tract
- 1206 developed in accordance with subsection F. of this section shall:
- 1207 1. Be of a grade and surface suitable for recreation improvements and have a
- 1208 maximum grade of five percent;
- 1209 2. Be on the site of the proposed development;
- 1210 3. Be located in an area where the topography, soils, hydrology and other
- 1211 physical characteristics are of such quality as to create a flat, dry, obstacle-free space in a
- 1212 configuration ~~((which))~~ that allows for passive and active recreation;
- 1213 4. Be centrally located with good visibility of the site from roads and sidewalks;
- 1214 5. Have no dimensions less than thirty feet, except trail segments;

1215 6. Be located in one designated area, unless the director determines that
1216 residents of large subdivisions, townhouses and apartment developments would be better
1217 served by multiple areas developed with recreation or play facilities;

1218 7. Have a street roadway or parking area frontage along ten percent or more of
1219 the recreation space perimeter, except trail segments, if the required outdoor recreation
1220 space exceeds five thousand square feet and is located in a single detached or townhouse
1221 subdivision;

1222 8. Be accessible and convenient to all residents within the development; and

1223 9. Be located adjacent to, and be accessible by, trail or walkway to any existing
1224 or planned municipal, county or regional park, public open space or trail system,
1225 ~~((which))~~ that may be located on adjoining property.

1226 D. Indoor recreation areas may be credited towards the total recreation space
1227 requirement, if the director determines that the areas are located, designed and improved
1228 in a manner that provides recreational opportunities functionally equivalent to those
1229 recreational opportunities available outdoors. For senior citizen assisted housing, indoor
1230 recreation areas need not be functionally equivalent but may include social areas, game
1231 and craft rooms, and other multipurpose entertainment and education areas.

1232 E. Play equipment or age appropriate facilities shall be provided within dedicated
1233 recreation space areas according to the following requirements:

1234 1. For developments of five dwelling units or more, a tot lot or children's play
1235 area, ~~((which))~~ that includes age appropriate play equipment and benches, shall be
1236 provided consistent with K.C.C. 21A.14.190;

1237 2. For developments of five to twenty-five dwelling units, one of the following
1238 recreation facilities shall be provided in addition to the tot lot or children's play area:

1239 a. playground equipment;

1240 b. sport court;

1241 c. sport field;

1242 d. tennis court; or

1243 e. any other recreation facility proposed by the applicant and approved by the
1244 director;

1245 3. For developments of twenty-six to fifty dwelling units, at least two or more of
1246 the recreation facilities listed in subsection E.2. of this section shall be provided in
1247 addition to the tot lot or children's play area; and

1248 4. For developments of more than fifty dwelling units, one or more of the
1249 recreation facilities listed in subsection E.2. of this section shall also be provided for
1250 every twenty-five dwelling units in addition to the tot lot or children's play area. If
1251 calculations result in a fraction, the fraction shall be rounded to the nearest whole number
1252 as follows:

1253 a. Fractions of 0.50 or above shall be rounded up; and

1254 b. Fractions below 0.50 shall be rounded down.

1255 F. In subdivisions, recreation areas that are contained within the on-site
1256 stormwater tracts, but are located outside of the one hundred year design water surface,
1257 may be credited for up to fifty percent of the required square footage of the on-site
1258 recreation space requirement on a foot-per-foot basis, subject to the following criteria:

1259 1. The stormwater tract and any on-site recreation tract shall be contiguously
1260 located. At final plat recording, contiguous stormwater and recreation tracts shall be
1261 recorded as one tract and dedicated to the homeowner's association or other organization
1262 as approved by the director;

1263 2. The drainage facility shall be constructed to meet the following conditions:

1264 a. The side slope of the drainage facility shall not exceed thirty-three percent
1265 unless slopes are existing, natural and covered with vegetation;

1266 b. A bypass system or an emergency overflow pathway shall be designed to
1267 handle flow exceeding the facility design and located so that it does not pass through
1268 active recreation areas or present a safety hazard;

1269 c. The drainage facility shall be landscaped and developed for passive
1270 recreation opportunities such as trails, picnic areas and aesthetic viewing; and

1271 d. The drainage facility shall be designed so they do not require fencing under
1272 the King County Surface Water Design Manual.

1273 G. When the tract is a joint use tract for a drainage facility and recreation space,
1274 King County is responsible for maintenance of the drainage facility only and requires a
1275 drainage easement for that purpose.

1276 H. A recreation space plan shall be submitted to the department and reviewed and
1277 approved with engineering plans.

1278 1. The recreation space plans shall address all portions of the site that will be
1279 used to meet recreation space requirements of this section, including drainage facility.
1280 The plans shall show dimensions, finished grade, equipment, landscaping and
1281 improvements, as required by the director, to demonstrate that the requirements of the on-

1282 site recreation space in K.C.C. 21A.14.180 and play areas in K.C.C. 21A.14.190 have
1283 been met.

1284 2. If engineering plans indicate that the on-site drainage facility or stormwater
1285 tract must be increased in size from that shown in preliminary approvals, the recreation
1286 plans must show how the required minimum recreation space under K.C.C.
1287 21A.14.180.A. will be met.

1288 SECTION 19. Ordinance 10870, Section 536, as amended, and K.C.C.
1289 21A.30.080 are each hereby amended to read as follows:

1290 Home occupation in the R and UR zones. In the R and UR zones, ~~((R))~~ residents of
1291 a dwelling unit may conduct one or more home occupations as accessory activities, only
1292 if:

1293 A. The total area devoted to all home ~~((occupation or))~~ occupations shall not
1294 exceed twenty percent of the floor area of the dwelling unit. Areas within ~~((attached))~~
1295 garages and storage buildings shall not be considered part of the dwelling unit ~~((for~~
1296 ~~purposes of calculating allowable home occupation area but))~~ and may be used for
1297 ~~((storage of goods))~~ activities associated with the home occupation;

1298 B. ~~((In urban residential zones, a))~~ All the activities of the home occupation or
1299 occupations shall be conducted indoors, except for those related to growing or storing of
1300 plants used by the home occupation or occupations;

1301 C. ~~((In A, F and RA zones:~~

1302 1. ~~The total indoor area of a home occupation shall not exceed twenty percent of~~
1303 ~~the floor area of the dwelling unit. Areas with attached garages and storage buildings shall~~

1304 not be considered part of the dwelling unit for purposes of calculating allowable home
1305 occupation area but may be used for storage of goods associated with the home occupation.

1306 ~~2. Total outdoor area of a home occupation shall not exceed one percent of the~~
1307 ~~size of the lot up to a maximum of five thousand square feet.~~

1308 ~~3. Outdoor storage and parking shall have ten-foot wide Type II landscaping.~~

1309 ~~D.))~~ A home occupation or occupations is not limited in the number of employees
1310 that remain off-site. No more than one nonresident employee shall be ~~((employed by))~~
1311 permitted to work on-site for the home occupation or occupations;

1312 ~~((E.))~~ D. The following activities are prohibited ~~((in urban residential zones only))~~:

- 1313 1. Automobile, truck and heavy equipment repair;
- 1314 2. Autobody work or painting;
- 1315 3. Parking and storage of heavy equipment; and
- 1316 4. Storage of building materials for use on other properties;

1317 ~~((F.))~~ E. In addition to required parking for the dwelling unit, on-site parking is
1318 provided as follows:

- 1319 1. One stall for ~~((a))~~ each nonresident employed by the home occupations; and
- 1320 2. One stall for patrons when services are rendered on-site;

1321 ~~((G.))~~ F. Sales are limited to:

- 1322 1. Mail order sales; ~~((and))~~
- 1323 2. Telephone, Internet or other electronic commerce sales with off-site delivery;

1324 and

1325 3. Items accessory to a service provided to patrons who receive services on the
1326 premises;

1327 ~~((H.))~~ G. On-site ~~((S))~~ services to patrons are arranged by appointment ~~((or~~
1328 ~~provided off-site))~~;

1329 ~~((F.))~~ H. The home occupation or occupations use or store a vehicle for pickup of
1330 materials used by the home occupation or occupations or the distribution of products from
1331 the site, only if:

- 1332 1. No more than one such a vehicle is allowed; and
1333 2. The vehicle ~~((does not park))~~ is not stored within any required setback areas of
1334 the lot or on adjacent streets; and
1335 3. The vehicle does not exceed ~~((a))~~ an equivalent licensed gross vehicle weight
1336 ~~((capacity))~~ of one ton ~~((, except in the A, F and RA zones on lots at least five acres in size,~~
1337 ~~where it is only if the vehicle does not exceed a weight capacity of two and one half tons;~~
1338 ~~and))~~;

1339 ~~((J.))~~ I. The home occupation or occupations do not use electrical or mechanical
1340 equipment that results in:

- 1341 1. A change to the occupancy type of the structure or structures used for the home
1342 occupation or occupations;
1343 2. Visual or audible interference in radio or television receivers, or electronic
1344 equipment located off-premises; or
1345 3. Fluctuations in line voltage off-premises; and

1346 ~~((K.))~~ J. Uses not allowed as home occupations may be allowed as a home industry
1347 under K.C.C. chapter 21A.30.

1348 NEW SECTION. SECTION 20. There is hereby added to K.C.C. chapter 21A.30
1349 a new section to read as follows:

1350 **Home occupations in the A, F and RA zones.** In the A, F and RA zones,
1351 residents of a dwelling unit may conduct one or more home occupations as accessory
1352 activities, under the following provisions:

1353 A. The total floor area devoted to all home occupations shall not exceed twenty
1354 percent of the dwelling unit. Areas within garages and storage buildings shall not be
1355 considered part of the dwelling unit and may be used for activities associated with the
1356 home occupation;

1357 B. Total outdoor area of all home occupations shall be permitted as follows:

1358 1. For any lot less than one acre: Four hundred forty square feet; and

1359 2. For lots one acre or greater: One percent of the area of the lot, up to a
1360 maximum of five thousand square feet.

1361 C. Outdoor storage areas and parking areas related to home occupations shall be:

1362 1. No less than twenty-five feet from any property line; and

1363 2. Screened along the portions of such areas that can be seen from an adjacent
1364 parcel or roadway by the:

1365 a. planting of Type II landscape buffering; or

1366 b. use of existing vegetation which meets or can be augmented with additional
1367 plantings to meet the intent of Type II landscaping.

1368 D. A home occupation or occupations is not limited in the number of employees
1369 that remain off-site. Regardless of the number of home occupations, the number of
1370 nonresident employees is limited to no more than three who work on-site and no more than
1371 three who report to the site but primarily provide services off-site.

1372 E. In addition to activities allowed as home occupations by K.C.C. 21A.30.080, the
1373 following activities are permitted:

- 1374 1. Automobile, truck and heavy equipment repair;
- 1375 2. Autobody work or painting;
- 1376 3. Parking and storage of heavy equipment; and
- 1377 4. Storage of building materials for use on other properties;

1378 F. In addition to required parking for the dwelling unit, on-site parking is provided
1379 as follows:

- 1380 1. One stall for each nonresident employed on-site; and
- 1381 2. One stall for patrons when services are rendered on-site;

1382 G. Sales are limited to:

- 1383 1. Mail order sales;
- 1384 2. Telephone, Internet or other electronic commerce sales with off-site delivery;
- 1385 3. Items accessory to a service provided to patrons who receive services on the
1386 premises; and
- 1387 4. Items grown, produced or fabricated on-site;

1388 H. The home occupation or occupations do not use electrical or mechanical
1389 equipment that results in:

- 1390 1. A change to the occupancy type of the structure or structures used for the home
1391 occupation or occupations;
- 1392 2. Visual or audible interference in radio or television receivers, or electronic
1393 equipment located off-premises; or
- 1394 3. Fluctuations in line voltage off-premises;

1395 I. Uses not allowed as home occupation may be allowed as a home industry under
1396 K.C.C. chapter 21A.30; and

1397 J. The home occupation or occupations may use or store vehicles, as follows:

1398 1. The total number of vehicles for all home occupations shall be:

1399 a. for any lot five acres or less: two;

1400 b. for lots greater than five acres: three; and

1401 c. for lots greater than ten acres: four;

1402 2. The vehicles are not stored within any required setback areas of the lot or on
1403 adjacent streets; and

1404 3. The parking area for the vehicles shall not be considered part of the outdoor
1405 storage area provided for in subsection C. of this section.

1406 SECTION 21. Ordinance 10870, Section 537, and K.C.C. 21A.30.090 are each
1407 hereby amended to read as follows:

1408 **Home industry.** A resident may establish a home industry as an accessory activity,
1409 ~~((provided))~~ as follows:

1410 A. The site area ~~((shall be no less than))~~ is one acre or greater;

1411 B. The area of the home industry ~~((shall))~~ does not exceed ~~((50))~~ fifty percent of
1412 the floor area of the dwelling unit. Areas within attached garages and storage buildings
1413 shall not be considered part of the dwelling unit for purposes of calculating allowable home
1414 industry area but may be used for storage of goods associated with the home ~~((occupation))~~
1415 industry;

1416 C. No more than four non-residents who come to the site of the home industry
1417 ~~((shall be))~~ are employed in ~~((a))~~ the home industry;

1418 D. In addition to required parking for the dwelling unit, on-site parking (~~shall be~~)
1419 is provided as follows:

- 1420 1. One stall for each non-resident employee of the home industry; and
1421 2. One stall for customer parking;

1422 E. Additional customer parking shall be calculated for areas devoted to the home
1423 industry at the rate of one stall per:

- 1424 1. ~~(1,000)~~ One thousand square feet of building floor area; and
1425 2. ~~(2,000)~~ Two thousand square feet of outdoor work or storage area;

1426 F. Sales (~~shall be~~) are limited to items produced on-site, except for items
1427 collected, traded and occasionally sold by hobbyists, such as coins, stamps, and antiques;

1428 G. Ten feet of Type I landscaping (~~shall be~~) are provided around portions of
1429 parking and outside storage areas (~~which~~) that are otherwise visible from adjacent
1430 properties or public rights-of-way; and

1431 H. The (~~zoning adjuster shall~~) department ensures compatibility of the home
1432 industry by:

1433 1. Limiting the type and size of equipment used by the home industry to those
1434 (~~which~~) that are compatible with the surrounding neighborhood;

1435 2. Providing for setbacks or screening as needed to protect adjacent residential
1436 properties;

1437 3. Specifying hours of operation;

1438 4. Determining acceptable levels of outdoor lighting; and

1439 5. Requiring sound level tests for activities determined to produce sound levels
1440 (~~which~~) that may be in excess of those (~~set forth~~) in K.C.C. chapter 12.88.

1441 SECTION 22. Ordinance 13130, Section 4, and K.C.C. 21A.32.055 are each
1442 hereby amended to read as follows:

1443 **Nonconformance – ((M))modifications to nonconforming use, structure((s)) or**
1444 **site improvement.** Modifications to a nonconforming use, structure((s)) or site
1445 improvement may be reviewed and approved by the department pursuant to the code
1446 compliance review process of K.C.C. ((21A.42.010)) 21A.42.030, provided that:

- 1447 A. The modification does not expand any existing nonconformance; and
1448 B. The modification does not create a new type of nonconformance.

1449 SECTION 23. Ordinance 13130, Section 5, and K.C.C. 21A.32.065 are each
1450 hereby amended to read as follows:

1451 **Nonconformance – ((E))expansions of nonconforming uses, structures, or site**
1452 **improvements.** A nonconforming use, structure, or site improvement may be expanded
1453 as follows:

1454 A. The department may review and approve, pursuant to the code compliance
1455 process of K.C.C. ((21A.42.010)) 21A.42.030, an expansion of a nonconformance
1456 ((provided that)) only if:

1457 1. The expansion ((shall)) conforms to all other provisions of this title, except
1458 that the extent of the project-wide nonconformance in each of the following may be
1459 increased up to 10 percent:

- 1460 a. building square footage,
1461 b. impervious surface,
1462 c. parking, or
1463 d. building height((r)); and

1464 2. No subsequent expansion of the same nonconformance shall be approved
1465 under this subsection if the cumulative amount of such expansion exceeds the percentage
1466 prescribed in subsection A.1((-));

1467 B. A special use permit shall be required for expansions of a nonconformance
1468 within a development authorized by an existing special use or unclassified use permit if
1469 the expansions are not consistent with ~~((the provisions of))~~ subsection A. of this section;

1470 C. A conditional use permit shall be required for expansions of a
1471 nonconformance:

1472 1. Within a development authorized by an existing planned unit development
1473 approval((-)); or

1474 2. Not consistent with the provisions of subsections A and B of this section((-));
1475 and

1476 D. No expansion shall be approved that would allow for urban growth outside the
1477 urban growth area, in conflict with King County Comprehensive Plan rural and natural
1478 resource policies and constitute impermissible urban growth outside an urban growth
1479 area.

1480 SECTION 24. Ordinance 13274, Section 5, as amended, and K.C.C. 21A.37.030
1481 are each hereby amended to read as follows:

1482 **Transfer of development rights (TDR) program - receiving sites.**

1483 A. Receiving sites shall be:

1484 1. King County unincorporated urban sites, except as limited in subsection D. of
1485 this section, zoned R-4 through R-48, NB, CB, RB or O, or any combination thereof.

1486 The sites may also be within potential annexation areas established under the countywide
1487 planning policies; or

1488 2. Cities where new growth is or will be encouraged under the Growth
1489 Management Act and the countywide planning policies and where facilities and services
1490 exist or where public investments in facilities and services will be made, or

1491 3. RA-2.5 zoned parcels, except as limited in subsection E. of this section, that
1492 meet the criteria listed in this subsection A.3. may receive development rights transferred
1493 from rural forest focus areas, and accordingly may be subdivided and developed at a
1494 maximum density of one dwelling per two and one-half acres. Increased density allowed
1495 through the designation of rural receiving areas:

1496 a. must be eligible to be served by domestic Group A public water service;

1497 b. must be located within one-quarter mile of an existing predominant pattern
1498 of rural lots smaller than five acres in size;

1499 c. must not adversely impact regionally or locally significant resource areas or
1500 ~~((environmentally sensitive))~~ critical areas;

1501 d. must not require public services and facilities to be extended to create or
1502 encourage a new pattern of smaller lots;

1503 e. must not be located within rural forest focus areas; and

1504 f. must not be located on Vashon Island or Maury Island.

1505 B. Except as provided in this chapter, development of an unincorporated King
1506 County receiving site shall remain subject to all zoning code provisions for the base zone,
1507 except TDR receiving site developments shall comply with dimensional standards of the

1508 zone with a base density most closely comparable to the total approved density of the
1509 TDR receiving site development.

1510 C. An unincorporated King County receiving site may accept development rights
1511 from one or more sending sites, up to the maximum density permitted under K.C.C.
1512 21A.12.030 and 21A.12.040.

1513 D. Property located within the outer boundaries of the Noise Remedy Areas as
1514 identified by the Seattle-Tacoma International Airport may not accept development
1515 rights.

1516 E. Property located on Vashon Island or Maury Island may not accept
1517 development rights.

1518 SECTION 25. Ordinance 10870, Section 579, as amended, and K.C.C.
1519 21A.38.060 are each hereby amended to read as follows:

1520 **Special district overlay – ((~~Θ~~))office/research park development.**

1521 A. The purpose of the office/research park special district overlay is to establish an
1522 area for development to occur in a campus setting with integrated building designs, flexible
1523 grouping of commercial and industrial uses, generous landscaping and buffering treatment,
1524 and coordinated auto and pedestrian circulation plans. Office/research park districts shall
1525 only be established in areas designated within a community plan and zoned RB, O or I
1526 zones. Permitted uses shall include all uses permitted in the RB, O and I zones, as set forth
1527 in K.C.C. chapter 21A.08, regardless of the classification used as the underlying zone on a
1528 particular parcel of land.

1529 B. The following development standards shall apply to uses locating in
1530 office/research park overlay districts:

- 1531 1. All uses shall be conducted inside an entirely enclosed building;
- 1532 2. An internal circulation plan shall be developed to facilitate pedestrian and
- 1533 vehicular traffic flow between major project phases and individual developments;
- 1534 3. The standards (~~(set forth)~~) in this section shall be applied to the development as
- 1535 a unified site, notwithstanding any division of the
- 1536 development site under a binding site plan or subdivision;
- 1537 4. All buildings shall maintain a 50-foot setback from perimeter streets and from
- 1538 residential zoned areas;
- 1539 5. The total permitted impervious lot coverage shall be 80 percent. The remaining
- 1540 20 percent shall be devoted to open space. Open space may include all required
- 1541 landscaping, and any unbuildable (~~(environmentally sensitive)~~) critical areas and their
- 1542 associated buffers;
- 1543 6. The landscaping standards (~~(set forth)~~) in K.C.C. chapter 21A.16 are modified
- 1544 as follows:
- 1545 a. 20-foot wide Type II landscaping shall be provided along exterior streets, and
- 1546 20-foot wide Type III landscaping shall be provided along interior streets;
- 1547 b. 20-foot wide Type I landscaping shall be provided along property lines
- 1548 adjacent to residential zoned areas;
- 1549 c. 15-foot wide Type II landscaping shall be provided along lines adjacent to
- 1550 nonresidential zoned areas; and
- 1551 d. Type IV landscaping shall be provided within all surface parking lots as
- 1552 follows:

- 1553 (1) Fifteen percent of the parking area, excluding required perimeter
1554 landscaping, shall be landscaped in parking lots with more than 30 parking stalls;
- 1555 (2) At least one tree for every four parking stalls shall be provided, to be
1556 reasonably distributed throughout the parking lot; and
- 1557 (3) No parking stall shall be more than 40 feet from some landscaping;
- 1558 e. An inventory of existing site vegetation shall be conducted pursuant to the
1559 procedures (~~(set forth)~~) in K.C.C. chapter 21A.16, and
- 1560 f. An overall landscaping plan (~~(which)~~) that conforms to the requirements of
1561 this subsection shall be submitted for the entire district or each major development phase
1562 prior to the issuance of any site development, grading(~~(;)~~) or building permits;
- 1563 7. Lighting within an office/industrial park shall shield the light source from the
1564 direct view of surrounding residential areas;
- 1565 8. Refuse collection/recycling areas and loading or delivery areas shall be located
1566 at least (~~(400)~~) one hundred feet from residential areas and screened with a solid view
1567 obscuring barrier;
- 1568 9. Off street parking standards as (~~(set forth)~~) in K.C.C. (~~(€)~~)chapter 21A.18 are
1569 modified as follows:
- 1570 a. one space for every (~~(300)~~) three hundred square feet of floor area shall be
1571 provided for all uses, except on-site daycare, exercise facilities, eating areas for employees,
1572 archive space for tenants(~~(;)~~) and retail/service uses;
- 1573 b. parking for on-site daycare, exercise facilities, eating areas for employees,
1574 archive space for tenants, and retail/service uses shall be no less than one space for every

1575 ((1000)) one thousand square feet of floor area and no greater than one space for every
1576 ((500)) five hundred square feet of floor area; and

1577 c. at least ((25)) twenty-five percent of required parking shall be located in a
1578 parking structure; and

1579 10. Sign standards ((as set forth)) in K.C.C. ((C))chapter 21A.20 are modified as
1580 follows:

1581 a. Signs visible from the exterior of the park shall be limited to one monument
1582 office/research park identification sign at each entrance. ((Such)) The signs shall not
1583 exceed an area of ((64)) sixty-four square feet per sign;

1584 b. no pole signs shall be permitted; and

1585 c. all other signs shall be visible only from within the park.

1586 SECTION 26. Ordinance 12823, Section 16, and K.C.C. 21A.38.210 are each
1587 hereby amended to read as follows:

1588 **Special district overlay – ((H))heron habitat protection area.**

1589 A. The purpose of the heron habitat protection area special district overlay is to
1590 provide a means to designate areas that provide essential feeding, nesting and roosting
1591 habitat for identified great blue heron rookeries. A district overlay will usually contain
1592 several isolated areas of known heron habitat in the general region surrounding the heron
1593 rookery.

1594 B. The following development standards shall be applied in addition to all
1595 applicable requirements of K.C.C. chapter 21A.24 and Title 25 to development proposals
1596 located within a heron habitat protection area district overlay:

1597 1. The following conditions shall apply to the wetland or along the main channel
1598 of the stream riparian zone containing the heron rookery (tributary streams are excluded):

1599 a. The ~~((400))~~ one-hundred-year floodplain shall be left undisturbed.

1600 Development proposals on individual lots shall require the ~~((400))~~ one-hundred-year
1601 floodplain to retain the native vegetation and be placed in a county-approved conservation
1602 easement or notice shall be placed on the title of the lot. The notice shall be approved by
1603 King County and filed with the records ~~((and))~~, elections and licensing services division.

1604 The notice shall inform the public of the presence and location of the floodplain and heron
1605 habitat on the property and that limitations on actions in or affecting the area exist.

1606 Subdivisions, short subdivisions and binding site plans shall require the ~~((400))~~ one-
1607 hundred-year floodplain to retain the native vegetation and be placed in a ~~((sensitive))~~
1608 critical areas tract, to be dedicated to the homeowner's association or other legal entity
1609 ~~((which))~~ that assumes maintenance and protection of the tract. Determination of the
1610 floodplain shall be done for each permit application based on actual field survey using
1611 county-approved floodplain elevations;

1612 b. There shall be a ~~((660))~~ six-hundred-sixty-foot radius buffer maintained
1613 around the periphery of the great blue heron rookery. If the ~~((sensitive))~~ critical areas and
1614 buffers are not adequate to provide the radius, then the buffer shall be expanded to meet the
1615 requirement. A rookery and its buffer shall be designated as ~~((sensitive))~~ critical area tract,
1616 easement or noticed on title as required in this subsection; and

1617 c. All access shall be restricted under nest trees from February 15~~((th))~~ to July
1618 31~~((st))~~ and noted on signage at the floodplain or buffer edge, whichever is further from the
1619 rookery. Access may be further restricted with fencing or dense plantings with native plant

1620 material approved by the county. All developments in R-12 or higher density zones shall
1621 restrict access and provide an interpretive sign that provides information about the stream
1622 or wetland and its wildlife, biological, and hydrological functions. All signs shall be
1623 consistent with ~~((sensitive))~~ critical area signage requirements and subject to review and
1624 approval of the county;

1625 2. Subdivisions, short subdivisions, binding site plans, site development permits
1626 or other commercial or multifamily permits adjacent to stream reaches and wetlands
1627 designated on the heron habitat protection area district overlay map, shall provide buffers
1628 that are 50 feet greater than required pursuant to K.C.C. chapter 21A.24 along those
1629 streams and wetlands to provide habitat for herons. This additional ~~((50))~~ fifty-foot buffer
1630 shall be planted with dense native plant material to discourage human intrusion into feeding
1631 or nesting and roosting areas. Plantings shall be reviewed and approved by the department.
1632 If conformance with the additional buffer requirement results in an unbuildable lot, then the
1633 minimum variation necessary to accommodate the proposed development shall be
1634 determined in consultation with county biologists and be reviewed and approved by the
1635 department;

1636 3. Along the shoreline of lakes and river corridors included in the heron habitat
1637 protection area, all subdivisions, short subdivisions, binding site plans, site development
1638 permits or other commercial or multifamily permits shall provide a ~~((50))~~ fifty-foot buffer
1639 in addition to required shoreline setbacks of K.C.C. Title 25 and chapter 21A.24. Along
1640 the shoreline of the major rivers (Sammamish, Green, Cedar, Snoqualmie, Snohomish,
1641 Skykomish and White ~~((R))~~rivers), the setback requirement may be waived if a special
1642 wildlife study shows no great blue heron nesting, roosting~~((;))~~ and feeding areas on the site.

1643 These studies shall be done by a wildlife biologist and approved by county biologists. This
1644 additional ~~((50))~~ fifty-foot buffer shall be planted with dense native plant material to
1645 discourage human intrusion into feeding or nesting and roosting areas. Plantings shall be
1646 reviewed and approved by the department; and

1647 4. New docks, piers, bulkheads~~((;))~~ and boat ramps constructed within the heron
1648 habitat protection area shall mitigate for loss of heron feeding habitat by providing
1649 enhanced native vegetation approved by the county adjacent to the development or between
1650 the development and the shoreline. Bulkheads shall be buffered from the water's edge by
1651 enhanced plantings of native vegetation approved by the county.

1652 SECTION 27. Ordinance 12823, Section 19, and K.C.C. 21A.38.240 are each
1653 hereby amended to read as follows:

1654 **Special district overlay – ~~((F))~~floodplain ~~((D))~~density.**

1655 A. The purpose of the floodplain density special district overlay is to provide a
1656 means to designate areas that cannot accommodate additional density due to severe
1657 flooding problems. This district overlay limits development in ~~((sensitive))~~ critical areas to
1658 reduce potential future flooding.

1659 B. The following development standards shall be applied to all development
1660 proposals on RA-5 zoned parcels located within a floodplain density special district
1661 overlay:

1662 1. Density is limited to one home per ~~((10))~~ ten acres for any property that is
1663 located within a ~~((sensitive))~~ critical area; and

1664 2. All development shall be clustered outside of the identified ~~((sensitive))~~ critical
1665 areas, unless the entire parcel is a mapped ~~((sensitive))~~ critical area.

1666 SECTION 28. Ordinance 10870, Section 583, as amended, and K.C.C.

1667 21A.39.020 are each hereby amended to read as follows:

1668 **UPD permit – ~~((A))~~application~~((/))~~ and review process.**

1669 A. King County shall accept an application for an UPD permit only in areas
1670 designated urban by the comprehensive plan and contained within the boundaries of UPD
1671 Special District Overlays designated by a community plan or comprehensive plan,
1672 provided that density transfer from adjacent rural lands is allowed as provided for in
1673 K.C.C. chapter 21A.36.

1674 B. A UPD permit application, or modifications of an approved UPD permit
1675 ~~((which))~~ that requires council review, shall be reviewed pursuant to the hearing examiner
1676 process outlined in K.C.C. chapter 21A.42, provided that:

1677 1. The review of the UPD permit application shall not be completed until
1678 applicable sewer and/or water comprehensive utility plans or plan amendments are
1679 identified;

1680 2. A UPD permit may be processed concurrently with any application for a
1681 subsequent development approval implementing the UPD permit.

1682 C. A processing memorandum of understanding (MOU) shall be adopted
1683 containing any of the following elements:

1684 1. Schedule for processing including timelines for EIS, drainage master plan,
1685 UPD permit hearings, plats or other permits or approvals;

1686 2. Budget for permit processing and review;

1687 3. Establishment of a core UPD review team with one representative from each
1688 county department having a principal UPD permit review role. The department responsible

1689 for coordinating review of the UPD shall enter into memorandums of understanding with
1690 other county departments specifying special tasks and timetables consistent with the
1691 schedule for performance by each department and/or independent consulting;

1692 4. Retention of a third-party facilitator at the applicant's cost to assist the county's
1693 review;

1694 5. Establishment of baseline monitoring requirements and design parameters
1695 ~~((which))~~ that are to apply under existing law during the UPD application and review
1696 process;

1697 6. Final scope for EIS, ~~((which))~~ that shall be adjusted for adopted county
1698 substantive environmental or mitigation requirements ~~((which))~~ that will apply to the UPD
1699 permit such as ~~((the sensitive area ordinance))~~ K.C.C. chapter 21A.24, the SWM Manual,
1700 road and school adequacy standards, impact fee or mitigation programs or other adopted
1701 standards.

1702 D. The processing MOU shall be completed initially within ~~((90))~~ ninety days after
1703 the request by a UPD permit applicant, unless the county and applicant agree to a different
1704 time. If the county and applicant have not reached agreement within ~~((90))~~ ninety days,
1705 then either may request final resolution of the processing MOU by a committee consisting
1706 of the directors of the departments of ~~((transportation))~~ transportation, development and
1707 environmental services~~((;))~~ and natural resources and parks;

1708 E. ~~((UPD Application Form.))~~ The county shall prepare ~~((an))~~ a UPD application
1709 form consistent with the information required under K.C.C. 21A.39.030, ~~((which))~~ that
1710 shall take into account that detailed information ~~((which))~~ that may not be available at the

1711 time of the application will be developed through the environmental impact statement and
1712 review process.

1713 SECTION 29. Ordinance 10870, Section 584, as amended, and K.C.C.

1714 21A.39.030 are each hereby amended to read as follows:

1715 **UPD permit – ((€))conditions of approval.**

1716 A. In approving a UPD permit, conditions of approval shall at a minimum
1717 establish:

1718 1. A site plan for the entire UPD showing locations of ((sensitive)) critical areas
1719 and buffers, required open spaces, UPD perimeter buffers, location and range of densities
1720 for residential development((-)) and location and size of ((non-residential)) nonresidential
1721 development;

1722 2. The expected buildout time period for the entire project and the various
1723 phases;

1724 3. Project phasing and other project-specific conditions to mitigate impacts on the
1725 environment, on public facilities and services including transportation, utilities, drainage,
1726 police and fire protection, schools((-)) and parks;

1727 4. Affordable housing requirements;

1728 5. Road and storm water design standards that shall apply to the various phases of
1729 the project;

1730 6. Bulk design and dimensional standards that shall be implemented throughout
1731 subsequent development within the UPD;

1732 7. The size and range of uses authorized for any ((non-residential)) nonresidential
1733 development within the UPD;

1734 8. The minimum and maximum number of residential units for the UPD; and
1735 9. Any or both sewer and(~~(/or))~~ water comprehensive utility plans or amendments
1736 required to be completed before development can occur; and

1737 10. Provisions for the applicant's surrender of an approved UPD permit before
1738 commencement of construction or cessation of UPD development based upon causes
1739 beyond the applicant's control or other circumstances, with the property to develop
1740 thereafter under the base zoning in effect prior to the UPD permit approval.

1741 B. A UPD permit and development agreement may allow development standards
1742 different from those otherwise imposed under the King County Code, including, but not
1743 limited to, K.C.C. 21A.39.050 (~~(through 120)~~), 21A.39.060, 21A.39.070, 21A.39.080,
1744 21A.39.090, 21A.39.100, 21A.39.110 and 21A.39.120, in order to provide flexibility to
1745 achieve public benefits, respond to changing community needs, and encourage
1746 modifications (~~(which))~~ that provide the functional equivalent or adequately achieve the
1747 purposes of county standards. Any approved development standards that differ from those
1748 in the King County Code shall not require any further zoning reclassification, variance
1749 from King County standards or other county approval apart from the UPD permit approval.
1750 The development standards as approved through the UPD permit and development
1751 agreement shall apply to and govern the development and implementation of each UPD site
1752 in lieu of any conflicting or different standards or requirements elsewhere in the King
1753 County Code.

1754 C. Subsequently adopted standards (~~(which))~~ that differ from those of the UPD
1755 permit shall apply to the UPD only where necessary to address imminent public health and
1756 safety hazards or where the UPD permit specifies a time period or phase after which certain

1757 identified standards can be modified. Determination of the appropriate standards for future
1758 phases (~~which~~) that are not fully defined during the initial approval process may be
1759 postponed. Building permit applications shall be subject to the building codes in effect
1760 when the permit is applied for.

1761 D. An approved UPD permit, including site plan elements or conditions of
1762 approval, may be amended or modified at the request of the applicant or the applicant's
1763 successor in interest designated by the applicant in writing. The director may
1764 administratively approve minor modifications to an approved UPD permit. Modifications
1765 that do not qualify as minor shall be deemed major modifications and shall be reviewed in
1766 the same manner as that (~~set forth~~) in (~~Section~~) K.C.C. 21A.39.020 for new UPD permit
1767 applications. Any increase in the total number of dwelling units in a UPD above the
1768 maximum number (~~set forth~~) in the approved UPD permit, or any decrease in the
1769 minimum density for residential areas of the UPD (exclusive of roads and (~~sensitive~~)
1770 critical areas), shall be deemed major modifications. The county through the development
1771 agreement for an approved UPD may specify additional criteria for determining whether
1772 proposed modifications are major or minor.

1773 E. Unless otherwise provided for through the UPD permit approval, and subject to
1774 any appropriate credits for fees paid or facilities provided by the UPD, applicable impact
1775 fee payment requirements shall be those (~~which~~) that are in effect when subsequent
1776 implementing approvals such as subdivision applications, binding site plans, building
1777 permits or other approvals are applied for.

1778 SECTION 30. Ordinance 13130, Section 11, and K.C.C. 21A.42.190 are each
1779 hereby amended to read as follows:

1780 **Modifications and expansions - uses or development authorized by existing**
1781 **conditional use, special use(~~(s)~~) or unclassified use permits.**

1782 A. The department may review and approve, pursuant to the code compliance
1783 process of K.C.C. (~~(21A.42.010)~~) 21A.42.030, an expansion of a use or development
1784 authorized by an existing conditional use, special use or unclassified use permit (~~(provided~~
1785 ~~that)) as follows:~~

1786 1. The expansion shall conform to all provisions of this title and the original land
1787 use permit, except that the project-wide amount of each of the following may be increased
1788 up to ten percent:

- 1789 a. building square footage,
- 1790 b. impervious surface,
- 1791 c. parking, or
- 1792 d. building height(~~(s)~~);

1793 2. No subsequent expansions shall be approved under this subsection if the
1794 cumulative amount of such expansion exceeds the percentage prescribed in subsection A.1,
1795 of this section(~~(s)~~);

1796 (~~(B-)~~) 3. A conditional use permit shall be required for expansions within a use or
1797 development authorized by an existing conditional use permit if the expansions are not
1798 consistent with the provisions of this subsection (~~(A-)~~); and

1799 (~~(C-)~~) 4. A special use permit shall be required for expansions within a use or
1800 development authorized by an existing special use or unclassified use permit, if the
1801 expansions to either permit are not consistent with the provisions of this subsection (~~(A)~~).

1802 B. The department may review and approve, in accordance with the code
1803 compliance process of K.C.C. 21A.42.030, a modification of a use or a development
1804 authorized by an existing conditional use, special use or unclassified use permit that does
1805 not make a substantial change, as determined by the department, to the conditional use,
1806 special use or unclassified use. For the purposes of this subsection, a "substantial change"
1807 includes, but is not limited to, a change to the conditions of approval or the creation of a
1808 new use.

1809 ~~((D:))~~ C. This section shall not apply to modifications or expansions of
1810 telecommunication facilities, the provision for which are ~~((set forth))~~ in K.C.C. 21A.26.140
1811 or to modifications or expansions of nonconformances, the provisions for which are ~~((set~~
1812 ~~forth))~~ in K.C.C. 21A.32.065.

1813 SECTION 31. Ordinance 13275, Section 1, as amended, and K.C.C. 21A.55.050
1814 are each hereby amended to read as follows:

1815 **Demonstration project overlay - rural forest demonstration project.**

1816 A. The purpose of the rural forest demonstration project is to test techniques to
1817 maintain long-term forest uses in areas with a predominant parcel size of significantly
1818 less than eighty acres ~~((which))~~ that are located in proximity to residential development.
1819 The demonstration project will also provide information and data to assist in the
1820 development of King County Comprehensive Plan policies to guide application and
1821 refinement of forest protection regulations.

1822 B. ~~((Rural Forest demonstration project—designation of project area.))~~ The rural
1823 forest demonstration project will be implemented on the five_hundred_ten-acre site

1824 located east of the Rattlesnake Mountain Scenic Area, as shown in ~~((a))~~ Attachment A
1825 ~~((e))~~ to Ordinance 13275.

1826 C. ~~((Scope of demonstration project--))~~ The rural forest demonstration project
1827 shall include:

1828 1. Preparation of a forest management plan for the entire demonstration project
1829 site. The forest management plan shall be developed jointly by the department of natural
1830 resources and parks and the property owner with input from the Washington state
1831 Department of Natural Resources, local tribes and citizens, and shall be approved by the
1832 director of the department of natural resources and parks. The forest management plan
1833 shall include:

1834 a. an inventory of existing conditions ~~((--))~~, including current tree species and
1835 respective size ranges, understory composition, ~~((sensitive))~~ critical areas, natural and
1836 human induced disturbance regimes and history of ecosystem changes~~((--))~~;

1837 b. objectives for forest management including water quality protection, habitat
1838 enhancement, maintenance of scenic areas, surface water management and minimal
1839 impacts to neighbors~~((--))~~;

1840 c. a reforestation element consistent with these management objectives
1841 including establishment of stream buffers of one hundred eighty-three feet for Class II
1842 streams with salmonids and one hundred feet for Class III streams~~((--))~~; and

1843 d. an operation and maintenance element including anticipated harvest
1844 activities~~((--))~~;

1845 2. Creation of a dedicated fund of the Uplands Snoqualmie Valley Homeowners
1846 Association the proceeds of which may be expended solely to implement and monitor the

1847 forest management plan. The net proceeds of any harvest of forest products from the
1848 common tracts of the Uplands Snoqualmie Valley shall be deposited in such fund to the
1849 extent necessary to bring the aggregate amount of money in such fund to an amount
1850 reasonably anticipated to be needed to pay the cost of implementing and monitoring the
1851 forest management plan for the current and next two calendar years((-));

1852 3. Creation of a Stewardship Committee of the Uplands Snoqualmie Valley
1853 Homeowners Association to implement the forest management plan. The
1854 ~~((S))~~stewardship ~~((C))~~committee shall, in consultation with King County and Washington
1855 state Department of Natural Resources: ensure sufficient funding is available for
1856 implementation of the forest management plan, hire a qualified forester or foresters to
1857 implement the forest management plan and hire qualified staff to monitor implementation
1858 of the forest management plan and prepare required reports. King County and the
1859 Washington state Department of Natural Resources shall annually inspect the property
1860 for compliance with the forest management plan consistent with the terms of the
1861 conservation easement and King County shall offer training to the members of the
1862 ~~((S))~~stewardship ~~((C))~~committee on forestry techniques and issues((-));

1863 4. Application and review of a formal subdivision of forty-one lots, exclusive of
1864 common tracts, on the five hundred-ten-acre site. The subdivision and infrastructure
1865 shall be designed to integrate with the forest landscape, including pavement widths no
1866 wider than needed to meet safety considerations. A goal of the demonstration project is to
1867 test the marketability of these forest lots in a timely manner; to that end, it is a goal of
1868 King County to render a decision on the subdivision application within six months of
1869 submittal of the application. A priority review process shall be implemented as permitted

1870 by K.C.C. 21A.55.010. The department of development and environmental services shall
1871 assign a permit coordinator and a project review team to complete review of all aspects of
1872 the application, and shall negotiate appropriate fees for the review process with the
1873 applicant. Neither the designation of the site as a demonstration project nor approval of
1874 the forest management plan constitute approval of the subdivision application or in any
1875 way limit King County discretion in SEPA review or application of regulations to the
1876 subdivision application((-);

1877 5. Dedication or conveyance, upon final plat approval, to King County or a
1878 qualified nonprofit conservation organization of a conservation easement in perpetuity
1879 upon the demonstration project site that: prohibits any future subdivision activity;
1880 prohibits all development of the site other than residential development of no more than
1881 forty-one lots; restricts such residential development and associated lawn, landscaped
1882 areas, driveways and fenced areas to an area not to exceed two acres within each lot;
1883 restricts the uses of the remaining nonresidential portion of the site to open space and
1884 forest practices and incidental uses necessary for the residential use on the forty-one lots
1885 such as for roads, access drives (not including on-site driveways) utilities and storm
1886 detention; provides for the dedicated fund as described in K.C.C. 21A.55.050C.2;
1887 requires the owner to exercise its reasonable best efforts to implement the forest
1888 management plan; and provides for enforcement of the terms of the conservation
1889 easement first through nonbinding mediation. Adoption of this demonstration project
1890 shall be subject to council review of the conservation easement, a copy of which shall be
1891 provided to the council by August 20, 1998((-); and

1892 6. An inventory of properties within King County with similar characteristics to
1893 the rural forest demonstration project site and an analysis of the potential effects of
1894 development of those properties under the same requirements as the demonstration
1895 project.

1896 D. (~~Scope of authority to modify or waive standards.~~) Application to modify or
1897 waive development standards of K.C.C. Title 21A for this individual development
1898 proposal shall be administratively approved by the director of the department of
1899 development and environmental services and shall be consistent with an approved forest
1900 management plan developed for the entire five_hundred_ten acre site.

1901 E. The application to modify or waive development standards for this
1902 development proposal shall be evaluated on the merits of the specific proposal. Approval
1903 or denial of a proposed modification or waiver shall not be construed as precedent setting
1904 for elsewhere in the county.

1905 F. Modification or waivers approved pursuant to the rural forest demonstration
1906 project shall be in addition to those modifications or waivers (~~which~~) that are currently
1907 allowed by K.C.C. Title 21A. The range of proposed modifications to development
1908 regulations that may be considered pursuant to the rural forest demonstration project shall
1909 only include the following zoning code regulations:

1910 1. Development Standards - Landscaping and Water Use, K.C.C. chapter
1911 21A.16, limited to the following (~~subsections~~) sections:

- 1912 a. landscaping - street frontages, K.C.C. 21A.16.050;
1913 b. landscaping - interior lot lines, K.C.C. 21A.16.060; and

1914 c. landscaping - additional standards for required landscape areas, K.C.C.
1915 21A.16.090.

1916 2. Development Standards - Parking and Circulation, K.C.C. chapter 21A.18,
1917 limited to the following ~~((subsections))~~ sections:

- 1918 a. pedestrian and bicycle circulation and access, K.C.C. 21A.18.100; and
- 1919 b. off-street parking plan design standards, K.C.C. 21A.18.110.

1920 G. The ~~((M))~~modification or waiver review process is as follows:

1921 1. Requests for modifications or waivers may only be submitted in relation to a
1922 formal subdivision proposal~~((:))~~;

1923 2. Requests shall be:

1924 a. submitted to the department of development and environmental services
1925 prior to or in conjunction with the subdivision application for preliminary approval of a
1926 formal subdivision on the project site; and

1927 b. in writing, along with any supporting documentation. The supporting
1928 documentation must illustrate how the proposed modification meets the criteria of K.C.C.
1929 21A.55.050~~H~~~~((:))~~;

1930 3. Notice of application, review and approval of proposed modifications or
1931 waivers submitted in conjunction with a formal subdivision application shall be treated as
1932 a Type 2 land use decision. In approving a proposed modification or waiver, the director
1933 must conclude that the criteria for approval ~~((set forth))~~ in K.C.C. 21A.55.050H have
1934 been met~~((:))~~;

1935 4. A preapplication meeting to determine the need for, and the likely scope of, a
1936 proposed modification~~(((\$))~~) or modifications or waiver~~(((\$))~~) or waivers shall be
1937 required prior to submittal of a modification request~~(((\$))~~); and

1938 5. Administrative appeals of director approved modifications or waivers shall be
1939 combined with consideration of the underlying application for preliminary subdivision
1940 approval.

1941 H. ~~((Rural forest demonstration project criteria for modification or waiver
1942 approval.))~~ The application for a rural forest demonstration project must, for
1943 modification or waiver approval, demonstrate how the proposed project, with
1944 modifications or waivers to the code, will be consistent with and implement the approved
1945 forest management plan. This shall be demonstrated by documenting that the
1946 development with modifications or waivers:

- 1947 1. Enhances the preservation of forestry for resource value, open space, scenic
1948 views and wildlife habitat;
- 1949 2. Reduces impacts on the natural environment or restores natural functions; and
1950 3. Supports the integration of forest uses and homesites.

1951 I. ~~((Rural forest demonstration project—effective period.))~~ The forest
1952 management plan for a rural forest demonstration project shall be developed and a
1953 decision on its approval or denial shall be reached no more than thirty days after
1954 designation of the site as a rural forest demonstration project. If the forest management
1955 plan is not approved thirty days after designation as a rural forest demonstration project,
1956 the executive shall propose restoring the site to its prior land use designations and zoning
1957 classifications as part of the 1999 amendments to the King County Comprehensive Plan.

1958 Regulatory modification or waiver applications authorized by ~~((this or))~~ Ordinance 13275
1959 shall not be accepted by the department of development and environmental services after
1960 March 1, 1999. Modifications or waivers to the King County Code contained within an
1961 approved development proposal shall be valid as long as the underlying permit. The rural
1962 forest demonstration project shall continue for a period of five years from the final
1963 approval of the subdivision application, with reporting periods specific to measuring the
1964 goals of the forest management plan.

1965 J. ~~((Rural forest demonstration project reports.))~~ The director of the department
1966 of natural resources and parks shall submit a report on the rural forest demonstration
1967 project to the council following approval of the forest management plan evaluating the
1968 process used to prepare the forest management plan, an inventory of other properties
1969 ~~((which))~~ that have similar characteristics to the demonstration project site, the
1970 applicability and potential effects of allowing these other properties to develop under the
1971 same requirements as the demonstration project and recommending any changes that
1972 should be made to county policy or regulations to maintain long-term forestry in areas no
1973 longer managed for large-scale commercial forestry. In addition, a report shall be
1974 prepared annually by qualified staff retained by the Stewardship Committee of the
1975 Uplands Snoqualmie Valley Homeowners Association or subsequent management entity
1976 of the forest management plan and submitted to the Rural Forest Commission. The
1977 annual reporting shall commence six months following final approval of the subdivision.
1978 The first two annual reports shall describe the annual work program and budget for
1979 implementation of the forest management plan, progress made in implementing the work
1980 program, and success in marketing the homesites. Annual reports for the subsequent

1981 three years shall document the annual budget and continued progress in implementing the
1982 forest management plan, the level of involvement by homeowners in forest management
1983 and any problems in implementation generated by homeowners. The Rural Forest
1984 Commission shall review the annual reports and shall inform the director of the
1985 department of natural resources and parks if it has found that necessary implementation
1986 measures of the forest management plan have not been followed. If so, and if the director
1987 of the department of natural resources and parks determines it is necessary, the director
1988 shall request the Stewardship Committee of the Uplands Snoqualmie Valley
1989 Homeowners Association to take corrective action. If satisfactory action is not taken, the
1990 director may invoke the enforcement mechanism of the conservation easement. The
1991 annual reports will also provide information for further consideration of changes to
1992 county policies or regulations for maintenance of long-term forestry.

1993 SECTION 32. In accordance with K.C.C. 20.44.080, the metropolitan King
1994 County council finds that the requirements for environmental analysis, protections and
1995 mitigation measures in the sections of K.C.C. Title 21A amended by this ordinance,
1996 provide adequate analysis of and mitigation for the specific adverse environmental
1997 impacts to which the requirements apply.

1998 SECTION 33. Severability. If any provision of this ordinance or its application to

Ordinance 15606

1999 any person or circumstance is held invalid, the remainder of the ordinance or the
2000 application of the provision to other persons or circumstances shall not be affected.
2001
2002

Ordinance 15606 was introduced on 3/13/2006 and passed as amended by the Metropolitan King County Council on 10/2/2006, by the following vote:

Yes: 7 - Mr. von Reichbauer, Mr. Dunn, Mr. Ferguson, Mr. Gossett, Ms. Hague, Mr. Constantine and Ms. Patterson
No: 1 - Ms. Lambert
Excused: 1 - Mr. Phillips

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Anne Noris

ATTEST:

Anne Noris

APPROVED this ____ day of _____, _____.

Anne Noris

Attachments None